

**City Council Workshop & Meeting
August 2, 2021
Agenda**

5:30 P.M. City Council Workshop

- A. Public Safety Study Presentation – Derek Boulanger (30 minutes)
- B. Residential Strips and Map Review – Eric Cousens (30 minutes)
- C. Request to Fund Conservation Commission Membership Dues – Phil Crowell (15 minutes)
- D. Future Land Use Presentation – Eric Cousens (15 minutes)

7:00 P.M. City Council Meeting - Roll call votes will begin with Councilor Milks

Pledge of Allegiance

- I. **Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
 - 1. **Order 77-08022021***
Instructing the Planning Board to hold a second public hearing on Residential Strips with abutter's notification.
 - 2. **Order 78-08022021***
Authorizing the City Clerk to waive the \$100 business license fee for Saint Dominic Academy's Annual Holiday festival.
 - 3. **Order 79-08022021***
Approving the CDBG & HOME Action Plan and Budget.
 - 4. **Order 80-08022021***
Authorizing the City Manager to cast the ballot for the MMA Annual Election.
 - 5. **Order 81-08022021***
Re-appointing Kathy Shaw to the Ag Committee with a term expiration of 4/1/2024.
 - 6. **Order 82-08022021***
Appointing Stanwood Gray to the Complete Streets Committee with a term expiration of 1/1/2024.

7. **Order 83-08022021***
Appointing Kryston Chapman to the Conservation Commission with a term expiration of 6/1/2022.
 8. **Order 84-08022021***
Appointing David Griswold to the Conservation Commission with a term expiration of 6/1/2022.
 9. **Order 85-08022021***
Appointing Larissa Martin to the Citizen’s Advisory Committee with a term expiration of 6/30/2022.
 10. **Order 86-08022021***
Initiating a formal request to send the proposed amendments to the Future Land Use Chapter to the Planning Board for a public hearing and recommendation at their September 2021 meeting.
- II. **Minutes – July 19, 2021 Regular Council Meeting**
- III. **Communications, Presentations and Recognitions**
- Auburn Community Concert Band – 40 Years Update – Milt Simon
 - Spirit of America Presentation
 - Tax Commitment Year 2021/2022 – Karen Scammon and Joe St. Peter
 - Council Communications (about and to the community)
- IV. **Open Session – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.***
- V. **Unfinished Business**
1. **Ordinance 32-07192021**
Amending the zoning of the property located at 41 Steven’s Mill Road (PID 208-043) from Suburban Residential to General Business II. Second reading.
 2. **Ordinance 33-07192021**
Amending Chapter 60, Article XII, Division 5, Section 60-992 (b) of the Auburn Code of Ordinance and Shoreland Zoning Map to allow as a Special Condition Overlay in identified areas of the Shoreland Zone, the height of all principal or accessory structures to exceed the 35-foot height limit to maximum of 50-feet. Second reading.
- VI. **New Business**
1. **Order 87-08022021**
Approving the formation of a new department, Capital Infrastructure and Purchasing.
 2. **Order 88-08022021**
Approving the allocation of \$175,000.00 from the American Rescue Plan Act (ARPA) to execute the approved organizational realignment.
 3. **Ordinance 34-08022021**

Amending the setback requirements in Chapter 14 – Business Licenses and Permits, Article XVIII-Adult Use and Medical Marijuana Businesses Section 14-659 (a)(4). First reading.

4. Order 89-08022021

Approving the Mass Gathering for the Bicentennial Parade to be held on August 21, 2021. Public hearing.

VII. Open Session - *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda*

VIII. Reports (from sub-committees to Council)

- a. Mayor's Report
- b. City Councilors' Reports
- c. City Manager Report

IX. Executive Session – Personnel matter (City Manager Review), pursuant to 1 M.R.S.A. Sec. 405 (6)(A)

X. Adjournment



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: 8/2/2021

Author: Derek Boulanger

Subject: Public Safety Facilities Assessment

Information: Over the last year, the Public Safety Team, Woodard and Curran, Simons Architects and Colby Company Engineering completed a facilities assessment for Police, Fire and 911. The assessment included site visits to all locations, interviews with staff, and a space needs program analysis with the goal of identifying deficiencies and providing recommendations for long term solutions.

Each of the Fire Stations were found to be well maintained and in good physical condition but due to age (1952-1974) and the evolution of public safety services over the last 50 years, these facilities do not support current programs and staffing. Several deficiencies were identified at all fire stations, including life safety, diversity accommodation, lack of adequate space for additional beds, offices, fitness area, and equipment storage.

The Police Department moved to City Hall approximately 13 years ago as a temporary 5-year solution until a new APD headquarters could be built. City Hall was not designed to accommodate Police operations and presents many challenges for the department, including but not limited to, undersized locker rooms and restrooms, lack of a secure sallyport, accessible evidence storage, and office space.

The team reviewed several sites for the potential construction of a new facility, and it was determined that the renovation and expansion of Central Fire is the best option for a Public Safety Campus due to its geographic location, size, and existing infrastructure. Combining Police and Fire into one campus allows for shared resources such as common public entry, lobby, training and fitness rooms, an emergency operations center, utilities, and parking. Additionally, this approach allows the 911 center to be relocated from the basement of Central Fire to a purpose-built center on the upper floors of the facility, providing room for future growth. In addition to the new combined Public Safety Facility, Engine 2 Fire Station would be replaced with a new facility, and a renovation and addition would occur at Engine 5.

The proposed solutions at all four locations will correct all deficiencies identified, by utilizing and expanding upon existing City owned sites in a phased multi-year approach. These improvements along with Police relocation would vacate much needed office and storage space at City Hall for use by other City departments, aid in attracting and retaining Public Safety staff, and meet current and future programming needs.

City Budgetary Impacts: To be determined.

Staff Recommended Action: Discussion.

Previous Meetings and History:

12-21-2021 Executive Session

City Manager Comments:

I concur with the recommendation. Signature:



Attachments: Public Safety Buildings Facilities Assessment Update, Presentation Slides.



Public Safety Buildings Facilities Assessment Update



The Challenges

Engine 2 – 180 South Main St

- Living spaces open directly into the apparatus bays.
- Lacks drive-thru apparatus bay
- Undersized living quarters and no accommodation for gender diversity
- No equipment storage, work-stations or fitness area
- Lacks apparatus bay and living space for EMS

Engine 3 – 550 Minot Ave

- Cannot support tower truck
- Toilet and shower areas do not accommodate gender diversity
- No dedicated bunk space

Engine 5 – 651 Center St

- No capacity for staff growth
- Lacks work-stations and private office space



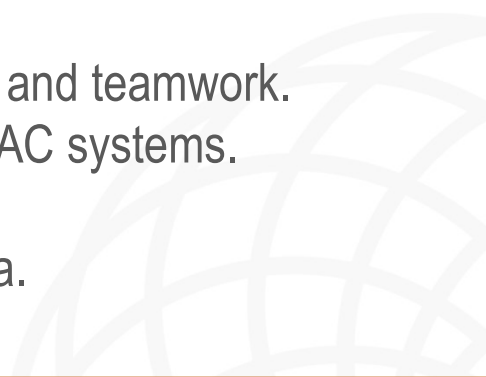
The Challenges

911 Center – 550 Minot Ave

- Lacks windows or access to natural light, located in the basement.
- Insufficient office space and lacks space for growth.
- Lacks training rooms, locker area, and secure records storage.
- No secure, visible and accessible reception area for public interactions

Police Department - 60 Court Street (City Hall)

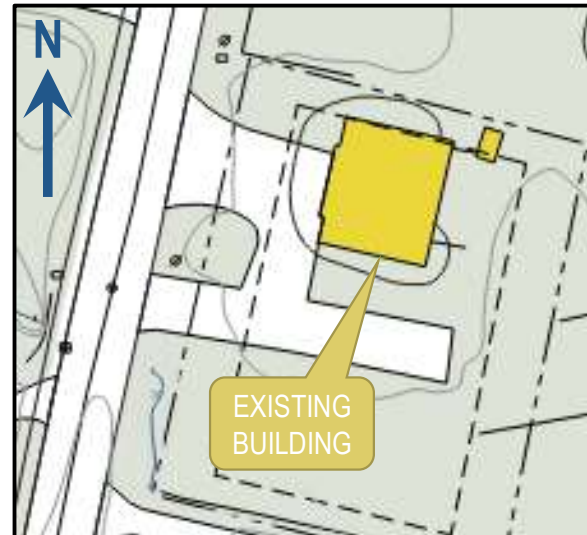
- Short-term solution now going on 13+ years.
- Departments on separate building floors, challenging communications and teamwork.
- Inadequate evidence room/vehicle impound location, capacity and HVAC systems.
- Lacks adequate locker rooms, shower areas and secure spaces.
- No Sally Port, Booking area, Holding area, or Prisoner processing area.



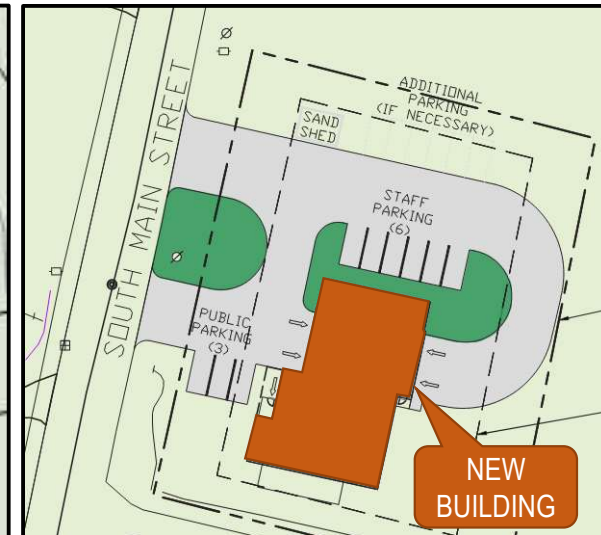
The Solutions

Engine 2 – 180 South Main St

- New right-sized, purpose-built facility
- Efficient building performance
- Allows for continued station operations during construction
- Drive-thru apparatus bay



EXISTING SITE PLAN

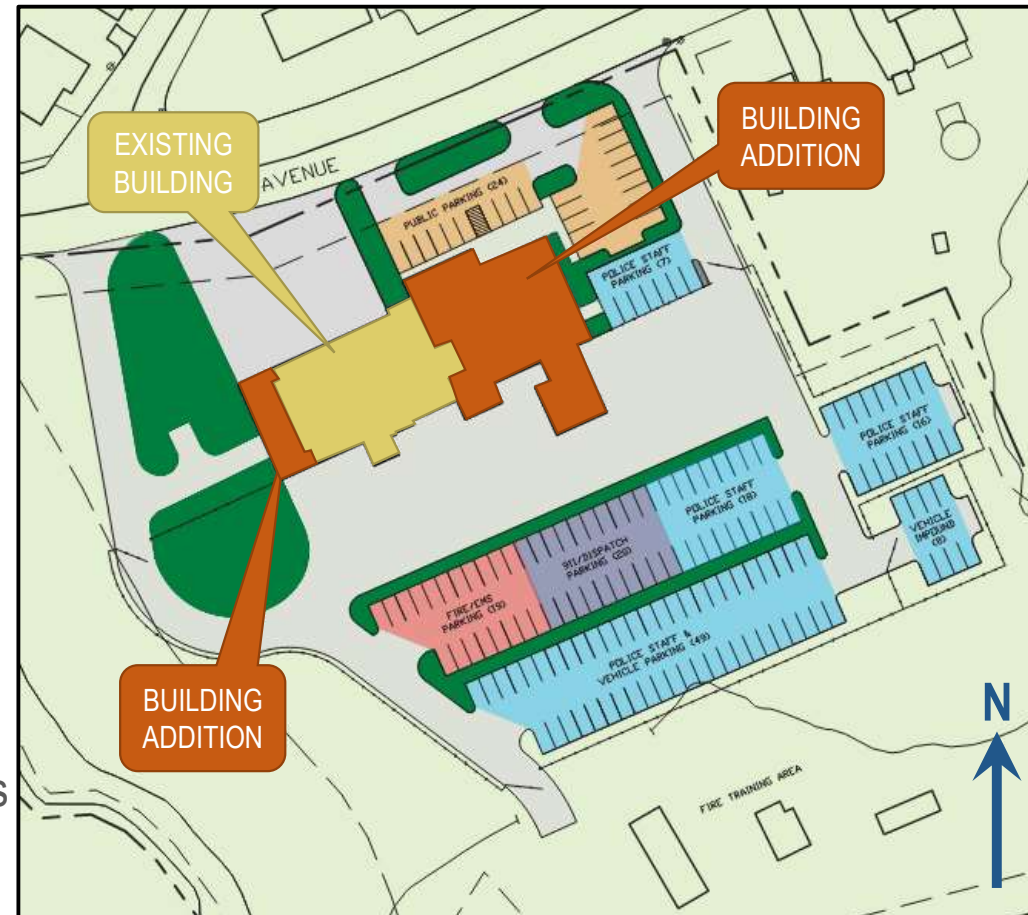


PROPOSED SITE PLAN

The Solutions

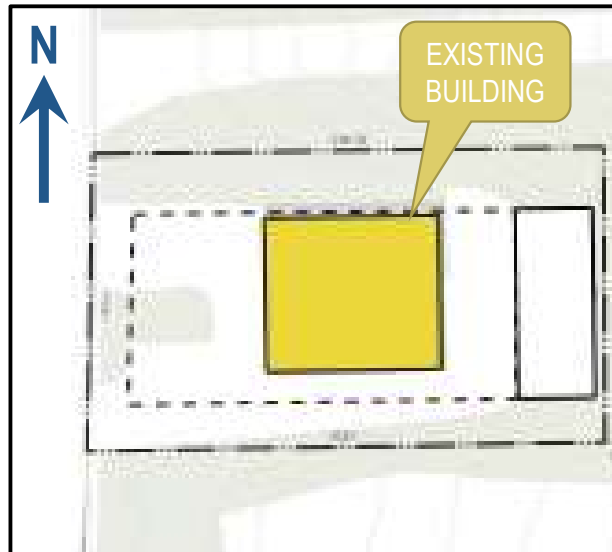
Public Safety Facility – 550 Minot Ave

- Building addition for public safety including
 - Police department
 - Fire station administration support
 - 911 Center
 - Common public entry, lobby, and reception
 - Emergency operations center
 - Other shared program rooms and spaces
- Building addition for new tower truck bay
- Renovate existing living and support spaces
- Allows for phased construction

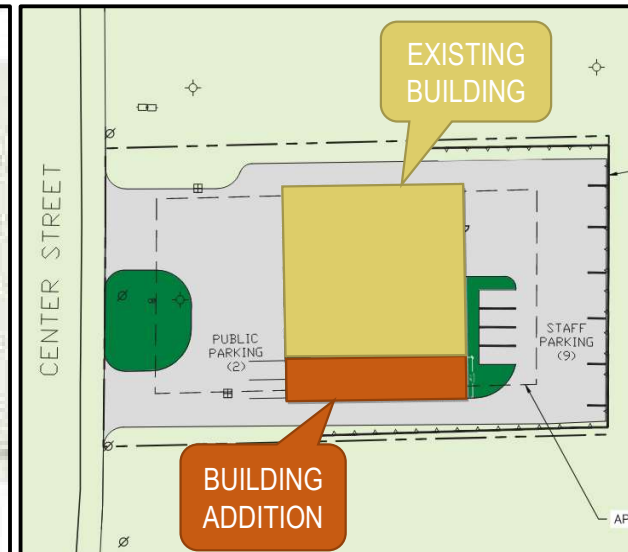


The Solutions

- Engine 5 – 651 Center St
 - Building addition on south for additional bunk and support space
 - Renovate and modernize existing support spaces
 - No changes to existing apparatus bay



EXISTING SITE PLAN

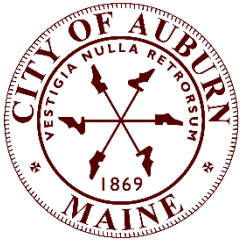


PROPOSED SITE PLAN

Implementation Schedule

	Year 1						Year 2						Year 3																							
	21-Jul	21-Aug	21-Sep	21-Oct	21-Nov	21-Dec	22-Jan	22-Feb	22-Mar	22-Apr	22-May	22-Jun	22-Jul	22-Aug	22-Sep	22-Oct	22-Nov	22-Dec	23-Jan	23-Feb	23-Mar	23-Apr	23-May	23-Jun	23-Jul	23-Aug	23-Sep	23-Oct	23-Nov	23-Dec	24-Jan	24-Feb	24-Mar	24-Apr	24-May	24-Jun
DESIGN PHASE	Pre-Design (Survey, Wetlands, Geotech)						Engine 2 New Station Design & Permitting						Engine 2 Bidding		Engine 3 Public Safety Facility Design & Permitting																					
DESIGN BUDGET	\$200K						\$210K						\$1.5M																							
CONSTRUCTION PHASE													Engine 2 New Station Construction																							
CONSTRUCTION BUDGET													\$2.6M																							
TOTAL BUDGET (PER FISCAL YEAR)	YR1 = \$200K						YR2 = \$210K						YR3 = \$4.1M																							

	Year 4						Year 5						Year 6																							
	24-Jul	24-Aug	24-Sep	24-Oct	24-Nov	24-Dec	25-Jan	25-Feb	25-Mar	25-Apr	25-May	25-Jun	25-Jul	25-Aug	25-Sep	25-Oct	25-Nov	25-Dec	26-Jan	26-Feb	26-Mar	26-Apr	26-May	26-Jun	26-Jul	26-Aug	26-Sep	26-Oct	26-Nov	26-Dec	27-Jan	27-Feb	27-Mar	27-Apr	27-May	27-Jun
DESIGN PHASE	Engine 3 Bidding								Engine 5 Addition & Renovation Design & Permitting						Engine 5 Bidding																					
DESIGN BUDGET									\$255K																											
CONSTRUCTION PHASE	Relocate FD Staff		Engine 3 (Phase 1) PD & 911 Addition						Relocate Staff		Engine 3 (Phase 2) FD Renovation				Engine 5 Renovation & Addition																					
CONSTRUCTION BUDGET			\$19.3M												\$2.93M																					
TOTAL BUDGET (PER FISCAL YEAR)	YR4 = \$19.3M						YR5 = \$255K						YR6 = \$2.93M																							



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 77-08022021

Author: John Blais, Urban Development Specialist

Subject: Map amendment to the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 Feet to a width of 750 feet from the center line of roadways.

Information: At the May 17, 2021 meeting, the City Council voted to request a recommendation from the Planning Board to increase the width of the residential strips abutting the Ag-Zone from 450-feet to 750-feet. As staff begun to draw-up the changes to residential strips the following questions came-up before meeting the requirements pursuant to Chapter 60, Division 2, Sec. 60-1445-1449.

- 1.) Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.
- 2.) Extending the boundary to 750 feet on lots that do not have required minimum road frontage in the residential zone.
- 3.) Stopping the residential zone boundary at road Right-Of-Way boundary for lots less than 750 feet deep that about AG/RP zoned roads.
- 4.) Extending zones out to 750 feet from pre-established subdivisions with city roads located in a current residential strip.
- 5.) Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.
- 6.) Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside drive to match the FEMA 2014 Flood Insurance Rate Maps.

City Budgetary Impacts: Potential Increased Taxable Value from Additional Dwellings.

Staff Recommended Action: Please provide a response to the questions asked by the staff so they can complete updates to the maps and refer the same to the August 10, 2021 planning board meeting/public hearing.

Previous Meetings and History: May 17, 2021 – City Council meeting, June 8, 2021 & – Planning Board Meeting

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Power Point Presentation

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to the Low Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 feet to a Width of 750 feet from the centerline of the roadways.
Date: June 08, 2021

I. PROPOSAL: At the May 17, 2021 City Council meeting, the Council voted to request a recommendation from the Planning Board to expand the residential strips abutting the Ag-Zone from a width of 450 feet to a width of 750 feet from the centerline of the roadways.

The City has a number of residential strips, primarily in northern and southern areas that split parcels of land between two zoning districts – Agriculture/Resource Protection and either Rural Residential or Low Density Country Residential. This allows property owners to have a residence in the front of the property, zoned residential, and reserves the back portion of the property as Ag-land. Below is an example in the Trapp Road/Pownal Road area of a Rural Residential strip on either side of the roadways.



By increasing the width of these strips an additional 300 feet, it will provide more buildable area for residential uses in these neighborhoods.

One of the reasons the strips were set to 450 feet was to prevent subdivisions such as the one below on Partridge Lane which essentially cuts off access to the back agriculturally zoned land.



If the Planning Board would like more information from the City Council as to why this change has been recommended, we recommend using this opportunity to come up with specific questions about the proposed changes to bring back to the City Council.

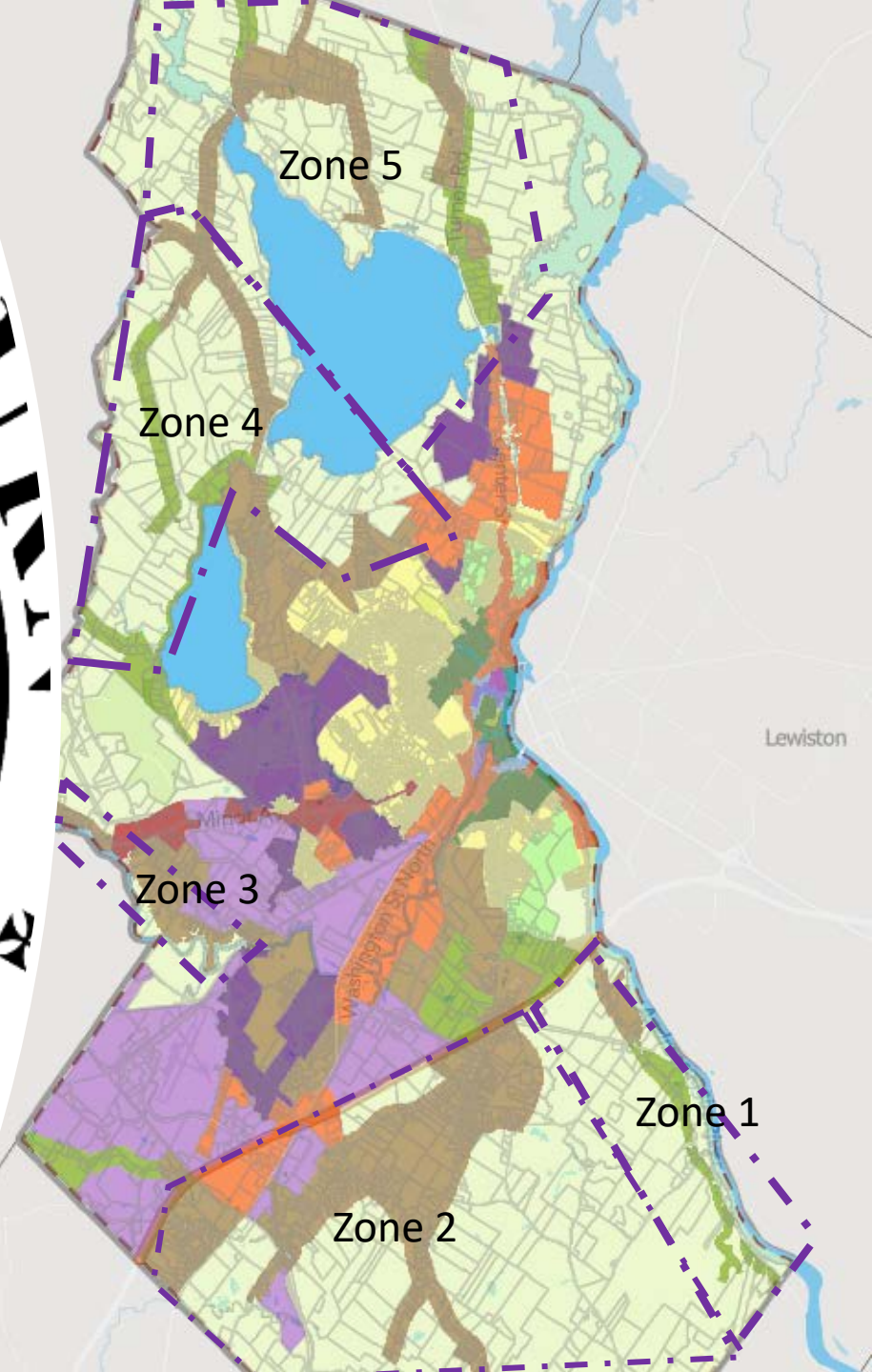
II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

II. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a favorable recommendation to City Council to expand the Rural Residential and Low Density Country Residential strips an additional 300 feet to provide more flexibility for residential uses in these areas. If the Planning Board is not comfortable with making a recommendation until additional information is provided, Staff recommends using this opportunity to formulate a list of questions for the City Council.

Zoning Map Amendment

- *Proposed rezoning to expand the Rural Residential and Low-Density Country Residential strips an additional 300 feet or to the property lines that fall under 750 feet from the centerline of the roadway to provide more flexibility for residential uses in these areas.*

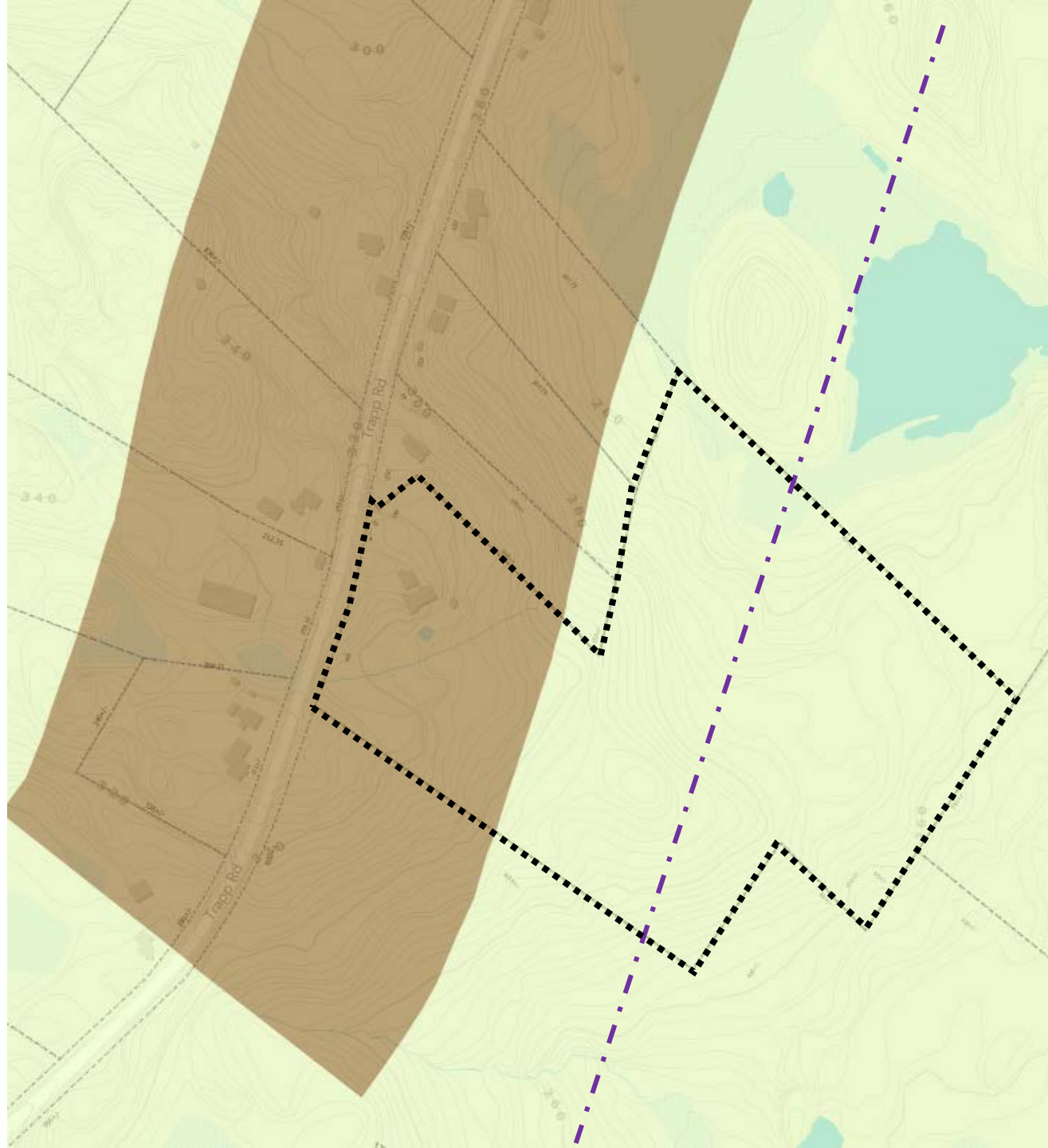


Zoning Map Amendment

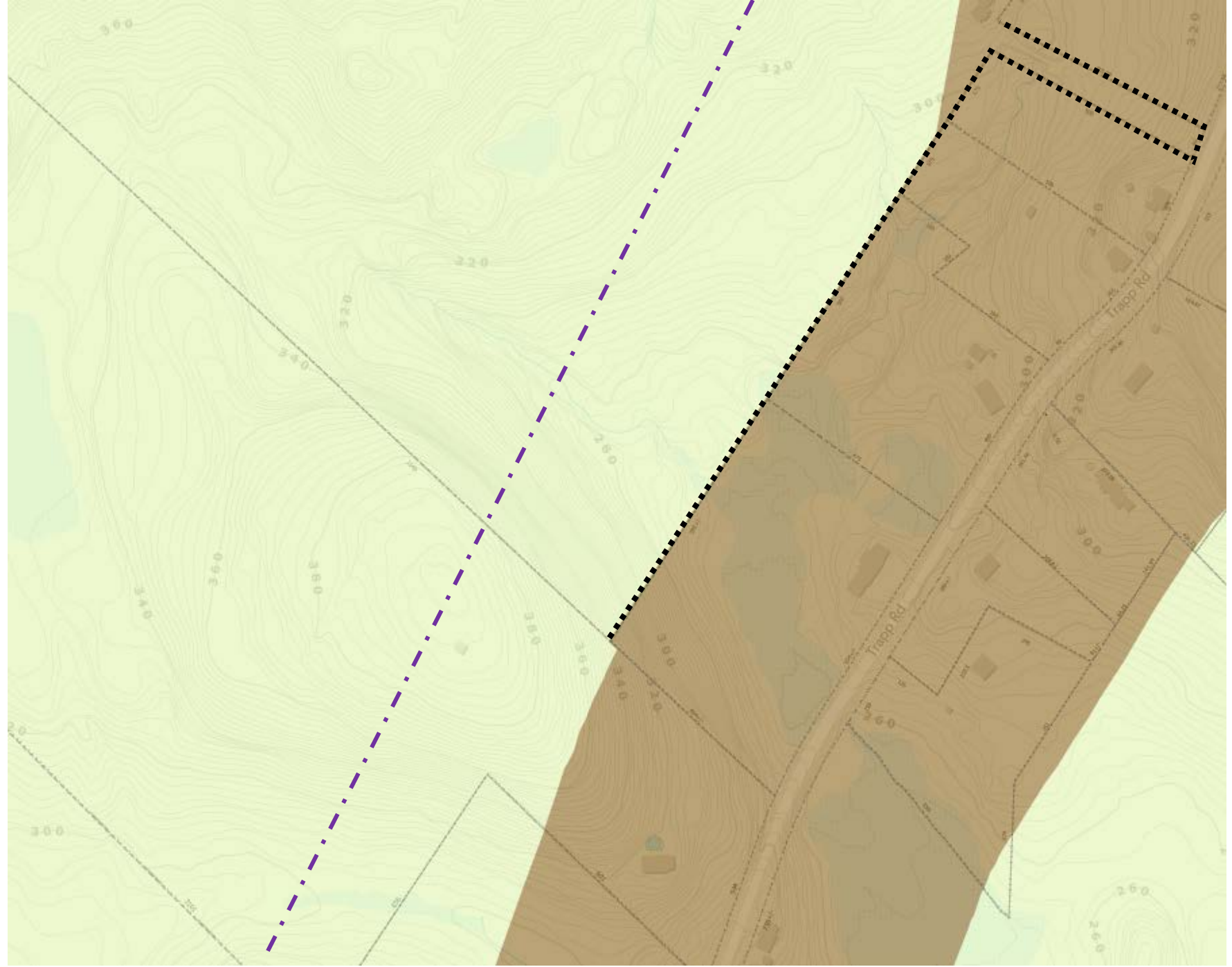
Criteria Discussion for Delineation of 750 feet in residential strips

- 1.) Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.
- 2.) Extending the boundary to 750 feet on lots that do not have required minimum road frontage in the residential zone.
- 3.) Stopping the residential zone boundary at road Right-Of-Way boundary for lots less than 750 feet deep that abut AG/RP zoned roads.
- 4.) Extending zones out to 750 feet from pre-established subdivisions with city roads located in a current residential strip.
- 5.) Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.
- 6.) Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside drive to match the FEMA 2014 Flood Insurance Rate Maps.

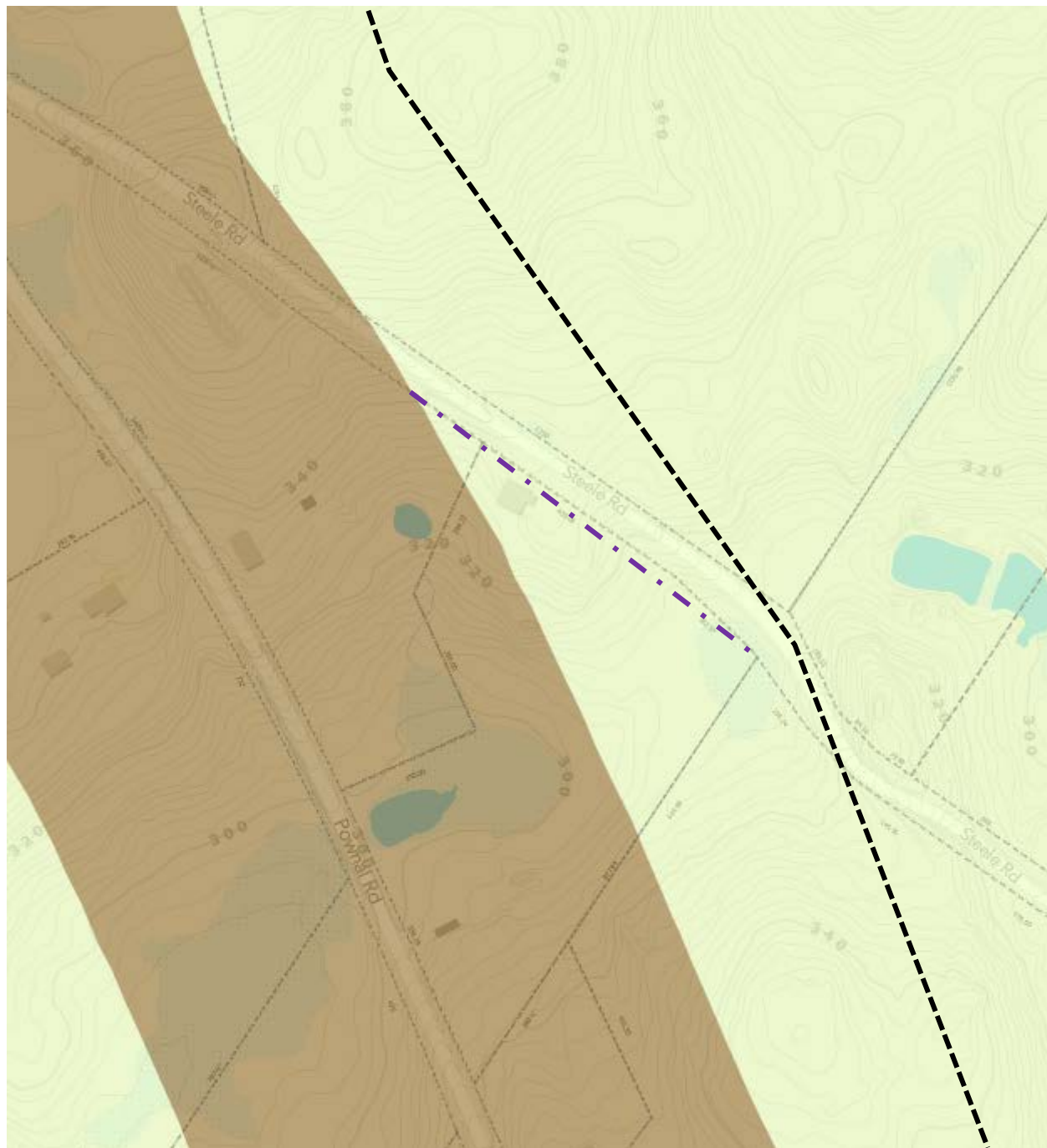
Criteria #1: Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.



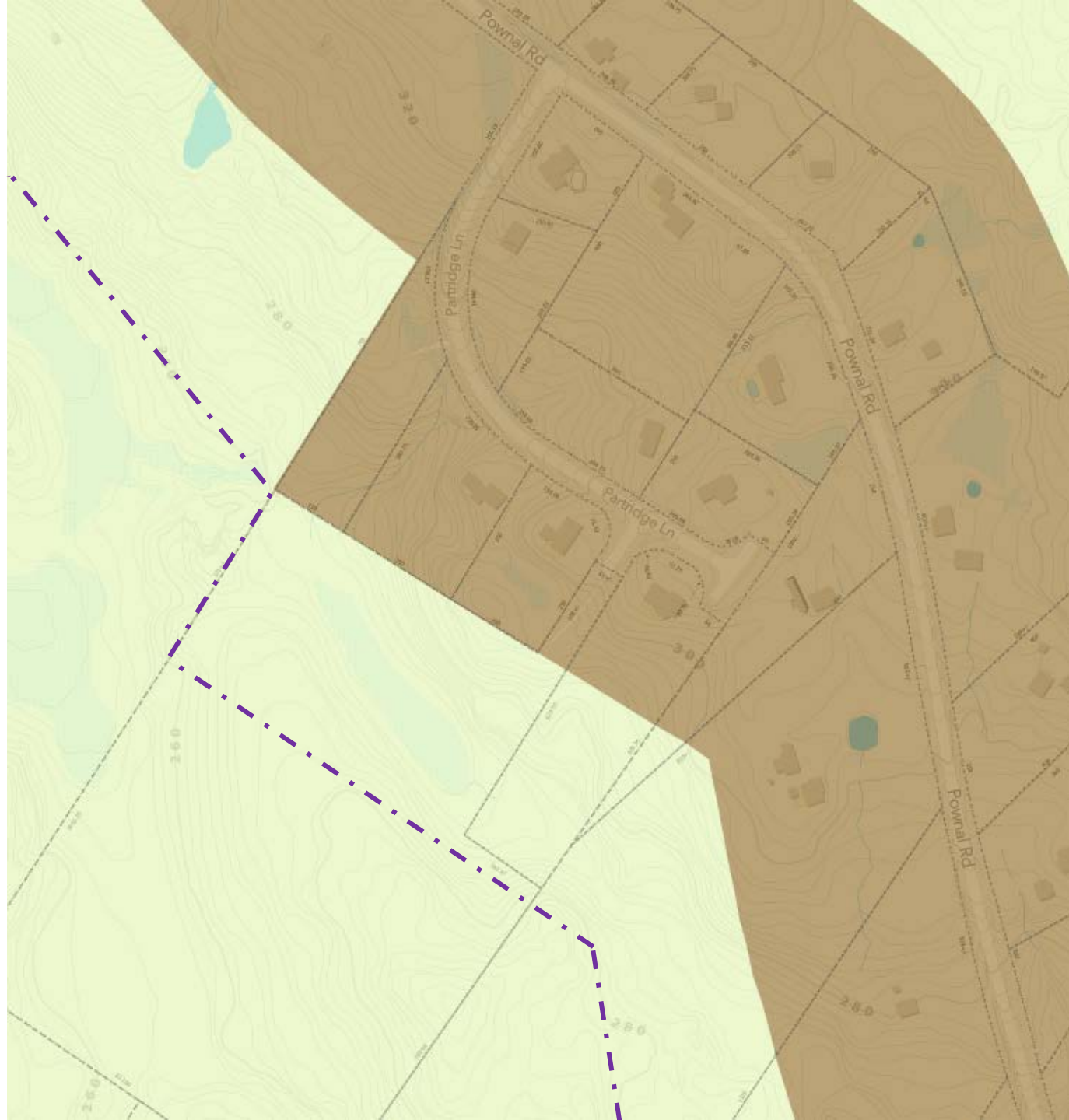
Criteria #2:
Extending the
boundary to 750 feet
on lots that do not
have any or required
minimum road
frontage in the
residential zone.



Criteria #3: Stopping the residential zone boundary at road Right-of Way boundary for lots less than 750 feet deep that abut Agriculture/Resource Protection zoned roads.



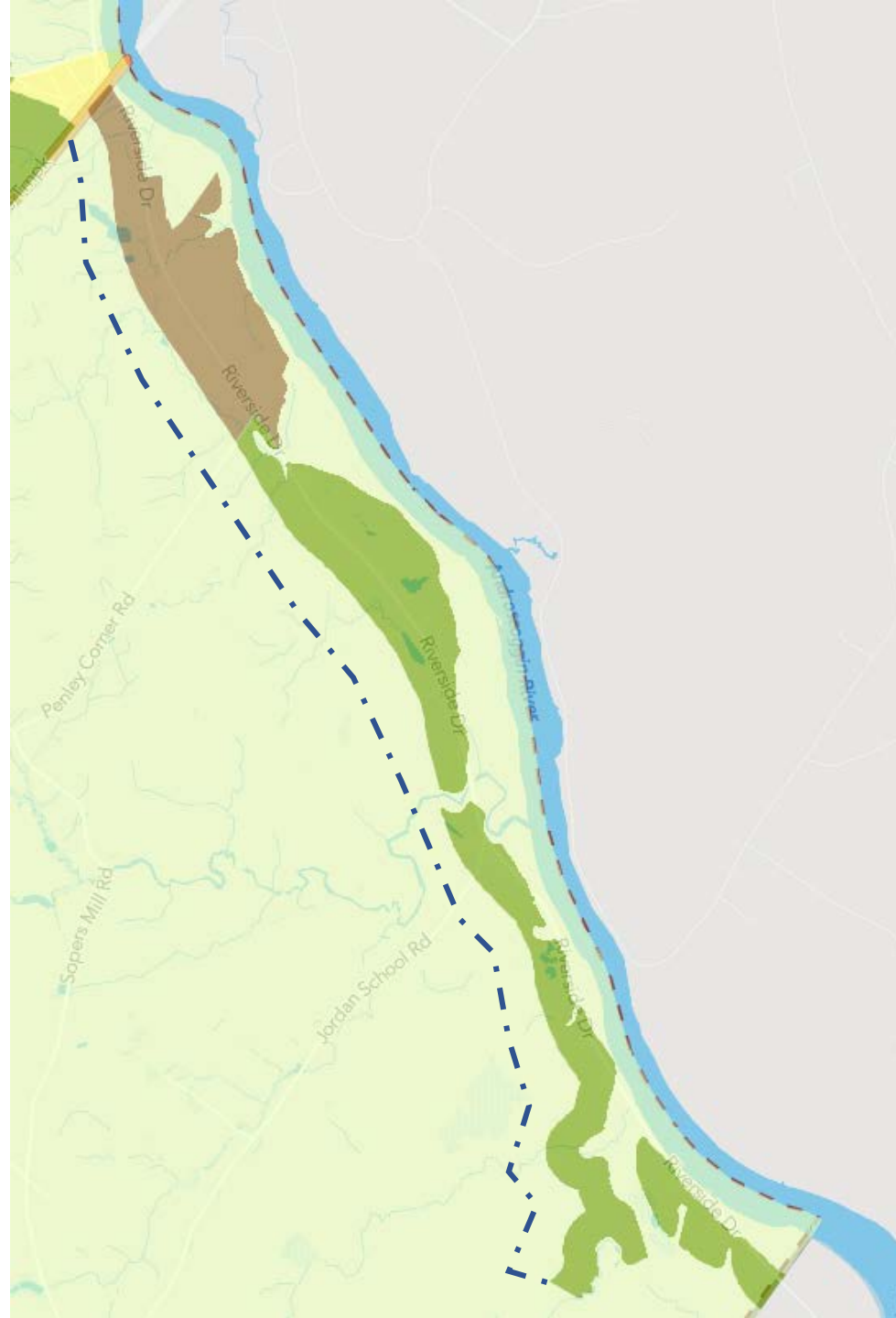
Criteria #4: Extending zones out to 750 feet from pre-established subdivision city roads located in a current residential strip.



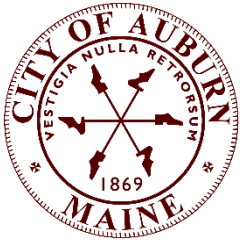
Criteria #5: Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.



Criteria #6: Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside Drive to match the FEMA 2014 Flood Insurance Rate Maps.



Staff Recommendation: *Direct the planning board to have a second public hearing with abutter notification and review the proposed zoning map and council's interpretation of Order 77-08022021 on Residential Strips.*



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Author: Sue Clements-Dallaire, City Clerk

Subject: Request to Fund Conservation Commission Membership Dues

Information: Several of the standing boards and committees that are approved by City Council have state and national organizations that help support the work in these spaces through continued training, workshops, conferences etc.

The Chair of the Conservation Commission has reached out to the President of the Maine Association of Conservation Commissions to inquire about resources that would help to support Auburn's strategic plan update. The Conservation Commission is requesting \$225.00 for an annual membership to the Maine Association of Conservation Commissions. This membership would allow the Conservation Commission the opportunity to take advantage of resources that may be helpful and allow us to connect with other groups in the state.

City Budgetary Impacts: \$225 for 1 year

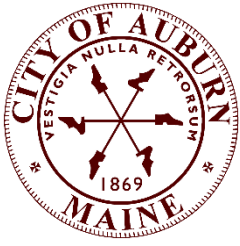
Staff Recommended Action: These requests be reviewed and approved for FY22 and built into the Council Training budget in subsequent fiscal years.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 86-08022021

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Comprehensive Plan Update/Deliverables from June 16, 2021 Meeting

Information: In November of 2020, the City Council voted to create a Comprehensive Plan Workgroup to focus on revising the following topics in the 2010 Comprehensive Plan:

1. Future Land Use Map – Potential Turnpike Exit near 136 and/or South Main Street.
2. Future Land Use Map – Industrial Transition Zone near Broad and South Witham Road. Council, Planning Board, Staff and Landowners have considered this as a potential residential growth area that would require less infrastructure than an industrial change. Easy Turnpike access from Exit 75.
3. Future Land Use Map – Consider expanded downtown form-based code to reduce setbacks and density limitations in urban neighborhoods. Ensure consistency with existing development patterns or forge new direction in certain areas.
4. Future Land Use Plan/Map - Review to see if a reduction in the number of proposed Zoning Districts is feasible.
5. Future Land Use Map – Downtown. Review current tasks, progress to date and adjust policy as needed with a focus on walkability, livability and economic expansion opportunities.
6. Gateways/Fragmentation - Looking at the proposed Future Land Use Map for access points to the City and their designated zoning to reduce fragmentation in the City.
7. Recreation and River Access. Review status, identify opportunities, needs and update implementation plans. Include recreation open space priorities, resource access and policy towards subdivision requirements that currently pose a challenge to urban developments.
8. Promoting Food Access and Growing the Agricultural Economy.
9. Equity - Researching to see if anything in the Comprehensive Plan currently promotes inequity in the City.

At the June 16, 2021 meeting of the Comprehensive Plan Workgroup, the group voted unanimously to move the Transportation Chapter (with edits reflecting the turnpike interchange), Future Land Use Plan (Chapter 2) and the accompanying map (link: <https://experience.arcgis.com/experience/dde78bd6cd23476e9c9ec53744b9f6ab>) and a new chapter Food Access/Growing the Agriculture Economy forward to the City Council and Planning Board. Transportation including a Turnpike Interchange, Recreation/Food Economy and Agriculture changes have been forwarded to the Planning Board for Public Hearing on August 10th.

The Council chose not to move the Future Land Use Chapter along at the July 22nd workshop. Staff wishes to discuss the chapter and see if the Council is ready to forward it to the Planning Board for Public hearing and a recommendation back to the Council for future decision making on adoption.

City Budgetary Impacts: None at this time. Future adoption will allow growth in taxable value and service costs.

Staff Recommended Action: We recommend the City Council vote to send the Future Land Use chapter to the Planning Board for a public hearing and recommendation at their September 2021 meeting.

Previous Meetings and History: May 20, 2021 – Comprehensive Plan Workgroup, June 7, 2021 – City Council Meeting, June 8, 2021 – Planning Board Meeting, June 16, 2021 – Comprehensive Plan Workgroup.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Draft Future Land Use Plan/Map.

Chapter 2 - Future Land Use Plan

The Future Land Use Plan shows graphically how the City's land use policies apply to the land area of the community, and where and how growth and development should and should not be accommodated over the next decade. The Future Land Use Plan is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development. The intention is that this Future Land Use Plan will guide near-term revisions to the City's zoning ordinance and maps to assure that the City's land use regulations are consistent with the policies set forth in this *Comprehensive Plan*. In addition, by designating transitional districts, the Future Land Use Plan is designed to guide future zoning changes when the circumstances become appropriate.

This Future Land Use Plan reaffirms the basic objective of land use planning, that development in Auburn should grow out from the historic cores (downtown, Danville, New Auburn, West Auburn and East Auburn) and from older established neighborhoods. This policy was originally set forth in the City's first comprehensive plan over a half century ago and has continued to guide the City's land use planning ever since. We continue to believe that growth out from the downtown core and older established neighborhoods provides the most efficient utilization of city services. This plan does not favor "leapfrog" development in the outlying sections of the City. This pattern is often referred to as "suburban sprawl," and is not considered desirable for Auburn. The effect of continuing this long-standing principle is to guide most new development into the area south of Lake Auburn and Taylor Pond and around potential passenger rail and turnpike exits (**See Section G: Transportation Policies**). Figure 2.1 identifies these areas as the City's Growth Area and Limited Growth Area; they are depicted in the brown and tan colors. (Please note: Map update is pending and the referenced figures will need to be revised for the final publication).

The boundaries shown on the Future Land Use Plan are general. They are intended to reflect the general pattern of desired future land use. The allowed uses and development standards set out for each land use designation are intended to serve as guidelines as the zoning ordinance is reviewed and revised. The lists of uses and the discussion of potential development standards are not intended to be all-inclusive. Rather, they are intended to outline the basic character and types of development desired in each land use area to guide the revision of the City's zoning ordinance and other land use regulations. In the preparation of the revised zoning provisions, some of the designations may be combined or rearranged to create a workable number of zoning districts

Organization of the Future Land Use Plan

The Future Land Use Plan is organized around the concept of growth and rural (or limited growth) areas set forth in the state's Growth Management Law. The state defines a "growth area" as an area that is designated in the city's comprehensive plan as suitable for orderly residential, commercial, or industrial development, and into which most development projected over ten years is directed. The state defines a "rural area" as an area that is designated in the comprehensive plan as deserving of some level of regulatory protection from unrestricted development for purposes such as supporting agriculture, forestry, mining, open space, habitat protection, or scenic lands, and from which most development projected over ten years is diverted. The state also recognizes the concept of "transitional areas," or areas that are suitable

to accommodate a share of projected development, but at lower levels than a growth area, and without the level of protection accorded to rural areas.

The terminology of the state law – growth, rural, and transitional – can lead to confusion. The three terms are used to indicate the desired/anticipated level or share of future growth and development that will occur in the three areas -- but the terms do not indicate that in common usage. For example, an undeveloped floodplain within the built-up area might be identified as a non-growth area but labeling it as “rural” can be misleading. Similarly calling an established residential neighborhood a “transitional” area or a “growth” area can also be misleading if the objective is to maintain the neighborhood “as is”.

Future Land Use Categories

For the purpose of the Future Land Use Plan, three basic growth categories are used based upon the standards set out by the state and the desired level of future development in the City (see Figure 2.1 following page):

- 1. GROWTH AREAS** — Areas where the City wants growth and development to occur. The anticipation is that most residential and non-redevelopment over the next ten years will occur in these growth areas.
- 2. LIMITED GROWTH AREAS** — Areas that have limited development potential or that have vacant or under-utilized land where the City desires a limited amount of growth and development over the next ten years.
- 3. NON-GROWTH AREAS** — Areas that are either unsuitable for development or in which the City desires to see little growth and development over the next ten years.

Future Land Use Types

The three categories of growth, limited growth, and non-growth specify where the City wants to accommodate growth and development and where it wants to discourage or prohibit it. The Comprehensive Plan is intended to be a guide upon which zoning ordinances are based and is not intended to serve as a regulatory document. A comprehensive rezoning should be completed after adoption of the Comprehensive Plan to match the suggestions in this plan with flexibility for future changes.

Type A: Development Areas – Areas with a significant amount of vacant or underutilized land that are capable of supporting new residential or nonresidential development in accordance with the City’s land use objectives. New development within these areas is generally encouraged.

Type B: Transition/Reuse/Redevelopment Areas – Developed areas where the City’s policy is to encourage the type of use and/or pattern of development to change over time. New development, redevelopment, or the reuse of existing land and buildings that moves the area toward the desired future use is encouraged. Some transition areas designated in the

Future Land Use Plan identify the desired future use of the area, but the City’s zoning may not be changed until a future point in time when development is appropriate – in a sense these are “planned future transition areas”. The City’s use of the term transition area differs from the way this term is used by the state in the Growth Management Law.

Type C: Protection/Reserve Areas – Largely undeveloped areas that should remain undeveloped for at least the next ten years. These areas include land with significant development constraints that should not be developed, as well as land that is not appropriate for development at this time, but that may be designated for development in the future.

Figure 2.2 on the following page shows the types of land use areas organized by the three growth categories.

Residential Densities

The Future Land Use Plan sets out the recommended pattern and intensity of development in various areas of the City. The Future Land Use Plan establishes the desired maximum intensity or density of residential development in the various land use designations.

The following table sets out the various categories of density used in the Future Land Use Plan. The maximum allowed density is expressed in the number of housing units per acre based on the gross development density. (An acre is 43,560 square feet – the playing surface of a football field is about 1.3 acres). For each density category, a maximum suggested density is provided to allow some flexibility in the establishment of the revised zoning regulations. This is not to imply that the revised zoning should strive to meet the maximum density.

Residential Density Categories	
Category	Maximum Density
Traditional Neighborhood	16 units per acre
Suburban	8 units per acre
Low Density	2 units per acre
Rural	1 unit per 3 acres + additional dwelling unit

Future Land Use Designations

The following sections outline the various land use designations used in the Future Land Use Plan. The designations are organized by growth category and by the type of area. The description of each designation includes a series of land use districts that define the general pattern of development. Each district includes an **objective** for the general pattern and type of development that is desired together with the general types of uses (**allowed uses**) that are

appropriate in the designation and an outline of the **development standards** including the density/intensity of development. The location of these various land use districts are shown on the accompanying Future Land Use Plan Map (see Figure 2.3 on the following page).

In addition to the Future Land Use Map, four detail maps (Figures 2.4, 2.5, 2.6, and 2.7) show the future land use designations for specific portions of the community, including Downtown, New Auburn, Minot Avenue, and Center Street.

FUTURE LAND USE PLAN VISION STATEMENT:

As a model of carefully managed growth, Auburn seeks to **grow outward from the historic cores within our city** and be known for its **strong, vibrant neighborhoods**. The city is committed to making careful, effective, and **efficient use of land and corresponding services, while strengthening the character of our neighborhoods**, ensuring that resources exist to maintain and enhance the quality of life for current and future residents. Auburn's continued commitment to **strong community connections**, embracing opportunity, and mindful growth should be **balanced with natural resource conservation** and woven into the city's unique identity.

1. GROWTH AREAS –

Type A: Development Areas

Designation: Residential

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT (TND)

Objective – Allow for the development of a wide range of residential and community uses at a density of up to 16 units per acre in areas that are served or can be served by public/community sewerage and public/community water (see Figures 2.3 and 2.7). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Traditional Neighborhood Development District generally follows the boundaries of the Urban Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix). The following general types of uses should be allowed within the Traditional Neighborhood Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 16 units per acre with no minimum road frontage required, shared driveways are encouraged. The areas

within the Traditional Neighborhood designation are served by public/community sewer and water. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-15 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

SUBURBAN DEVELOPMENT DISTRICT (SD)

Objective – Allow for the development of a limited range of residential and community uses at a density of up to 6-8 units per acre in areas that are served or can be served by public/community sewerage and/or public/community water (see Figure 2.3). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads.

Allowed Uses – The Suburban Development District generally follows the boundaries of the Multifamily Suburban and Suburban Residential Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update (see appendix). The following general types of uses should be allowed within the Suburban Development District:

- Low and High-Density Residential Dwellings
- Home Occupations
- Plant/Crop-Based Agriculture
- Community Services and Government Uses
- Small Offices and Mixed-Use Buildings
- Recreational Uses of Land
- Small commercial operations that do not exceed the average lot size of the neighborhood (or more than two times the average size of the home).

Development Standards – Residential uses should be allowed at a density of up to 8 units per acre with no minimum road frontage required, shared driveways are encouraged. In general, the minimum front setback should be 10 feet. Side and rear setbacks should be 5-20 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

Designation: Nonresidential and Mixed Use

FORM-BASED CODE DEVELOPMENT DISTRICT (FBCD)

Objective – Stabilize and promote continued investment in the City's high-density neighborhoods which include a mix of housing types including multi-unit buildings to assure that they remain safe, attractive areas in which residents want to live (see Figures 2.3 and 2.4). To this end, the district should allow property owners to upgrade their properties, and for infill development and redevelopment/reuse to occur, as long as it is compatible with the character of the neighborhood.

Allowed Use – The Form-Based Code Development District generally follows the boundaries of the Form-Based Code (Transects 4.1, 4.2, 5.1, 5.2 and 6), in effect at the time of the 2021 Comprehensive Plan update (see appendix). The following general types of uses should be allowed within the Form-Based Code Development District:

- Low and High Density Residential Dwelling Units
- Home Occupations
- Civic Uses
- Office/Service Type Uses

- Retail Type Uses

Development Standards – The reuse/reconfiguration of existing buildings for residential purposes should be allowed without consideration of density/lot size requirements, provided that the building will be renovated, be compatible with the neighborhood, and will meet the City's requirements for residential units, including green space and providing the amount of parking appropriate for the proposed use. The other development standards should be established to reflect the existing pattern of development in these neighborhoods. Any parking requirements imposed should allow for flexibility in meeting the need for parking including the use of municipal parking, shared parking, and similar arrangements.

GENERAL BUSINESS DEVELOPMENT DISTRICT (GBD)

Objective – Allow for the development of a wide range of uses including those that involve the sales of motor vehicles and/or that generate significant truck traffic (see Figures 2.3 and 2.5) the District should allow for both existing and new residential use at a density of up to 16 units per acre.

Allowed Uses – The General Business Development District generally follows the boundaries of the General Business and General Business II (Minot Avenue) Zoning Districts, in effect at the time of the 2021 Comprehensive Plan update (see appendix). The following general types of uses should be allowed in the General Business Development District:

- Low and High Residential Density Uses
- Retail uses including large-scale uses (>100,000 square feet)
- Personal and business services
- Business and professional offices
- Medical facilities and clinics
- Restaurants
- Hotel, motels, inns, and bed & breakfast establishments
- Low and High-Density Residential Uses
- Community services and government uses
- Research, light manufacturing, assembly, and wholesale uses
- Truck terminals and distribution uses
- Contractors and similar activities
- Motor vehicle and equipment sales
- Motor vehicle service and repair
- Recreational and entertainment uses and facilities

Development Standards – The City's development standards for the General Business Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require a landscaped buffer along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.

INDUSTRIAL DEVELOPMENT DISTRICT (ID)

Objective – Accommodate the development and expansion of a wide range of nonresidential industrial-type uses to create employment opportunities and commerce (see Figure 2.3). The land within the district should be viewed as a limited resource that should be carefully managed so that it is not used for activities that can occur in other areas of the City.

Allowed Uses – The Industrial Development District generally follows the boundaries of the Industrial District, in effect at the time of the 2021 Comprehensive Plan update (see appendix). The following general types of uses should be allowed in the Industrial Development District:

- Industrial uses including manufacturing, assembly, and research and development facilities
- Distribution and storage uses including wholesale sales, warehousing, and truck terminals/distribution facilities
- Transportation facilities including the airport and related uses and transportation terminals and multi-modal facilities
- Office uses
- Building material and lumber yards
- Vehicle and equipment repair facilities
- Hotels and motels
- Community services and governmental uses
- Agricultural uses

Residential uses should not be allowed in this district. Retail and service uses should be limited to activities that primarily support the other uses within the district such as service stations, convenience stores, and restaurants. Other retail and service activities should not be allowed in this district.

Development Standards – The development standards within the Industrial Development District should:

- Establish performance standards to assure that uses are good neighbors and do not create adverse impacts on surrounding properties or the community at-large
- Establish buffers where the district abuts residential districts to minimize the impacts on those residential properties
- Establish site design and landscaping standards to assure that development functions well and is visually attractive when viewed from public streets or other public areas

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (WASHINGTON STREET) (CFBCGD-W)

Objective –

To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-W should enhance development and design standards to allow this area to evolve into an attractive gateway into the City. Specifically, a portion of this designation pushes a transformation of Washington Street South/Routes 4 and 100 to a two-lane high-speed connector while Washington Street North Routes 4 and 100 becomes a local connector with future Form Based Code Commercial Development. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – W generally follows the boundaries of the existing General Business areas along Washington Street, in effect at the time of the 2021 Comprehensive Plan update (see appendix). The Commercial Form-Based Code Gateway Development District – W should allow for medium-scale, multi dwelling development with up to three stories (plus attic space), with multiple commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from Washington Street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited and landscaped in such a manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Washington Street. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

COMMERCIAL FORM-BASED CODE GATEWAY DEVELOPMENT DISTRICT (UNION/CENTER/TURNER) (CFBCGD-UCT)

Objective –

To allow for mixed use development while protecting and providing transitions to the abutting residential neighborhoods. Within this area attractive road fronts should be established that enhance a complete street city gateway and provide the essence of a welcoming, vibrant community, with neighborhood and community retail, business and service establishments that are oriented to and built close to the street. The zone is appropriate in areas where a more compact urban development pattern exists or where a neighborhood-compatible commercial district is established which exhibits a pedestrian scale and character. The CFBCGD-UCT should enhance development and design standards to allow this area to evolve into an attractive gateway into the City. Specifically, a portion of this designation pushes a transformation of the Union/Center/Turner Street neighborhood from a commercial zoning district to a future Form-Based Code Commercial Development District, matching the adjacent Form-Based Code designations. Residential uses should be allowed at a density of up to 16 units per acre provided they are accessory to commercial uses.

Allowed Uses – The Commercial Form-Based Code Gateway Development District – UCT generally follows the boundaries of the existing General Business areas along the Union/Center/Turner Street corridor, in effect at the time of the 2021 Comprehensive Plan update (see appendix). The Commercial Form-Based Code Gateway Development District – UCT should allow for medium-scale, multi dwelling development with up to four stories (plus attic space), with multiple commercial uses allowed that mirror existing form based code within the city to include, but not be limited to general offices, government uses, lab and research facilities, low impact industrial, studios, parks and open spaces, veterinary services, medical and dental clinics, general retail, restaurants, schools, churches, convenience stores with gas stations, specialty shops, auto service stations, care facilities, lodging, clinics and hotels.

Development Standards – New development, redevelopment and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should maintain appropriate setbacks for new development, encouraging shallow or no front setbacks, screen parking areas from the street and provide incentives for the use of shared driveways and curb-cuts. Provisions for on street parking should be encouraged. All uses in this district should be located, sited and landscaped in such a manner as to preserve open space, control vehicle access and traffic and provide adequate buffering and natural screening from Union/Center/Turner Streets. This designation is intended for areas near, in, along neighborhood corridors and for transit-supportive densities.

VILLAGE OVERLAY AREAS (VOA)

Objective – In residential Future Land Use Districts, small commercial operations should be allowed provided they do not exceed the average lot size of the neighborhood (or more than two times the average size of the home). As part of the comprehensive rezoning, the City should identify village overlay areas where these small commercial operations are most appropriate, such as corner lots. Considerations for appropriate areas should include: frontage on a major arterial as defined in the Comprehensive Plan, access to any required parking be located on the arterial frontage, buffering of any parking areas from lot lines and signage limitations.

PLANNED UNIT DEVELOPMENTS (PUD)

Objective – As part of the comprehensive rezoning process, the City should continue to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to consider and make available open space, to utilize new technologies for land development and to offer a flexible alternative to conventional land control regulations by allowing for Planned Unit Developments for residential, commercial and industrial projects. The type and amount of development permitted should continue to be based on the Planning Board's evaluation of the development proposal and the purposes set forth in the 2021 Auburn Code of Ordinances. The City should continue with the four types of Planned Unit Developments: Residential, Recreation/Residential, Commercial and Industrial and apply them to the newly proposed Future Land Use Designations after a comprehensive rezoning has taken place.

2. LIMITED GROWTH AREAS –

Type A: Development Areas

Designation: Residential

LOW DENSITY DEVELOPMENT DISTRICT (LDD)

Objective – Allow for the development of residential and community uses at a density of up to 2 units per acre in areas on the fringe of the built-up area where public services can be reasonably provided, but where public sewerage is not available and is not likely to be available in the foreseeable future (see Figure 2.3). New development should be designed to minimize the number of vehicular access points to existing collector or other through roads. Shared driveways should be encouraged by providing a 20% reduction in lot size and road frontage.

Allowed Uses – The Low Density Development District generally follows the boundaries of the Rural Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update

(see appendix). The following general types of uses should be allowed within the Low-Density Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – Residential uses should be allowed at a density of up to 2 units per acre. Lot frontage requirements on existing collector and other through roads should be around 100 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 20 feet. Side and rear setbacks should be 15-30 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

RURAL DEVELOPMENT DISTRICT (RD)

Objective – Allow for the development of residential uses (primarily detached single family homes) at a density of up to 1 unit per 3 acres with one additional dwelling unit permitted for each home in areas where public/community sewerage and water are not available and not likely to be available in the foreseeable future. New development should be designed to minimize the number of vehicular access points to existing collector and other through roads. Shared driveways should be encouraged by providing for a 50-foot driveway frontage bonus. Setbacks within lots should be maintained.

Allowed Uses – The Rural Development district generally follows the boundaries of the Low-Density Country Residential Zoning District, in effect at the time of the 2021 Comprehensive Plan update (see appendix). The following general types of uses should be allowed within the Rural Development District:

- Low Density Residential Dwellings
- Home occupations
- Community services and government uses
- Agriculture
- Small retail shops less than 3,000 square feet or 1.5 times the average size of the home within Village Overlay Neighborhoods.

Development Standards – The residential density in the Rural District should be one unit per 3 acres. Lot frontage requirements should be around 200 feet but should be reduced for lots that share driveways. In general, the minimum front setback should be 25 feet. Side and rear setbacks should be 15-25 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot.

3. NON-GROWTH AREAS –

Type C: Protection/Reserve Areas

Designation: Conservation/Open Space

CONSERVATION/OPEN SPACE DISTRICT (COS) Objective – Formally recognize those parcels that are used for cemeteries, water quality protection or are protected for conservation or open space purposes (see Figure 2.3). The land included within this district will change over

time as additional land is conserved. The intent of this designation is to establish a policy that these types of properties/uses should be recognized as important resources and that any significant change in use should be considered a policy decision.

Allowed Uses – The allowed uses within the Conservation/Open Space District should be limited to low intensity recreational facilities and natural resource uses including forestry and food production.

Development Standards – The development standards should provide flexibility for the appropriate use of the land, while protecting its natural resource and ecological values.

AGRICULTURAL/RESOURCE PROTECTION DISTRICT (AG)

Objective – Preserve and enhance the agricultural heritage of Auburn and protect the City's natural resources and scenic open space while maintaining the economic value of the land (see Figure 2.3). The district is characterized by a rural, very low-density development pattern that limits sprawl and minimizes the City's service costs. The district maintains the current rural development pattern allowing for a broad range of agriculture and natural resource-related uses, while restricting residential development. Recreational development is encouraged both as a means of protecting open space, and as a means to provide reasonable public access to outdoor destinations such as Lake Auburn and the Androscoggin River. The Agriculture District is intended to serve as a land reserve, protecting valued community open space and rural landscapes, while maintaining the potential for appropriate future development.

Allowed Uses – The Agriculture District should continue to include the uses allowed in the existing AG/RP zoning district. In addition, a broader range of rural uses should be allowed. Agriculturally related businesses including retail and service activities and natural resource industries should be permitted. The reuse of existing agricultural buildings should be allowed for low intensity non-agriculture related uses.

Residential uses should continue to be limited to accessory residential development as part of a commercial agriculture or natural resource use, not just traditional farms. The criteria for determining when an accessory residential use is permitted should be based on updated standards that consider the economic realities of today's commercial agricultural activities, including outside sources of income and part-time and small-scale commercial operations. Residential development may also be part of a commercial recreational use as part of a planned development in which the recreational open space is permanently preserved.

Development Standards – All new development, redevelopment, and expanded uses in the Agriculture District should be required to meet "best management practices" for stormwater management and environmental protection to ensure adequate protection of natural resources. All development activities in the Agricultural District should be subject to low impact development (LID) standards such as limiting impervious surfaces, minimizing lot disturbances, creating natural buffers, and capturing and treating runoff through filtration measures.

The City should continue to encourage a very low density development pattern as a means of protecting natural resources and preserving the rural character. The basic residential density standard for the current AG/RP zoning district should be maintained. The standards for the development of accessory residential units should provide greater flexibility in the siting of those units. In an effort to place accessory residential development in areas where it will have the least impact on natural resource and/or the agricultural value of the land, the standards should

allow for a waiver or elimination of road frontage requirements and access from a private driveway.

Residential development that is proposed as part of a master planned commercial recreational development should be limited to the same density standard (one unit per 10 acres) as other accessory residential uses, unless necessary for economic reasons to increase the density as a project incentive. A recreational master plan should be required outlining the scope, scale, and location of residential units and ensuring a cluster development pattern in which the majority of the land is retained as recreation/open space. A conservation easement, or other legally binding preservation measure, should be required to permanently conserve the recreation/open space areas.

As part of the 2021 Comprehensive Plan update, it is understood that agriculture and forestry **may not** be profitable in some areas of the City and the existing Agriculture and Resource Protection Zoning, in some cases, eliminates the economic use of private land. The City should create a mechanism in which private landowners can petition the City for a change of use based on the individual circumstances of their lot(s).

The City also recognizes differences between Agriculture and Resource Protection, and as such it is recommended that the districts be treated separately within the zoning ordinance (Agricultural District and Conservation/Open Space District). This committee acknowledges that in practice there is overlap between Agriculture and Resource Protection, and that the conversation about how to distinguish the two should include a broad group of voices including residents, relevant City Committees (Conservation Commission, Agriculture Committee, etc) and experts who can support the City in meeting its goal to untangle these activities.



ORDER 86-08022021

City Council Order

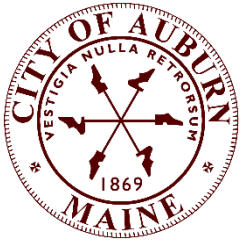
IN CITY COUNCIL

ORDERED, that the Auburn City Council refer the Draft Future land Use Plan and Map to the Planning Board for Public Hearing and to provide a recommendation on edits or approval back to the City Council.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 77-08022021

Author: John Blais, Urban Development Specialist

Subject: Map amendment to the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 Feet to a width of 750 feet from the center line of roadways.

Information: At the May 17, 2021 meeting, the City Council voted to request a recommendation from the Planning Board to increase the width of the residential strips abutting the Ag-Zone from 450-feet to 750-feet. As staff began to draw-up the changes to residential strips the following questions came-up before meeting the requirements pursuant to Chapter 60, Division 2, Sec. 60-1445-1449.

- 1.) Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.
- 2.) Extending the boundary to 750 feet on lots that do not have required minimum road frontage in the residential zone.
- 3.) Stopping the residential zone boundary at road Right-Of-Way boundary for lots less than 750 feet deep that abut AG/RP zoned roads.
- 4.) Extending zones out to 750 feet from pre-established subdivisions with city roads located in a current residential strip.
- 5.) Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.
- 6.) Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside drive to match the FEMA 2014 Flood Insurance Rate Maps.

City Budgetary Impacts: Potential Increased Taxable Value from Additional Dwellings.

Staff Recommended Action: Please provide a response to the questions asked by the staff so they can complete updates to the maps and refer the same to the August 10, 2021 planning board meeting/public hearing.

Previous Meetings and History: May 17, 2021 – City Council meeting, June 8, 2021 & – Planning Board Meeting

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Power Point Presentation

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to the Low Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone to expand from a Width of 450 feet to a Width of 750 feet from the centerline of the roadways.
Date: June 08, 2021

I. PROPOSAL: At the May 17, 2021 City Council meeting, the Council voted to request a recommendation from the Planning Board to expand the residential strips abutting the Ag-Zone from a width of 450 feet to a width of 750 feet from the centerline of the roadways.

The City has a number of residential strips, primarily in northern and southern areas that split parcels of land between two zoning districts – Agriculture/Resource Protection and either Rural Residential or Low Density Country Residential. This allows property owners to have a residence in the front of the property, zoned residential, and reserves the back portion of the property as Ag-land. Below is an example in the Trapp Road/Pownal Road area of a Rural Residential strip on either side of the roadways.



By increasing the width of these strips an additional 300 feet, it will provide more buildable area for residential uses in these neighborhoods.

One of the reasons the strips were set to 450 feet was to prevent subdivisions such as the one below on Partridge Lane which essentially cuts off access to the back agriculturally zoned land.



If the Planning Board would like more information from the City Council as to why this change has been recommended, we recommend using this opportunity to come up with specific questions about the proposed changes to bring back to the City Council.

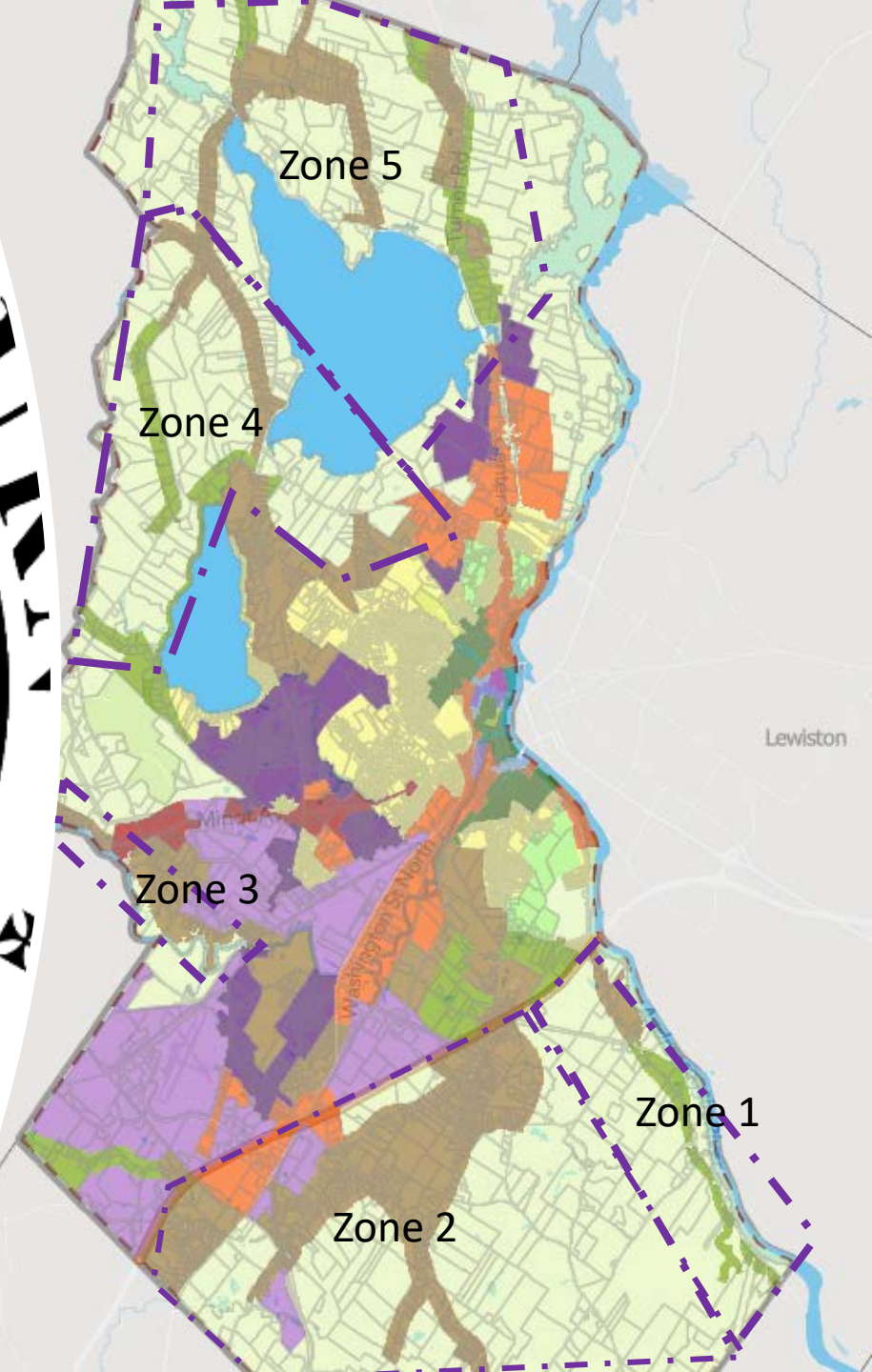
II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

II. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a favorable recommendation to City Council to expand the Rural Residential and Low Density Country Residential strips an additional 300 feet to provide more flexibility for residential uses in these areas. If the Planning Board is not comfortable with making a recommendation until additional information is provided, Staff recommends using this opportunity to formulate a list of questions for the City Council.

Zoning Map Amendment

- *Proposed rezoning to expand the Rural Residential and Low-Density Country Residential strips an additional 300 feet or to the property lines that fall under 750 feet from the centerline of the roadway to provide more flexibility for residential uses in these areas.*

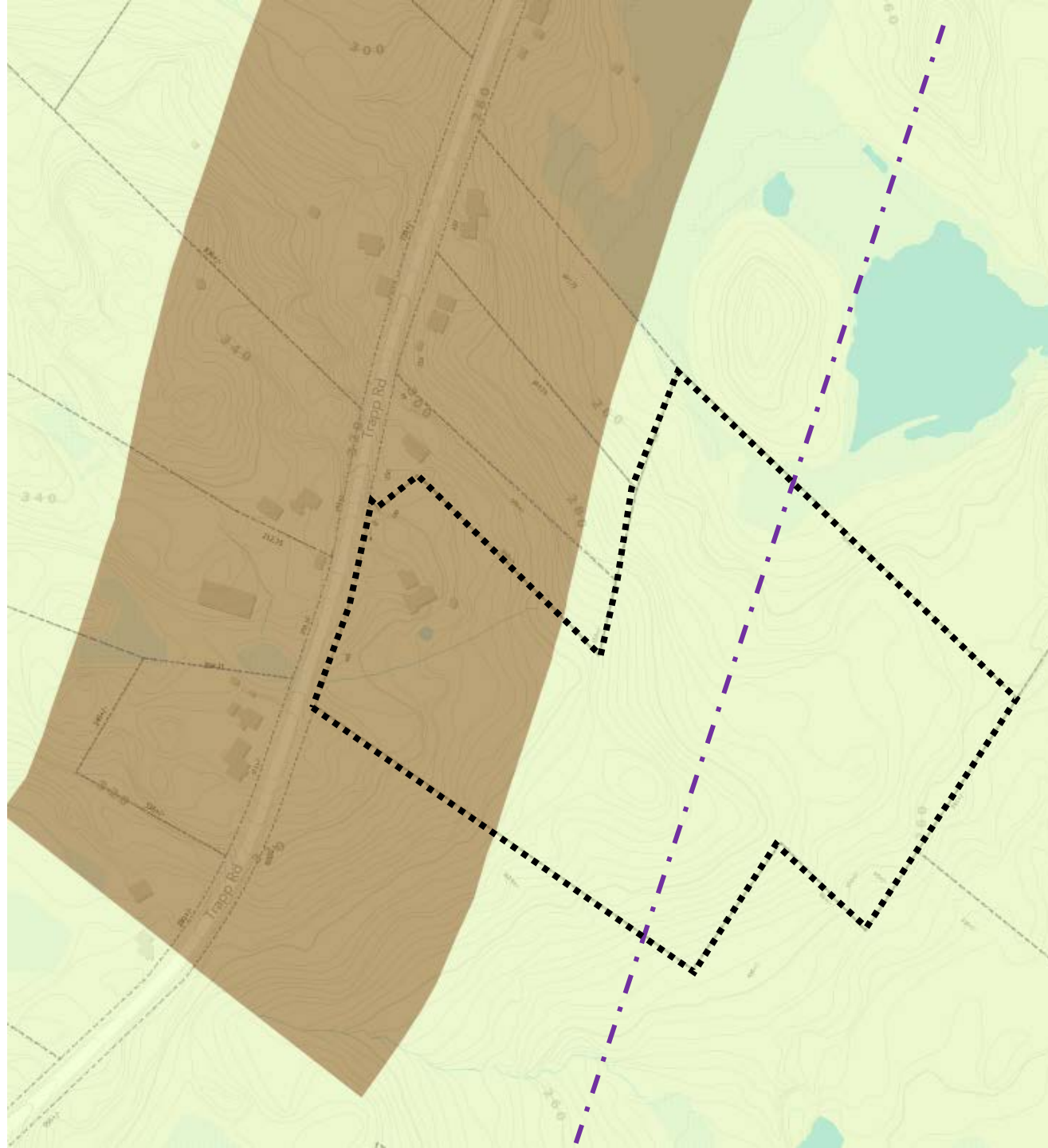


Zoning Map Amendment

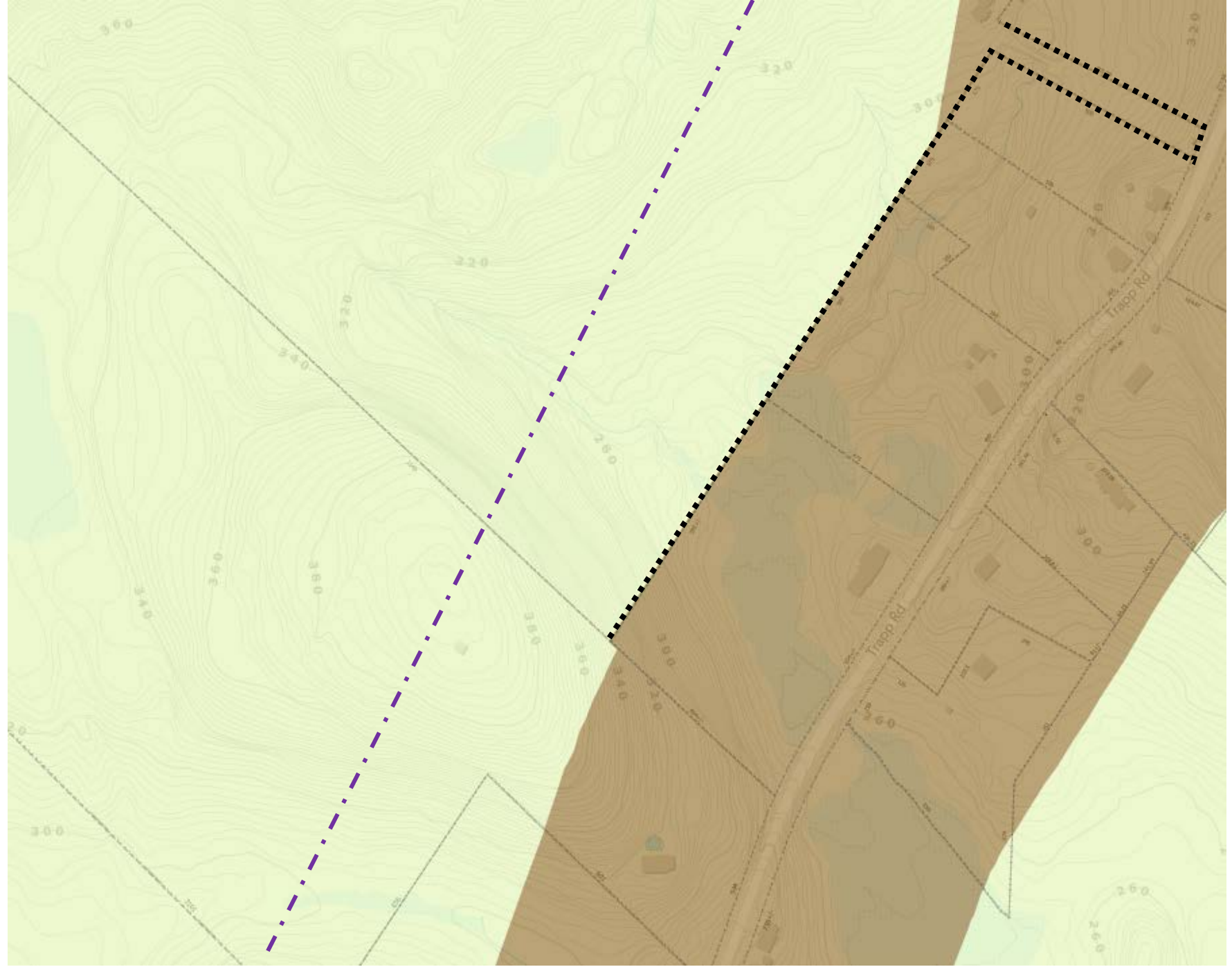
Criteria Discussion for Delineation of 750 feet in residential strips

- 1.) Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.
- 2.) Extending the boundary to 750 feet on lots that do not have required minimum road frontage in the residential zone.
- 3.) Stopping the residential zone boundary at road Right-Of-Way boundary for lots less than 750 feet deep that abut AG/RP zoned roads.
- 4.) Extending zones out to 750 feet from pre-established subdivisions with city roads located in a current residential strip.
- 5.) Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.
- 6.) Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside drive to match the FEMA 2014 Flood Insurance Rate Maps.

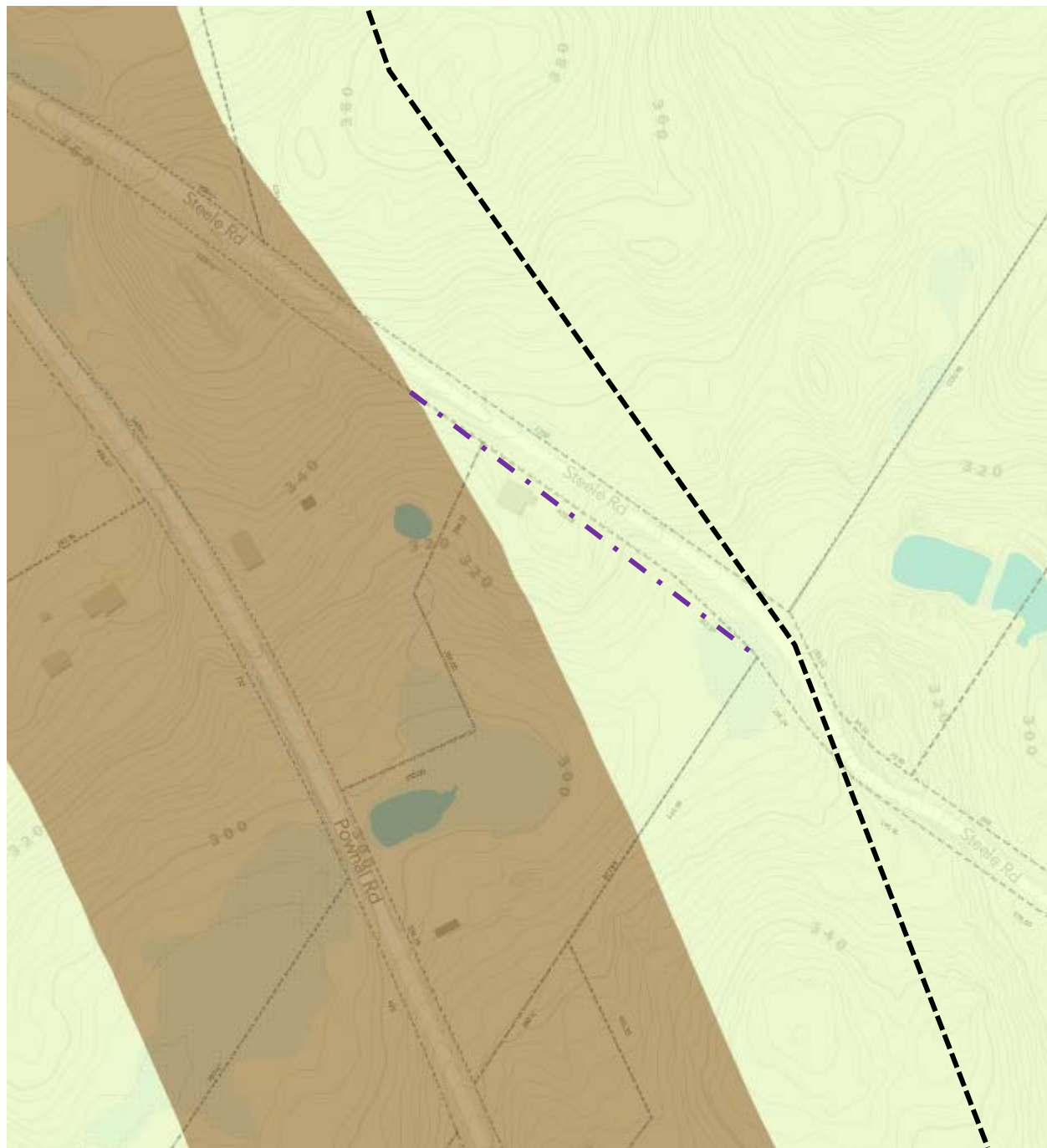
Criteria #1: Setting the boundary to 750 feet on properties that have residential road frontage but wrap behind/around lots less than 750 feet in depth.



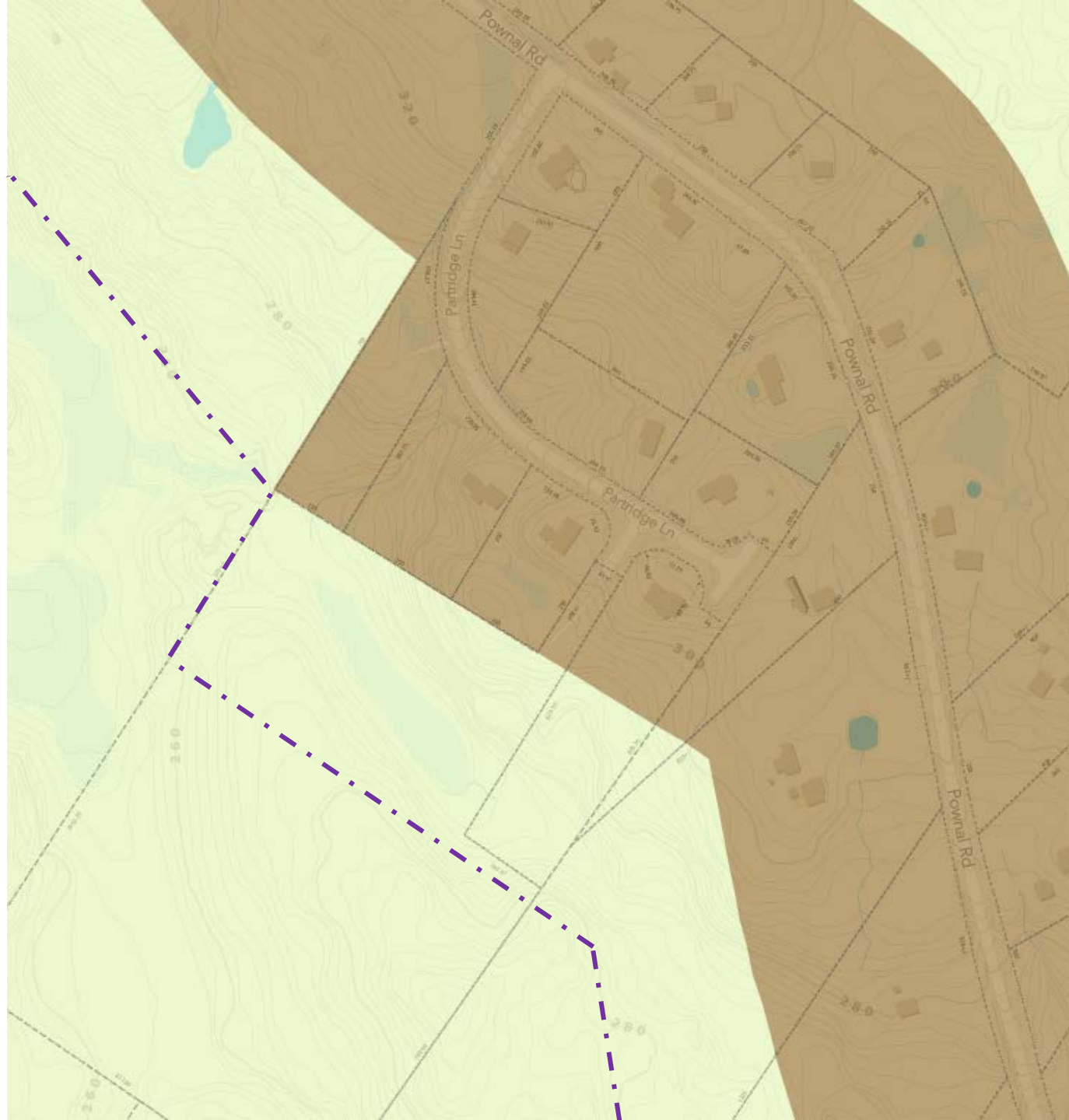
Criteria #2:
Extending the
boundary to 750 feet
on lots that do not
have any or required
minimum road
frontage in the
residential zone.



Criteria #3: Stopping the residential zone boundary at road Right-of Way boundary for lots less than 750 feet deep that abut Agriculture/Resource Protection zoned roads.



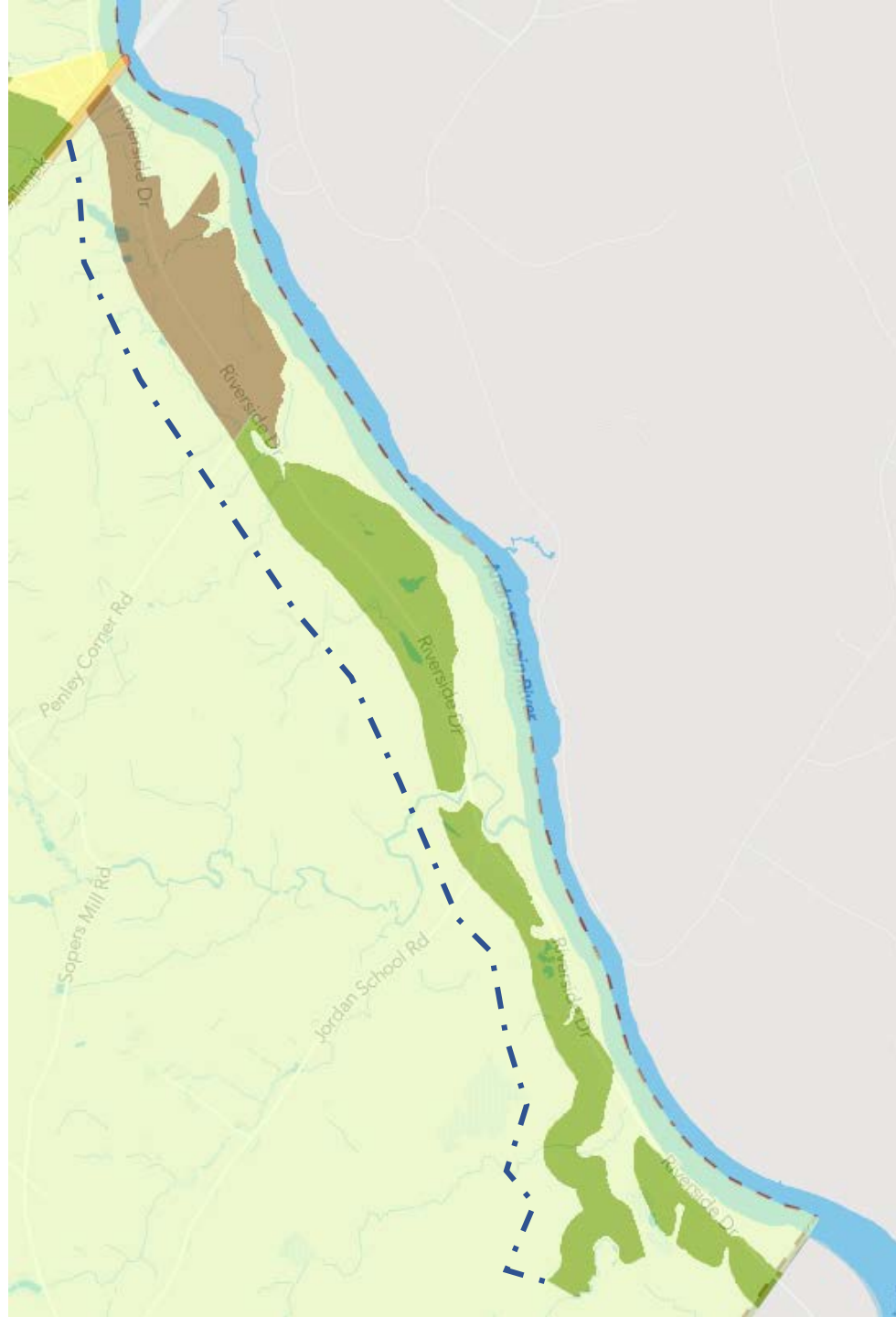
Criteria #4: Extending zones out to 750 feet from pre-established subdivision city roads located in a current residential strip.



Criteria #5: Extending the zone of Low-Density Country Residential zone out from 250 feet to 750 feet along the west shore of Taylor Pond.



Criteria #6: Expand the residential zone to 750 feet along western boundary only along Riverside Drive and update the boundary on the east side of Riverside Drive to match the FEMA 2014 Flood Insurance Rate Maps.



Staff Recommendation: *Direct the planning board to have a second public hearing with abutter notification and review the proposed zoning map and council's interpretation of Order 77-08022021 on Residential Strips.*



ORDER 62-05172021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby initiates a formal request for the Planning Board to explore the feasibility of and provide a recommendation on expanding the Auburn residential strip zoning from 400 feet from the center line to the previous 750 feet or to the property line, whichever is less within the strip that have a primary residential use.

A TRUE COPY

ATTEST

Susan Clements-Dallaire

Susan Clements-Dallaire, City Clerk

Date

7/28/2021

Passage on 5/17/2021 6-0 (Councilor Milks absent).

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 77-08022021

City Council Order

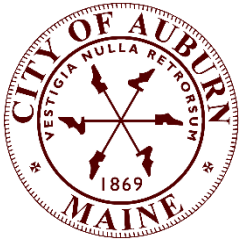
IN CITY COUNCIL

ORDERED, that the City Council hereby directs the planning board to have a second public hearing with abutter notification and review the proposed zoning map and council's interpretation on Residential Strips (Re: Order 62-05172021).

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 78-08022021

Author: Sue Clements-Dallaire, City Clerk

Subject: Request by Saint Dominic Academy to waive the Flea Market/Craft Fair/Swap Meet/Bazaar license fee of \$100.00 for the Annual St. Dom's Holiday Festival.

Information: Saint Dominic Academy, 121 Gracelawn Road, a non-profit Catholic school for students in grades 7-12, is requesting the Flea Market/Craft Fair license fee of \$100.00 be waived for the Annual St. Dom's Holiday Festival being held on Saturday, November 16, 2021.

Sec. 14-31. Fees; waiver. The fees for business licenses shall be paid by the owner or his agent in accordance with the business fee schedule established by the City Council. The City Council is the only authority allowed to waive fees prescribed by ordinance. An application for waiver of any fees must be presented in writing to the city clerk to be brought to the City Council at its next available meeting.

City Budgetary Impacts: \$100.00

Staff Recommended Action: Consider waiving the fee.

Previous Meetings and History: Fees have been waived in the past.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:



SAINT DOMINIC ACADEMY

Grades Pre-K to 5
17 Baird Avenue
Lewiston, Maine 04240
Tel: (207) 783-9323 Fax: (207) 783-9491

Grades 6-12
121 Gracelawn Road
Auburn, Maine 04210
Tel: (207) 782-6911 Fax: (207) 795-6439

July 13, 2021

Dear Auburn City Council Members,

I am writing to you to request a waiver of the fee charged for a Flea Market license for our annual Holiday Festival. We are excited to be able to bring this event back. It is scheduled for **Saturday, November 6th** and is a kickoff to the holiday season. This festival features over 80 vendors, a festival kitchen, children's games, bake sale, and raffle tables. This is the 15th annual event. In the past we have had over 1,000 attendees.

St. Dom's is a non-profit organization that provides a private values-based education to children in grades Pre-K through 12 at two locations, one in Lewiston on Baird Avenue (Pre-K through 5) and one in Auburn on Gracelawn Road (grades 6 through 12). The event is held at our spacious Auburn Campus and brings our students and families from both campuses, as well as the Central Maine community, together for holiday fun.

The funds raised from this event directly support our students. The net proceeds are pooled with other fundraising efforts to provide tuition assistance to families in need. Over 65% of our high school students receive financial aid.

Because this is not a flea market in the traditional sense, we hope you will grant this waiver so we can maximize the benefit to our families.

Thank you for your consideration. We look forward to hearing from you.

Sincerely,

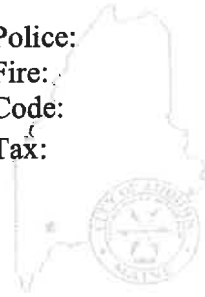
Debra Thibodeau Anthoine '87
Director of Advancement

Enclosure

*Through study, prayer, community, and service, Saint Dominic Academy teaches its students
the truth of life, so that they may set the world afire.*

www.stdomsmaine.org

Police:
Fire:
Code:
Tax:



CITY OF AUBURN, MAINE
Flea Market/Craft Fair/Swap Meet/Bazaars
License Application

Application date 7/12/31 Date & Time of Event 11/6/21 9 am to 3 pm

Event and/or Location 15th Annual Holiday Festival

One Day Event:

- \$50.00 Up to 25 tables
 \$100.00 Over 25 tables

Three months:

- \$50.00 Per table
 \$500.00 Maximum per location

ALL QUESTIONS MUST BE ANSWERED IN FULL

BUSINESS

Business name Saint Dominic Academy
Business address 121 Gracelawn Rd
City Auburn State ME Zip 04210
Mailing address same
City _____ State _____ Zip _____
Business phone 207-782-6911
Cell phone 207-329-4741

APPLICANT

Full name Debra Anthoine
Maiden name A/K/A Thibodeau
Date of birth 2/8/69
Home address 21 Buttonwood Lane
City Lewiston State ME Zip 04240
Home phone 207-329-4741
Driver's Lic.# & State 7201171ME

Has applicant(s) ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes _____ No^x _____ (If yes, complete the following)

Name Roman Catholic Diocese of Portland Date of conviction _____

Offense _____ Location _____

Disposition _____

Does applicant(s) own the premises? Yes _____ No^x _____ (If "No", give name and address of owner)

Name Roman Catholic Diocese of Portland Address 510 Ocean Ave., Portland, ME 04103

THE OMISSION OF FACTS OR ANY MISPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

Chapter 14-Business Licenses & Permits-Article II Sec.14-34 Certification from City Officials *Before a license is issued the City Clerk shall submit the application for certification to the Code Enforcement Officer, Fire Chief, Chief of Police and City Treasurer. Please allow at least 3 weeks for this process.*

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY
*****READ CAREFULLY BEFORE SIGNING*****

I hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.


Signature of Applicant

*Advancement Director for
Saint Dominic Academy*

7/13/21
Date

STAFF USE ONLY
DO NOT COMPLETE BELOW THIS LINE



ORDER 78-08022021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Clerk to waive the business license fee of \$100 for the annual St. Dominic Academy's Annual Holiday Festival to be held on November 16, 2021.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2nd, 2021

Order: 79-08022021

Author: Zakk W. Maher

Subject: CDBG/HOME Action Plan for Program Year 2021

Information:

The Community Development Office has now concluded a program field assessment by the US Department of Housing and Urban Development. This process validated a program improvement initiative developed by city staff to strengthen the impact of this federally funded program. With the conclusion of the HUD assessment and the 30-day public comment period the Community Development Office requests the adoption of the Project Year 2021 Action Plan as presented.

City Budgetary Impacts:

\$2,855,098 in Federal Funding and anticipated Program Income reduces the impact on the General Fund.

Staff Recommended Action:

Vote to adopt the 2021 CDBG & HOME Action Plan and amended Citizen Participation Plan as presented.

Previous Meetings and History:

Public Hearing on May 17th

Public Hearing on June 7th

Public Hearing on June 21st

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

2021 CDBG & HOME Action Plan

Citizen Participation Plan 2020-2024



City of Auburn, Maine

Business & Community Development

Glen Holmes, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

COMMUNITY DEVELOPMENT BLOCK GRANT/HOME PROGRAM Program Year 2021 ACTION PLAN and BUDGET

The City of Auburn is submitting its PY21 Action Plan with the U. S. Department of Housing and Urban Development (HUD). This Action Plan describes the second-year budget and proposed activities for the Community Development Block Grant and HOME Investment Consortium programs which advances the goals and objectives set forth in the Auburn 2020-2024 Consolidated Plan.

The PY21 Action Plan process provides for a 30-day comment period. All public comments received will be included in the package submitted to the City Council. Comments may be submitted ahead of time at the Community Development Office, 60 Court Street, Auburn, ME 04210, tel. 333-6601 or via e-mail at CDBG@auburnmaine.gov Comments may also be made on May 17th & June 21st during the public hearings to be held by the City Council.

SCHEDULE FOR ADOPTION FFY2021 ACTION PLAN/BUDGET

Comment Period	May 17 – June 16
1 st Public Hearing	May 17
Citizens Advisory Committee Review	May 21
2 nd Public Hearing	June 7
3 rd Public Hearing	June 21
Adoption	August 2

2020-2024 CONSOLIDATED PLAN

The City of Auburn has adopted a 2020-2024 Consolidated Plan for the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships (HOME) Program which includes both the City of Auburn and Lewiston. The Consolidated Plan identifies many community challenges, establishes priorities, and describes how Community Development resources will address these needs. The Consolidated Plan sets forth goals, objectives, and performance benchmarks for measuring progress, and establishes a framework for assessing the programs and projects Auburn will make available for revitalization.

Identified within this plan are 11,965 households in Auburn which qualify for CDBG assistance for being under 80% HUD Area Median Family Income (HAMFI). This number encompasses

46% of the total 25,530 households in Auburn. Of this total households within Auburn, 7,850 households (or 30%) are qualified for the HOME program for being under 50% HAMFI.

GOALS OF THE 2020-2024 CONSOLIDATED PLAN

The Auburn Community Development program intends to work towards measurable outcomes established by the Citizen Advisory Committee when the 2020-2024 Consolidated Plan was adopted. This plan established the 4 goals and outcome expectations indicated below:

Goal 1: Provide Safe & Affordable Housing

- 100 Rental Units Rehabilitated
- 50 Home Owner Units Rehabilitated
- 125 Tenant-households Rental Assistance

Goal 2: Improve Infrastructure & Reduce Blight

- 3,000 Persons Assisted

Goal 3: Promote Economic Opportunities

- 10 Jobs Created/Retained
- 10 Businesses Assisted

Goal 4: Provide Essential Services

- 1,200 Persons Assisted

2021 FUNDING

Funding for the Community Development Program is derived from Community Development Block Grant and HOME Investment Partnerships Program allocations for both Auburn and Lewiston. These yearly allocations are supplemented by their respective program income derived from current loan principal paybacks expected within the program year and unspent funds carried over from previous years. Allocations are presented as indicated on our FY21 Award letter from HUD and internal reports designating available program income and available carryover funds.

Community Development Block Grant Funds: The proposed budget for FFY2021 is \$1,051,858 from the following sources of Community Development funds:

CDBG Allocation	\$561,858
Anticipated Program Income	\$190,000
Carry Over Funds	\$300,000

Auburn HOME Funds: The proposed budget for FFY2021 is \$1,803,240 from the following sources of HOME funds:

HOME Allocation	\$469,750
Anticipated Program Income	\$56,000

Carry Over Funds

\$1,277,490

In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds. Ten percent of the current year allocations and program income combined can be set aside for administration of the HOME program. Auburn, serving as the program sponsor, utilizes 70% of these Admin funds to cover the overall administration of the program for the Consortium. Lewiston utilizes the remaining 30% for their administration costs. The balance of current year allocations is then divided evenly between both cities to provide programming.

DRIVERS OF CHANGE

1. **Federal Regulations:** U.S. Department of Housing & Urban Development oversees all funds invested into the city through the Community Development Office. In response to a recent city audit additional monitoring and compliance reviews have been scheduled for June 2021. In preparation for this process, and through the onboarding of multiple new staff members within the department many traditional operations or program weaknesses have been identified and prepared for corrective action. Although findings from this program audit will not be known until after this action plan is submitted for approval it addresses some of the current identified programmatic improvements. It also leaves some flexibility for additional corrective actions which may be requested by HUD staff after monitoring is complete.
2. **Funding Set-Asides & New Allocations:** Community Housing Development Organization (CHDO) projects are required to be set aside each program year or they may accumulate to be committed to larger projects. Additionally, larger, 1-time allocation increases of HOME funds which will become available during this project year have been announced but details and plans are not yet able to be filed. This will necessitate a revised plan to be developed and approved mid-year once federal guidelines are released.
3. **3rd Party Partners:** This workplan has taken a proactive approach to engaging with 3rd party community service providers. In an attempt to eliminate duplication of services, and increase the impact of each federal dollar, new programmatic partnerships are being crafted which will improve the community impact and public services offered within Auburn, creating a new level of accountability for program impact monitoring.
4. **Citizen Participation:** This plan includes a revision of the Citizen Participation Plan. This revision will allow for programmatic efficiencies in the determination of qualified LMI citizens receiving services from the Home & CDBG rehab programs. These changes are in response to 3 identified program improvements:
 - a. Encourage greater participation on the Citizen Advisory Committee by better representing members from the LMI community, local social service providers and housing practitioners.
 - b. Enhance the program qualification process.

- c. Retain valuable input and experience provided from the members of the Loan Committee.

Replacing the current loan review and approval process with an internal Program Qualification Assessment (PQA) will allow for both a reduction in program service delays while increasing citizen identity protections. The revised Citizen Participation Plan is included in Appendix B.

TARGETING:

- **HOME INVESTMENT PARTNERSHIP PROGRAM:** The target of the HOME program will continue to be city-wide and focus on the nearly 8,000 households which qualify at 50% low to moderate income families. These will be in the form of traditional home rehab projects and renter assistance programs.
- **COMMUNITY DEVELOPMENT BLOCK GRANT:** These funds are somewhat more flexible in their utility. They will be used to continue funding community service organizations that service Auburn through the Public Service, Weatherization, Public Infrastructure, Elimination of Blight and Emergency Repair programs. Although these funds can and will be utilized city-wide there will be a concerted effort to leverage new services and investments within designated LMI neighborhoods. The 2011-2015 American Community Survey (ACS) has identified census tracts 101, 103 & 105 as being over 50% Low-Moderate Income. These targeted census tracts are detailed further in Appendix C.

FFY2021 COMMUNITY DEVELOPMENT BUDGET DESCRIPTIONS

1. STRATEGY: PROVIDE SAFE & AFFORDABLE HOUSING

Strategic Plan: Efficiently utilize current housing stock and sustainable targeted residential development that supports and attracts growth, residents & workforce.

Proposed CDBG Budget: \$471,985

Proposed HOME Budget: \$1,753,400

Description: Funds from both CDBG and the HOME program will be used to provide loans for upgrading residential buildings, increasing curb appeal, address code violations and weatherize homes. Rehabilitation loans help maintain and upgrade the quality of housing, particularly in targeted areas to assist low-income property owners and investors address housing problems. This program helps increase or stabilize the tax base, provides an economic stimulus for contractors and suppliers, eliminates lead hazards, and prevents properties from becoming blighting influences in more densely populated neighborhoods.

HOME requirements are to set-aside 15% of the annual allocation for a Community Housing Development Organization (CHDO) project. In the past several years Auburn Housing Authority has partnered with the city in this capacity with a goal of increasing homeownership or affordable rental opportunities. Staff of the respective agencies have been seeking a viable project to be completed with these set-aside funds. The addition of new, one-time funds released by HUD later in this project year will add to this program.

The City of Lewiston has identified 3 projects to be completed with their portion of HOME funds. Avesta Housing will develop a 35 unit mixed income housing project that will be located at 111 Blake and 82 Pine Streets (\$326,732). The project, to be called Blake + Pine, will have 28 units restricted to renters making no more than 60% AMI. Raise-Op is working to develop a new construction 18 unit cooperative housing project at 84 Walnut and 198 Blake Streets (\$265,758). Lastly, a yet to be determined Choice Workforce Housing project is anticipated to be developed on replacement Site 1 or 2 in the City of Lewiston's Choice Plan (\$182,294).

Providing safe & affordable housing is the quintessential goal of this action plan. This is also the program which is being most heavily impacted by both the increased cost of building supplies as well as the deteriorating housing inventory. For this reason, any additional and unforeseen funds accrued during this project year will be used within this program to further meet the demands of developing new and quality housing. The Project delivery costs covers staff salaries, benefits, supplies and equipment to implement the program. This does not count against the Administrative Cap.

Anticipated Outcomes: 25 Rental Units Rehabilitated
10 Homeowner Units Rehabilitated
30 Tenant-households Rental Assistance

Program Guidelines for PY2021

- *CDBG - Housing Rehabilitation Program*
- *CDBG – Emergency Repair Program*
- *HOME Consortium - Home Rehab Program*

Program Partnerships for PY2021

- Tenant Based Rental Assistance (TBRA) Program
- Weatherization Program
- Homebuyer Assistance Program
- Self Help Housing Program
- LEAD Testing, Clearance and Training Program

2. STRATEGY: IMPROVE INFRASTRUCTURE & REDUCE BLIGHT

Strategic Plan: Invest in and maintain the infrastructure necessary to provide a sustainable, safe and livable environment.

Recognize the value of historic, cultural, and artistic assets and activities in enriching people's lives and promoting community life.

Proposed CDBG Budget: \$235,000

Description: Funds will be used to address blight remediation, continue the Neighborhood Challenge grant program as well as continue the development of publicly owned infrastructure and amenities within targeted neighborhoods.

The Library Ave pedestrian and parking development includes the reconstruction of Library Avenue to include new curbing, sidewalks, crosswalks and streetlights. The goal is to provide safe, comfortable, attractive, and convenient access and travel for pedestrians, bicyclists, motorists and transit users of all ages and abilities.

Anticipated Outcomes: 1,000 Persons Assisted.

Program Guidelines for PY2021

- *CDBG – Neighborhood Challenge Grant*
- *CDBG –Blight Remediation Program*

Public Infrastructure Projects for PY2021

- *Library Ave Parking & Pedestrian Improvements*

3. STRATEGY: PROMOTE JOBS AND ECONOMIC OPPORTUNITY

Strategic Plan: Attract quality businesses by creating an environment where business can succeed. Collaborate with existing partners to ensure and foster a sustainable and satisfying lifestyle.

Continue to improve access to training programs designed to address workforce gaps; provide diverse, well-rounded education by partnering with available resources and businesses.

Proposed CDBG Budget: \$100,000

Business Loans will be provided to businesses city wide. Target will be micro enterprises with LMI owners and operations which are not traditionally bankable or otherwise satisfies the no-credit-elsewhere test as required by the US Department of HUD. The impact goals is creating new jobs for LMI individuals.

Anticipated Outcomes: 6 Business Loans

Program Partnerships for PY2021

- Business Affordability Grants

4. **STRATEGY: PROVIDE ESSENTIAL SERVICES**

Strategic Plan: Develop education strategies for all stages of life that are dynamic, innovative, and collaborative to develop a foundation for economic and personal development.

Support all residents by fostering a sense of unity while honoring diversity and coordinating community resources and assets to provide wraparound support to all residents.

Proposed CDBG Budget: \$102,728

Description: Public Service Grants are capped at 15% of available allocations and focus on providing essential services within the community. These services promote the development of decent housing, a suitable living environment and economic opportunities. These programs are required to demonstrate that these CDBG funds will provide for a new or quantifiable increase in services and not merely supplant other funding sources.

The Public Service awards are recommended below.

➤ **Safe Voices**

Stability through Self-Sufficiency at Annie Pearl Shelter

Request	Proposed Budget	Total Program
\$12,000	\$12,000	\$577,251

Description:

Funding for this proposal shall be used to support survivors of domestic violence by providing food, shelter, temporary financial assistance, education, housing services, skill development and safety planning services. This is an Emergency Shelter which provides access to critical resources that will enable people to rebuild their lives following domestic violence.

Eligible Activity: Housing Counseling

Proposed LMI Impact: 70 Individuals

Benefit Type: Presumed Benefit

Proposed Objective: Suitable Living Environment

➤ **Tedford Housing**

Auburn Supportive Housing Services

Request	Proposed Budget	Total Program
\$7,000	\$7,000	\$87,596

Description:

Funding for this proposal shall be used to provide housing services and onsite case management at the Franklin School Apartments. These services improve access to social security benefits, MaineCare, career education and job training programs.

Eligible Activity: Housing Counseling
Proposed LMI Impact: 37 Individuals
Benefit Type: Limited Clientele
Proposed Objective: Decent Housing

➤ **St. Mary’s Nutrition Center**

Auburn Community Garden Initiative (ACGI)

Request	Proposed Budget	Total Program
\$11,174	\$11,174	\$32,998

Description:

Funding for this proposal shall be used to increase capacity while strengthening the garden program infrastructure. With the new addition of the Whitney St Garden to accompany the existing Newbury St & Webster St facilities this program now provides over 88 garden plots to Auburn residents.

Eligible Activity: Health
Proposed LMI Impact: 130 Individuals
Benefit Type: Limited Clientele
Proposed Objective: Suitable Living Environment

➤ **Auburn Recreation**

Auburn Recreation Summer Day Camp Scholarships

Request	Proposed Budget	Total Program
\$50,000	\$25,000	\$150,000

Description:

Funding for this proposal shall be used to provide 100% scholarships for children whose household is designated as extremely low income (30% LMI). This program not only offers food and personal betterment experiences for the individual but allows families access to affordable and structured supervision so that parents can continue to work.

Eligible Activity: Recreation
Proposed LMI Impact: 75 Individuals
Benefit Type: Limited Clientele
Proposed Objective: Economic Opportunities

➤ **Literacy Volunteers - Androscoggin**

Adult Literacy Services for Work Readiness & Life Skills

Request	Proposed Budget	Total Program
\$9,554	\$9,554	\$42,578

Description:

Funding for this proposal shall be used to serve adults struggling with low literacy skills. 1-on-1 literacy tutoring reduces barriers to learning by providing lessons

based on the students skill level, location and goals, which is a critical skill needed to improve the lives of vulnerable adults.

Eligible Activity: Education

Proposed LMI Impact: 75 Individuals

Benefit Type: Presumed Benefit

Proposed Objective: Economic Opportunities

➤ **Seniors Plus**

Home Delivered Meals for Auburn’s Homebound

Request	Proposed Budget	Total Program
\$15,000	\$15,000	\$994,872

Description:

Funding for this proposal shall be used to provide up to 7 meals per week to homebound seniors in Auburn. This program services older people and people with disabilities in an attempt to fight hunger and isolation in these vulnerable communities.

Eligible Activity: Health

Proposed LMI Impact: 23 Individuals

Benefit Type: Presumed Benefit

Proposed Objective: Suitable Living Environment

➤ **Community Youth Services**

Career Pathways Initiative / Homework Help Program

Request	Proposed Budget	Total Program
\$46,480	\$15,000	\$100,000

Description:

Funding for this proposal shall be used to expand homework aid and educational exploration services to at-risk youth. This program provides job training, financial training, mentoring and youth counseling services in order to create more well-rounded, knowledgeable and prepared citizens of Auburn.

Eligible Activity: Crime Prevention

Proposed LMI Impact: 45 Individuals

Benefit Type: Limited Clientele

Proposed Objective: Economic Opportunity

➤ **Androscoggin Head Start**

Promise Early Education Center

Request	Proposed Budget	Total Program
\$10,000	\$8,000	\$487,000

Description:

Funding for this proposal shall be used to support ongoing operations of the Promise Early Education Center at 48 Webster St in Auburn. This center provides children 6 weeks to 5 years old access to year-round programming within the identified Union St community.

Eligible Activity: Education

Proposed LMI Impact: 15 Individuals

Benefit Type: Limited Clientele
Proposed Objective: Economic Opportunity

Anticipated Outcomes: 363 Persons Assisted with non-housing services
107 Persons assisted with housing related services

Program Guidelines for PY2021

- *CDBG – Public Service Grant Instructions*

5. ADMINISTRATION SERVICES

Proposed CDBG Budget: \$142,143
Proposed HOME Budget: \$49,839

Description: The remainder of the budget listed above contains the Administration salaries along with the requires supplies and training expenses to run the programs. These expenses are allocated between both CDBG & the HOME program in alignment with the program's prospective requirements and are below the expense caps.

2021 CDBG & HOME Action Plan

Adopted by the City Council on August 2, 2021

Phillip L. Crowell, City Manager

Date

CITY OF AUBURN CITIZEN PARTICIPATION PLAN 2020-2024

Amended August 2021

1. INTRODUCTION

The City of Auburn received an “entitlement” designation for Community Development Block Grant funds in 1974. These funds are used for a number of loan programs to promote housing and economic development. Funds are also used for public facilities and infrastructure, and for social services. In 2001, Auburn and Lewiston formed a consortium with Auburn as the lead agency to receive HOME Investment Partnerships Program funds. The consortium was formed to meet the funding threshold for HOME funds.

The Department of Housing and Urban Development (HUD) requires recipients of its grant funds to prepare formal plans as a condition of receiving federal funds. These plans are intended to encourage communities to allocate federal resources to address local needs and market conditions.

The City has developed a Consolidated Plan (ConPlan) which is a fact-based analysis of local housing needs that reflects the incidence and severity of housing problems among different segments of the population. The ConPlan articulates priorities for addressing the needs that have been documented and defines strategies and activities linked to these priorities. Community representatives and housing practitioners will have opportunities to help shape the development of priorities and strategies. The process is intended to assist with coordination among relevant agencies in both planning and implementation. The City works closely with Auburn Housing Authority (AHA) on housing matters.

Section 104(a) of the Housing and Community Development Act of 1974 requires that the City of Auburn follow a Citizen Participation Plan. In order to comply with HUD regulations, the Community Development Department has prepared the following plan which outlines the process through which citizens will be informed of and involved in the Community Development Program. The Community Development Program involves funding of both the Community Development Block Grant and HOME Investment Partnerships (HOME) Program.

The Citizen’s Participation Plan is an effort to create a collaborative process whereby citizens assist in developing a vision for community development housing actions. The City Council will consider both public comments and recommendations of the Citizen’s Advisory Committee (CAC) in making decisions to allocate Community Development and HOME resources.

To affirmatively encourage citizen participation, the following plan elements shall be implemented in the execution of the Community Development Program.

2. GOAL

The goal of the Citizen Participation Plan is to provide Auburn citizens with an opportunity to participate in various processes of the Community Development Program. Citizen participation shall be conducted in an open manner with appropriate and timely dissemination of information pertinent to all plans and programs. The emphasis of this Citizen Participation Plan to involve persons who are most likely to be affected by and utilize the Community Development Program, especially persons of low income, persons with special needs, and persons living in target areas.

3. OBJECTIVES

The objectives of the Citizen Participation Plan are to:

Encourage citizen participation with emphasis on participation by persons who are of low income, special needs, and persons who live in or own property in a target area;

- Provide citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed and actual use of funds;
- Provide technical assistance to groups or representative of persons of low income that request such assistance in developing proposals with the level and type of assistance to be determined by the City;
- Obtain citizen views and answer questions at all stages of the Community Development process including development of needs, review of proposed activities and review of program performance;
- Provide for a timely written answer to complaints and grievances; and
- Provide for meeting the needs of non-English speaking residents and persons with special needs for accessibility or communication assistance at public meetings where a significant number of people are expected to participate.

4. PUBLIC PARTICIPATION

A. NOTICES OF PUBLIC MEETINGS

Public meetings are held to obtain views of citizens and public agencies with respect to the Community Development Program. Meeting notices will be published on the City's website.

At least 30 days before adoption by the City Council, a summary of the proposed Consolidated Plan and Annual Action Plan will be published on the City's web site to give citizens an opportunity to review and comment on the plan. The summary will describe the general contents of the Consolidated Plan. The public notice will indicate the location where copies can be examined or how to find it on the web site.

At least 15 days before submission a public notice will be placed in a local newspaper announcing the availability of the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER provides a review of program progress and performance of the Community Development Block Grant Program.

B. AVAILABILITY OF PUBLIC DOCUMENTS

Documents will be available at the Community Development Department for perusal in an effort to provide readily accessible information to citizens. Historical records will be available for the previous five-year period. Documents that will be available are:

- Residential Anti-displacement;
- Relocation Assistance Plan and Affordable Rent Policy;
- Urban Conditions Study;
- Citizen Participation Plan;
- Community Development Block Grant Regulations;
- Environmental Review Records;
- Consolidated Annual Performance and Evaluation Report;
- Guidelines of various programs funded with Community Development and HOME Investment Partnerships Program funds; and
- Consolidated Plan and Annual Action Plans.

C. CITIZENS ADVISORY COMMITTEE

The purpose of the Citizen's Advisory Committee is to assist in developing the Consolidated Plan and to monitor progress on achieving the goals and objectives of the plan. The committee will be made of a minimum of 11 Auburn residents, with a quorum being a majority of those currently appointed. The Committee will meet on a regular basis to track progress in accomplishing the goals of the Consolidated Plan. Community Development staff shall solicit members who will be representative of the following categories:

- At least one person of minority race or ethnic background;
- 3 representatives of community organizations, one of which represents the interests of homeless persons;
- A City Councilor;
- 4 persons from target areas including residents, landlords and small business owners. There will be a minimum of 1 each from the Downtown, Union Street and New Auburn Target Areas; and
- 2 representatives with a background in Real Estate or Finance.

The City Councilor member shall be appointed by the Council and their term shall coincide with their term in office. The other committee members shall be appointed by the Mayor and their term shall be three years, terms start on July 1st. The CAC membership shall elect a person amongst them to act as liaison with Community Development staff and to serve as spokesperson for the CAC to the City Council.

1) CAC Meetings:

a) Consolidated Plan

The CAC will be involved in assisting with development of the 5-year Consolidated Plan by considering needs and resources, and prioritizing goals and objectives.

b) Annual Action Plan

In the subsequent four years, the CAC will review the annual Consolidated Annual Action Plan for conformance with the Consolidated Plan.

c) Consolidated Annual Performance and Evaluation Report (CAPER)

At the end of each program year, a performance report will be prepared. The CAC will meet after completion of the CAPER to consider progress in meeting the stated goals and objectives of the Consolidated Plan. The CAC will also review program performance, effectiveness, and evaluation.

d) The CAC may determine that other meetings are necessary to promote the goals of the Consolidated Plan. Establishing extra meetings will require a majority vote of the CAC.

2) Consolidated Plan Considerations:

During the study process, the CAC will consider data on housing needs and comments from focus groups to establish priorities. The CAC will consider the needs of extremely low-income, low-income, moderate-income, and middle income families; renters and owners; persons who are elderly, disabled, persons with HIV/AIDS and their families; single persons, large families, public housing residents, families on the public housing or section 8 tenant-based waiting list, and homeless; consider specific problems such as cost-burden, severe cost-burden, substandard housing and overcrowding.

D. OTHER PUBLIC PARTICIPATION

Community Development staff shall solicit input from citizens who may be affected by Community Development projects to give them an opportunity to express their views concerning problems, suggestions and alternatives to the proposed projects. A public notice will announce the availability of City documents and may include:

- amount of Community Development Block Grant funding to be received;
- eligible activities;
- general program requirements;
- previous years' use of funds;
- projected use of funds;
- time schedule for submitting the Consolidated Plan;
- amount of funds that will benefit very low, low, and low-moderate income persons; and plans to minimize displacement of persons and to assist persons.

E. CITY WEBSITE AND SOCIAL MEDIA NETWORKING

The City of Auburn's website will provide up-to-date information on the Community Development and HOME Investment Partnerships Programs. Meeting notices, the draft and adopted Consolidated Plan, Annual Action Plans, Consolidated Annual Performance and Evaluation Reports, various adopted guidelines and policies, and the Citizen Participation Plan will be available.

In order to reach a broader more diverse audience, during the 5-year planning process the Community Development Department will also utilize an internet social networking site to provide important information on the Consolidated Plan and funding resources.

F. PUBLIC HEARINGS

Public hearings shall be held by the City Council and shall serve as additional forums for citizens to convey their views on community development and housing needs, and to respond to proposed budget. At least 10 days prior to public hearings, a notice shall be placed in the newspaper announcing the public hearing. These public hearings will be conducted in the evenings and participation via zoom will be available. Recordings of these Public Hearings will be posted online for additional viewing accommodations. The City Council will consider comments or views of citizens received in writing or orally at the public hearing, Public hearing will be held at Auburn Hall, a location that accommodates persons with disabilities. Public hearing shall be held as follows:

- 1) Consolidated Plan** - A public hearing will be held prior to adoption of the Consolidated Plan. A draft Consolidated Plan will be available to the public 30 days prior to adoption. Copies will be available free of charge.
- 2) Consolidated Annual Action Plan** - A public hearing will be held prior to adoption of each Consolidated Annual Action Plan. A draft Annual Action Plan will be available 30 days prior to adoption. Copies will be available free of charge.
- 3) Amendments** - A public hearing will be held prior to adoption of any substantial amendments to the Consolidated Plan and Annual Action Plans. A substantial program amendment description will be available 30 days prior to adoption. Copies will be available free of charge.
- 4) Consolidated Annual Performance and Evaluation Report** - A public hearing will be held prior to submission of the Consolidated Annual Performance and Evaluation Report. The report will be available 15 days prior to submission. Copies will be available free of charge.

G. CONSIDERATION OF COMMENTS

A summary of comments will be attached to the appropriate document and submitted to the City Council before an action is taken. The City Council shall consider comments of the CAC or others

prior to final adoption of the Consolidated Plan, Annual Action Plan, or Consolidated Annual Performance and Evaluation Report.

H. RESPONSE TO PROPOSALS/COMMENTS

A staff member of the Community Development Department will respond to citizen comments or proposals. For every written proposal or comment, there will be a written response with reasons stated for whatever action the City has taken on the proposal. Oral proposals will receive oral responses, though they may be in writing.

5. SPECIAL CONSIDERATIONS

A. ACCOMMODATIONS

Arrangements will be made for non-English-speaking persons and persons with special needs for mobility, hearing and visual impairments, or the homebound. Please contact the Community Development Department in advance so that arrangements can be made to provide adequate communication assistance. Access to these accommodations can be attained by contacting the Community Development Office ahead of time at (207) 333-6601 or emailing CDBG@auburnmaine.gov.

B. TECHNICAL ASSISTANCE

Staff will provide direct assistance to low-income persons or their representative when forming proposals for Community Development activities. The level and type of assistance will be determined by Community Development staff and may not necessarily include the provision of funds to any person, group, or agency.

Staff will provide direct assistance to low income persons in their effort to progress through the various program processes. For the Rehabilitation Program, assistance will include preparing a loan application, submitting financial information, providing advice for soliciting bids, or upon request securing bids for a property owner, comparing and evaluating bids for conformance to required work, assisting to schedule rehabilitation work, managing the escrow account, performing inspections to ensure quality work, acting as liaison between the contractor and property owner for complaints and resolving a variety of other problems. For the homebuyer programs, assistance will include preparing a loan application, submitting financial information, providing pre-qualification for housing affordability, credit counseling, and guiding the home purchase.

Staff will provide counseling to tenants who are in jeopardy of being displaced because of a federally funded project and provide relocation assistance to those who are being displaced. Tenants will be assisted when required to file relocation claim forms and to secure comparable housing that is decent, safe and sanitary.

Staff will make a credit counseling referral to low-income households to assist them becoming homeowners.

6. COMPLAINTS AND GRIEVANCES

Citizens who have objections or complaints about the Community Development or HOME Programs may submit a written complaint to:

Community Development Department
City of Auburn
60 Court Street
Auburn, ME 04210

The complaint should include the date, name, address, telephone number of the complainant, convenient hour to reach that person by telephone, nature of the complaint and location. The complaint may also be given orally. The person initiating the complaint will schedule a meeting with the Community Development Manager and a formal complaint will be formulated from the interview that will be signed by the complainant.

There will be a written response, within 15 days of receipt, to the complainant. The response will indicate the ultimate disposition of the complaint.

7. AMENDMENTS TO CONSOLIDATED PLAN

Auburn will amend its Consolidated Plan in the following ways: whenever it makes one of the following decisions:

a) Minor Amendment

A minor amendment will be approved by the City Manager. These include:

- Program Guideline updates
- Policy Changes
- Budget changes under 20% of planned projects

b) Substantial Amendment

A substantial amendment must be authorized by the City Council and submitted to the U. S. Department of Housing and Urban Development. A public notice of the change will be published 30 days before adoption of an amendment by the City Council. An additional public hearing for a program amendment will be held in advance of a City Council vote.

A substantial amendment includes:

- to change a goal, priority, or activity of the Consolidated Plan;
- to carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously covered in the Consolidated Annual Action Plan; or
- to change the purpose, scope, location, or beneficiaries of an activity included in the Consolidated Annual Action Plan.
- Change that exceeds 10% of the amount of annual Community Development or HOME Program budget



ORDER 79-08022021

City Council Order

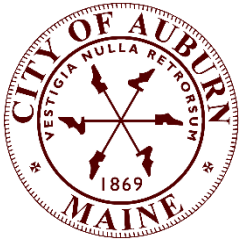
IN CITY COUNCIL

ORDERED, that that City Council hereby adopts the Program Year 2021 Annual Action Plan as recommended by the Business & Community Development Office.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 80-08022021

Author: Sue Clements-Dallaire, City clerk

Subject: Casting a Ballot for Maine Municipal Association's Annual Election

Information: The deadline to cast a ballot for MMA's Annual Election for Vice President and Executive Committee Members is Friday, August 20, 2021. The ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers.

City Budgetary Impacts: None

Staff Recommended Action: Authorize the City Manager to cast the ballot for the Maine Municipal Association's Annual Election.

Previous Meetings and History: N/A

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:

Memo from MMA, copy of the ballot, biographical sketch of nominees



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: David Barrett, Interim MMA Executive Director
(Director, MMA Personnel Services & Labor Relations)

DATE: July 12, 2021

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 20, 2021 by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2022 Proposed Slate of Nominees to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 9, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “Write-in Candidates” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 20, 2021. We have enclosed a self-addressed self-stamped envelope for your convenience. MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President James Gardner, Jr., Town Manager, Town of Easton.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Monday, August 23. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held and live broadcasted on Thursday, September 30, at 11:00 a.m. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2022.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of MMA Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 20, 2021

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Elaine Aloes, Chair of Selectboard, Town of Solon

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

David Cyr, Town Manager, Town of Frenchville

Melissa Doane, Town Manager, Town of Bradley

**Justin Poirier, Town Manager, Town Administrator
Town of Chebeague Island**

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____
Position: _____

Signature: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

Return To:
*MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358
Email: rlambert@memun.org*

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2022 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT
(1-Year Term)**

ELAINE ALOES (CHAIR OF SELECTBOARD, TOWN OF SOLON)

Professional & Municipal Experience:

- Chair of Selectboard, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1998 – present)
- 2nd Selectman, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1990 – March 1994)
- Auto Damage Appraiser, Bishop Adjustment Company (March 1990 – present)
- Budget Committee, Town of Solon (1995 – 1998)
- Owner/Operator, Mid Maine Adjustment Company (independent insurance adjusting company) (June 1987 – March 2005)
- Auto body repair businesses in Massachusetts and Maine (1972 – June 1987)
- Tax Preparer, H & R Block (1985 – 1992)
- Salesperson, Combined Insurance (health and accident insurance) (1985 – 1986)

Other Experience, Committees and Affiliations:

- Member, Somerset County Budget Committee (2001 – present); Vice Chair (2012 – 2016); Chair (2017 – present)
- Member, MMA Legislative Policy Committee (1999 – present)
- Member, MMA Executive Committee (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Strategic & Finance Committee (2002 – 2003) and (2017 – present)
- President, Somerset County Municipal Association (2001 – present)
- First Park Representative (2006 – present)
- Member, MMA Nominating Committee for Executive Committee (2011, 2012 and 2014)
- Member, Maine Municipal Association Rural/Service Center Committee (2002)
- Member, Somerset County Jail Planning Committee (2006 – 2008)
- Vice Chairman, Somerset County Charter Commission (2008 – 2010)
- Chair, Regional School Planning Committee for MSAD 74, MSAD 59, MSAD 12, MSAD 13 and several small towns (2007 – 2009)

Education:

- High school graduate, Medfield High School, Medfield, Massachusetts
- Kennebec Valley Technical College (courses in computers, accounting and supervisory management)
- Insurance Institute of America (Introduction to Claims)
- State of Maine (four part Property Tax Assessment course)
- Maine Municipal Association (many workshops and training on a wide variety of municipal topics such as budget preparation, finance management, personnel issues, right to know, town meetings, assessing)
- Maine Local Roads Center (variety of workshops on road issues and maintenance)

Awards and Certifications:

- State of Maine, All Lines Adjuster
- Maine Roads Scholar – Maine Local Roads (completed ten required road related workshops to earn award)

MMA EXECUTIVE COMMITTEE MEMBERS
(3-Year Terms)

DAVID CYR (TOWN MANAGER, TOWN OF FRENCHVILLE)

Professional & Municipal Experience:

- Town Manager, Town of Frenchville (2021 – present)
- Town Manager, Town of Mars Hill (2014 – 2020)
- Resident Project Representative, NicCait Construction Services, Presque Isle
- Construction Engineer, Soderberg Construction, Caribou
- Engineer, Criterium Brown Engineers, Washburn
- Public Works Director, Town of Fort Kent
- Project Engineer, Civil Engineering Services, Brewer
- Public Works Director for the Unorganized Territories, County of Aroostook, Caribou
- Project Engineer, Cianbro Corporation, Pittsfield
- Engineer/Soil Technician, Brescia Construction/Caribou Soils, Inc., Caribou
- Selectmen, Town of Woodland (1995 – 2004); Chairman for five years
- Firefighter 1/EMT, Caribou Fire and Ambulance, Town of Caribou (1985 – 1988)
- Firefighter 1/EMT, Budd Lake Volunteer Fire Company, Budd Lake, New Jersey (1983 – 1984)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2020)
- Member, MMA Property & Casualty Pool Board of Directors (2020)
- Member, MMA Workers Compensation Fund Board of Trustees, (2020)
- Member, MMA Strategic & Finance Committee (2020)
- Member, Aroostook Municipal Association (2014 – present); Treasurer (2017); Secretary (2017 – 2019); Vice Chair (2019 – 2020)
- Board Member, Northern Maine Development Commission Executive Committee (2014 - present), Chair (2016-2018); NMDC Revolving Loan Committee (2014 – present), Chair since 2016; NMDC Treasurer (2017); NMDC Finance & Audit Committee; Chairperson (2018 - present)
- President, Mars Hill Rotary Club (July 2016 – June 2020)
- Assistant Chief of Stadium, US Ski and Snowboard Association Supertour competition, Presque Isle (2019)
- Volunteer, Cross Country Ski Trail Groomer at Woodland Community Trails
- Volunteer, Biathlon World Cup Competitions in Presque Isle; Assistant Chief of Stadium (2016)
- Board Member, Northern Maine Solid Waste Management Committee, (1992 – 2000); Chairman (1999 – 2000)
- Member, MDOT Regional Transportation Advisory Committee (1997 – 2002); Chair (1999 – 2000)
- Member, Public Advisory Committee, MDOT Aroostook County Transportation Study
- Board Member, Maine Chapter of the American Public Works Association (1998 – 2000); Secretary (1999); Treasurer (2000)

Education:

- Bachelor of Mechanical Engineering Technology, University of Maine at Orono

Awards and Certifications:

- State of Maine State Board of Registration for Professional Engineers
- Maine Municipal Certified Assessor
- Maine Department of Transportation Local Roads Center “Road Scholar”
- Graduate, Rotary Leadership Institute, Rotary District 7810
- State of Maine Class A Commercial Driver’s License with Hazardous Materials Endorsement

MELISSA DOANE (TOWN MANAGER, TOWN OF BRADLEY)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – 2020)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coor, Clinical Operations/Secretary/Patient Accounts/Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- Member, Executive Board, Municipal Review Committee (2021 – present)
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – present)
- Chair, Sponsorship Committee, Maine Town, City & County Management Association (present)
- Member, Maine Town, City & County Management Association (2005 – present)
- Member, Maine Town & City Clerks Association
- Member, Maine Municipal Tax Collectors & Treasurer Association
- Member, Maine Welfare Directors Association
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate Degree, Business Management, Beal College
- Associate Degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Certified Municipal Manager, Maine Town, City & County Management Association
- Rookie of the Year Award, Maine Town, City & County Management Association (2009)
- State of Maine Notary
- State of Maine Dedimus Justice

JUSTIN POIRIER (TOWN ADMINISTRATOR, TOWN OF CHEBEAGUE ISLAND)

Professional & Municipal Experience:

- Town Administrator, Town of Chebeague Island (Nov 2020 – present)
- Urban Development Specialist, City of Auburn (July 2020 – November 2020)
- Director, Maine Revenues Services, Property Tax Division (2017 – 2020); Deputy Director (2014 – 2017)
- Member, Town of Winthrop, Planning Board (2019 – 2020)
- Member, City of Augusta, Planning Board (2013 – 2018); Chair (2017 – 2018)
- Director, Community Development Coordinator; City of Bath (2012-2014); Coordinator (2011 – 2012)
- Administrative Assistant, Board of Selectpersons, Town of Pownal (2010 – 2011)
- Administrative Coordinator, Building Services Department, Town of Belmont, MA (2007 – 2010)

(continued)

Other Experience, Committees and Affiliations:

- Member, Maine Town City and County Management Association
- Member, Maine Association of Assessing Officers
- Member, Executive Committee, Greater Portland Council of Governments (January 2021 – present)
- Member, Ecomaine Board of Directors (2010 – 2011)

Education:

- Master of Public Policy; Concentration on Public Management, Environmental Policy, University of Massachusetts Dartmouth
- Bachelor of Arts in Public management; Major in Public Management; Minor in Political Science, University of Maine in Orono

Awards and Certifications:

- Certified Maine Assessor
- Certified Community Development Block Grant Administrator



ORDER 80-08022021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the City Manager to cast the ballot for the MMA Annual Election.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Saturday, May 1, 2021 4:32 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

Date of Application: 5/1/2021

First Name: Kryston

Middle Initial: M.

Last Name: Chapman

Residence Address: 51 Eastman Lane

Ward: Ward 4

City: Auburn

Home Phone: 2077498052

Cell Phone: 207-7498052

E-mail Address: kryston_m@hotmail.com

Current Occupation: Substitute Teacher Auburn School Department

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelor's Degree Business Administration

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Conservation Commission

OTHER (Ad-Hoc Committees not on the list above):: N/A

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am interested in the safety and accessibility of all modes of transportation in the city of Auburn and Lewiston. especially for those who use sidewalks, bike lanes, and trails. More people now are looking for opportunities to explore what the city has to offer outside as an individual, with friends or individually. Auburn and Lewiston have many trails that are unknown to many and underutilized.

What do you hope to accomplish?: Help promote Auburn and Lewiston trails, and outdoor spaces for residents and visitors. Advocate for the safety of the twin city streets to make it safer for those using them. Ensure that bike lanes and

sidewalks are clean and safe for all users. Lastly, to make certain all modes of transportation are safe and developed well for all users.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? No

Have you previously served on a City or Community Board or Committee? If so, which one(s)? No

Dates served (if known): N/A

How did you learn of this vacancy?: auburnmaine.gov

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Kryston Chapman

Date of Electronic Signature: 5/01/21

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Tuesday, June 15, 2021 10:38 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

Date of Application: 06-15-22

First Name: David

Middle Initial: D

Last Name: Griswold

Residence Address: 199 Gamage Ave

Ward: Ward 2

City: Auburn

Home Phone: 783-4833

Cell Phone: 577-1720

E-mail Address: Dave.griswold370@gmail.com

Current Occupation: Licensed Forester, retired

Previous Occupation (if retired or no longer working): Forest Certifications manager

Education and/or experience: BA Biology & Govt, BS Forestry,

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Conservation Commission

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I serve as chair of the Conservation Commission's Community Forest Subcommittee and attend Conservation Commission meetings, but am unable to vote.

What do you hope to accomplish?: Promote conservation in Auburn and provide outreach and education to Auburn citizens. I have extensive experience and contacts within Maine's Forest economy. I have chaired the Sustainable Forestry Initiative education committee and have experience developing and presenting workshops.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Community Forest SC, Ag Committee

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: School Committee (one term as chair), Community Forest Board (two terms as chair)

Dates served (if known): School committee early 90s, LACFB 01-18; 20-

How did you learn of this vacancy?: Attending Conservation Commission meeting

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: David D. Griswold

Date of Electronic Signature: 6-15-21

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Saturday, June 19, 2021 11:33 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

Date of Application: 6/19/2021

First Name: Larissa

Middle Initial: Jayne

Last Name: Martin

Residence Address: 37 Goff St, Apt 4

Ward: Ward 3

City: Auburn

Home Phone: 2074172182

Cell Phone: 2074172182

E-mail Address: loonygirl76@hotmail.com

Current Occupation: Student

Previous Occupation (if retired or no longer working): Paralegal / Legislative Committee Assistant

Education and/or experience: Resume and transcript from CMCC can be provided.

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Citizens Advisory Committee

OTHER (Ad-Hoc Committees not on the list above): Registration Appeals Board Chair

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have a strong desire to volunteer my time and energy to help my community. I have found myself absolutely smitten with Auburn since moving here. I am a second year, full time student at Central Maine Community College majoring in Education and Public Policy Administration. I am an older student and a parent of an Edward Little H.S. senior. In my previous career as a paralegal, I worked for the California judicial branch and the Senate Appropriations Committee. I believe I would make a great addition to the committee and am eager to serve Auburn and its people.

What do you hope to accomplish?: I would like to know that I am making a difference in my community and working towards keeping Auburn the great city that it is, while it grows.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: None

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: None

Dates served (if known): None

How did you learn of this vacancy?: Initially found committee vacancies through my CMCC course: American State and Local Government

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Larissa Jayne Martin

Date of Electronic Signature: 6/19/2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Saturday, May 8, 2021 10:12 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

Date of Application: 05/08/21

First Name: Dana

Middle Initial: L

Last Name: Bonenfant

Residence Address: 25 ANDREA LN, 19

Ward: Ward 1

City: Auburn

Home Phone: 2077776448

Cell Phone: 2073120930

E-mail Address: dlbonenfant@gmail.com

Current Occupation: Disabled

Previous Occupation (if retired or no longer working): Senior Staff Accountant

Education and/or experience: 35 + years experience in th e Accounting field. At least 15 years as a Manager.

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): CDBG Loan Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I have been on the CDBG Loan Committee since 2017. I enjoy the work/meetings and interacting with the other members.

What do you hope to accomplish?: I hope ot learn more about the Banking side of the process.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: CDBG

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: CDBG since 2017

Dates served (if known): 01/06/17 to current

How did you learn of this vacancy?: my current tem expired

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.
By typing your full name below, you are "signing" this electronic application.: Dana Bonenfant

Date of Electronic Signature: Dana L Bonenfant

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Wednesday, May 12, 2021 10:39 AM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

The following form has been submitted by an end-user of the website: Board/Committee Application

Date of Application: 05/12/2021

First Name: Christopher

Middle Initial:

Last Name: Brann

Residence Address: 128 Cove Rd

Ward: Ward 2

City: Auburn

Home Phone: 2078385954

Cell Phone: 2078385954

E-mail Address: chris_brann22@yahoo.com

Current Occupation: Banker

Previous Occupation (if retired or no longer working):

Education and/or experience: Bachelors - Business Administration; 20 years Banking Experience including 15+ years in various Commercial and Residential Mortgage Lending Roles.

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): CDBG Loan Committee

OTHER (Ad-Hoc Committees not on the list above):

This application is for a... (choose one): Reappointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): Would like to continue to serve on committee bringing my experience and expertise as a Banker and a resident of Auburn for 15+ years to the table.

What do you hope to accomplish?: Continue to serve my community

Are you presently serving on a City or Community Board or Committee? If so, which one(s): Yes, CDBG Loan Committee

Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Same

Dates served (if known): Multiple terms

How did you learn of this vacancy?: N/A

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.
By typing your full name below, you are "signing" this electronic application.: Christopher Brann

Date of Electronic Signature: 5/12/2021

Susan Clements-Dallaire

From: donotreply@auburnmaine.gov
Sent: Saturday, May 29, 2021 7:30 PM
To: Susan Clements-Dallaire
Subject: A New Form Has Been Submitted - Board/Committee Application

Categories: Red Category

The following form has been submitted by an end-user of the website: Board/Committee Application

Date of Application: 5/29/2021

First Name: Stanwood

Middle Initial:

Last Name: Gray

Residence Address: 1200 Sopers Mill Rd

Ward: Ward 5

City: Auburn

Home Phone: none

Cell Phone: 207615-6957

E-mail Address: stanwoodgray@gmail.com

Current Occupation: Farmer/Carpenter

Previous Occupation (if retired or no longer working):

Education and/or experience: College

Please check which board or committee you are interested in serving on. Individual applications for each board or committee (if you wish to serve on more than one): Complete Streets Committee

OTHER (Ad-Hoc Committees not on the list above)::

This application is for a... (choose one): New appointment

Briefly describe why you want to serve on a board/committee (1,000 character limit): I am very interested in Complete Streets. I believe this board can help shape the future of Auburn (and Lewiston) for the better. The current board is doing great. I want to be a part of that.

What do you hope to accomplish?: Help to move the city to a brighter future by ensuring street design that benefits all citizens and keeps them safe.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)?: Yes, Agriculture Committee

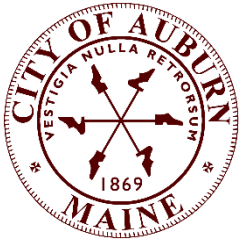
Have you previously served on a City or Community Board or Committee? If so, which one(s)?: Yes, Cable TV, Citizens' Advisory Committee, City Council

Dates served (if known):

How did you learn of this vacancy?: city website

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above. By typing your full name below, you are "signing" this electronic application.: Stanwood J Gray

Date of Electronic Signature: May 29,2021



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Orders: 81-08022021 through 85-08022021

Author: Sue Clements-Dallaire, City Clerk

Subject: Board and Committee Appointments

The Appointment Committee met on July 26, 2021 to review applications and make their nominations for various boards and committees of the City as follows:

Ag Committee – Kathy Shaw, re-appointment, 4-1-2024 term expiration.

Complete Streets Committee – Stanwood Gray, new appointment, 1-1-2024 term expiration

Conservation Commission – David Griswold, new appointment, 6-1-2022 term expiration.

Conservation Commission – Kryston Chapman, new appointment, 6-1-2022 term expiration.

Citizen’s Advisory Committee – Larissa Martin, new appointment, 6-30-2022 term expiration

City Budgetary Impacts: None

Staff Recommended Action: Motion to appoint members as recommended by the Appointment Committee.

Previous Meetings and History: The Appointment Committee met on July 26, 2021 to make their recommendations.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

Vacancies, Application Spreadsheet, Applications, Orders

July 26, 2021
 Applicant List

Board or Committee	Ward	Last Name	First Name	Address
Ag Committee	5	*Shaw	Kathy	1200 Sopers Mill Road
Citizen's Advisory Committee	3	Martin	Larissa	37 Goff Street, Apt. 4
Complete Streets Committee	5	Gray	Stanwood	1200 Sopers Mill Road
Conservation Commission	4	Chapman	Kryston	51 Eastman Lane
	2	Griswold	David	199 Gamage Avenue

* Indicates this applicant is seeking re-appointment

** Indicates this person is an associate/alternate member seeking full member status

VACANCIES

Agriculture Committee - 1 vacancy with a term expiration of 4/1/2024

Auburn Housing Authority - 1 vacancy with a term expiration of 10/01/2025

Audit Committee - 1 vacancy, term expiration December 31, 2021

Cable TV Advisory Committee - 3 vacancies - one with a term expiration of 6/1/2022, two with term expirations of 6/1/2023

Citizens Advisory Committee - 1 vacancy, term expiration of 6/30/2022

City Council Student Representative - 2 appointments

Complete Streets - 1 vacancy with a term expiration of 1/1/2024

Conservation Commission - 2 vacancies, both with term expirations of 6/1/2022

Lewiston Auburn Transit Committee (LATC) - 1 vacancy with a term expiration of 7/1/2024

Registration Appeals Board Chair - 1 vacancy with a 4 year term (nominated by City Clerk)

Regulatory Advisory Board - 4 vacancies, term expirations are 6/1/2022, and 6/1/2024.



ORDER 81-08022021

City Council Order

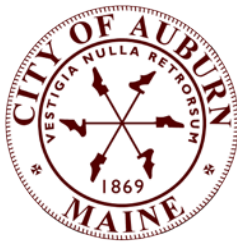
IN CITY COUNCIL

ORDERED, that the City Council hereby re-appoints Kathy Shaw to serve on the Ag Committee with a term expiration of 4-1-2024 as nominated by the Appointment Committee.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 82-08022021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Stanwood Gray to the Complete Streets Committee with a term expiration of 1-1-2024 as nominated by the Appointment Committee.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 83-08022021

City Council Order

IN CITY COUNCIL

ORDERED, ORDERED, that the City Council hereby appoints Kryston Chapman to the Conservation Commission with a term expiration of June 1, 2022 as nominated by the Appointment Committee.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 84-08022021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby appoints David Griswold to the Conservation Commission with a term expiration of June 1, 2022 as nominated by the Appointment Committee.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 85-08022021

City Council Order

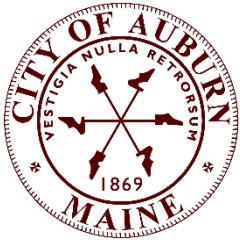
IN CITY COUNCIL

ORDERED, that the City Council hereby appoints Larissa Martin to the Citizen's Advisory Committee with a term expiration of June 30, 2022 as nominated by the Appointment Committee.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 86-08022021

Author: Eric J. Cousens, Director of Planning and Permitting

Subject: Comprehensive Plan Update/Deliverables from June 16, 2021 Meeting

Information: In November of 2020, the City Council voted to create a Comprehensive Plan Workgroup to focus on revising the following topics in the 2010 Comprehensive Plan:

1. Future Land Use Map – Potential Turnpike Exit near 136 and/or South Main Street.
2. Future Land Use Map – Industrial Transition Zone near Broad and South Witham Road. Council, Planning Board, Staff and Landowners have considered this as a potential residential growth area that would require less infrastructure than an industrial change. Easy Turnpike access from Exit 75.
3. Future Land Use Map – Consider expanded downtown form-based code to reduce setbacks and density limitations in urban neighborhoods. Ensure consistency with existing development patterns or forge new direction in certain areas.
4. Future Land Use Plan/Map - Review to see if a reduction in the number of proposed Zoning Districts is feasible.
5. Future Land Use Map – Downtown. Review current tasks, progress to date and adjust policy as needed with a focus on walkability, livability and economic expansion opportunities.
6. Gateways/Fragmentation - Looking at the proposed Future Land Use Map for access points to the City and their designated zoning to reduce fragmentation in the City.
7. Recreation and River Access. Review status, identify opportunities, needs and update implementation plans. Include recreation open space priorities, resource access and policy towards subdivision requirements that currently pose a challenge to urban developments.
8. Promoting Food Access and Growing the Agricultural Economy.
9. Equity - Researching to see if anything in the Comprehensive Plan currently promotes inequity in the City.

At the June 16, 2021 meeting of the Comprehensive Plan Workgroup, the group voted unanimously to move the Transportation Chapter (with edits reflecting the turnpike interchange), Future Land Use Plan (Chapter 2) and the accompanying map (link: <https://experience.arcgis.com/experience/dde78bd6cd23476e9c9ec53744b9f6ab>) and a new chapter Food Access/Growing the Agriculture Economy forward to the City Council and Planning Board. Transportation including a Turnpike Interchange, Recreation/Food Economy and Agriculture changes have been forwarded to the Planning Board for Public Hearing on August 10th.

The Council chose not to move the Future Land Use Chapter along at the July 22nd workshop. Staff wishes to discuss the chapter and see if the Council is ready to forward it to the Planning Board for Public hearing and a recommendation back to the Council for future decision making on adoption.

City Budgetary Impacts: None at this time. Future adoption will allow growth in taxable value and service costs.

Staff Recommended Action: We recommend the City Council vote to send the Future Land Use chapter to the Planning Board for a public hearing and recommendation at their September 2021 meeting.

Previous Meetings and History: May 20, 2021 – Comprehensive Plan Workgroup, June 7, 2021 – City Council Meeting, June 8, 2021 – Planning Board Meeting, June 16, 2021 – Comprehensive Plan Workgroup.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Draft Future Land Use Plan/Map.



ORDER 86-08022021

City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council refer the Draft Future land Use Plan and Map to the Planning Board for Public Hearing and to provide a recommendation on edits or approval back to the City Council.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager

Mayor Levesque called the meeting to order at 7:00 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Councilor Lasagna had an excused absence. All other Councilors were present.

Pledge of Allegiance

I. Consent Items

1. Order 74-07192021*

Initiating a formal request to send the Transportation Chapter and the Food Access/Growing the Agriculture Economy Chapter of the Draft Comprehensive Plan updates to the Planning Board for a recommendation.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage. Councilor Gerry requested a roll call vote.

Passage 5-1 (Councilor Gerry opposed). A roll call vote was taken.

II. Minutes – June 21, 2021 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Carrier to approve the minutes of the June 21, 2021 Regular Council Meeting.

Passage 6-0.

III. Communications, Presentations and Recognitions

- Council Communications (about and to the community) - none

IV. Open Session – No one from the public spoke.

V. Unfinished Business

1. Ordinance 25-06212021

Amending the Chapter 60, Article IV of the Auburn Code of Ordinances to strike Division 8. - Multifamily Urban Zoning District. Public hearing and second reading.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage.

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

2. Ordinance 26-06212021

Amending Chapter 60, Article IV, Division 13, Section 60-525(b) of the Auburn Code of Ordinances to add automobile and marine sales lots and sales and service agencies to the List of special exception uses in the Minot Avenue (GBII) zoning district. Public hearing and second reading.

Motion was made by Councilor Walker and seconded by Councilor Milks for passage.

Motion was made by Councilor MacLeod seconded by Councilor Milks to amend by striking the amended language and adding “*Automobile and marine sales lots and sales and service agencies, provided that vehicle display spaces are limited to not more than 10 spaces per 1,000 square feet of gross building area permanently constructed on the site with maximum of 100 display spaces*”.

Passage of amendment 4-2 (Councilors Gerry and Walker opposed).

Public hearing – Dave Rich, spoke and asked for clarification on the proposed amendment.

Passage of Ordinance 26-06212021 as amended 5-1 (Councilor Gerry opposed). A roll call vote was taken.

3. Ordinance 27-06212021

Amending Section 60-201(a) to allow two-family dwellings in the low-density country residential zoning district. Public hearing and second reading.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage.

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

4. Ordinance 28-06212021

Amending Chapter 60, Article V, Section 60-608 to remove minimum off-street parking requirements for all land uses (except residential). Public hearing and second reading.

Motion was made by Councilor Carrier and seconded by Councilor Boss for passage.

Public hearing – no one from the public spoke.

Motion was made by Councilor MacLeod and seconded by Councilor Boss to amend by removing the strikethrough where it states: “*applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly person.*”

Passage 6-0.

Motion was made by Councilor MacLeod and seconded by Councilor Milks to amend as follows:

Residential, Single-family; farm – strike Two per each dwelling unit
Residential, Multifamily; two-family – strike 1 ½ per dwelling unit
Combine building types to one line & change to minimum of 1 space per dwelling
Residential Single-family; farm; Multifamily; two-family – 1 dwelling per unit
Elderly remains at ½ unit per dwelling

Passage 5-1 (Councilor Gerry opposed).

Passage of Ordinance 28-06212021 as amended 5-1 (Councilor Gerry opposed). A roll call vote was taken.

5. Ordinance 29-06212021

Amending Chapter 60, Article IV, Division 14, Section 60-554 to remove all parking requirements (except residential) in the form-based code zoning districts. Public hearing and second reading.

Motion was made by Councilor Walker and seconded by Councilor MacLeod for passage.

Public hearing – no one from the public spoke.

Passage 5-1 (Councilor Gerry was opposed). A roll call vote was taken.

6. Ordinance 30-06212021

Amending the Conservation/Open Space Form-Based Code District by adding a purpose statement. Public hearing and second reading.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage.

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

VI. New Business

1. Ordinance 31-07192021

Amending the Low-Density Country Residential and Rural Residential Strips abutting the Agriculture/Resource Protection Zone from the current depth of 450 Feet from center line of the roadway to a depth of 750 Feet from the centerline of the roadway or the rear property boundary, whichever is less. Public hearing and first reading.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage.

Public hearing – no one spoke, written comment was submitted prior to the meeting from Kathy Shaw, 1200 Sopers Mill Road

It is my understanding that Council will vote on a potential change in lot depth in the rural residential zone. Over the past 2 years we have repeated attempts to change the zoning in our protected Ag/Forest resource zones. This change will be of no benefit to our zone, and in MY opinion will just be another foray to weaken this protected zone. Changes such as this are just another attempt to create more housing density in an area where it is NOT needed. Please vote this down.

Passage 4-2 (Councilors Boss and Gerry opposed). A roll call vote was taken.

2. Ordinance 32-07192021

Amending the zoning of the property located at 41 Steven's Mill Road (PID 208-043) from Suburban Residential to General Business II. Public hearing and first reading.

Motion was made by Councilor MacLeod and seconded by Councilor Walker for passage.

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

3. Ordinance 33-07192021

Amending Chapter 60, Article XII, Division 5, Section 60-992 (b) of the Auburn Code of Ordinance and Shoreland Zoning Map to allow as a Special Condition Overlay in identified areas of the Shoreland Zone, the height of all principal or accessory structures to exceed the 35-foot height limit to maximum of 50-feet. Public hearing and first reading.

Motion was made by Councilor Walker and seconded by Councilor Carrier for passage.

Public hearing – no one from the public spoke.

Passage 6-0. A roll call vote was taken.

4. Order 75-07192021

Allocating \$250,000.00 from the American Rescue Plan Act funds towards a city match of Efficiency Maine Residential grants for qualifying purchases, upgrades in accordance with their published residential programs as of July 8, 2021.

Motion was made by Councilor Walker and seconded by Councilor Carrier for passage.

Public comment – no one from the public spoke.

Motion was made by Councilor MacLeod and seconded by Councilor Milks to amend by including “*(excluding electric vehicles and LED bulbs)*”.

Passage 6-0.

Motion was made by Councilor Boss and seconded by Councilor Walker to amend by adding the census track numbers (101 & 105) for clarity.

Passage 6-0.

ORDERED, that the City of Auburn Allocate \$250,000 from the allocated ARPA funds towards a city match of Efficiency Maine Residential grants for qualifying purchases, upgrades in accordance with their published residential programs as of July 8, 2021 ***(excluding electric vehicles and LED bulbs)***. This program is to be active as of its enactment, and City should be prepared to distribute funds no later than 8-15-2021. The funds will be allocated specifically to residential homes in the two designated census track areas; any allocation outside of the two census tracks ***101 and 105*** will be authorized if determined by the city manager to be an allowable allocation.

Passage of Order 75-07192021 as amended (above) 6-0. A roll call vote was taken.

During the City Council workshop, an Executive Session was held to discuss Economic Development, pursuant to 1 M.R.S.A. Sec. 405(6)(C) with possible action to follow during the meeting as the last item under New Business. Action is as follows:

Order 76-07192021

Granting the City Manager or his designee the authority to execute the purchase and sale of the property at 526 Minot Avenue.

Motion was made by Councilor Walker and seconded by Councilor Carrier for passage.

Passage 6-0.

VII. Open Session - No one from the public spoke.

VIII. Reports (from sub-committees to Council)

Mayor Levesque reported that there are a lot of summer activities going on and a lot of follow up meetings are happening with legislators and community residents regarding various issues.

Councilor Boss reported that the Auburn Public Library Board of Trustees will be meeting tomorrow morning at 7:30am, and the Ag Committee will be meeting next Tuesday at 5:30pm.

Councilor Macleod reported that the fundraising sub committee for the new ELHS will be meeting to discuss funding.

Councilor Milks reported that the Sewer and Water District meetings will be held this week 4:00 pm on Tuesday for Sewer and 4:00 pm Wednesday for Water.

Councilor Gerry reported that a vehicle was stolen from the Barker Mill's parking lot over the weekend. The vehicle was found and is in disrepair. She will be holding a fundraiser to try to help the owners of the vehicle.

Councilor Walker reported that tomorrow Age Friendly Committee will be playing a movie at the Senior Center from 10am until noon; on Wednesday, the First Auburn Senior Citizens will be meeting at 10am; on Monday, the Appointment Committee will be meeting at 4pm; next Thursday, the Neighborhood Watch Group will be meeting at the Sixth Street Congregational Church at 6pm; and next Tuesday, the United New Auburn Association will be meeting at 6pm at Rolly's Diner.

Councilor Carrier reported that the Airport Board will be meeting this Saturday from 1-5pm for Strategic Planning. He also announced that the former Airport Manager, Rick Lanman recently passed away. His wife has asked that in lieu of flowers, donations be made to the Auburn Lewiston Airport.

City Manager Crowell reported that staff has been working hard on events that are coming up. August 3rd National Night Out; August 21st the Bicentennial Parade; the Neighborhood Watch Groups are starting back up; a communication will be going out explaining the process to run for Municipal Office; and the New Year's Auburn planning is underway.

IX. Executive Session

Personnel matter, pursuant to 1 M.R.S.A. Sec 405(6)(A).

Motion was made by Councilor Carrier and seconded by Councilor Milks to enter into executive session to discuss a personnel matter, pursuant to 1 M.R.S.A. Sec 405(6)(A).

Passage 6-0. Time in 7:56 pm.

Council was declared out of executive session at 8:30 pm.

Personnel matter (City Manager's Review), pursuant to 1 M.R.S.A. Sec 405(6)(A).

Motion was made by Councilor MacLeod and seconded by Councilor Milks to enter into executive session to discuss a personnel matter, pursuant to 1 M.R.S.A. Sec 405(6)(A).

Passage 6-0. Time 8:30 pm.

Council was declared out of executive session at 8:43 pm.

X. Adjournment - The meeting adjourned at 8:43 pm.

A TRUE COPY

ATTEST 

Susan Clements-Dallaire, City Clerk



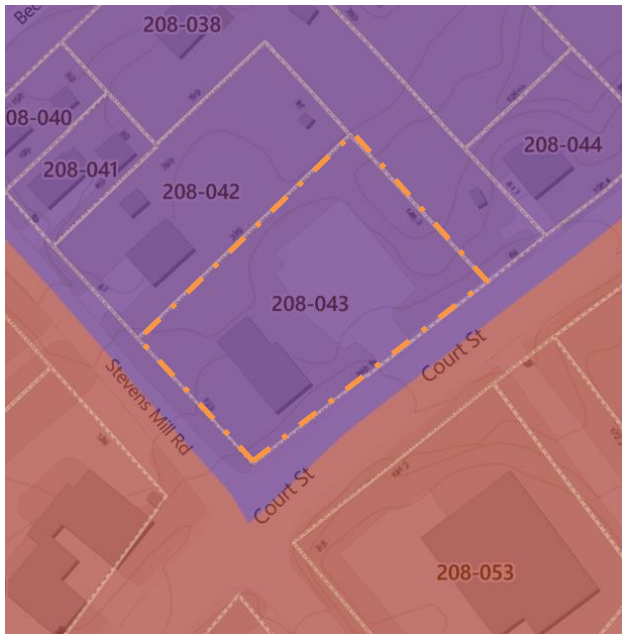
**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Ordinance: 32-07192021

Author: Eric Cousens, Director of Planning and Permitting

Subject: Proposed Zone Change for 41 Steven's Mill Road from Suburban Residential to General Business II
(Public Hearing and First Reading)



Information: BJ Grondin, buyer of 41 Stevens Mill Road is requesting a zoning map amendment to PID: 208-043 from Suburban Residential to General Business II to support a business in an otherwise commercially zoned neighborhood.

There are a couple of ways a zoning map amendment can be initiated as described under Section 60-1445 of the ordinance: **A. Amendment to the Zoning Ordinance or Zoning Map**

Sec. 60-1445. - Purpose.

Amendments to the zoning ordinance, including the zoning map, may be initiated by the Planning Board on its own initiative or upon request by the City Council or **by a petition signed by not less than 25 registered voters of the city.** (Ord. of 9-21-2009, § 8.1A)

The Buyer of 41 Steven's Mill Road (located on the corner of Steven's Mill Road and Court Street) has submitted a petition signed by 25 registered voters of the

City of Auburn to change the zoning of the property located at 41 Steven's Mill Road from Suburban Residential to General Business II. The purpose of the zone change is to build a Personal Training Studio on a parcel that housed a hair salon for over 30 years.

One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan as part of the 2021 Comprehensive Plan update process has this area zoned as General Business.

On July 13, 2021 the Planning Board voted unanimously to recommend the approval of this proposed zoning map amendment.

City Budgetary Impacts: None.

Staff Recommended Action: Staff and the Planning Board recommend that the City Council hold a public hearing and vote to change the zoning of the property located at 41 Steven's Mill Road (PID 208-043) from Suburban Residential to General Business II.

Previous Meetings and History: Planning board approved amendment as presented on July 13, 2021, Council Workshop June 21st, public hearing and passage of first reading on July 19, 2021.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Planning Board Staff Report from July 13th, petition for amendment.



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

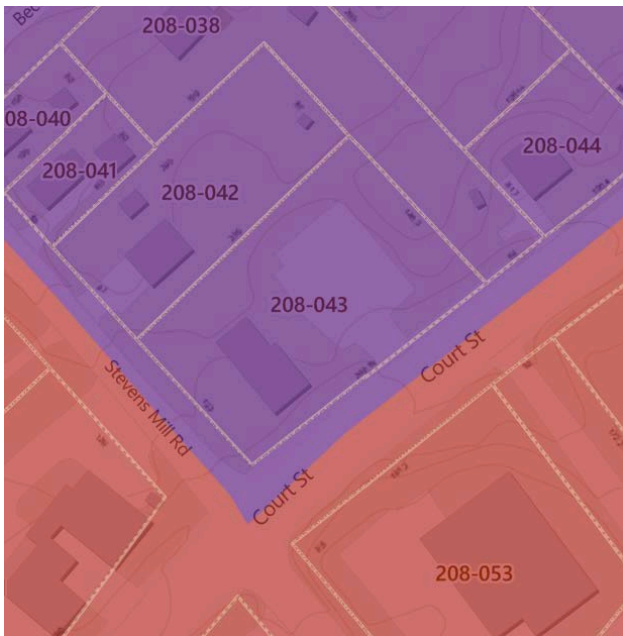
60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Item #3

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Zone Change for 41 Steven’s Mill Road from Suburban Residential to General Business II
Date: July 13, 2021

I. PROPOSAL



II. Information: BJ Grondin, Owner of 41 Stevens Mill Road is requesting a zoning map amendment to PID: 208-043 from Suburban Residential to General Business II to support a business in an otherwise commercially zoned neighborhood.

There are a couple of ways a zoning map amendment can be initiated as described under Section 60-1445 of the ordinance:

A. Amendment to the Zoning Ordinance or Zoning Map Sec. 60-1445. - Purpose.

III. Amendments to the zoning ordinance, including the zoning map, may be initiated by the Planning Board on its own initiative or upon request by the City Council or **by a petition signed by not less than 25 registered voters of the city.** (Ord. of 9-21-2009, § 8.1A)

IV. The Owner of 41 Steven’s Mill Road (located on the corner of Steven’s Mill Road and Court Street) has submitted a petition signed by 25 registered voters of the City of Auburn to change the zoning of the property located at 41 Steven’s Mill Road

from Suburban Residential to General Business II. The purpose of the zone change is to build a Personal Training Studio on a parcel that housed a hair salon for over 30 years.

One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan as part of the 2021 Comprehensive Plan update process has this area zoned as General Business.

II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

V. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a recommendation to City Council to amend zoning map amendment to PID: 208-043 from Suburban Residential to General Business II to support a business in an otherwise commercially zoned neighborhood.

VI. Suggested Motion: I make a motion to recommendation to City Council to amend zoning map amendment to PID: 208-043 from Suburban Residential to General Business II to support a business in an otherwise commercially zoned neighborhood.



ORDINANCE 32-07192021

City Council Order

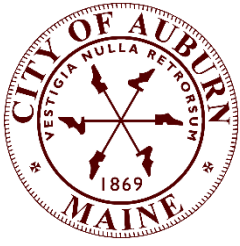
IN CITY COUNCIL

Be it ordained, that the City Council amend the City of Auburn Zoning Map to include 41 Stevens Mills Road(PID 208-043) in the General Business II Zoning District Pursuant to Chapter 60, Article XVII. Amendments, Division 2.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: August 2, 2021

Ordinance: 33-07192021

Author: John Blais, Urban Development Specialist

Subject: Special Local Condition Overlay to the Shoreland Zone

Information: To allow and promote infill development in the Shoreland Zone along Main Street, Court Street and Great Falls Plaza. *Height.* The height of all principal or accessory structures shall be limited to 35 feet in height in the Shoreland Zone. **Exception: where identified as Special Local Condition Overlay to the Shoreland Zone the height of all principal or accessory structures shall be limited to 50 feet in height.** The height of 50 feet is calculated as the average height of existing buildings identified in the Special Condition Overlay. This approach has been reviewed and approved by the State of Maine, Shoreland Zone Coordinator (Colin Clark).

Allow a Special Local Condition Overlay to the Shoreland Zone specifically along Main Street, Court Street and Great Falls Plaza to a building height of 50 feet.

City Budgetary Impacts: None Currently

Staff Recommended Action: The City Council to amend Chapter 60, Article XII, Division 5, Section 60-992 (b) of the Auburn Code of Ordinance and Shoreland Zoning Map to allow as a Special Condition Overlay in identified areas of the Shoreland Zone, the height of all principal or accessory structures to exceed the 35-foot height limit to maximum of 50-feet.

Previous Meetings and History: Approved by Planning board July 13, 2021, public hearing and passage of first reading on 7/19/2021.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Planning Board Staff Report Dated July 13, 2021.



DIVISION 5. - SHORELAND OVERLAY DISTRICT (SLO)^[3]

Footnotes:

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Editor's note— Ord. No. 011-09072010-07, §§ 5.4A—5.4BB, adopted Sept. 7, 2010, repealed the former div. 5, §§ 60-982—60-990, and enacted a new div. 5 as set out herein. The former div. 5 pertained to similar subject matter and derived from an ordinance adopted Sept. 21, 2009, §§ 5.4A—5.4I.

Sec. 60-982. - Purposes.

The purposes of this Shoreland Overlay District (SLO) is to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect freshwater wetlands; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in shoreland areas.

(Ord. No. 011-09072010-07, § 5.4A, 9-7-2010)

Sec. 60-983. - Authority.

This SLO district has been created in accordance with the provisions of 38 M.R.S.A. §§ 435—449.

(Ord. No. 011-09072010-07, § 5.4B, 9-7-2010)

Sec. 60-984. - Applicability.

This SLO district applies to all land areas within 250 feet, horizontal distance, of those areas noted on the official shoreland zoning map for the city and all land areas within 75 feet, horizontal distance, of the normal high-water line of a stream.

This SLO district also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.

(Ord. No. 011-09072010-07, § 5.4C, 9-7-2010)

Sec. 60-985. - Effective date.

The SLO district has been adopted by the municipal legislative body on September 7, 2010.

(Ord. No. 011-09072010-07, § 5.4D, 9-7-2010)

Sec. 60-986. - Severability.

Should any section or provision of this division be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of the division.

(Ord. No. 011-09072010-07, § 5.4E, 9-7-2010)

Sec. 60-987. - Conflicts with other ordinances.

Whenever a provision of this division conflicts with or is inconsistent with another provision of this chapter or of any other ordinance, regulation or statute administered by the municipality, the more restrictive provision shall control.

(Ord. No. 011-09072010-07, § 5.4F, 9-7-2010)

Sec. 60-988. - Interpretation of district boundaries.

Unless otherwise set forth on the official shoreland zoning map, district boundary lines are property lines, the centerlines of streets, roads and rights-of-way, and the boundaries of the shoreland area as defined herein. The perimeters of the SLO district shall be superimposed over the underlying zoning districts. The provisions of the underlying zoning district shall be adhered to subject to compliance with the provisions of the SLO district. Where uncertainty exists as to the exact location of district boundary lines, the board of appeals shall be the final authority as to location.

(Ord. No. 011-09072010-07, § 5.4G, 9-7-2010)

Sec. 60-989. - Land use requirements.

Except as hereinafter specified, no building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, expanded, moved, or altered and no new lot shall be created except in conformity with all of the regulations herein specified for the district in which it is located, unless a variance is granted.

(Ord. No. 011-09072010-07, § 5.4H, 9-7-2010)

Sec. 60-990. - Nonconformance.

- (a) *Purpose.* It is the intent of this district to promote land use conformities, except that nonconforming conditions that existed before the effective date of this division or amendments thereto shall be allowed to continue, subject to the requirements set forth in section 60-990. Except as otherwise provided in this division, a nonconforming condition shall not be permitted to become more nonconforming.
- (b) *General.*
 - (1) *Transfer of ownership.* Nonconforming structures, lots, and uses may be transferred, and the new owner may continue the nonconforming use or continue to use the nonconforming structure or lot, subject to the provisions of this section.
 - (2) *Repair and maintenance.* This section allows, without a permit, the normal upkeep and maintenance of nonconforming uses and structures including repairs or renovations that do not involve expansion of the nonconforming use or structure, and such other changes in a nonconforming use or structure as federal, state, or local building and safety codes may require.
- (c) *Nonconforming structures.*
 - (1) *Expansions.* A nonconforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the nonconformity of the structure and is in accordance with subparagraphs a. and b. below.

- a. After January 1, 1989, if any portion of a structure is less than the required setback from the normal high-water line of a water body or tributary stream or the upland edge of a wetland, that portion of the structure shall not be expanded, as measured in floor area or volume, by 30 percent or more, during the lifetime of the structure. If a replacement structure conforms with the requirements of section 30-990(c)(3), and is less than the required setback from a water body, tributary stream or wetland, the replacement structure may not be expanded if the original structure existing on January 1, 1989, had been expanded by 30 percent in floor area and volume since that date.
 - b. Whenever a new, enlarged, or replacement foundation is constructed under a nonconforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the director of planning and permitting, basing a decision on the criteria specified in section 60-990(c)(2). Relocation, below. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with section 60-990(c)(1)a. above, and the foundation does not cause the structure to be elevated by more than three additional feet, as measured from the uphill side of the structure (from original ground level to the bottom of the first floor sill), it shall not be considered to be an expansion of the structure.
- (2) *Relocation.* A nonconforming structure may be relocated within the boundaries of the parcel on which the structure is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the director of planning and permitting, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of state law and the State of Maine subsurface wastewater disposal rules (rules), or that a new system can be installed in compliance with the law and said rules. In no case shall a structure be relocated in a manner that causes the structure to be more nonconforming.

In determining whether the building relocation meets the setback to the greatest practical extent, the director of planning and permitting shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation. When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the director of planning and permitting shall require replanting of native vegetation to compensate for the destroyed vegetation. In addition, the area from which the relocated structure was removed must be replanted with vegetation. Replanting shall be required as follows:

- a. Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50 percent of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed.

Other woody and herbaceous vegetation, and ground cover, that are removed or destroyed in order to relocate a structure must be re-established. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.
 - b. Where feasible, when a structure is relocated on a parcel the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.
- (3) *Reconstruction or replacement.* Any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, or damaged or destroyed, regardless of the cause, by more than 50 percent of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within 18 months of the date of said damage, destruction, or

removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the director of planning and permitting or its designee in accordance with the purposes of this section. In no case shall a structure be reconstructed or replaced so as to increase its non-conformity. If the reconstructed or replacement structure is less than the required setback it shall not be any larger than the original structure, except as allowed pursuant to subsection (c)(1) above, as determined by the nonconforming floor area and volume of the reconstructed or replaced structure at its new location. If the total amount of floor area and volume of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure shall be replaced or constructed at less than the setback requirement for a new structure. When it is necessary to remove vegetation in order to replace or reconstruct a structure, vegetation shall be replanted in accordance with subsection (c)(2) above.

Any nonconforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed by 50 percent or less of the market value, or damaged or destroyed by 50 percent or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place if a permit is obtained from the code enforcement officer within one year of such damage, destruction, or removal.

In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent the director of planning and permitting or its designee shall consider, in addition to the criteria in section 1(3)(b) above, the physical condition and type of foundation present, if any.

- (4) *Change of use of a nonconforming structure.* The use of a nonconforming structure may not be changed to another use unless the director of planning and permitting, after receiving a written application, determines that the new use will have no greater adverse impact on the water body, tributary stream, or wetland, or on the subject or adjacent properties and resources than the existing use.

In determining that no greater adverse impact will occur, the director of planning and permitting shall require written documentation from the applicant, regarding the probable effects on public health and safety, erosion and sedimentation, water quality, fish and wildlife habitat, vegetative cover, visual and actual points of public access to waters, natural beauty, floodplain management, archaeological and historic resources, and functionally water-dependent uses.

(d) *Nonconforming uses.*

- (1) *Expansions.* Expansions of nonconforming uses are prohibited, except that nonconforming residential uses may, after obtaining a permit from the planning board, be expanded within existing residential structures or within expansions of such structures as allowed in subsection (c)(1)a. above.
- (2) *Resumption prohibited.* A lot, building or structure in or on which a nonconforming use is discontinued for a period exceeding one year, or which is superseded by a conforming use, may not again be devoted to a nonconforming use except that the planning board may, for good cause shown by the applicant, grant up to a one-year extension to that time period. This provision shall not apply to the resumption of a use of a residential structure provided that the structure has been used or maintained for residential purposes during the preceding five-year period.
- (3) *Change of use.* An existing nonconforming use may be changed to another nonconforming use provided that the proposed use has no greater adverse impact on the subject and adjacent properties and resources than the former use, as determined by the planning board. The determination of no greater adverse impact shall be made according to criteria listed in subsection (c)(4) above.

(Ord. No. 011-09072010-07, § 5.4I, 9-7-2010)

Sec. 60-991. - Establishment of Shoreland Resource Protection District Overlay.

- (a) *Purpose.* The purpose of this overlay zone is to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect freshwater wetlands; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in natural resource areas.

The resource protection district includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas:

- (1) Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the department as of May 1, 2006. For the purposes of this paragraph "wetlands associated with great ponds and rivers" shall mean areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond or river, and have a surface elevation at or below the water level of the great pond or river during the period of normal high water. "Wetlands associated with great ponds or rivers" are considered to be part of that great pond or river.
 - (2) Areas of two or more contiguous acres with sustained slopes of 20 percent or greater.
 - (3) Areas of two or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during the period of normal high water.
 - (4) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement.
 - (5) Properties owned by or under development restriction easements controlled by the Lake Auburn Watershed Protection Commission that are deemed to be appropriate for resource protection zoning by a vote of the commission.
- (b) *Use regulations.*
- (1) *Permitted uses.* The following uses are permitted subject to the requirements of article V of this chapter:
 - a. Nonintensive recreational uses not requiring structures.
 - b. Forest management activities except for timber harvesting and land management road.
 - c. Soils and water conservation practices.
 - d. Fire prevention activities.
 - e. Wildlife management practices.
 - f. Surveying and resource analysis.
 - g. Emergency operations.
 - h. Structures accessory to allowed uses.
 - i. Motorized vehicular traffic on existing roads and trails.
 - j. Mineral exploration.
 - k. Individual private camp sites.
 - l. Filling and earth moving of less than ten cubic yards.

- m. Uses similar to allowed uses.
 - n. Conversion of seasonal residences to yearround residences.
- (2) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of article XVI, div. 3, and article XII [of this chapter]:
- a. Mineral extraction including sand and gravel extraction.
 - b. Agriculture.
 - c. Aquaculture.
 - d. Principal structures and uses including driveways.
 - e. Filling and earth moving of greater than ten cubic yards.
 - f. Uses similar to uses requiring special exception approval.
- (c) *Dimensional requirements.* All structures in this district except as noted shall be subject to the following dimensional regulations:
- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than the minimum lot size or measuring less than the minimum lot width or lot depth required for the underlying zoning district identified for the property where any activity is proposed.
 - (2) *Density.* The density of dwelling units shall not exceed the required density for the underlying zoning district identified for the property where any activity is proposed.
 - (3) *Yard requirements.* The rear, side and front yard requirements shall not be less than that required for the underlying zoning district for the property where any activity is proposed.
 - (4) *Height.* The height of all principal or accessory structures shall be limited to 35 feet in height. **Exception: where identified as Special Local Condition Overlay to the Shoreland Zone the height of all principal or accessory structures shall be limited to 50 feet in height.** This provision also shall not apply to structures such as transmission towers, windmills, antennas and similar structures having no floor area.
 - (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article IV of this chapter.

(Ord. No. 011-09072010-07, § 5.4J, 9-7-2010)

Sec. 60-992. - Principal and accessory structures.

- (a) All new principal and accessory structures shall be set back at least 100 feet, horizontal distance, from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and 75 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in general development areas the setback from the normal high-water line shall be at least 25 feet, horizontal distance. Lots less than 120 feet deep measured at right angles to the shoreline which were in existence on or before December 17, 1973, shall have a shoreline setback requirement of 50 percent of the lot depth. In the resource protection district the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district in which case the setback requirements specified above shall apply.

For the purpose of this section the term "general development areas" includes all areas where the underlying zoning is identified as General Business, General Business II, Central Business I, Central Business II, Central Business III, Industrial or Multi-Family Urban districts, except where these districts fall within the Taylor Pond or Lake Auburn Watersheds or on the east shore of Bobbin Mill Brook.

In addition:

- (1) The water body, tributary stream, or wetland setback provision shall neither apply to structures which require direct access to the water body or wetland as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.
- (2) On a nonconforming lot of record on which only a residential structure exists, and it is not possible to place an accessory structure meeting the required water body, tributary stream or wetland setbacks, the code enforcement officer may issue a permit to place a single accessory structure, with no utilities, for the storage of yard tools and similar equipment. Such accessory structure shall not exceed 80 square feet in area nor eight feet in height, and shall be located as far from the shoreline or tributary stream as practical and shall meet all other applicable standards, including lot coverage and vegetation clearing limitations. In no case shall the structure be located closer to the shoreline or tributary stream than the principal structure.
- (b) Principal or accessory structures and expansions of existing structures which are permitted in the underlying zoning district, shall not exceed 35 feet in height. Exception: where identified as Special Local Condition Overlay to the Shoreland Zone the height of all principal or accessory structures shall be limited to 50 feet in height. This provision shall not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.
- (c) The lowest floor elevation or openings of all buildings and structures, including basements, shall be elevated and constructed in accordance with provisions of this chapter, art. XII, div. 2, Floodplain Overlay District. Accessory structures may be placed in accordance with the standards of that division and need not meet the elevation requirements.
- (d) The total footprint area of all structures, parking lots and other non-vegetated surfaces, within the SLO district shall not exceed 20 percent of the lot or a portion thereof, located within the SLO district, including land area previously developed, except in the general development areas adjacent to rivers that do not flow to great ponds classified GPA, where lot coverage shall not exceed 70 percent.
- (e) Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the following conditions are met:
 - (1) The site has been previously altered and an effective vegetated buffer does not exist;
 - (2) The wall(s) is(are) at least 25 feet, horizontal distance, from the normal high-water line of a water body, tributary stream, or upland edge of a wetland;
 - (3) The site where the retaining wall will be constructed is legally existing lawn or is a site eroding from lack of naturally occurring vegetation, and which cannot be stabilized with vegetative plantings;
 - (4) The total height of the wall(s), in the aggregate, are no more than 24 inches;
 - (5) Retaining walls are located outside of the 100-year floodplain on rivers, streams, and tributary streams, as designated on the Federal Emergency Management Agency's (FEMA) flood insurance rate maps or flood hazard boundary maps, or the flood of record, or in the absence of these, by soil types identified as recent floodplain soils.
 - (6) The area behind the wall is revegetated with grass, shrubs, trees, or a combination thereof, and no further structural development will occur within the setback area, including patios and decks; and
 - (7) A vegetated buffer area is established within 25 feet, horizontal distance, of the normal high-water line of a water body, tributary stream, or upland edge of a wetland when a natural buffer area does not exist. The buffer area must meet the following characteristics:
 - a. The buffer must include shrubs and other woody and herbaceous vegetation. Where natural ground cover is lacking the area must be supplemented with leaf or bark mulch;

- b. Vegetation plantings must be in quantities sufficient to retard erosion and provide for effective infiltration of stormwater runoff;
 - c. Only native species may be used to establish the buffer area;
 - d. A minimum buffer width of 15 feet, horizontal distance, is required, measured perpendicularly to the normal high-water line or upland edge of a wetland;
 - e. A footpath not to exceed the standards in section 60-1004(b)(1), may traverse the buffer;
- (f) Notwithstanding the requirements stated above, stairways or similar structures may be allowed with a permit from the code enforcement officer, to provide shoreline access in areas of steep slopes or unstable soils provided: that the structure is limited to a maximum of four feet in width; that the structure does not extend below or over the normal high-water line of a water body or upland edge of a wetland, (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, 38 M.R.S.A. § 480-C); and that the applicant demonstrates that no reasonable access alternative exists on the property.

(Ord. No. 011-09072010-07, § 5.4K, 9-7-2010)

Sec. 60-993. - Piers, docks, wharves, bridges and other structures and uses extending over or below the normal high-water line of a water body or within a wetland.

- (a) Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.
- (b) The location shall not interfere with existing developed or natural beach areas.
- (c) The facility shall be located so as to minimize adverse effects on fisheries.
- (d) The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf shall not be wider than six feet for non-commercial uses.
- (e) No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity.
- (f) New permanent piers and docks shall not be permitted unless it is clearly demonstrated to the planning board that a temporary pier or dock is not feasible, and a permit has been obtained from the department of environmental protection, pursuant to the Natural Resources Protection Act.
- (g) No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.
- (h) Except in the general development areas, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed 20 feet in height above the pier, wharf, dock or other structure.

(Ord. No. 011-09072010-07, § 5.4L, 9-7-2010)

Sec. 60-994. - Campgrounds.

Campgrounds shall conform to the minimum requirements imposed under state licensing procedures and the following:

- (1) Campgrounds shall contain a minimum of 5,000 square feet of land, not including roads and driveways, for each site. Land supporting wetland vegetation, and land below the normal high-water line of a water body shall not be included in calculating land area per site.

- (2) The areas intended for placement of a recreational vehicle, tent or shelter, and utility and service buildings shall be set back a minimum of 100 feet, horizontal distance, from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

(Ord. No. 011-09072010-07, § 5.4M, 9-7-2010)

Sec. 60-995. - Individual private campsites.

Individual private campsites not associated with campgrounds are allowed provided the following conditions are met:

- (1) One campsite per lot existing on the effective date of this section, or 30,000 square feet of lot area within the shoreland zone, whichever is less, may be permitted.
- (2) Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back 100 feet, horizontal distance, from the normal high-water line of a great pond classified GPA or river flowing to a great pond classified GPA, and 75 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.
- (3) Only one recreational vehicle shall be allowed on a campsite. The recreational vehicle shall not be located on any type of permanent foundation except for a gravel pad, and no structure except a canopy shall be attached to the recreational vehicle.
- (4) The clearing of vegetation for the siting of the recreational vehicle, tent or similar shelter in a resource protection district shall be limited to 1,000 square feet.
- (5) A written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the local plumbing inspector. Where disposal is off-site, written authorization from the receiving facility or land owner is required.
- (6) When a recreational vehicle, tent or similar shelter is placed on-site for more than 120 days per year, all requirements for residential structures shall be met, including the installation of a subsurface sewage disposal system in compliance with the State of Maine Subsurface Wastewater Disposal Rules unless served by public sewage facilities.

(Ord. No. 011-09072010-07, § 5.4N, 9-7-2010)

Sec. 60-996. - Commercial and industrial uses.

The following new commercial and industrial uses are prohibited within the shoreland zone adjacent to great ponds classified GPA, and rivers and streams which flow to great ponds classified GPA:

- (1) Auto washing facilities
- (2) Auto or other vehicle service and/or repair operations, including body shops
- (3) Chemical and bacteriological laboratories
- (4) Storage of chemicals, including herbicides, pesticides or fertilizers, other than amounts normally associated with individual households or farms
- (5) Commercial painting, wood preserving, and furniture stripping
- (6) Dry cleaning establishments
- (7) Electronic circuit assembly
- (8) Laundromats, unless connected to a sanitary sewer

- (9) Metal plating, finishing, or polishing
- (10) Petroleum or petroleum product storage and/or sale except storage on same property as use occurs and except for storage and sales associated with marinas
- (11) Photographic processing
- (12) Printing

(Ord. No. 011-09072010-07, § 5.4O, 9-7-2010)

Sec. 60-997. - Parking areas.

- (a) Parking areas shall meet the shoreline and tributary stream setback requirements for structures for the district in which such areas are located. The setback requirement for parking areas serving public boat launching facilities in districts other than the general development areas shall be no less than 50 feet, horizontal distance, from the shoreline or tributary stream if the planning board finds that no other reasonable alternative exists further from the shoreline or tributary stream.
- (b) Parking areas shall be adequately sized for the proposed use and shall be designed to prevent stormwater runoff from flowing directly into a water body, tributary stream or wetland and where feasible, to retain all runoff on-site.
- (c) In determining the appropriate size of proposed parking facilities, the following shall apply:
 - (1) Typical parking space: Approximately ten feet wide and 20 feet long, except that parking spaces for a vehicle and boat trailer shall be 40 feet long.
 - (2) Internal travel aisles: Approximately 20 feet wide.

(Ord. No. 011-09072010-07, § 5.4P, 9-7-2010)

Sec. 60-998. - Roads and driveways.

The following standards shall apply to the construction of roads and/or driveways and drainage systems, culverts and other related features.

- (1) Roads and driveways shall be set back at least 100 feet, horizontal distance, from the normal high-water line of a great pond classified GPA or a river that flows to a great pond classified GPA, and 75 feet, horizontal distance from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland unless no reasonable alternative exists as determined by the planning board. If no other reasonable alternative exists, the road and/or driveway setback requirement shall be no less than 50 feet, horizontal distance, upon clear showing by the applicant that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed so as to avoid sedimentation of the water body, tributary stream, or wetland.

On slopes of greater than 20 percent the road and/or driveway setback shall be increased by ten feet, horizontal distance, for each five percent increase in slope above 20 percent.

Section 60-997(a) does not apply to approaches to water crossings or to roads or driveways that provide access to permitted structures and facilities located nearer to the shoreline or tributary stream due to an operational necessity, excluding temporary docks for recreational uses. Roads and driveways providing access to permitted structures within the setback area shall comply fully with the requirements of this section except for that portion of the road or driveway necessary for direct access to the structure.

- (2) Existing public roads may be expanded within the legal road right-of-way regardless of their setback from a water body, tributary stream or wetland.
- (3) New roads and driveways are prohibited in a resource protection district except that the planning board may grant a permit to construct a road or driveway to provide access to permitted uses within the district. A road or driveway may also be approved by the planning board in a resource protection district, upon a finding that no reasonable alternative route or location is available outside the district. When a road or driveway is permitted in a resource protection district the road and/or driveway shall be set back as far as practicable from the normal high-water line of a water body, tributary stream, or upland edge of a wetland.
- (4) Road and driveway banks shall be no steeper than a slope of two horizontal to one vertical, and shall be graded and stabilized in accordance with the provisions for erosion and sedimentation control contained in section 60-1004.
- (5) Road and driveway grades shall be no greater than ten percent except for segments of less than 200 feet.
- (6) In order to prevent road and driveway surface drainage from directly entering water bodies, tributary streams or wetlands, roads and driveways shall be designed, constructed, and maintained to empty onto an unscarified buffer strip at least 50 feet plus two times the average slope, in width between the outflow point of the ditch or culvert and the normal high-water line of a water body, tributary stream, or upland edge of a wetland. Surface drainage which is directed to an unscarified buffer strip shall be diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.
- (7) Ditch relief (cross drainage) culverts, drainage dips and water turnouts shall be installed in a manner effective in directing drainage onto unscarified buffer strips before the flow gains sufficient volume or head to erode the road, driveway, or ditch. To accomplish this, the following shall apply:
 - a. Ditch relief culverts, drainage dips and associated water turnouts shall be spaced along the road, or driveway at intervals no greater than indicated in the following table:

Grade (Percent)	Spacing (Feet)
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21 +	40

- b. Drainage dips may be used in place of ditch relief culverts only where the grade is ten percent or less.

- c. On sections having slopes greater than ten percent, ditch relief culverts shall be placed at approximately a 30-degree angle downslope from a line perpendicular to the centerline of the road or driveway.
 - d. Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials.
- (8) Ditches, culverts, bridges, dips, water turnouts and other stormwater runoff control installations associated with roads and driveways shall be maintained on a regular basis to assure effective functioning.

(Ord. No. 011-09072010-07, § 5.4Q, 9-7-2010)

Sec. 60-999. - Stormwater runoff.

- (a) All new construction and development shall be designed to minimize stormwater runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces and wooded areas, shall be retained in order to reduce runoff and encourage infiltration of stormwaters.
- (b) Stormwater runoff control systems shall be maintained as necessary to ensure proper functioning.

(Ord. No. 011-09072010-07, § 5.4R, 9-7-2010)

Sec. 60-1000. - Septic waste disposal.

All subsurface sewage disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules, and the following: a) clearing or removal of woody vegetation necessary to site a new system and any associated fill extensions, shall not extend closer than 75 feet, horizontal distance, from the normal high-water line of a water body or the upland edge of a wetland and b) a holding tank is not allowed for a first-time residential use in the SLO district.

(Ord. No. 011-09072010-07, § 5.4S, 9-7-2010)

Sec. 60-1001. - Essential services.

- (a) Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.
- (b) The installation of essential services, other than road-side distribution lines, is not allowed in a resource protection district, except to provide services to a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where allowed, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.
- (c) Damaged or destroyed public utility transmission and distribution lines, towers and related equipment may be replaced or reconstructed without a permit.

(Ord. No. 011-09072010-07, § 5.4T, 9-7-2010)

Sec. 60-1002. - Agriculture.

- (a) All spreading of manure shall be accomplished in conformance with the Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001, and the Nutrient Management Law (7 M.R.S.A. §§ 4201-4209).
- (b) Manure shall not be stored or stockpiled within 100 feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, or within 75 feet horizontal distance, of other water bodies, tributary streams, or wetlands. All manure storage areas within the shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated stormwater.
- (c) Agricultural activities involving tillage of soil greater than 40,000 square feet in surface area, within the shoreland zone shall require a conservation plan to be filed with the planning board. Nonconformance with the provisions of said plan shall be considered to be a violation of this division.
- (d) There shall be no new tilling of soil within 100 feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within 75 feet, horizontal distance, from other water bodies; nor within 25 feet, horizontal distance, of tributary streams and freshwater wetlands. Operations in existence on the effective date of this division and not in conformance with this provision may be maintained.
- (e) Newly established livestock grazing areas shall not be permitted within 100 feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within 75 feet, horizontal distance, of other water bodies; nor within 25 feet, horizontal distance, of tributary streams and freshwater wetlands. Livestock grazing associated with ongoing farm activities, and which are not in conformance with the above setback provisions may continue, provided that such grazing is conducted in accordance with a conservation plan.

(Ord. No. 011-09072010-07, § 5.4U, 9-7-2010)

Sec. 60-1003. - Timber harvesting (repealed).

Chapter 21, Statewide Standards for Timber Harvesting in Shoreland Areas apply.

(Ord. No. 011-09072010-07, 9-7-2010; Ord. No. 15-11182019, 12-2-2019)

Sec. 60-1004. - Clearing or removal of vegetation for activities other than timber harvesting.

- (a) In a resource protection district abutting a great pond, there shall be no cutting of vegetation within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards.

Elsewhere, in any resource protection district the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.

- (b) Except in areas as described in section 60-1003(a), above, and except to allow for the development of permitted uses, within a strip of land extending 100 feet, horizontal distance, inland from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet, horizontal distance, from any other water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:
 - (1) There shall be no cleared opening greater than 250 square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer limits of the tree or shrub crown. However, a footpath not to exceed six feet in width as measured between tree trunks and/or shrub stems is allowed provided that a cleared line of sight to the water through the buffer strip is not created.
 - (2) Selective cutting of trees within the buffer strip is allowed provided that a well-distributed stand of trees and other natural vegetation is maintained. For the purposes of section 60-1003(b)(2) a "well-distributed stand of trees" adjacent to a great pond classified GPA or a river or stream

flowing to a great pond classified GPA, shall be defined as maintaining a rating score of 24 or more in each 25-foot by 50-foot rectangular (1,250 square feet) area as determined by the following rating system.

Diameter of Tree at 4½ feet Above Ground Level (inches)	Points
2 - < 4 in.	1
4 - < 8 in.	2
8 - < 12 in.	4
12 inches or greater	8

Adjacent to other water bodies, tributary streams, and wetlands, a "well-distributed stand of trees" is defined as maintaining a minimum rating score of 16 per 25-foot by 50-foot rectangular area.

The following shall govern in applying this point system:

- a. The 25-foot by 50-foot rectangular plots must be established where the landowner or lessee proposes clearing within the required buffer;
- b. Each successive plot must be adjacent to, but not overlap a previous plot;
- c. Any plot not containing the required points must have no vegetation removed except as otherwise allowed by this division;
- d. Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by this division;
- e. Where conditions permit, no more than 50 percent of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of section 60-1003(b)(2) "other natural vegetation" is defined as retaining existing vegetation under three feet in height and other ground cover and retaining at least five saplings less than two inches in diameter at four and one-half feet above ground level for each 25-foot by 50-foot rectangle area. If five saplings do not exist, no woody stems less than two inches in diameter can be removed until five saplings have been recruited into the plot.

Notwithstanding the above provisions, no more than 40 percent of the total volume of trees four inches or more in diameter, measured at four and one-half feet above ground level may be removed in any ten-year period.

- (3) In order to protect water quality and wildlife habitat, existing vegetation under three feet in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses as described in section 60-1003 paragraphs (b) and (b)(1) above.
- (4) Pruning of tree branches, on the bottom one-third of the tree is allowed.

- (5) In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species unless existing new tree growth is present.

Section 60-1003(b) does not apply to those portions of public recreational facilities adjacent to public swimming areas as long as cleared areas are limited to the minimum area necessary.

- (c) At distances greater than 100 feet, horizontal distance, from a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet, horizontal distance, from the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland, there shall be allowed on any lot, in any ten-year period, selective cutting of not more than 40 percent of the volume of trees four inches or more in diameter, measured four and one-half feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the 40 percent calculation. For the purposes of these standards volume may be considered to be equivalent to basal area.

In no event shall cleared openings for any purpose, including but not limited to, principal and accessory structures, driveways, lawns and sewage disposal areas, exceed in the aggregate, 25 percent of the lot area within the shoreland zone or 10,000 square feet, whichever is greater, including land previously cleared. This provision shall not apply to the general development areas.

- (d) Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this section.
- (e) Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of section 60-1003.

(Ord. No. 011-09072010-07, § 5.4W, 9-7-2010)

Sec. 60-1005. - Erosion and sedimentation control.

- (a) All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall also require a written soil erosion and sedimentation control plan. The plan shall be submitted to the permitting authority for approval and shall include, where applicable, provisions for:
- (1) Mulching and revegetation of disturbed soil.
 - (2) Temporary runoff control features such as hay bales, silt fencing or diversion ditches.
 - (3) Permanent stabilization structures such as retaining walls or rip-rap.
- (b) In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
- (c) Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.
- (d) Any exposed ground area shall be temporarily or permanently stabilized within one week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases permanent stabilization shall occur within nine months of the initial date of exposure. In addition:
- (1) Where mulch is used, it shall be applied at a rate of at least one bale per 500 square feet and shall be maintained until a catch of vegetation is established.
 - (2) Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.

- (3) Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.
- (e) Natural and manmade drainageways and drainage outlets shall be protected from erosion from water flowing through them. Drainageways shall be designed and constructed in order to carry water from a 25-year storm or greater, and shall be stabilized with vegetation or lined with riprap.

(Ord. No. 011-09072010-07, § 5.4X, 9-7-2010)

Sec. 60-1006. - Soils.

All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, improper drainage, and water pollution, whether during or after construction. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and other similar intensive land uses, shall require a soils report based on an on-site investigation and be prepared by state-certified professionals. Certified persons may include Maine Certified Soil Scientists, Maine Registered Professional Engineers, Maine State Certified Geologists and other persons who have training and experience in the recognition and evaluation of soil properties. The report shall be based upon the analysis of the characteristics of the soil and surrounding land and water areas, maximum ground water elevation, presence of ledge, drainage conditions, and other pertinent data which the evaluator deems appropriate. The soils report shall include recommendations for a proposed use to counteract soil limitations where they exist.

(Ord. No. 011-09072010-07, § 5.4Y, 9-7-2010)

Sec. 60-1007. - Water quality.

No activity shall deposit on or into the ground or discharge to the waters of the state any pollutant that, by itself or in combination with other activities or substances, will impair designated uses or the water classification of the water body, tributary stream or wetland.

(Ord. No. 011-09072010-07, § 5.4Z, 9-7-2010)

Sec. 60-1008. - Archaeological site.

Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on the National Register of Historic Places, as determined by the permitting authority, shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment, at least 20 days prior to action being taken by the permitting authority. The permitting authority shall consider comments received from the commission prior to rendering a decision on the application.

(Ord. No. 011-09072010-07, § 5.4AA, 9-7-2010)

Sec. 60-1008.1. - Installation of public utility service.

A public utility, water district, sanitary district or any utility company of any kind may not install services to any new structure located in the shoreland zone unless written authorization attesting to the validity and currency of all local permits required under this or any previous ordinance has been issued by the appropriate municipal officials or other written arrangements have been made between the municipal officials and the utility.

(Ord. No. 011-09072010-07, § 5.4BB, 9-7-2010)



City Council Order

IN CITY COUNCIL

Be it Ordained, That the Auburn City Council approve the amendment to Chapter 60, Division 5. SHORELAND OVERLAY DISTRICT as follows:

Sec. 60-991. - Establishment of Shoreland Resource Protection District Overlay.

- (a) *Purpose.* The purpose of this overlay zone is to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect freshwater wetlands; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in natural resource areas.

The resource protection district includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas:

- (1) Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the department as of May 1, 2006. For the purposes of this paragraph "wetlands associated with great ponds and rivers" shall mean areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond or river, and have a surface elevation at or below the water level of the great pond or river during the period of normal high water. "Wetlands associated with great ponds or rivers" are considered to be part of that great pond or river.
 - (2) Areas of two or more contiguous acres with sustained slopes of 20 percent or greater.
 - (3) Areas of two or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during the period of normal high water.
 - (4) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement.
 - (5) Properties owned by or under development restriction easements controlled by the Lake Auburn Watershed Protection Commission that are deemed to be appropriate for resource protection zoning by a vote of the commission.
- (b) *Use regulations.*
- (1) *Permitted uses.* The following uses are permitted subject to the requirements of article V of this chapter:
 - a. Nonintensive recreational uses not requiring structures.
 - b. Forest management activities except for timber harvesting and land management road.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

- c. Soils and water conservation practices.
 - d. Fire prevention activities.
 - e. Wildlife management practices.
 - f. Surveying and resource analysis.
 - g. Emergency operations.
 - h. Structures accessory to allowed uses.
 - i. Motorized vehicular traffic on existing roads and trails.
 - j. Mineral exploration.
 - k. Individual private camp sites.
 - l. Filling and earth moving of less than ten cubic yards.
 - m. Uses similar to allowed uses.
 - n. Conversion of seasonal residences to yearround residences.
- (2) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of article XVI, div. 3, and article XII [of this chapter]:
- a. Mineral extraction including sand and gravel extraction.
 - b. Agriculture.
 - c. Aquaculture.
 - d. Principal structures and uses including driveways.
 - e. Filling and earth moving of greater than ten cubic yards.
 - f. Uses similar to uses requiring special exception approval.
- (c) *Dimensional requirements.* All structures in this district except as noted shall be subject to the following dimensional regulations:
- (1) *Minimum lot area, width and depth.* No lot shall be created and/or no building shall be erected on a lot containing less than the minimum lot size or measuring less than the minimum lot width or lot depth required for the underlying zoning district identified for the property where any activity is proposed.
 - (2) *Density.* The density of dwelling units shall not exceed the required density for the underlying zoning district identified for the property where any activity is proposed.
 - (3) *Yard requirements.* The rear, side and front yard requirements shall not be less than that required for the underlying zoning district for the property where any activity is proposed.
 - (4) *Height.* The height of all principal or accessory structures shall be limited to 35 feet in height. **Exception: where identified as Special Local Condition Overlay to the Shoreland Zone the height of all principal or accessory structures shall be limited to 50 feet in height.** This provision also shall not apply to structures such as transmission towers, windmills, antennas and similar structures having no floor area.



City Council Order

- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in article IV of this chapter.

Sec. 60-992. - Principal and accessory structures.

- (a) All new principal and accessory structures shall be set back at least 100 feet, horizontal distance, from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and 75 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in general development areas the setback from the normal high-water line shall be at least 25 feet, horizontal distance. Lots less than 120 feet deep measured at right angles to the shoreline which were in existence on or before December 17, 1973, shall have a shoreline setback requirement of 50 percent of the lot depth. In the resource protection district the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district in which case the setback requirements specified above shall apply.

For the purpose of this section the term "general development areas" includes all areas where the underlying zoning is identified as General Business, General Business II, Central Business I, Central Business II, Central Business III, Industrial or Multi-Family Urban districts, except where these districts fall within the Taylor Pond or Lake Auburn Watersheds or on the east shore of Bobbin Mill Brook.

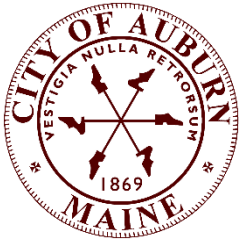
In addition:

- (1) The water body, tributary stream, or wetland setback provision shall neither apply to structures which require direct access to the water body or wetland as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.
 - (2) On a nonconforming lot of record on which only a residential structure exists, and it is not possible to place an accessory structure meeting the required water body, tributary stream or wetland setbacks, the code enforcement officer may issue a permit to place a single accessory structure, with no utilities, for the storage of yard tools and similar equipment. Such accessory structure shall not exceed 80 square feet in area nor eight feet in height, and shall be located as far from the shoreline or tributary stream as practical and shall meet all other applicable standards, including lot coverage and vegetation clearing limitations. In no case shall the structure be located closer to the shoreline or tributary stream than the principal structure.
- (b) Principal or accessory structures and expansions of existing structures which are permitted in the underlying zoning district, shall not exceed 35 feet in height. **Exception: where identified as Special Local Condition Overlay to the Shoreland Zone the height of all principal or accessory structures shall be limited to 50 feet in height.** This provision shall not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.
- (c) The lowest floor elevation or openings of all buildings and structures, including basements, shall be elevated and constructed in accordance with provisions of this chapter, art. XII, div. 2, Floodplain Overlay District. Accessory structures may be placed in accordance with the standards of that division and need not meet the elevation requirements.
- (d) The total footprint area of all structures, parking lots and other non-vegetated surfaces, within the SLO district shall not exceed 20 percent of the lot or a portion thereof, located within the SLO district, including land area previously developed, except in the general development areas adjacent to rivers that do not flow to great ponds classified GPA, where lot coverage shall not exceed 70 percent.

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Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 8/2/2021

Order: 87-08022021

Author: Phil Crowell, City Manager

Subject: Department Realignment

Information:

In accordance with Charter Article 7 Section 7.1 A, the city council may establish departments that are not already authorized by the charter or already assigned to another department. The current structure of Public Works includes the engineering function and the purchasing function is included within the Finance Department. It is being requested, the city council form a new department, Capital Infrastructure and Purchasing Department that will realign those two functions within the new department. The description of the department is defined below.

The department will perform all planning, programming, design and construction of capital-funded infrastructure, utility and building projects. The Department will ensure not only that these projects are completed on time and within budget, but that they are sustainable, energy efficient, are designed to support the City's mission, as well as accommodate the public's needs, activities, and goals. The Department will participate in the community process related to its' projects and ensures that projects adhere to health and safety codes, provides access to all citizens, and provides energy efficient and other operating cost savings. The Department will be responsible for the acquisition of supplies, services, and construction in support of the operations of the Municipality. The Department will issue purchase orders, develop term contracts, requests for proposals and acquires supplies and services.

City Budgetary Impacts:

The majority of the funding for this department is already allocated within the Public Works budget and the Finance Department's budget. Additional funds will be required which will be allocated from the ARPA Funds if approved by council.

Staff Recommended Action: Approve

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Charter Language
Article 7 - Departments, Offices, and Agencies
Sec 7.1 General provisions.

A. Creation of departments. The City Council may establish City departments, offices, or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies. No function assigned by this Charter to a particular department, office, or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.

B. Direction by City Manager. All departments, offices, and agencies under the direction and supervision of the City Manager shall be administered by an officer appointed by and subject to the direction and supervision of the City Manager. The Mayor and Councilors shall direct administrative functions of the City solely through the City Manager.

Sec. 7.1. General provisions.

- A. *Creation of departments.* The city council may establish city departments, offices, or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies. no function assigned by this Charter to a particular department, office, or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.
- B. *Direction by city manager.* All departments, offices, and agencies under the direction and supervision of the city manager shall be administered by an officer appointed by and subject to the direction and supervision of the city manager. The mayor and councilors shall direct administrative functions of the city solely through the city manager.



ORDER 87-08022021

City Council Order

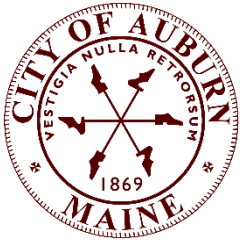
IN CITY COUNCIL

ORDERED, that the City of Auburn create a new department in accordance with Auburn Charter Article 7 Section 7-1. the Capital Investment and Purchasing Department which will be under the direction and supervision of the City Manager and shall be administered by an officer appointed by and subject to the direction and supervision of the City Manager.

Holly C. Lasagna, Ward One
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Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 8/2/2021

Order: 88-08022021

Author: Phil Crowell, City Manager

Subject: American Rescue Plan Act Funds

Information:

The City of Auburn allocate \$175,000.00 from the American Rescue Plan Act (ARPA) to execute the approved organizational realignment by expanding engineering and project management capacity (Capital Investment and Purchasing Department), as well as any consultant fees to facilitate current and new capital and infrastructure projects expected with the expenditure of ARPA and other local, state and federal funding.

City Budgetary Impacts:

Will be expended as needed from the ARPA Funds.

Staff Recommended Action: Approve

Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:



ORDER 88-08022021

City Council Order

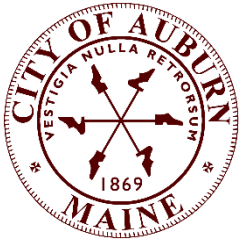
IN CITY COUNCIL

ORDERED, that the City of Auburn allocate \$175,000.00 from the American Rescue Plan Act (ARPA) to execute the approved organizational realignment by expanding engineering and project management capacity, as well as consultant fees to facilitate current and new capital and infrastructure projects expected with the expenditure of ARPA and other local, state and federal funding.

Holly C. Lasagna, Ward One
Brian S. Carrier, Ward Four
Belinda A. Gerry, At Large

Timothy B. MacLeod, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Ordinance: 34-08022021

Author: Eric J. Cousens, Director of Planning and Permitting and Barry Schmieks, Lieutenant APD

Subject: Marijuana Licensing Ordinance Updates - Retail Store Buffers to 2,000 feet

Information: Council recently completed a workshop on proposed marijuana ordinance changes. Council had consensus on increasing the buffer requirement for retail stores.

Ordinance Section: Chapter 14 – Business Licenses and Permits, Article XVIII- Adult Use and Medical Marijuana Businesses Section 14-659, Standards for license.

Currently ordinance prevents marijuana businesses from being located within 1000 feet of a property line of a parcel containing one or more marijuana businesses. Current proposal would change that for medical, dispensary and adult use retail stores to 2000 feet.

City Budgetary Impacts: None

Staff Recommended Action: Vote to approve first reading of proposed changes.

Previous Meetings and History:

Ordinance review discussions, June 21, 2021 Council Workshop.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Sec. 14-659. Standards for license.

(a) *General.*

- (1) All marijuana businesses shall comply with applicable state and local laws and regulations.
- (2) Marijuana businesses shall only be located within the zoning districts permitted in the Auburn Zoning Ordinance.
- (3) Marijuana businesses may not be located on property within 750 feet of the property line of a preexisting public or private school (K-12). For the purposes of this ordinance, "school" includes a public school, private school, or public preschool program as defined in 20-A M.R.S.A. § 1, or any other educational facility that serves children from prekindergarten to grade 12.

Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the school property line and the property line of the parcel of land on which the marijuana business is located. If the marijuana business is located within a commercial subdivision, the required setback shall be measured from the front door of the marijuana business to the property line of the school. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

- (4) Marijuana businesses may not be located on property within 1,000 feet of the property line of a parcel containing one or more marijuana businesses. [Adult use marijuana stores, dispensary retail stores and registered caregiver retail stores may not be located on property within 2,000 feet of the property line of a parcel containing one or more marijuana businesses.](#) Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the property lines of the parcels of land on which the marijuana businesses are located. If the marijuana business is located within a commercial subdivision, the required setback shall be measured from the front door of each of the marijuana businesses. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.

Notwithstanding the foregoing, more than one marijuana businesses may be located on the same parcel, provided all state and local requirements are met.

Adult use and medical marijuana cultivation facilities and adult use and medical marijuana manufacturing facilities operating within the industrial zoning district are exempt from this setback requirement.

This setback requirement does not apply to properties with more than one marijuana business that are subdivided, as long as the marijuana business(es) located on the property were operating with city approval prior to December 13, 2018.

- (5) No outside cultivation or storage of marijuana, marijuana products, or related supplies is permitted, except that outdoor cultivation of marijuana in the agricultural district is permitted.
- (6) Pursuant to 22 M.R.S.A. § 2429-D(3), registered caregiver retail stores, registered dispensaries, medical marijuana testing facilities, and medical marijuana manufacturing facilities, as well as medical marijuana cultivation facilities, that were operating with city approval prior to December 13, 2018, are grandfathered in their current location and current use and shall be treated as legally non-conforming uses in accordance with article III of the Auburn Zoning Ordinance if their location or use is not in conformance with this ordinance or applicable zoning ordinances, provided, however, that said marijuana businesses shall apply for and obtain a license.

Notwithstanding section 60-79(4) of the Auburn Zoning Ordinance, the holder of a license for a medical marijuana cultivation facility or a medical marijuana manufacturing facility that complies with all applicable provisions of this ordinance and the Auburn Zoning Ordinance, may exchange their license for an adult use cultivation facility or adult use manufacturing facility license in the same location, provided they meet all requirements and standards to operate an adult use cultivation facility or adult use manufacturing facility, with the exception of the required setbacks between facilities and schools. Said holder must file an application and pay a \$500.00 fee.

Notwithstanding section 60-79(4) of the Auburn Zoning Ordinance, the holder of a license for a registered caregiver retail store that complies with all applicable provisions of this ordinance and the Auburn Zoning Ordinance may exchange their license for an adult use marijuana store license in the same location, provided they meet all requirements and standards to operate an adult use marijuana store. Said holder must file a new application and pay new application and license fees listed in subsection 14-658(e).

- (7) All adult use marijuana stores and registered caregiver retail stores must be operated from permanent locations, which may utilize telephone and internet orders as long as the buyer pays for and picks up such orders in the store on the day the order is made, an exception is made for registered caregiver retail stores whereas it may be a necessity for the business to deliver medical marijuana to a patient. These deliveries will be made by the business and no contracted/paid delivery service will be authorized. Delivery must be made directly to the qualified patient and proper identification is verified.
- (8) Adult use marijuana stores and registered caregiver retail stores may not use vending machines for sales, may not have "drive-through" or "drive-up" window-serviced sales, and may not have internet-based sales with credit/debit card payment and delivery by USPS, UPS, FedEx, DHL, or any other global or local delivery service or courier.
- (9) Security measures at all marijuana business premises shall include, at a minimum, the following:
 - a. Security surveillance cameras installed and operating 24 hours a day, seven days a week, with 30-day video storage, to monitor all entrances, along with the interior and exterior of the premises, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises; and
 - b. Door and window combination video and motion detector intrusion system with audible alarm and smart phone monitoring, maintained in good working condition; and
 - c. A locking safe permanently affixed to the premises that is suitable for storage of all marijuana, marijuana products, and cash stored overnight on the licensed premises; and
 - d. Exterior lighting that illuminates the exterior walls of the licensed premises during dusk to dawn, that is either constantly on or activated by motion detectors, and complies with applicable provisions of the lighting performance standards in the City of Auburn Zoning Ordinance; and
 - e. Deadbolt locks on all exterior doors and any other exterior access points, excepting windows which shall have locks; and
 - f. Methods to ensure that no person under the age of 21 shall have access to marijuana and marijuana products.
- (10) Ventilation. All marijuana businesses are required to be in compliance with the odor nuisance control and abatement performance standards in the city's zoning ordinance, and all marijuana cultivation facilities shall have odor mitigation systems and a plan.
- (11) Operating plan. marijuana businesses which cultivate, test, and/or manufacture are required to submit an operation plan that at a minimum addresses the following:

-
- a. Wastewater; and
 - b. Disposal of waste.
- (12) Required notices. There shall be posted in a conspicuous location inside each marijuana store, at least one legible sign containing the following information:

On-site consumption of marijuana is illegal; open and public consumption of marijuana in the State of Maine is illegal; The use of marijuana or marijuana products may impair a person's ability to drive a car or operate machinery; No one under the age of 21 may purchase marijuana or marijuana products, except a minor with medical marijuana card; Loitering prohibited.

- (13) Signs. All signs used by and all marketing and advertising conducted by or on behalf of the marijuana business may not involve advertising or marketing that has a high likelihood of reaching persons under 21 years of age or that is specifically designed to appeal particularly to persons under 21 years of age. The signs, marketing, or advertising is prohibited from making any health or physical benefit claims. All signage shall meet the city's sign ordinance and may use an image or images of the marijuana plant or plants, or parts thereof, as long as they do not exceed 20 percent of the sign face, but there shall be no pictorial representations of other marijuana products, by-products, or paraphernalia associated with the use or distribution of retail marijuana.

The exterior of all marijuana stores shall display a one-inch by one-inch image of any universal symbol for medical or adopted by the state's department of administration and financial services.

- (b) *Right of access/background check/inspection.* Every marijuana business shall allow law enforcement officers and the Auburn Code Enforcement Officer ("CEO") to enter the premises at reasonable times for the purpose of checking compliance with all applicable State laws and this ordinance. Every owner and employee of a marijuana business applying for a license, shall contact the Auburn Police Department for the purposes of fingerprinting and criminal background checking, and all premises managers for marijuana businesses shall submit emergency contact information to the Lewiston - Auburn 911 Communication Center.

Due to fire, explosion, and other hazards inherent in marijuana cultivation, testing, and manufacturing facilities, including, but not limited to, heavy electrical loads, hot lighting fixtures, CO² enrichment, extraction solvents (acetone, butane, propane, ethanol, heptane, isopropanol, CO², etc.), high-pressure extraction methods (CO², etc.), and flammable contents, the owners of all such facilities shall agree to be inspected annually by the Auburn Fire Department and have a Knox Box installed at the structure's exterior entrance for emergency access. Knox Boxes shall be obtained and installed in coordination with the Auburn Fire Department.

- (c) *Indemnification.* By accepting a license issued pursuant to this ordinance, the licensee waives and releases the City, its officers, elected officials, employees, attorneys, and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of any marijuana business owners, operators, employees, clients, or customers for a violation of local, State or federal laws, rules, or regulations.

By accepting a license issued pursuant to this ordinance the permittee/licensee agrees to indemnify, defend, and hold harmless the city, its officers, elected officials, employees, attorneys, agents, and insurers against all liability, claims, and demands on account of any injury, loss or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of a permitted/licensed marijuana business.

- (d) *State law.* In the event the State of Maine adopts any additional or stricter law or regulation governing the sale, cultivation, manufacture, distribution, or testing of marijuana or marijuana products, the additional or stricter regulation shall control the establishment or operation of any marijuana business in Auburn.

Compliance with all applicable state laws and regulation shall be deemed an additional requirement for issuance or denial of any license under this ordinance, and noncompliance with state laws or regulations shall be grounds for revocation or suspension of any license issued hereunder.

(Ord. No. 03-05202019, 6-3-2019; Ord. No. 08-11022020, 12-21-2020)



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the Auburn City Council amend Chapter 14, Section 14-659 as follows:

Sec. 14-659. Standards for license.

(a) *General.*

- (1) All marijuana businesses shall comply with applicable state and local laws and regulations.
- (2) Marijuana businesses shall only be located within the zoning districts permitted in the Auburn Zoning Ordinance.
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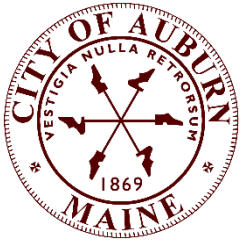
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Holly C. Lasagna, Ward One
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Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 2, 2021

Order: 89-08022021

Author: Sabrina Best, Recreation Director

Subject: Bicentennial Parade

Information: Attached is the Mass Gathering application for the Bicentennial Parade on Saturday August 21, 2021. Set up will begin throughout the week, mostly on Friday Aug 20 and would be completed by Monday Aug 23. The event includes a parade with viewing locations throughout downtown Auburn, shuttles services, parking locations and a Live Broadcast from WGME in Festival Plaza. There will be vender booth space in the Art in the Park event located at the corner of Main Street and Academy.

The Maine200 Commission and City of Lewiston are co-sponsors of this event, Maine200 Commission is supplying the certificate of liability insurance.

City Budgetary Impacts: City Council approved up to \$5,000 in-kind services for this event with the Maine200 Commission providing at least \$8,000 in monetary for City support.

Staff Recommended Action: Public hearing and recommend approval.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Application and map.



ORDER 89-08022021

City Council Order

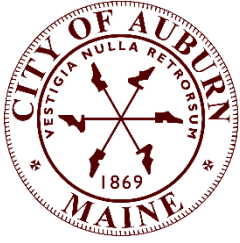
IN CITY COUNCIL

ORDERED, that the Auburn City Council hereby approves the Special Event/Mass Gathering permit for the Bicentennial Parade to be held, August 21, 2021 in downtown Auburn along Maine Street, and surrounding areas pending the receipt of the Certificate of Liability Insurance.

Holly C. Lasagna, Ward One
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City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: August 2, 2021

Subject: Executive Session

Information: Personnel matter, pursuant to 1 M.R.S.A. Section 405(6) (A).

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.