

**City Council Workshop & Meeting
Agenda
August 1, 2022
Auburn Hall, Council Chambers**

5:30 P.M. City Council Workshop

- A. Executive session – Legal consultation, pursuant to 1 M.R.S.A. Sec. 405(6)(E)
- B. Application of Traditional Neighborhood Development District T-4.2B - Eric Cousens and John Blais

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

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 106-08012022***
Confirming Chief Moen’s appointment of Ryan Jones as Constable with firearm/arrest powers for the Auburn Police Department.
 - II. **Minutes**
 - July 11, 2022, Special Council Meeting
 - July 18, 2022, Regular Council Meeting
 - III. **Communications, Presentations and Recognitions**
 - Communication from Petitioner’s Committee for the repeal of Ordinance 08-03072022
 - Public Safety Building
 - 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. Order 83-06062022

Allocating \$300,000.00 of ARPA Funding to create a two-year pilot program called “Project Support You – Auburn”.

2. Ordinance 16-06062022

Approving the zoning amendment for 278 Poland Road. Second reading.

3. Ordinance 18-07182022

Extending the moratorium on public safety, detention, and correctional facilities. Second reading.

4. Ordinance 19-07182022

Creating a new Formed Base Code District Traditional Neighborhood Development District (T-4.2B). Second reading.

VI. New Business

1. Order 109-08012022

Approving the liquor license for Make Dough, LLC., DBA Otto, Auburn located at 730 Center Street. Public hearing and vote.

2. Order 110-08012022

Adopting the Auburn-Lewiston Consortium HOME-ARP Plan. Public hearing and vote.

3. Order 111-08012022

Approving the proposed technical revision to the Tambrands II Municipal Development Tax Increment Financing Development (TIF) program. Public hearing and vote.

4. Order 112-08012022

Allocating \$1,600,000.00 of American Rescue Plan Act (ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

5. Referred Ordinance 11-03212022

Repealing Ordinance 11-03212022 amending the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2) that was adopted on 3/28/2022.

6. Order 113-08012022

Authorizing the marketing of city owned property located at 86 Western Avenue. Parcel ID 230-026.

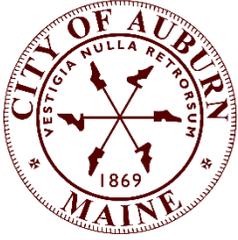
7. Order 114-08012022

Authorizing the marketing of city owned property located at 129 Winter Street. Parcel ID 260-022.

8. Order 115-08012022

Authorizing the marketing of city owned property located at 104 Newbury Street. Parcel ID 21-067.

9. **Order 116-08012022**
Authorizing the marketing of city owned property located at 103 Newbury Street. Parcel ID 221-058.
10. **Order 117-08012022**
Authorizing the marketing of city owned property located at 369 Main Street. Parcel ID 221-044.
11. **Order 118-08012022**
Authorizing the marketing of city owned property located at 351 Main Street. Parcel ID 221-048.
12. **Order 119-08012022**
Authorizing the marketing of city owned property located on Vickery Road. Parcel ID 183-029.
13. **Order 120-08012022**
Authorizing the marketing of city owned property, Winter Oak, parcel ID 191-101.
- 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 Sessions** - None
- X. **Adjournment**



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: August 1, 2022

Subject: Executive Session

Information: Legal consultation, pursuant to 1 M.R.S.A. Section 405(6) (E).

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.



City of Auburn

City Council Information Sheet

Council Public Hearing or Meeting Date: August 1, 2022

Author: Eric Cousens, Director of Planning and Permitting

Subject: Proposed Application of Traditional Neighborhood Development District T-4.2B.

Information

Suggested Zoning Amendments Outlook (Planning Board & Council)				
Date	Item No.	Process	Project	Reading
1-Aug	1	Zone Text Change Public Hearing	Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B (CC)	2nd & Final Vote
9-Aug	2	Map Amendment	Area A; 936 Acres, UR to T4.2B Broad Street (PB)	Recommendation to Council
15-Aug	3	Map Amendment	Court Street Area 1, 687.41 acres from UR to T-4.2B (CC)	1st Vote
6-Sep	4	Map Amendment	Court Street Area 1, 687.41 acres from UR to T-4.2B (CC)	2nd & Final Vote
6-Sep	5	Map Amendment	Area A; 936 Acres, UR to T4.2B Broad Street (CC)	1st Vote
13-Sep	6	Map Amendment	Area B & C; 19 Acres Vickery and 148 acres Suburban Residential to T-4.2B (PB)	Recommendation to Council
19-Sep	7	Map Amendment	Area A; 936 Acres, UR to T4.2B Broad Street (CC)	2nd & Final Vote

3-Oct	8	Map Amendment	Area B & C; 19 Acres Vickery and 148 acres Suburban Residential to T-4.2B (CC)	1st Vote
11-Oct	9	Map Amendment	Area D; 288 Acres of UR and MFS withing Bates, Bradman, Stetson to T-4.2B (PB)	Recommendation to Council
17-Oct	10	Map Amendment	Area B & C; 19 Acres Vickery and 148 acres Suburban Residential to T-4.2B (CC)	2nd & Final Vote
17-Oct	11	Map Amendment	Area D; 288 Acres of UR and MFS withing Bates, Bradman, Stetson to T-4.2B (CC)	1st Vote
7-Nov	12	Map Amendment	Area D; 288 Acres of UR and MFS withing Bates, Bradman, Stetson to T-4.2B (CC)	2nd & Final Vote

Staff Recommended Action: Review recommendations and provide feedback.

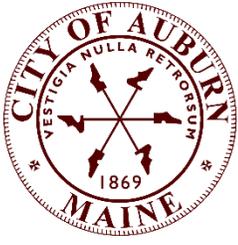
Previous Meetings and History: None

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: None



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Order: 106-08012022

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Ryan Jones as a Constable with firearm for the Auburn Police Department.

Information: The Auburn Police Department requests City Council appointment of Ryan Jones as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Ryan Jones as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

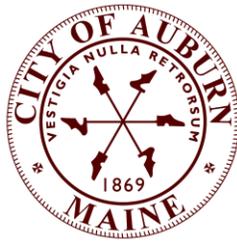
City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

N/A



ORDER 106-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby confirms Chief Moen's appointment of Ryan Jones as Constable with firearm/arrest powers for the Auburn Police Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Mayor Levesque called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall. All Councilors were present.

I. Executive Sessions:

Legal consultation, pursuant to 1 M.R.S.A. §405 (6)(E)

Motion was made by Councilor Gerry and seconded by Councilor Walker to enter into executive session (legal consultation) pursuant to 1 M.R.S.A. §405(6)(E).

Passage 7-0, time 5:30 pm.

Council was declared out of executive session at 6:30 pm.

Economic development, pursuant to 1 M.R.S.A. §405 (6)(C)

Motion was made by Councilor Walker and seconded by Councilor Hawes to enter into executive session (economic development) pursuant to 1 M.R.S.A. §405(6)(C).

Passage 7-0, time 6:30 pm.

Council was declared out of executive session at 7:13 pm.

Economic development, pursuant to 1 M.R.S.A. §405 (6)(C)

Motion was made by Councilor Walker and seconded by Councilor Whiting to enter into executive session (economic development) pursuant to 1 M.R.S.A. §405(6)(C).

Passage 7-0, time 7:13 pm.

Council was declared out of executive session at 7:45 pm.

Labor contracts, pursuant to 1 M.R.S.A. §405 (6)(D)

Motion was made by Councilor Walker and seconded by Councilor Hawes to enter into executive session (labor contracts) pursuant to 1 M.R.S.A. §405(6)(D).

Passage 7-0, time 7:45 pm.

Council was declared out of executive session at 7:55 pm.

Personnel matter (City Manager performance evaluation), pursuant to 1 M.R.S.A. §405 (6)(A)

Motion was made by Councilor Walker and seconded by Councilor Hawes to enter into executive session (personnel matter – City Manager performance evaluation) pursuant to 1 M.R.S.A. §405(6)(A).

Passage 7-0, time 7:55 pm.

Council was declared out of executive session at 8:13 pm.

- II. **Adjournment** – Motion was made by Councilor Morin and seconded by Councilor Staples to adjourn. Unanimously approved and the meeting adjourned at 8:14 pm.

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ATTEST *Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk

IN COUNCIL REGULAR MEETING JULY 18, 2022, VOL. 36 PAGE 275

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. All Councilors were present.

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 96-07182022*

Casting a vote to appoint City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's Executive Committee for a three-year term.

2. Order 97-07182022*

Appointing City Manager, Phillip L. Crowell, Jr. to serve on the Maine Municipal Association's 2022-2024 Legislative Policy Committee.

3. Order 98-07182022*

Accepting the transfer of the Smith & Wesson M&P 9mm to the Auburn Police Department (Unified Criminal Court Docket No. CR-22-654).

4. Order 99-07182022*

Casting votes for Larry Pelletier and Leroy Walker to represent County Commission District 6 on the Androscoggin County Budget Committee.

5. Order 100-07182022*

Casting votes for Phil Crowell and Gordon Bell to represent County Commission District 5 on the Androscoggin County Budget Committee.

Motion was made by Councilor Staples and seconded by Councilor Walker for passage of the five consent items.

Passage 7-0.

II. Minutes - June 27, 2022, Regular Council Meeting

Motion was made by Councilor Staples and seconded by Councilor Whiting to approve the minutes of the June 27, 2022 Regular Council Meeting.

Passage 7-0.

III. Communications, Presentations and Recognitions

- Auburn Police Department Swearing in Ceremony
 - Sergeant Steven Gosselin, promoted to Lieutenant
 - Sergeant Jason Moore, promoted to Lieutenant
 - Sergeant Eric Audette, promoted to Lieutenant
- City of Auburn Certified Member of the AARP Network of Age-Friendly States & Communities

- Communication from Petitioner’s Committee for the repeal of Ordinance 11-03212022
- Presentation – Assessing Valuation Adjustments/Declared Ratio and 2022 Mil Rate (Karen Scammon and Joe St. Peter)
- Council Communications (about and to the community)

Mayor Levesque shared a few words about former City Councilor, Alfreda Fournier, who recently passed. He also announced that a bench and plaque will be purchased in her honor. The bench will be placed in Anniversary Park near the brick she purchased for her late husband.

Councilor Staples reported that he attended the Triple Crown race, Emily’s Run on Sunday morning. He said it was an honor being a part of it. He stated that he would like the Council to strongly encourage a recommendation naming the new ELHS track after the Fletcher family.

City Manager Crowell reported on the July 4th celebration and thanked the Liberty Festival Committee for their work. He also provided an update on some upcoming summer events noting that more can be found on our website. He also announced that the hot breakfast and lunch program has been extended to anyone 18 and under to receive a free hot meal at either the PAL Center or the Boy’s & Girl’s Club. Last, he announced that nominations are being taken for the Spirit of America Award for those that go above and beyond in the community.

IV. **Open Session**

Scott Berry, 179 Davis Avenue spoke about exclusionary zoning and its effect on racial discrimination in the housing market. He provided written materials of an article on this subject to the Clerk to provide to the members of the City Council.

Fred Brodeur, 83 Sixth Street thanked the City Council for their time and commitment serving the people of Auburn. He commented on the zoning proposals, the petitions, and encouraged the Council to listen and work out a compromise. Written comments were handed out to the City Council.

V. **Unfinished Business**

1. **Ordinance 17-06272022**

Re-adopting the ward maps and descriptions that were adopted on 3/17/2014. Second reading.

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

Public comment – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

2. **Order 83-06062022**

Allocating \$300,000.00 of ARPA Funding to create a two-year pilot program called “Project Support You – Auburn”.

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

Public comment – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Walker to postpone this item until the 8/1/2022 Council meeting.

Passage 7-0.

3. Ordinance 16-06062022

Approving the zoning amendment for 278 Poland Road. First reading (a public hearing was held on 6/6/2022 and the item was postponed to July 18, 2022).

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

Public comment –

Timothy Allen, 194 Pride Road stated that this was the first time he has seen this update, he spoke of concerns of traffic exiting the parking lot which will cause headlights to shine in his home. He also expressed other concerns about the proposed amendment.

Carol Lane, 30 Arbania Street stated that this information was new to her as well, she was unable to attend the meeting. She expressed concerns with the buffer zone and spoke in opposition of changing this area to an industrial zone adding that they've already had a negative impact on her neighborhood.

Ryan Smith, 14 Weaver Street, said he thought of an idea to open up a different zone for potential future uses and potentially something that would allow for parking with no other industrial uses.

Elizabeth Dunn, 530 Court Street asked why she was hearing about a community meeting with a developer and a plan about a large project that will impact the Poland Road neighborhood.

Motion was made by Councilor Hawes and seconded by Councilor Walker to amend by splitting the lot to exclude all land east of the parking lot to create more buffer zones and maintaining it as residential.

Passage 7-0.

Passage of Ordinance 16-06062022 as amended, 6-1 (Councilor Staples opposed). A roll call vote was taken.

4. Order 93-062762022

Directing the City Manager to move forward with the bid process for the upgrades and/or replacements of HVAC systems in our city-owned facilities that have been identified as the four priority initiatives (\$1,600,000.00 to be funded either with ARPA funds or bond to be determined).

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

Public comment – No one from the public spoke.

Passage 7-0.

VI. New Business

1. Order 101-07182022

Adopting the CDBG/HOME Program Year 2022 Annual Action Plan. Public hearing.

Motion was made by Councilor Gerry and seconded by Councilor Staples for passage.

Public hearing – Barbara McGivaren, 55 Winter Street spoke regarding issues she has been experiencing since 2019 with a weatherization/asbestos removal project to her home.

Passage 7-0.

2. Order 102-07182022

Authorizing the City Manager to negotiate and execute the purchase of 121 Mill Street, Auburn, Maine, parcel ID 221-041.

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

Public comment – No one from the public spoke.

Passage 7-0.

3. Order 103-07182022

Approving the liquor license for The Cheesy Skillet. Public hearing.

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

Public hearing – No one from the public spoke.

Passage 7-0.

4. Order 104-07182022

Authorizing the City Manager to execute a purchase and sale agreement for the Lake Auburn Community Center.

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

Public comment – No one from the public spoke.

Passage 7-0.

5. Ordinance 18-07182022

Extending the moratorium on public safety, detention, and correctional facilities. Public hearing and first reading.

Motion was made by Councilor Staples and seconded by Councilor Whiting for passage.

Public hearing – No one from the public spoke.

Motion was made by Councilor Staples and seconded by Councilor Gerry to amend by striking “*at a site in which one currently does not exist*”.

Failed 2-5 (Councilors Whiting, Hawes, Milks, Morin, and Walker opposed).

Passage of Ordinance 18-07182022 5-2 (Councilors Gerry and Staples opposed). A roll call vote was taken.

6. Ordinance 19-07182022

Creating a new Formed Base Code District Traditional Neighborhood Development District (T-4.2B). Public hearing and first reading.

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

Public hearing –

Ryan Smith, 14 Weaver Street, spoke about process and said he thinks T-4.2B is too similar to T-4.2 and feels this undermines the petition effort that took place. He suggested working with urban residential and traditional neighborhood zoning and just make small changes and make adjustments to density and reduce the setbacks.

Jeffrey Harmon, 34 Vista Drive urged council to vote no on this and send it back to the Planning Board adding that this has to happen through a normal planning process with robust public participation.

Bob Hayes, 172 Allen Avenue stated that with respect to the Monday night meeting that he was invited to attend to sit down with another Auburn resident and two councilors and the Mayor to discuss and he did not feel it was a dated meeting of the Council. He commented on Form Based Planning and Code. He said T-4.2B is almost the same as T-4.2. He encouraged everyone to also read the strategic plan.

Adam Lee, 87 Western Prom commented on the Freedom of Access Act and read section 406.

Elizabeth Dunn, 530 Court Street said that T-4.2B as she reads it, is minimally, if at all different from T-4.2. She would like them to think of a compromise.

Motion was made by Councilor Staples and seconded by Councilor Gerry to postpone this item to allow additional meetings to engage the public. A series of three meetings in three months.

Failed 3-4 (Councilors Hawes, Milks, Moring, and Walker opposed).

Passage of Ordinance 19-07182022 5-2 (Councilors Gerry and Whiting opposed). A roll call vote was taken.

7. Order 105-07182022

Authorizing the Mayor to sign and submit Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the 2022 Edward Byrne Justice Assistance Grant application.

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

Public comment – No one from the public spoke.

Passage 7-0.

VII. Open Session – Elizabeth Dunn, 530 Court Street said that she is perplexed and doesn't believe the public is being heard.

VIII. Reports (from sub-committees to Council)

Councilor Morin wanted to express his heartfelt condolences to Alfreda Fournier's family and friends for her recent passing.

City Manager Crowell reported that at the last LATC meeting, it was discussed that their meetings should be part of Federal Transit Authority's requirements regarding access to those meetings should be done through the available transit when buses run. The meeting time is being moved from 5:30 pm to noon and will be held here at Auburn Hall. They will also include a ZOOM option.

IX. Executive Session - None

VIII. Adjournment – Motion was made by Councilor Milks and seconded by Councilor Walker to adjourn. Unanimously approved and the meeting adjourned at 9:43 pm.

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ATTEST 

Susan Clements-Dallaire, City Clerk

Ms. Susan Clements-Dallaire, City Clerk

City of Auburn, Maine

60 Court Street

Auburn, Maine 04210

Dear Ms. Cléments-Dallaire,

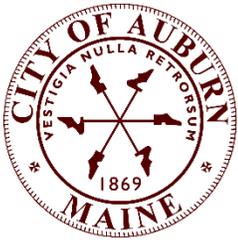
Accompanying this letter are 102 certified referendum petition papers bearing a total of 2120 signatures of registered Auburn voters which are being collectively filed as a single petition. This petition seeks the repeal of Auburn Ordinance 08-03072022 which amends the city's zoning map and modifies the boundary of the Lake Auburn Watershed Overlay District Map. This petition is being filed by the committee created by affidavit filed with your office on April 20, 2022, and which has come to be known informally as the Committee to Protect Lake Auburn. The number of signatures on the petition exceeds 10% of the number of registered voters of the City on the date the committee filed its affidavit. Each of the petition papers incorporates two Circulator's Affidavits; the first printed on the reverse side on the petition and an attached second affidavit which tracks the requirements of the present City Charter.

Please proceed to review these petition documents in accordance with Section 9.4 of the Charter and issue your certificate accordingly. Please notify the appropriate officials of Auburn city government as soon as possible, including those officials responsible for issuing and/or acting on permits, that Ordinance 08-03072022 is now suspended, effective upon the filing of these collective petition papers, until one of the further actions set forth in Section 9.5 of the Charter has been completed.

Thank you for your assistance in this petition process.



Keri Myrick, for the committee



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Order: 83-06062022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Project Support You - Auburn

Information: Allocate \$300,000.00 of ARPA Funding to create a two-year pilot program, "Project Support You – Auburn." The program design is to have co-responders with the police and fire department engage with residents that need services other than those traditionally responding. This employee will work with residents to access other programs required to serve our residents better and reduce the need for fire and police response in the future.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: March 21, 2022 Workshop Item, June 6, 2022, and July 18, 2022 postponed until today.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: See attached packet

PSY Co-Responder Program

Public Health



Project Support You - Auburn

We are here to request a total of \$300,000 in ARPA funds for a two-year pilot of "Project Support You - Auburn," (PSY Auburn)

The program design is based on best practices from other programs used nationally to better meet the needs of individuals struggling with homelessness, mental illness, substance misuse, and access to care while reducing the number of calls for service our police and paramedic teams respond to from frequent system utilizers through diversion to longer term, sustainable, and appropriate support services.



Program Description

PSY is a “boots on the ground” service that would employ a TCMHS employee to be shared between AFD and APD to respond **with** our first responder teams in real time.

The PSY worker will follow-up on needs identified by AFD and APD that would benefit individuals utilizing services and in need of community supports.



Maine Shared CHNA

The Maine Shared Community Health Needs Assessment (MSCHNA) report data for 2021 have been compiled, and the data on the state's interactive portal is now available.

The interactive portal can be accessed here:

<https://www.maine.gov/dhhs/mecdc/phdata/MaineCHNA/maine-interactive-health-data.shtml>



Social Determinants of Health

Indicator	Androscoggin	Maine
Individuals living in poverty	2015-2019 11.8%	2019 10.9%
Children living in poverty	2019 15.3%	2019 13.8%
Median household income	2015-2019 \$53,509	2019 \$58,924
Households that spend more than 50% of income towards housing	2015-2019 10.9%	2015-2019 12.0%



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Social Determinants of Health

Indicator	Androscoggin	Maine
Housing insecure (high school students)	2019 4.4%	2019 3.3%
Adverse childhood experiences (high school students reporting at least four out of nine ACEs)	2019 22.5%	2019 21.3%
Children eligible for free or reduced lunch	2021 60.9%	2021 38.2%



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Mental Health

Indicator	Androscoggin	Maine
Depression, current symptoms (adults)	2015-2017 11.2%	2017 9.6%
Anxiety, lifetime	2015-2017 26.3%	2017 21.8%
Ratio of population to psychiatrists	2019 19,079.0	2019 12,985.0



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Mental Health - Youth

Indicator	Androscoggin	Maine
Sad/hopeless for two weeks in a row (high school students)	2019 34.1%	2019 32.1%
Seriously considered suicide (high school students)	2019 18.7%	2019 16.4%



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Outcomes – Mental Health

Indicator	Androscoggin	Maine
Mental health emergency department rate per 10,000 population	2016-2018 278.8	2018 170.6
Suicide deaths per 100,000 population	2015-2019 18.9	2019 19.4



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Substance Use

Indicator	Androscoggin	Maine
Chronic heavy drinking (adults)	2015-2017 6.5%	2017 8.9%
Past-30-day alcohol use (high school students)	2019 18.2%	2019 22.9%
Binge drinking (high school students)	2019 6.2%	2019 8.2%
Past-30-day marijuana use (adults)	2017 15.9%	2017 16.3%
Past-30-day marijuana use (high school students)	2019 21.5%	2019 22.1%

Substance Use

Indicator	Androscoggin	Maine
Past-30-day misuse of prescription drugs (high school students)	2019 5.5%	2019 5.0%
Past-30-day misuse of prescription drugs (middle school students)	2019 4.1%	2019 3.0%



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
Drug-induced deaths per 100,000 population	2015-2019 28.4	2019 31.3
Alcohol-induced deaths per 100,000 population	2016 20.1	2019 11.3
Overdose deaths per 100,000 population	2020 47.9	2020 37.3



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Outcomes - Substance Use

Indicator	Androscoggin	Maine
"Overdose emergency medical service responses per 10,000 population"	2020 108.1	2020 76.7
"Opiate poisoning emergency department rate per 10,000 population"	2016-2018 9.7	2018 8.6
"Opiate poisoning hospitalizations per 10,000 population (ICD-10)"	2016-2018 1.5	2018 1.2



Source: Maine Interactive Health Data: [Maine Interactive Health Data](#) | [MeCDC](#) | [Maine DHHS](#), accessed 2/1/2022

Fatal Overdoses in Androscoggin County

2009	17
2010	15
2011	12
2012	17
2013	14
2014	27
2015	27
2016	35
2017	24
2018	34
2019	33
2020	52
2021	68*

2009 - Q1 2021

Percent of population	8.06%
% of total fatal overdoses	9.34%
Total incidents per 1,000 people	2.89

2009 - Q1 2021 by age group

0-20	2.13%
21-30	15.85%
31-40	26.83%
41-50	26.22%
51-60	22.26%
60+	6.71%

*Notes: 2021 total only includes data through November, and contains both suspected and confirmed overdoses. The data is still being confirmed through toxicology.

Data from Maine Drug Data Hub: www.mainedrugdata.org was provided by Daniel Soucier Ph.D., Research Associate at the Margaret Chase Smith Policy Center at the request of Catherine Ryder, CEO at TCMHS.



Housing insecure youth

For the 2021-2022 school year, as of February 6, 2022, Auburn School Department's McKinney-Vento liaison had identified **58 confirmed students eligible for McKinney-Vento services** and another 22 students that were yet to be confirmed eligible.

The McKinney-Vento Act under federal law ensures homeless youth have access to educational stability and offers resource assistance such as transportation to and from school.

Chief Chase

“Our role as an EMS organization is not only to respond to medical emergencies, but to participate in the overall improvement of the health of our community. Substance use disorders and overdose deaths are quickly become the paramount public health issue. As an organization, and as a City, we need to find additional ways to address this growing public health crisis. This includes dedicating staff and resources with the specialized training needed to support those struggling with substance use disorders.”

Robert Chase

Fire Chief, City of Auburn



2020 Operational Impacts: Auburn Fire Department High System Users

Operational Impacts of Auburn Fire Department High System Users

Address	Total Responses	Transports	Time in Hours Dedicated to Specific Patient*	Ambulance Mileage Incurred*	Notes
CASE 1	34	30	19.6	128	Repeat indication of ETOH use
CASE 2	29	28	14.2	103	Repeat Non-Emergent Complaints
CASE 3	29	27	17.5	95	Repeat Requests for Detox via EMS
CASE 4	20	20	12.3	76	Repeat Behavioral Health Requests
CASE 5	16	0	5.1	X	Repeat Requests for Lift Assists
CASE 6	16	10	5.3	41	Repeat Tox/Behavioral Health
Total Impact	144	115	74	443	

*Approximate Values



2020 data provided by Chief Chase on 11/3/2021 to Jennifer Edwards

2020 AFD Runs by Provider Impression – CFS that may benefit from PSY

Situation Provider Primary Impression (eSituation.11)	Number of Runs	Percent of Total Runs
Adult - No findings or Complaints (Z00.00)	274	35.63%
Behavioral - Psychiatric Episode (R45.89)	131	17.04%
Behavioral - Anxiety (F41.1)	91	11.83%
Tox - Alcohol use - with intoxication (F10.92)	87	11.31%
Tox - Overdose/Drug Ingestion (Non Opioid) (tICD.047)	36	4.68%
Tox - Opioid use - with Coma (F11.92)	35	4.55%
Child - No findings or Complaints (Z00.129)	31	4.03%
Behavioral - Suicide attempt (T14.91)	28	3.64%
Tox - Alcohol use (F10.9)	19	2.47%
Tox - Alcohol Use - withdrawal (F10.239)	16	2.08%
Tox - Opioid use - without Coma (F11.9)	10	1.30%
Behavioral - Excited Delirium (R41.0)	4	0.52%
Tox - Cannabis use (F12.9)	3	0.39%
Tox - Psychoactive substance related disorders (F19)	1	0.13%
Tox - Psychoactive substance use (F19.9)	1	0.13%
Tox - Stimulant related disorder (F15)	1	0.13%
Tox - Tricyclic antidepressants Overdose (T43.014)	1	0.13%
	Total: 769	Total: 100.00%



Chief Moen

“Our substance abuse disorder rates are growing. APD is responding to more and more overdose incidents. Dedicated staff to address this growing epidemic is vital to the safety of our City.”

Jason D. Moen

Chief of Police, Auburn Police Department



APD Data

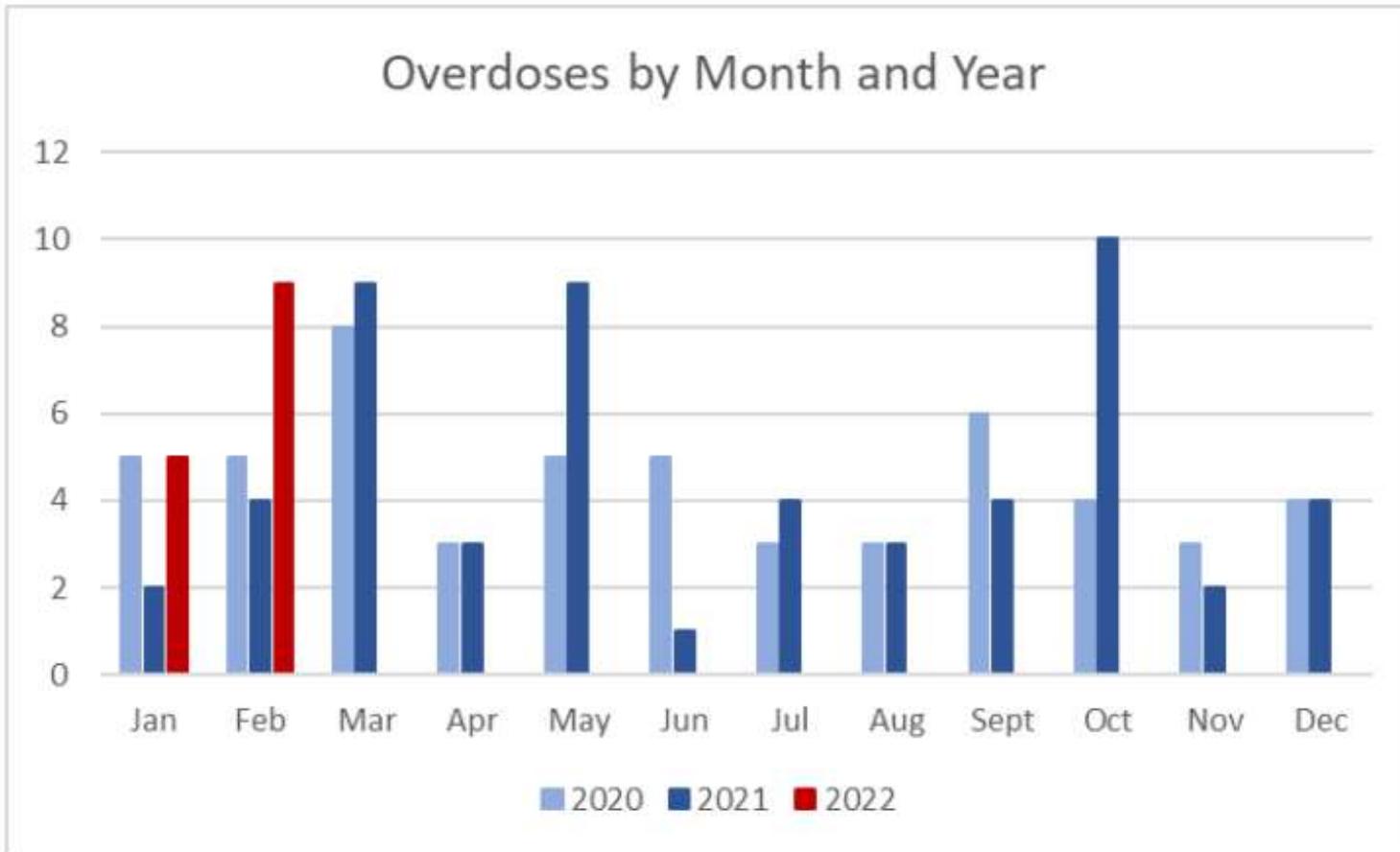
Year	POL-PCF Medical/Mental	Psychiatric Problem	Psychiatric Problem - Alpha Ov	Total
⊕ 2017	60	17	5	82
⊕ 2018	485	132	20	637
⊕ 2019	553	115		668
⊕ 2020	474	141		615
⊖ 2021	364	146		510
January	28	14		42
February	22	11		33
March	38	15		53
April	26	13		39
May	38	7		45
June	38	18		56
July	37	16		53
August	43	12		55
September	38	17		55
October	55	23		78
November	1			1
Total	1936	551	25	2512

APD OD Data: 2020-2021

In 2021, Auburn PD responded to 55 overdoses at 51 calls for service; there were 54 overdoses in 2020.

- Seven of these 55 overdoses are known to have resulted in a death.
- 28 doses of Narcan were administered directly by Auburn PD to 24 victims at 22 calls for service.

Feb. 2022 APD Data



Count of Overdoses, by month and year

Source: APD Overdose Report – February 2022, provided by Lt. Harrington of APD



Currently...

- APD officers have been carrying Narcan since 2018
- APD's participation in Androscoggin County's Drug Take Back days dates back to 2010.
- The med drop box offers a safe place to drop off unused medications in the Auburn police department lobby, which can help prevent prescription drug misuse

Homelessness Crisis Protocol

This program would also come at a critical time for APD, as they work to comply with the new Homelessness Crisis Protocol provided by the Attorney General to meet requirements of 17-A M.R.S. §18 [PL 2021, c. 393, §1].

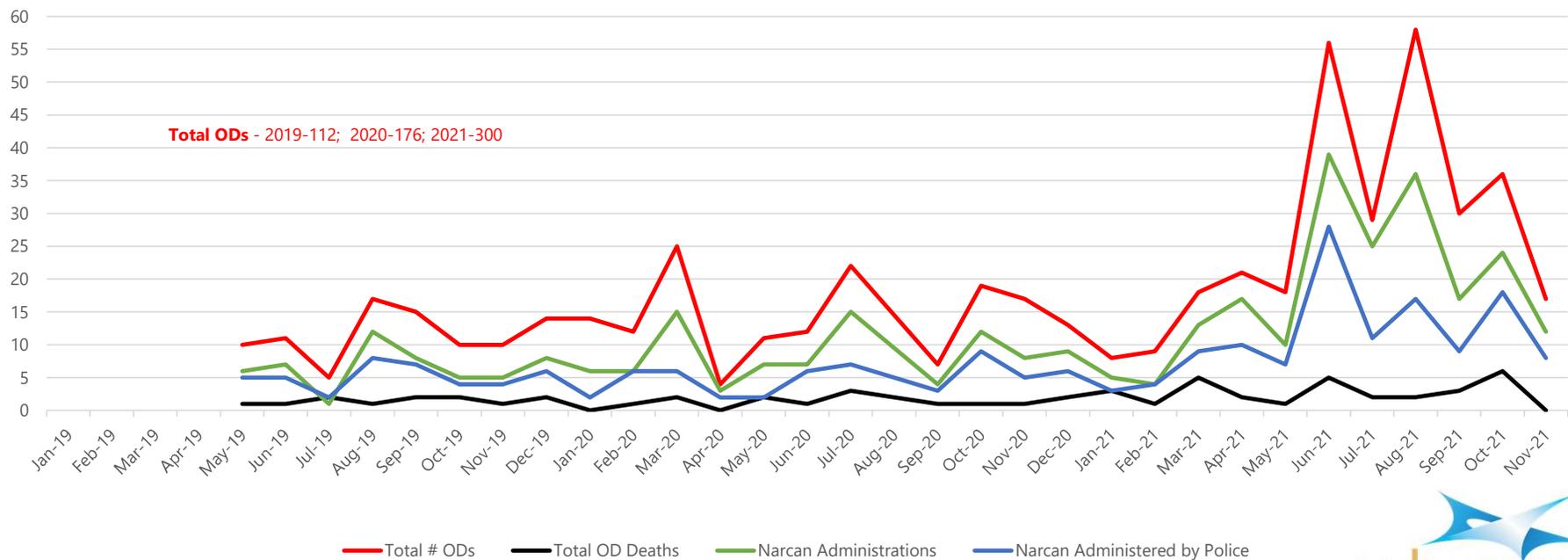
Our officers regularly respond to calls from community members concerned about unhoused individuals in our community, living on the streets, tenting on private or public property, and looking for a place to stay warm during the cold winter months when the limited shelters available in Lewiston and Auburn are full.

Link to statute: [Title 17-A, §18: Homelessness crisis protocol \(mainelegislature.org\)](https://www.mainelegislature.org/legis/statutes/17-A/17-A018.html)



TCMHS Options/PSY Data

OPTIONS/PSY Overdose Report
2019-2021



PSY success in Lewiston

Since 2018, the Lewiston Police Department has successfully employed this model – embedding mental health professionals from Tri-County Mental Health Services (TCMHS) within the police department to respond with and follow-up on needs in the community.

PSY-Auburn would be customized to meet the needs of Auburn, with a TCMHS PSY worker being shared between the Auburn Police Department and the Auburn Fire Department and working in close collaboration with the Public Health Manager. The PSY worker would remain an employee of TCMHS, and thus the program would also benefit from all the resources and programming of TCMHS. 

Serving those who served...

According to SAMHSA's 2019 National Survey on Drug Use and Health in Veteran Adults:

- 3.9 Million (adult) Veterans had a mental illness and/or a substance use disorder (SUD), up 6.5% over 2018
- Of these, 2.3% (481K) struggled with both
- 1 in 4 struggled with illicit drug use
- 4 in 5 struggled with alcohol use
- 1 in 13 struggled with both
- Of those struggling with a mental illness, SAMHSA reported 1 in 4 had a severe mental illness.

Data Source: 2019 National Survey on Drug Use and Health: Veteran Adults. Published in September 2020 by the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, pg. 4. Accessed 3/11/2022:
<https://www.samhsa.gov/data/sites/default/files/reports/rpt31103/2019NSDUH-Veteran/Veterans%202019%20NSDUH.pdf>



Project Support You provides connection.

“Abby is pregnant, homeless, and using heroin daily. As a result of a call from a soup kitchen volunteer, TCMHS staff reach out to Abby to help connect her to medical care and emergency shelter housing. After repeated attempts to get her into residential treatment initially fails, TCMHS staff continue assertive contacts with her over ensuing weeks until Abby successfully agrees to detox treatment.”

Success story provided in Catherine Ryder's support letter for PSY-Auburn.



Project Support You provides hope.

“Mary lived in a family that has experienced intergenerational trauma. She grew up in a home with an alcoholic father and began experimenting with substances in her early teens, leading to serious use as she moves through her teens into her 20s. Estranged from her family, Mary’s substance misuse leads to repeated involvement with law enforcement, homelessness, and interactions with child protective services. In an effort to regain custody of her child, she enters a community program where she receives supports and job training. Despite her best efforts, exacerbated by the trauma experienced due to losing custody of her child, she relapses, becomes homeless again, and is arrested. TCMHS staff intervene to help her to access treatment, healthcare, job training, and housing. With their help, she restarts her path to recovery.”

Success story provided in Catherine Ryder’s support letter for PSY-Auburn.



Treatment works, but it takes resources.

“It is vital to remember, always, that treatment works and recovery is possible. Just as we would not give up hope or fail to help someone with diabetes, cancer or heart disease, the same is true for those who live with mental illness or a substance use disorder. We can and must bring all resources available to bear, and create them when they are not, to help those in need. Every life is worth saving.”

Catherine R. Ryder, LCPC, ACS

Chief Executive Officer, Tri-County Mental Health Services

Quote taken from Catherine Ryder's support letter for PSY-Auburn.



Budget:

DESCRIPTION:	YEAR 1	YEAR 2	TOTAL
Tri-County Mental Health Services 1.4 FTE	98,000	98,000	196,000
Software, data analysis, and administrative support.	50,000	50,000	100,000
Misc. Program Supplies/Expenses	2,000	2,000	4,000
Total	150,000	150,000	300,000

The \$98,000/year amount pays for a full-time position – including PTO and holidays. It provides some on-call for nights, weekends, and PTO time. It also pays for supervision, a laptop, encrypted phone, travel, and 20% overhead for Tri-County Mental Health Services.

Classification: Non-Exempt

Grade Level: Non-Exempt 7

Reports To: Chief Executive Officer or Manager

Department: Substance Use Disorder
Services

GENERAL SUMMARY:

The Co-Responder provides OUD/SUD overdose response, screening, behavioral health crisis de-escalation, assessment, screening, referral to community treatment services and resources, system navigation, short-term SUD and behavioral health interventions, and aid in completion of the State's Medicaid program application for uninsured population, in collaboration with local law enforcement.

ESSENTIAL JOB FUNCTIONS:

- Demonstrates commitment to the mission of the agency with a strong understanding and respect for the goals of agency activities.
- Responds to SUD/ODU-related emergency calls along with law enforcement, or other first responder agencies, prioritizing nonfatal overdose calls and the highest needs requests for support, as able.
- Responds to behavioral and mental health related emergency calls along with law enforcement, or other first responder agencies, prioritizing competing demands through triage, when possible.
- Coordinates with a Recovery Coach, Peer, or Patient Navigator, as available, to provide post-overdose response and support to overdose survivors within seventy-two (72) hours after a non-fatal overdose event, to include: provision of information around Harm Reduction, treatment, and recovery support services that are available.
- Coordinates with community resources and client treatment team, as available, to provide post response and support. Provision of information around community resources, services, supports and other options for services that are available.
- Conducts ASAM level of care Assessments as appropriate.
- Gathers all Releases of Information as required by law to remain in compliance with HIPAA guidelines, including CFR 42 Part 2.
- Participates in technical assistance sessions which will be provided by the Maine Medical Association and informed by the Behavioral Health Response unit within the Portland Police Department.

ESSENTIAL JOB FUNCTIONS (continued):

- Provides anti-stigma and SUD informational sessions.
- Provides system navigation assistance to individuals in need of necessary support services.
- Provides referrals to appropriate community-based treatment and recovery services.
- Conducts follow up visits to clients who present in frequent need to establish, build and maintain relationship and rapport with a supportive, ongoing presence.
- Completes and sends in CradleME referrals for any pre-natal or post-partum women that presents as an individual in need.
- Provides linkage to syringe service programs and other Harm Reduction sites as available and facilitates connectivity to a Federally Qualified Health Center (FQHC) or other provider site that can provide human immunodeficiency virus (HIV) and Hepatitis testing.
- Provides Naloxone kits and Naloxone administration training in the specific type of Naloxone being provided to the individual and/or affected others during the post-overdose follow-up.
- Provides Fentanyl test strips, training and education to clients as prevention.
- Determines if the individual is a Person in Crisis and coordinates response with Crisis Intervention Workers.
- Works in collaboration with the law enforcement agencies in their catchment area to utilize Overdose Detection Mapping Application Program (ODMAP) and be signed up to receive overdose alerts for notification of incidents occurring during off-hours and provides follow-up with the individual in need during normal working hours.
- Provides linkage to further long-term Peer and/or Recovery Coach services for individuals in need that are assessed as having a SUD.
- Supports linkage to affordable housing and referral to programs that can support and assist people experiencing homelessness.

OTHER DUTIES AND RESPONSIBILITIES:

- Communicates effectively both verbally and in writing, establishes positive public relations and interacts effectively with a diverse array of professionals and clients.
- Maintains appropriate boundaries and displays respect and courtesy to all internal and external customers.
- Participates in training to maintain or enhance job skills, including undergoing law enforcement orientation and training, as necessary.
- Demonstrates patience, caring, compassion, and sensitivity toward clients.
- Completes and submits required documentation in a timely manner and according to policies and procedures.
- Adheres to the agency's Organizational Standards for Performance (see attached).
- Maintains compliance with documentation in medical record in a timely manner by completing all required documentation on time and filing additional documentation, as necessary
- Adheres to the agency's Risk and Safety Management Programs.
- Ensures that confidentiality is maintained at all times in accordance with federal, state, and agency standards.
- Functions in a cost-effective manner with regard to the utilization of time, supplies and other agency resources.
- Attends meetings and supervisions as required and necessary for the position.
- Promotes and fosters effective relations, both inside and outside of the agency.
- May perform other related duties as required.

ADDENDUM:

OPTIONS/Substance Use Co-Responder

- Funded by Maine Grant for Androscoggin county; primary role of overdose/substance use response.

ADDENDUM (continued):

Co-Responder

- Funded by the City of Lewiston; primary role of mental health support response.

Project Support You Co-Responder Lead Role

- Support, coach and mentor onboarding staff of the PSY and OPTIONS programs as well as the Peer Navigator role
- Provide resources, encourage networking, make introductions to key colleagues and clients of these programs.
- Support staff in documentation and reporting, checking to ensure accuracy and timeliness.
- Support mandatory training with PD, Agency, State and others as appropriate.
- Co-facilitate group supervision with management.

POSITION REQUIREMENTS:

Duties require knowledge of Substance Use Disorders and Dual Diagnosis treatment services equivalent to completion of a Bachelor's degree or equivalent combination of education and experience.

Must be willing and eligible to pursue and obtain minimum of CADC certification within first year of employment. Must possess a valid State of Maine driver's license.

COMPETENCIES:

Detail-oriented with good organizational and time management skills

Ability to manage multiple priorities and tasks, and consistently meet deadlines.

Ability to demonstrate good problem solving and critical thinking skills.

Ability to work effectively on a multi-disciplinary team.

Ability to assess situations for personal and client safety.

Ability to respond effectively in crisis situations.

Proficient with the use of a computer and job-specific software applications

WORKING CONDITIONS/PHYSICAL DEMANDS:

Normal office environment, not subject to extremes in temperature, noise, odors, etc.; may also be subjected to unpredictable environments with extremes in temperature, noise, odors, weather conditions, etc.

Regular use of computer keyboards, telephone and operating office machines, requiring eye-hand coordination and finger dexterity.

Must be willing to abide by policies and procedures of Police Department and follow directive of co-responding officer, wear flack jacket and put safety at forefront at all times.

WORKING CONDITIONS/PHYSICAL DEMANDS (continued):

Occasional lifting and carrying of supplies, files, documents, records, etc.

May be asked to operate a motor vehicle in all types of weather.

The above statements are intended to describe the general nature and level of work being performed by people assigned to do this job. The above is not intended to be an exhaustive list of all responsibilities and duties required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

***External and internal applicants, as well as position incumbents who become disabled as defined under the Americans With Disabilities Act, must be able to perform the essential job functions (as listed) either unaided or with the assistance of a reasonable accommodation to be determined by management on a case by case basis.**

Employee's Signature

Date

Employee's Name (please print)

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.



TRI-COUNTY MENTAL HEALTH SERVICES

Organizational Standards of Performance

STANDARD #1: Organizational Perspective

All employees demonstrate an understanding of how individual job performance and continuous quality improvement advances the Tri-County Mental Health Services mission.

Expectation:

- Understanding the connection between the agency's mission, continuous quality improvement and personal performance.
- Demonstrating a philosophy and work ethic that are consistent with agency's vision, mission and guiding principles.
- Perform duties in accordance with applicable regulations, laws and agency policy and procedures.

STANDARD #2: Professional, Ethical and Respectful Behavior

All employees act in a manner that demonstrates a commitment to professional ethical and respectful behavior.

Expectation:

- Interactions are guided by Trauma Informed practices and principles and are respectful, professional.
- Kind and courteous behavior that promotes positive interactions and engagement.
- Engage in direct communication and problem solving.
- Criticizing the agency and/or other employees to others (i.e. the "rumor mill") is actively discouraged. Continuously making an effort to squelch rumors and other disrespectful behaviors.
- Confidential information, whether received in the course of work or received inappropriately, is not shared with others.
- All employees know and understand the code of ethics of their respective professions

STANDARD #3: Confidentiality

All employees act in a manner that demonstrates an understanding of confidentiality.

Expectation:

- All employees can identify and discuss the parameters of confidentiality
- Confidential information, whether received in the course of work or inadvertently, is not shared with others
- All employees share a responsibility for safeguarding confidential information

STANDARD #4: Teamwork

All employees participate in an environment where success is created by working together collaboratively.

Expectation:

- Building collaborative relationships, both internally and externally.
- Accepting and using constructive feedback from both peers and supervisors.
- Collaborating to improve services and processes, and solve problems.
- Sharing responsibility and accountability for team goals.

STANDARD #5: Skill and Ability

All employees take advantage of training and educational opportunities to enhance skills, productivity, and quality of work.

Expectation:

- Seeking assistance and support when necessary.
- Accepting guidance from supervisor and implements decisions made with supervisor.
- Actively seeking training opportunities, through supervision and other sources, to enhance ability to perform all aspects of position.

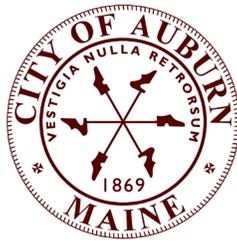
STANDARD #6: Knowledge of Community

All employees use knowledge of current community needs to work effectively with community groups.

Expectation:

- Building and maintaining positive relationships with the community.
- Articulating and explaining accurately the full range of agency services and resources.
- Presenting the agency to the community in a positive, proactive and appropriate manner.
- Uses client and community feedback to improve service delivery.

Created Jun-02; Last revised Sept-09; June 2014



ORDER 83-06062022

City Council Order

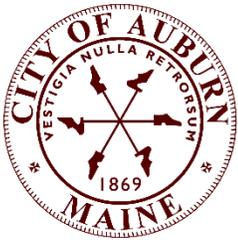
IN CITY COUNCIL

ORDERED, the City of Auburn allocates Three Hundred Thousand Dollars (\$300,000) of ARPA Funding to create a two-year pilot program, “Project Support You – Auburn,” ensuring conformance with the ARPA Rules and Guidance.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



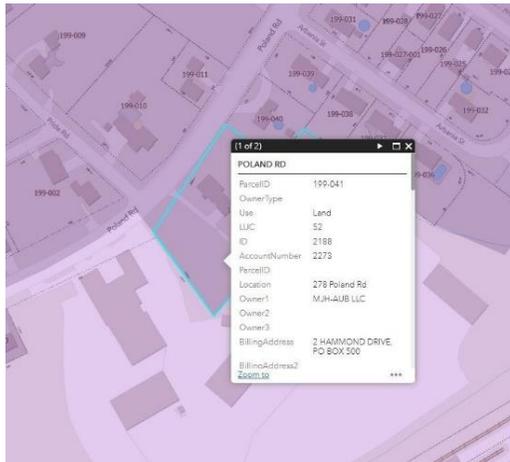
**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Ordinance: 16-06062022

Author: Katherine Cook, Planning Coordinator

Subject: First reading of zone change request from Hammond Lumber, 278 Poland Road



Information: Hammond Lumber Company (owner) is requesting a zone change of the 1.75 +/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, SEC.1445-1448.

The Planning Board reviewed this request brought forth by a petition with the information and the recommendations noted in the staff report.

The Planning Board reviewed this proposal, held a Public Hearing and recommended that City Council reject Hammond Lumber's requested zone change on 1.75 acres +/- at 278 Poland Rd (PID 199-041) from Suburban Residential (SR) zone to Industrial (ID) zoning noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is a requested for proposed parking. Their motion is included in the packet.

Their recommendation was based on discussion between the applicants, the Planning Board, and members of the public and specified in the May 10th Planning Board Meeting minutes and on the YouTube Recording for this meeting. The City Council tabled this item at the June 6, 2022 Meeting to be reconsidered at the July 18 meeting to allow the business to meet with neighbors and address concerns related to buffering and vehicles and any other neighborhood concerns. It is unusual to address buffering as part of a zone change and this is usually addressed during a later site plan review, however, the business met with staff and neighbors to better understand concerns (meeting minutes attached). The business provided an improved buffering plan that they are committed to implementing as part of site plan review if they are allowed to move forward. Staff and the Planning Board can make buffering and road frontage improvements a requirement as part of that process if the zoning moves forward.

UPDATE: As requested by Council Hammond Lumber has provided the attached revised zoning boundary plan with buffering information. The proposed boundary reduces the area that would be changed to industrial as suggested by Council at first reading. Hammond Lumber has also committed to addressing buffering at the rear of the property where they abut residential neighbors as part of a site plan review process for the project that will go to Planning Board and have an additional public process.

City Budgetary Impacts: None.

Staff Recommended Action: Hold the first reading and hold a public hearing for the zone change at 278 Poland Road, Parcel I.D. 199-041 from Suburban Residential (SR) District to Industrial (ID) District. Vote on First reading.

Previous Meetings and History: May 10th 2022 Planning Board, June 6th CC meeting, Neighborhood meeting, June 30, 2022, Council first reading on July 18, 2022.

City Manager Comments:

A handwritten signature in black ink that reads "Phillip Crowell Jr." with a stylized flourish at the end.

I concur with the recommendation. Signature:

Attachments: Planning Board Memo, May 10th, 2022, Hammond Lumber Staff Report, May 10th, Application from Hammond Lumber, Hammond Lumber site plan, Buffer Plan, public site walk through minutes, public meetings sign in sheet.



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine

04210 www.auburnmaine.gov |

207.333.6601

Proposal from the May 10th Planning Board staff report now before council:

Proposal: Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SB zoning. Approval for Hammond Lumber's request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.

Suggested Motion:

On May 10th, 2022, the City of Auburn Planning Board made the following recommendations:

“I move to recommend that City Council not rezone the property as it would be an encroachment of industrial area into residential neighborhoods.”

(Motion from Mathieu Duvall, Second from Stacey LeBlanc)

Motion to NOT rezone the area to ID passes 5-2.

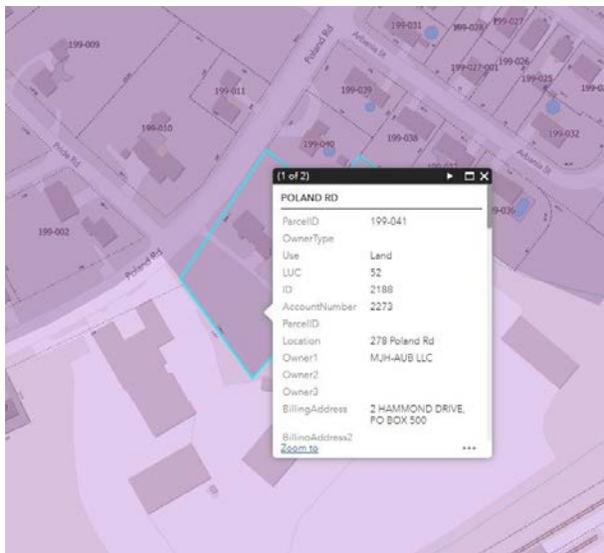
To: Auburn Planning Board

From: Katherine Cook, Planning Coordinator

Re: Zone Change Request for Hammond Lumber, 278 Poland Road

Date: May 10, 2022

PROPOSAL #1: PETITION/ ZONE CHANGE REQUEST: Hammond Lumber Company (owner) is requesting a zone change of the 1.75+/- acre parcel at 278 Poland Road (PID 199-041). The request is to change this parcel from Suburban Residential (SR) zoning to Industrial (ID) zoning. The Parcel is already owned by Hammond Lumber and is surrounded by ID zoning and SR zoning. A recommendation for Hammond Lumber’s request is pursuant to ARTICLE XVII DIVISION 2, Sec-1445-1448.



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) This change was initiated

by petition.

One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan (FLUP) as part of the 2021 Comprehensive Plan update process has this area has a suggested zone as Suburban Residential but given the immediate proximity of ID on two sides and long-standing lumber companies ownership (61+/- years) in the immediate area this would be an enhancement to the growing lumber and construction industry in the community. Access to building materials in the community is a major asset to meeting economic and housing goals of the Comprehensive Plan.

The FLUP is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development (*Ref. City of Auburn Comprehensive Plan, Chapter 2, pg. 87*)

I. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a recommendation to City Council to amend zoning map amendment to PID: 199-041 from Suburban Residential to Industrial to support a business in an otherwise commercially zoned neighborhood. Although review of a site plan will be required later it is worth noting that site impacts will be addressed in that process, including:

- 1.) The owner will address curb cut reductions if a site plan review submission is requested for proposed parking areas.
- 2.) The owner would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.

II. SUGGESTED FINDINGS AND REASONS:

1. The applicant submitted a rezoning petition with required signatures, City Zoning maps with Parcels identified, 500' abutters list, and plans which met the standards and the required materials to make the Zone change on April 8, 2022 thus meeting the time frame and submission standards (Sec. 60-1446).
2. The property in question is owned by Hammond Lumber and abuts its property already in the ID zoning district on two sides. Approximately the second half of the parcel abuts the suburban residential zone. The change would not affect the character of the neighborhood and would not impede public health, safety, convenience, and welfare (Sec. 60-1447).
3. The proposal can be implemented without detriment to city resources.
4. The proposal meets the general future land use plan pattern of development and is consistent with the current comprehensive plan.

III. 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

Suggested Motion: I make a motion to recommend that the City Council approve Hammond Lumber's requested Zone change on 1.75 acres +/- at 278 Poland Road (PID 199-041) from Suburban Residential (SR) Zone to Industrial (ID) Zone noting that the owner will address curb cut reductions and would be required to create a buffer that meets ordinance requirements and provides buffering to the neighborhood if a site plan review is requested for proposed parking.



City of Auburn Zone Change Request

For:

Hammond Lumber

282 Poland Road
Auburn, Maine 04210

Applicant:

Hammond Lumber Company
282 Poland Road,
Auburn, ME 04210

Prepared by:

Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

April 2022



April 08, 2022

City of Auburn
Planning Board
60 Court Street
Auburn, Maine 04210

Zone Change Request
278 Poland Road, Auburn ME 04210

Dear Planning Staff,

On behalf of Hammond Lumber Company, we are pleased to submit the following documentation for a zone change request to the City of Auburn. The requested zone change is for an approximately 1.75-acre parcel located at 278 Poland Road and identified by the City of Auburn as lot 199-041., and is within the City's Suburban Residential (SR) Zone and borders Auburn's Industrial (ID) Zone. The property was previously developed for residential use and consisted of a single-family house and barn. Hammond Lumber purchased the land, and in 2019, the buildings on the parcel were demolished and removed from the property. Hammond Lumber is now requesting the zone change of this property from the SR Zone to the ID Zone to allow the expansion of their development onto this parcel.

The subject parcel is located along the frontage of the Hammond Lumber site on Poland Road and abuts the entire front face of Hammond's primary and largest warehouse building. Adjacent residential development is located north across Poland Road and downhill to the east. There is an existing tree line along the eastern boundary of the property that extends from Poland Road to the rear of the Hammond Lumber development. The remaining area of the parcel is open lawn that is surrounded on three sides by Poland Road and Hammond Lumber's access drive and buildings.

With the aforementioned factors in mind, a zone change of lot 199-041 from Suburban Residential to Industrial will not pose any adverse effects to the Poland Road community or to the city as a whole. A zone change will allow Hammond Lumber to utilize this area to its full potential by incorporating it into their existing development. The additional frontage will give Hammond Lumber the ability to create a more visually pleasing entrance along Poland Road that better matches the other industrial and commercial properties in the area. To assist with your review of this request, we have included the proposed design for how Hammond Lumber intends to utilize this site if the zone change is approved.

We hope the attached application and materials we have provided are sufficient information for the City of Auburn to allow Hammond Lumber Company's zone change request. The goal of Hammond Lumber Company is to obtain the zone change first, and then proceed with an application to the City of Auburn for improvements to the front façade of the existing retail building, a new parking lot with associated stormwater treatment, and much needed improvements to the frontage along Poland Road. Should you have any questions, or need additional information, please call James Seymour, PE at Sebago Technics, Inc. at 207-200-2083.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink that reads "James R. Seymour". The signature is fluid and cursive, with a long horizontal stroke at the end.

James R. Seymour, P.E.
Sr. Project Manager

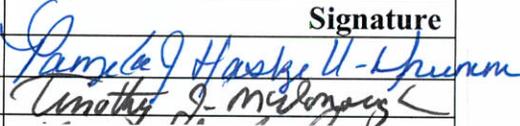
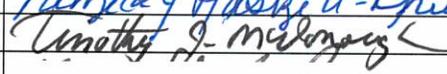
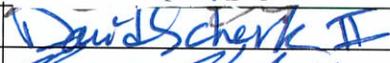
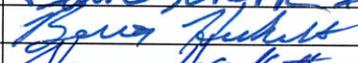
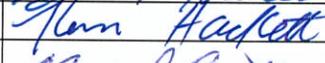
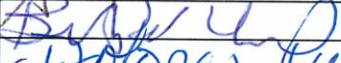
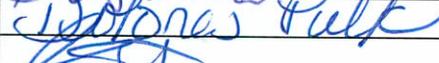
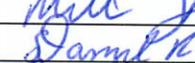
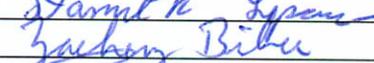
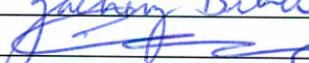
Materials Enclosed:

- Rezoning Petition & Signatures
- City Zoning Maps with Subject Parcel Identified
- 500' Abutters List
- Full Size Plans
 - Existing Conditions Plan
 - Preliminary Site Plan

REZONING PETITION

We, the undersigned registered voters of the City of Auburn, do herein petition the City of Auburn to amend the Suburban Residential (SR) zoning portion of the zoning map on (PID 199-041) to allow for a zone change of SR to ID to support Industrial opportunities in an otherwise residential zoned neighborhood along Poland Road. The property has been owned by Hammond Lumber for a number of years. As the ID district is the adjacent use the current owner would like to have the zoning match their existing/adjacent property as they will be absorbing the property into their larger existing parcel. The abutting lot in common is currently zoned Industrial Development and is owned in common by Hammond Lumber Company entity. The home on the parcel located in the SR was demolished in 2019 and today it is an empty parcel. As the City is currently undergoing a zoning reorganization, this is a great time to include this adjacent parcel (PID 199-041) as part of the ID zone to match existing zone of the current owner (Hammond Lumber)

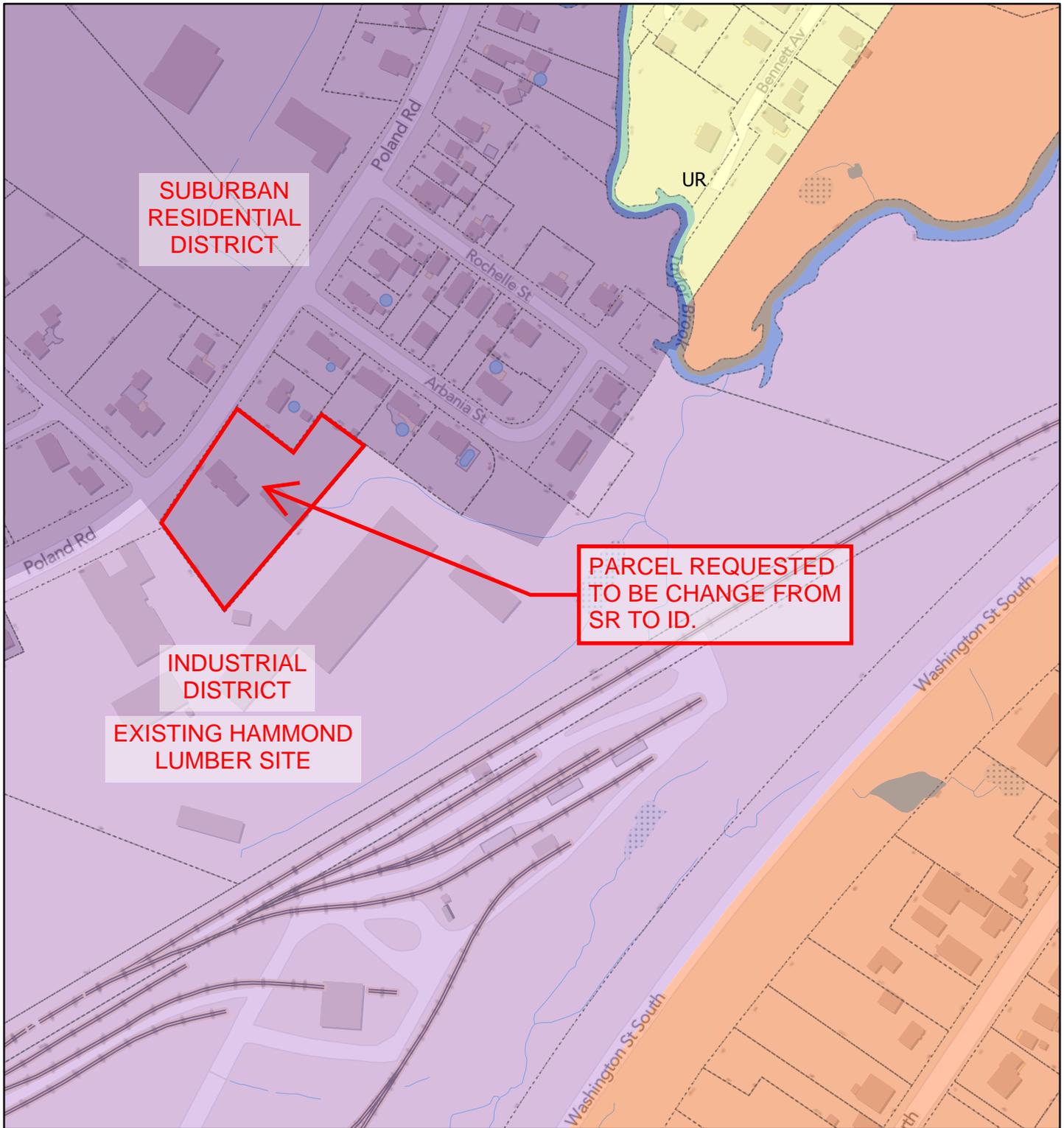
One of the primary tests of a zone change is its conformance with the Comprehensive Plan. The proposed Future Land Use Plan as part of the 2021 Comprehensive Plan update process has this area zoned as Industrial. The lot is outside the floodplain.

Print Name	City of Auburn Legal Address	Signature
Pamela J Haskell-Drumh	387 Court St Apt 2	
Timothy J. McDonough	211 Fairway Dr	
David E Schenk II	37 norther avenue Heights APT 25	
Brett Hackett	155 Fletcher Rd	
Kevin Hackett	155 Fletcher Rd.	
MICHAEL BRIDGETT	1067 HOTEL RD	
JIM TIMBERLAKE	75 BRIARCLIFF	
JOE DeLong	1480 Pownall rd	
Patrick Warden	100 vickery Rd	
ROBERT TURBEON	67 Maple Pt AUB	
Fredrick D. McCann	64 W. than Rd	
Susanne Macomber	45 Jefferson St	
Brooke Peters	120 Madison St	
Dolores Pulk	78 Madison St. Aub	
Jerome Smith	10 fairview ct. Aub	
Chris Hobbell	117 Bennett Ave Aub	
Michael Lemay	50 Broadview Ave	
Gary LaPrell	45 Arbania St.	
Michael Turgeon	39 Zaas street	
Daniel LePage	14 Holly St	
Zachery Bisbee	37 Third St Auburn ME	
Cody McAllister	60 mandarin view Drive Aub	

Pete Fendley	747 mint er Ave	Pete Fendley
Ronald GAGNE	230 HOTKIRK	Ronald Gagne
John Courts	37 Broadview AVE	John A. Courts
Nicholas Nolan	1889 Riverside Drive	Nicholas Nolan
PBAI	174 WYMAN RD	PAUL A. TARDIF
LOIS JONES	861 PEACH HILL RD	Lois Jones
Daniel R Herrick	470 Hath Rd	Daniel R Herrick

Note * Twenty-five (25) registered Auburn voters' signatures are required on the petition (it is suggested that you get at least 35-40 signatures in case some signatures cannot be read or they are disqualified for some other reason).

ID zone and SR zoning Map



3/9/2022, 9:53:19 AM

2020 Parcels

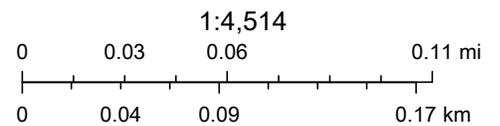
Zoning

GB - General Business

ID - Industrial

SR - Suburban Residential

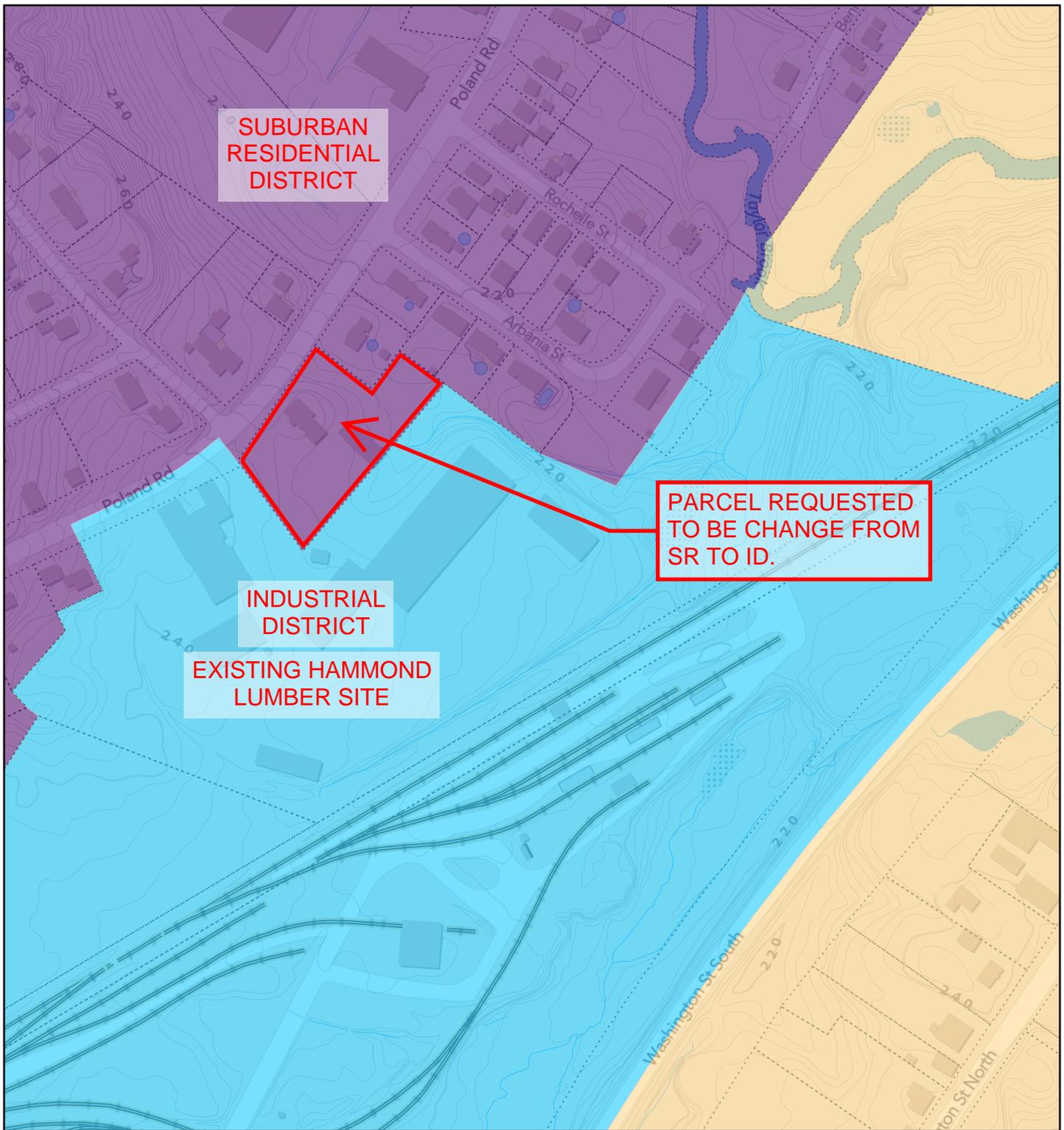
UR - Urban Residential



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Web AppBuilder for ArcGIS

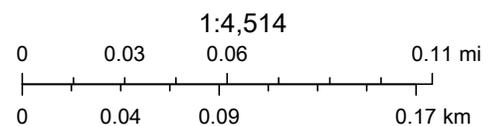
Zoning map of SR and ID Zones



3/9/2022, 9:51:03 AM

Future Land Use _ 2021 Update

-  Traditional Neighborhood Development District
-  Industrial Development District
-  Commercial Form-Based Code Gateway Development District (Washington Street)



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City of Auburn

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199-039

NYBERG MICHAEL R, NYBERG ANN E,
3 ARBANIA ST
AUBURN, ME 04210

199-023

SANDS GREGORY J, SANDS PATRICK J,
WHITING BRENDA M
C/O 408 BRIGHTON HILL ROAD
MINOT, ME 04258

199-002

MANCHESTER KATIE, MANCHESTER
CATHLEEN,
148 SPILLER ROAD
RAYMOND, ME 04071

199-004

WILLIAMS PHILIP J, WILLIAMS PAMELA J,
175 PRIDE ROAD
AUBURN, ME 04210

199-013

BECKET ACADEMY INC,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-021

GAGNON MONIQUE M, HINKLEY BRETT M,
12 ROCHELLE STREET
AUBURN, ME 04210

199-010

ALLEN TIMOTHY J,
PO BOX 1613
AUBURN, ME 04211

199-028

COYNE JULIE B,
9 ROCHELLE ST
AUBURN, ME 04210

199-046

LEWISTON AUBURN RAILROAD COMPA,
C/O JERRY BERUBE
415 LISBON ST
LEWISTON, ME 04240

199-003

LANDRY PATSY ANN, LANDRY JOHN A,
25 CARLTON ST
AUBURN, ME 04210

199-044

CLIFFORD MARGARITA, C/O PAULA
BOLDUC,
279 PLEASANT ST
MECHANIC FALLS, ME 04256

199-030

LANE CAROL, LANE ROBERTA,
240 POLAND RD
AUBURN, ME 04210

199-034

LAPRELL GARY, LAPRELL TINA,
45 ARBANIA STREET
AUBURN, ME 04210

199-024

KEOUGH FRANCIS K, KEOUGH ANN M,
23 ROCHELLE STREET
AUBURN, ME 04210

199-033

BEAN TREVOR A, ,
27 ROCHELLE STREET
AUBURN, ME 04210

199-026

BILODEAU JUDY ANN, ,
17 ROCHELLE ST
AUBURN, ME 04210

199-020

GROETZINGER ALYSSA N, ,
228 POLAND ROAD
AUBURN, ME 04210

199-040

LAWRENCE SUZANNE M, ,
266 POLAND ROAD
AUBURN, ME 04210

198-090

CALLANAN EZEKIEL L, CALLANAN NICHOLAS
J,
339 POLAND ROAD
AUBURN, ME 04210

199-005

ROMANO GEORGE F JR, PAITON-ROMANO
SHARON A,
169 PRIDE RD
AUBURN, ME 04240

199-038

DERIENZO JOSEPH P, DERIENZO JESSICA,
11 ARBANIA ST
AUBURN, ME 04210

199-027-001

PULSIFER JACOB, ,
14 ARBANIA STREET
AUBURN, ME 04210

199-025

HOGAN JAN M, ,
21 ROCHELLE ST
AUBURN, ME 04210

199-037

GORDON DAWN M, GORDON LARRY L,
17 ARBANIA STREET
AUBURN, ME 04210

199-008

DIXON CHARLENE M, ,
160 PRIDE ROAD
AUBURN, ME 04210

199-042

MJH AUB LLC, ,
PO BOX 500
BELGRADE, ME 04917

199-022

MURPHY JOHN F HOMES INC, ,
800 CENTER ST
AUBURN, ME 04210

198-084

LANDRY JOHN A, LANDRY PATSY A,
31 CARLTON ST
AUBURN, ME 04210

199-001

SNELL DOUGLAS E, ,
321 POLAND ROAD
AUBURN, ME 04210

199-011

TEVES JAMIE BLUE, TEVES CAROLINE
ALEXANDRA,
269 POLAND RD
AUBURN, ME 04210

198-098
INDUSTRIAL CONNECTIONS AND SOL, ,
305 Gregson Drive
Cary, NC 27511

199-031
VACHON DANIEL, ,
4 ARBANIA STREET
AUBURN, ME 04210

199-043
ST PIERRE JEFFREY A, ST PIERRE ASHLEY L,
328 POLAND RD
AUBURN, ME 04210

199-041
MJH-AUB LLC, ,
2 HAMMOND DRIVE, PO BOX 500
BELGRADE, ME 04917

199-019
LAUSIER ELMER A, LAUSIER KIMBERLY,
226 POLAND ROAD
AUBURN, ME 04210

199-036
RUSSELL JAY H, RUSSELL TINA M,
27 ARBANIA ST
AUBURN, ME 04210

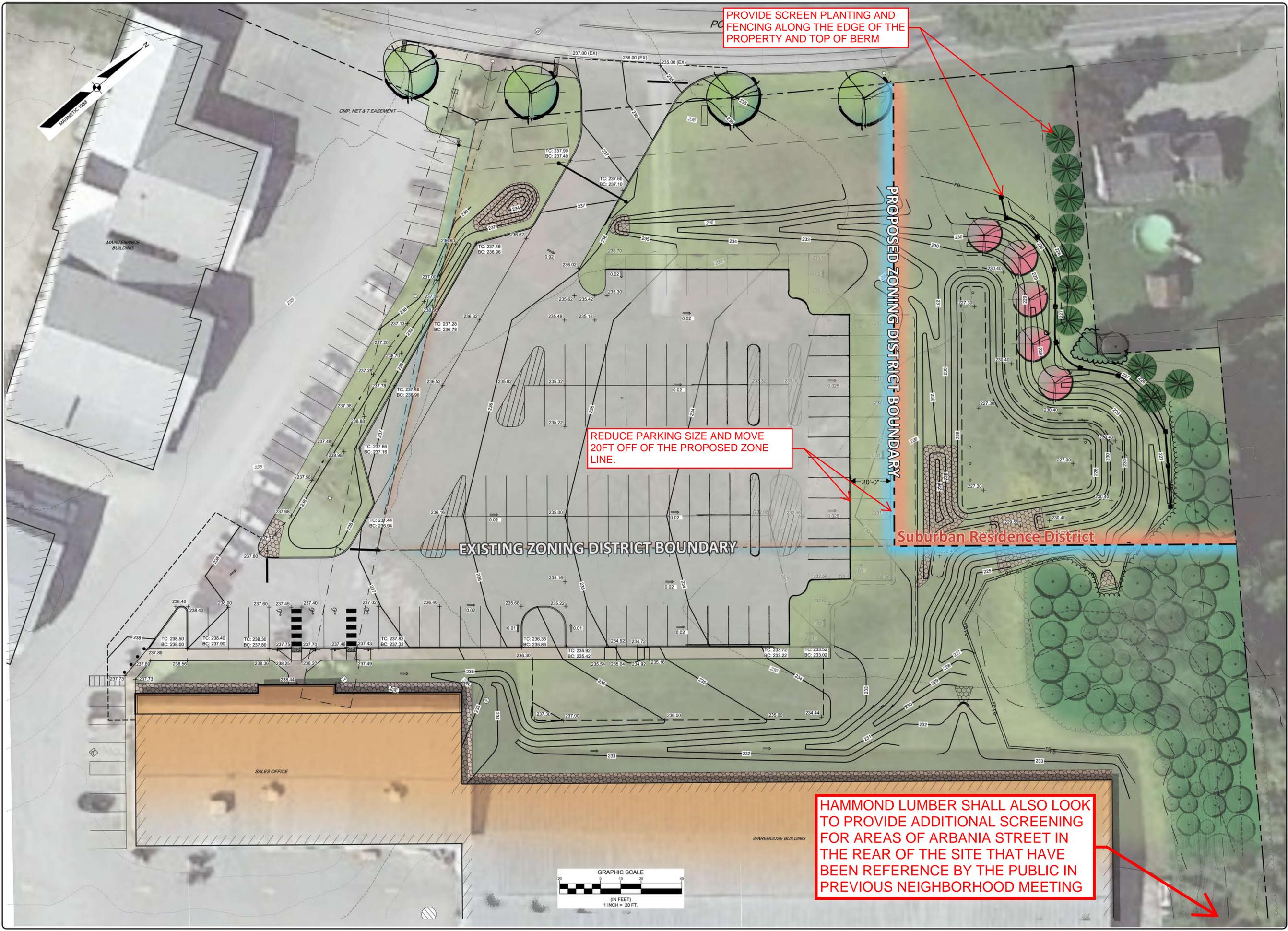
199-029
MOGAVERO STEPHEN, ,
236 POLAND RD
AUBURN, ME 04210

199-012
BECKET ACADEMY INC, ,
NH ROUTE 10, PO BOX 325
ORFORD, NH 03777

199-009
PACKARD TAMMY, ,
174 PRIDE RD
AUBURN, ME 04210

199-032
LANE CAROL F, LANE ROBERTA C,
30 ARBANIA ST
AUBURN, ME 04210

199-027
CEPRANO PETER, CEPRANO DEBRA,
120 BIRCH LANE
WALES, ME 04280



PROVIDE SCREEN PLANTING AND FENCING ALONG THE EDGE OF THE PROPERTY AND TOP OF BERM

REDUCE PARKING SIZE AND MOVE 20FT OFF OF THE PROPOSED ZONE LINE.

PROPOSED ZONING DISTRICT BOUNDARY

Suburban Residence District

HAMMOND LUMBER SHALL ALSO LOOK TO PROVIDE ADDITIONAL SCREENING FOR AREAS OF ARBANIA STREET IN THE REAR OF THE SITE THAT HAVE BEEN REFERENCE BY THE PUBLIC IN PREVIOUS NEIGHBORHOOD MEETING

PLS OR FE
PROGRESS PRINT

PLS OR FE
NOT FOR CONSTRUCTION

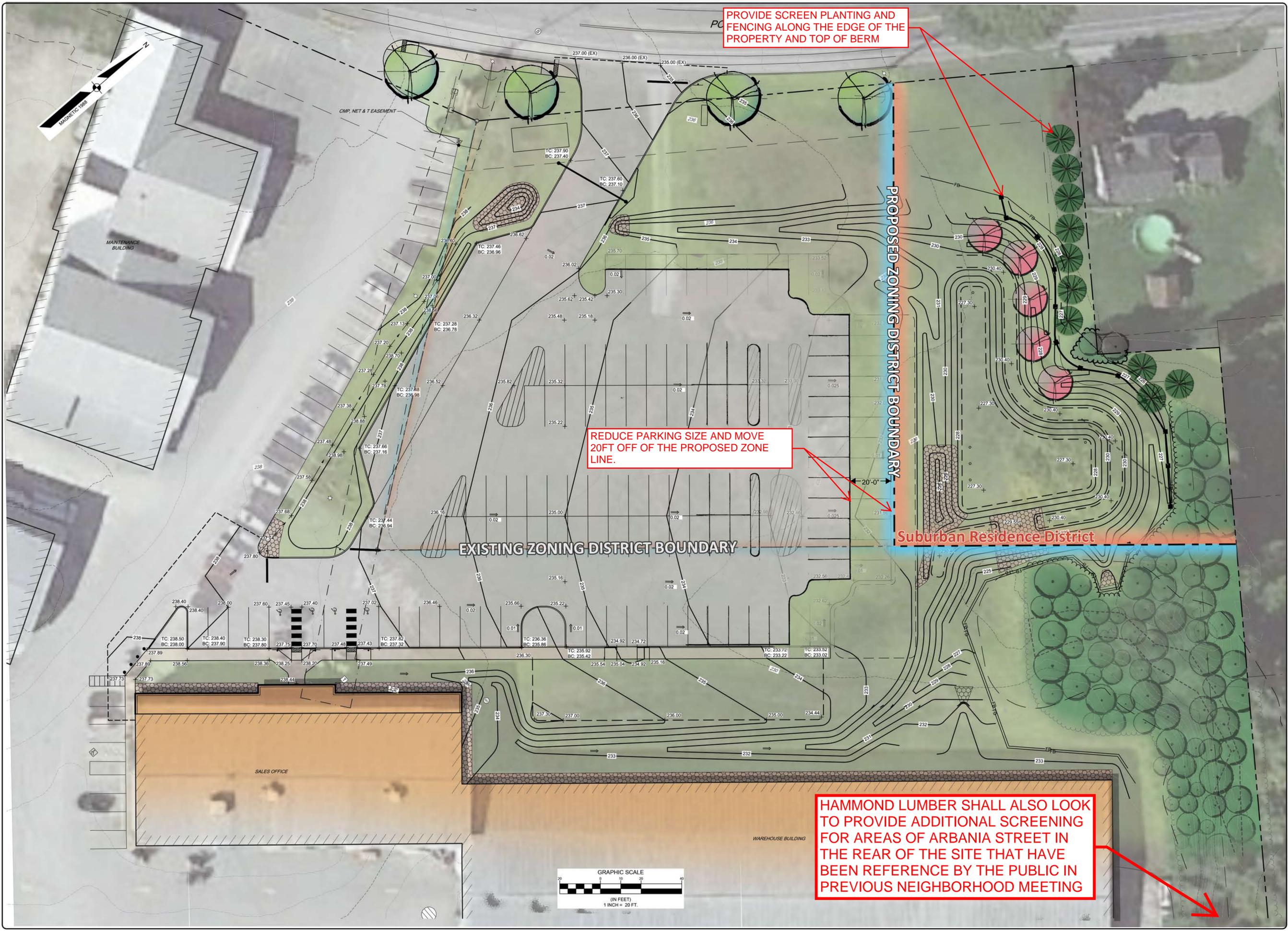
REV	BY	DATE	STATUS	PRELIMINARY SITE PLAN SET TO CLIENT
A	HAH	05/02/2022		

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNIQS, INC. ANY ALTERATIONS AUTHORIZED OR OTHERWISE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNIQS, INC.

SEBAGO
TECHNIQS
75 John Roberts Rd.
Sullivan, ME 04106
South Portland, ME 04106
Tel: 207-200-2100
WWW.SEBAGOTECHNIQS.COM

GRADING & UTILITY PLAN
OF:
HAMMOND LUMBER - AUBURN
282 POLAND ROAD
AUBURN, MAINE
FOR:
HAMMOND LUMBER COMPANY
P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	HAH
DRAWN	DAB
CHECKED	HAH
DATE	01/21/21
SCALE	1" = 20'
PROJECT	06361



PROVIDE SCREEN PLANTING AND FENCING ALONG THE EDGE OF THE PROPERTY AND TOP OF BERM

REDUCE PARKING SIZE AND MOVE 20FT OFF OF THE PROPOSED ZONE LINE.

HAMMOND LUMBER SHALL ALSO LOOK TO PROVIDE ADDITIONAL SCREENING FOR AREAS OF ARBANIA STREET IN THE REAR OF THE SITE THAT HAVE BEEN REFERENCE BY THE PUBLIC IN PREVIOUS NEIGHBORHOOD MEETING

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PROGRESS PRINT

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REV	BY	DATE	STATUS	PRELIMINARY SITE PLAN SET TO CLIENT
A	HAH	05/02/2022		

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GRADING & UTILITY PLAN
OF:
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FOR:
HAMMOND LUMBER COMPANY
P.O. BOX 500
BELGRADE, ME 04917

DESIGNED	HAH
DRAWN	DAB
CHECKED	HAH
DATE	01/21/21
SCALE	1" = 20'
PROJECT	06361

Hammond Lumber Public Site Walk
June 30th, 2022
Zone Change Application

Meeting Minutes:

5:00 PM **Begin Site Walk**

Attendees gathered at the front of the site. A sign-in sheet passed around for attendees to write their name and address.

5:05 PM A formal introduction and project overview was given by Jim Seymour of Sebago Technics, Inc. Following the introduction, the floor was opened to questions from the public.

5:07 PM **Begin Open Discussion:**

Member of public asked: What time will truck operations/employees start in the morning?

Steve Pray of Hammond Lumber responded:

- Approximately 5-6 employees start 6AM
- Truck drivers arrive 6:30AM
- Try to end work day by 5:00PM, usually open no later than 6:00PM
- Block/close Poland Road entrance after hours
- Signs to prevent overnight parking in front of the site are currently being made and will be installed once ready

Member of the public (17 Arbania St.) asked: What is the impact to the trees (pointed to rear of site)?

- Clarified that the proposed zone change and proposed work in front of site would not impact trees in rear of site.
- Proposed work will explore new buffering in front of site if it proceeds to site plan review process.

5:10 PM Member of the public raised concern about truck access improvements and trucks blocking Poland Road

- Site plan will allow separation of trucks and commuter vehicles to improve access

Member of the public asked: Will the new entrance be blocked after hours?

- Yes, entrance will be blocked by a gate after hours

Member of the public asked: What percent of business is retail?

- Approximately 30% retail, 70% contractor

Member of the public asked: What will new parking be for?

- New parking will be for customers and employees to allow segregation of commuter vehicles and loading/trucking operations to improve safety and functionality.

Member of public asked about plantings/buffering on opposite side of the site on Poland Road

- Comment acknowledged, not related to zone change or proposed improvements but can be explored

5:15 PM

Member of public asked about snow storage, and raised concerns of basements flooding since trees by Poland Road were cleared.

- Jim Seymour of Sebago Technics explained snow storage and the proposed soil filter BMP for stormwater treatment/control.
- New runoff will be controlled on site by BMP and additional plantings for buffering will be installed where previous trees were cut.

Member of the public asked about buffering

- A combination of trees and fencing can be explored in any areas requiring buffering

Members of the public raised concerns of deer in the area and concerns of deer getting trapped/dying in the soil filter (BMP)

- Clarified that the soil filter will be dry (typically dry 24 hours after storm)
- Soil filter only 3 feet deep and new plantings can be installed for buffering and to provide more cover for deer than what currently exists

5:20 PM

Member of the public asked about redoing the front façade of the warehouse

- Old warehouse buildings are difficult to refinish but the applicant is exploring façade and entrance options to improve overall appearance of site

Member of the public raised concern about lighting

- Lighting will meet ordinance requirements and any requirements as requested by planning board (photometric plans typical for site plans) if the zone change is approved

5:25 PM Member of the public asked: How will you keep people from living in the parking lot?

Steve Pray responded:

- Entrances will be closed after hours
- There will be no access to the site after hours
- It is private property and anyone refusing to leave will have police called on them and be charged with trespassing

Member of the public asked about tax changes resulting from the zone change

Eric Cousens representing the City of Auburn responded:

- Taxes typically more in Industrial Zone vs. Residential Zones

Member of the public asked why parking is so far away and so large?

- Sidewalk will be located along front of parking lot, employees will occupy spaces furthest away
- Large parking lot required for capacity of all employees and customers
- Desire to remove parking in lay down areas behind warehouse for improved flow and safety
- Nothing is finalized, site plan review process still required if zone change is approved

5:30 PM Member of the public expressed desire for tree buffering to be added first.

- Comment acknowledged, can be explored if zone change is approved

Member of the public asked how Hammond Lumber can be trusted to plant buffers

- Any required buffering will be installed in accordance with the applicable approvals

- Will be enforced by the city under the site plan approval process if zone change is approved and project is allowed to move forward

Member of the public asked for overview of Zone change and site plan process

- Eric Cousens provided overview of zone change process and site plan application process

5:35 PM Member of the public asked what happened to imaginary road going through the site and what happens to ownership?

- Potentially a paper street and never built
- Meeting attendee with knowledge of land history (Tim Allen, family owned previously all land of Arbania Street subdivision) clarified there was a trolley easement which may have been what was seen. Mentioned sewer easement also possible. Mentioned if there were any roads they may have been proposed, and do not exist, therefore not applicable.

Member of the public asked if city council takes into account their comments/input

- Yes, meeting minutes will be provided with notes of tonight's meeting

Member of the public commented they are worried the City will mess up again and referenced Auburn Concrete site and summarized disapproval of their operation. Gravel falling in Poland Road from trucks and loud operations.

- Comment acknowledged

5:40 PM Member of the public asked: Where will people park after hours when gates are closed? (to view streetside or internal displays)

- Customers typically don't stop by after hours, and Hammond Lumber doesn't anticipate many customers coming to view any new potential staging/displays after hours

Member asked about hours and why not open on weekends

- Minimal locations open on Saturdays, closed on weekends for general employee health/longevity/happiness

Member of the public asked if the zone change will be very beneficial to Hammond Lumber and/or increase sales

- It will allow for a more attractive site, safer circulation and access through the site, and better functioning overall.
- Unknown change in sales, potential for more retail attraction

5:45 PM Member of the public expressed concerns that Hammond Lumber has made slow changes over last 30 years and won't stop.

- Comment acknowledged, changes necessary for business expansion/improvements
- Willing to accept input and suggestions to be good neighbor

Member of the public said the "no overnight parking" rule can't be enforced in the industrial zone.

- No parking signs are being made for the front of the site to prevent overnight parking
- Can explore working with polices department to enforce no parking on Poland Road

5:50 PM Member of the public asked: Was there a specific intent when Hammond Lumber purchase the residential lot?

- No specific plan at time of purchase
- Land is directly in front of Hammond Lumber and opportunity presented itself to acquire the property (first refusal)

Member of the public asked: What is the timeline for this process? What happens if zone change is denied?

- Final approval/disapproval of zone change anticipated in August
- Full site plan review process will begin if zone change approved
- If no approval of zone change then no moving forward with current site plan concept

Member of the public asked if there will be improvements to buffering in rear of site

- The current focus is on the front of the property and the zone change
- If allowed to move forward with site plan process city can enforce new buffering standards
- Hammond Lumber is willing to explore additional buffering in rear of site (both fencing and landscaping). Additional buffering could

potentially be provided if stripping/cut from proposed front parking lot were to be placed in rear by existing detention pond

5:55 PM Member of the public expressed desire for Hammond Lumber to be overall better neighbor

- Comment acknowledged

Member of the public asked when city council will look at this

- Next meeting where city council will review this zone change request is July 18th

6:00 PM: **Meeting Concluded**

MEETING SIGN-IN

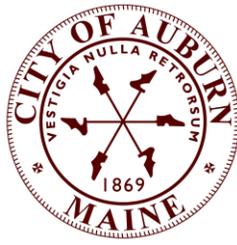
06361

Hammond Lumber Public Site Walk

Date/Time of Meeting: June 30, 2022, 5:00 PM

Location: 290 Poland Road Auburn, ME 04210

Developer / consultants team members in Attendance	
Name	Address
1. James Seymour P.E.	75 John Roberts rd. South Portland
2.. Steve Pray	290 Poland Road Auburn 04210
3.	
4.	
5.	
6.	
Members of the Public in Attendance	
1.. Kerry Fontaine	135 Horns over con Rd Aub
2. Suzanne Lawrence	266 Poland Rd.
3. Eric Cousens	City of Auburn 60 Court St.
4. Mike Nyberg	5 Arbanis St
5. Caroline Teves	269 Poland Rd.
6. DOUG SNELL	321 Poland Rd
7. Dawn Gordon #1	17 Arbanis St
8. Timothy Allen	194 Pr. Rd.
9.	
10	
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15.	



City Council Ordinance

IN CITY COUNCIL

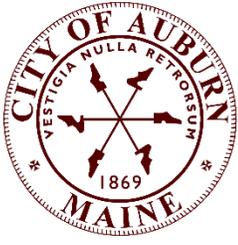
Amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041)

Be it ordained, That the Auburn City Council approve the amendment to the Zoning Map to include the areas along Poland Road totaling approximately 1.75 +/- acres to be changed from Suburban Residential to Industrial shown on Auburn Tax Map as (PID 199-041) as shown on the attached plan from Sebago Technics included in this packet(attached).

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Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Ordinance: 18-07182022

Author: Eric J Cousens, Planning and Permitting Director

Subject: Public Safety, Detention, and Correctional Facility Moratorium

Information: The Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail.

The City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities.

The development of new or additional Public Safety, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation.

A moratorium was adopted on March 7, 2022 on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist, however staff has not been able to fully address this and is proposing the city council extends the moratorium, for another six months as allowed by State law.

City Budgetary Impacts: None

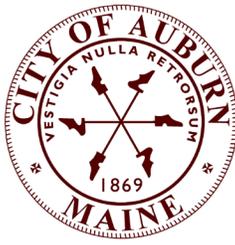
Staff Recommended Action: Passage of second reading, extending the moratorium for another six months.

Previous Meetings and History: Public hearing and first reading held 7/18/2022.

City Manager Comments:

I concur with the recommendation. Signature:

Attachments: Proposed Moratorium



City Council Ordinance

CITY OF AUBURN

EXTENDING THE PUBLIC SAFETY, DETENTION AND CORRECTIONAL FACILITY MORATORIUM ORDINANCE

Be it Ordained, that the City Council hereby extends the six-month moratorium below that was adopted on March 7, 2022 for another six months.

THE CITY OF AUBURN adopts a Public Safety, Detention, and Correctional Facility Moratorium Ordinance as follows:

WHEREAS, the Androscoggin County Commissioners have announced plans to acquire property within the City to be used as a new or additional location for offices of the Androscoggin County Sheriff's Department and as a new or additional location for the Androscoggin County Jail;

WHEREAS, the current offices of the Androscoggin County Sheriff and the current Androscoggin County Jail are used for law enforcement, communications, emergency management, special operations, investigations, civil service, detention, including the holding and housing of persons in custody under process of law pending the outcome of legal proceedings, and corrections, including the holding and housing of persons for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense;

WHEREAS, the City's current ordinances governing land use, zoning, site plan review and special exception review do not adequately or specifically address Public Safety Facilities, Detention Facilities or Correctional Facilities;

WHEREAS, development of new or additional Public Safety Facilities, Detention Facilities or Correctional Facilities could pose serious threats to the public health, safety and welfare of the residents and businesses abutting or in close proximity to such facilities without adequate provision for issues of public safety, health, land use compatibility, noise, visual degradation and environmental degradation;

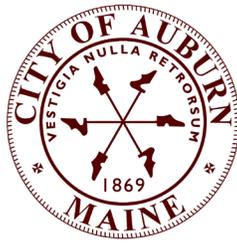
WHEREAS, the City is in the process of reviewing its Code of Ordinances, and needs additional time to study its Code of Ordinances to determine the implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the City's ordinances to determine the public safety, health, land use, environmental and other regulatory implications of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities and consider what regulations might be appropriate for such activity;

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City Council Ordinance

WHEREAS, the City's current ordinances are not adequate to prevent serious public harm from proposed development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, the City's current ordinances do not contain sufficient standards to effectively provide municipal review and approval of development proposals involving Public Safety Facilities, Detention Facilities and Correctional Facilities;

WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City considers this moratorium on development proposals involving Public Safety Facilities, Detention Facilities, and Correctional Facilities;

WHEREAS, amendments to ordinances may require public hearings by the Planning Board and City Council and votes by the Planning Board and City Council; and

WHEREAS, in the judgment of the City, these facts create an emergency within the meaning of 30-A M.R.S.A. § 4356(1), and require this Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

NOW, THEREFORE, the City does hereby ordain that the following Moratorium Ordinance be, and hereby is, enacted:

Section 1. Moratorium Declared.

The City does hereby declare a moratorium on development proposals involving Public Safety Facilities, Detention Facilities, or Correctional Facilities at a site on which one currently does not exist. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended or modified by the City Council, for the express purpose of drafting an amendment or amendments to City ordinances to protect the public from health and safety risks including, but not limited to, the potential adverse public safety, health, land use compatibility, noise, environmental degradation and visual degradation effects of development proposals involving a Public Safety Facility, Detention Facility or Correctional Facility if not properly regulated; and

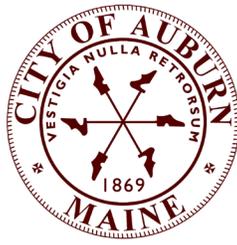
BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall apply to any development proposals involving a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, which is the applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall start or engage in the

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City Council Ordinance

construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022, without complying with whatever ordinance amendment or amendments the City may enact as a result of this moratorium; and

BE IT FURTHER ORDAINED, that during the time this moratorium is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit, certificate of approved use, conditional use review, special exception review and/or any other permits, licenses or approvals related to a Public Safety Facility, Detention Facility, or Correctional Facility for which an application for site plan review has not been determined to be complete by vote of the Planning Board prior to February 22, 2022; and

BE IT FURTHER ORDAINED, that those provisions of the City's ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

Section 2. Violations; Civil Penalties.

If the construction or operation of a Public Safety Facility, Detention Facility, or Correctional Facility is initiated in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties in accordance with 30-A M.R.S.A. § 4452 or City ordinance, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations.

Section 3. Definitions.

Correctional Facility means a facility in which persons are held and housed primarily for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense. This definition includes pre-release facilities, but does not include work release centers.

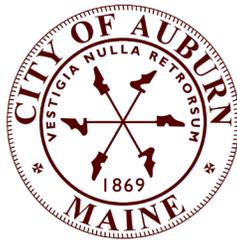
City means the City of Auburn, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

Detention Facility means a facility in which persons are held and housed in custody under

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City Council Ordinance

process of law, pending the outcome of legal proceedings, but not for the purposes of punishment, correction, or rehabilitation following conviction of a criminal offense.

Public Safety Facility means a facility in which the operations of law enforcement, communications, fire services, emergency management, special operations, investigations, or civil services are housed for emergency and public safety responses.

Section 4. Effective Date; Emergency Declaration

The City Council declares the existence of an emergency because the Code of Ordinances is insufficient to prevent serious public harm that could be caused by the unregulated development of Public Safety Facilities, Detention Facilities, and Correctional Facilities, thereby necessitating a moratorium to provide an opportunity for the City to review the potential impacts and harm that may be caused by such development, and to amend its Code of Ordinances to mitigate the potential impact and harm on the City, its businesses and its residents. This Ordinance shall be effective immediately upon enactment by the City Council and shall remain in effect for one hundred and eighty (180) days from the date of enactment unless it is adopted as a regular ordinance within that time period.

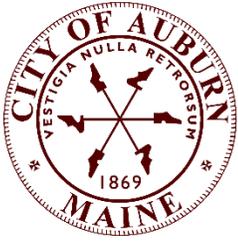
Adopted on March 7, 2022

Extended by 6 months on: _____ Date

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**City of Auburn
City Council Information Sheet**

Council Public Hearing: August 1, 2022

Ordinance: 19-07182022

Author: John A. Blais, Deputy Director of Planning and Permitting

Subject: First Reading: Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

-
- I. **Information:** The comprehensive plan update adopted on December 6, 2021, identified zoning map and text amendments needed to implement the goals of the plan updates. The area under discussion was recommended by Planning Board on June 21 and amended by City Council on June 27, 2022: *Residential uses should be allowed at a density driven by the form, lot size and configuration of the lot 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. No front yard needs to be any deeper than the average depth off front yards on the lots next thereto on either side. Side and rear setbacks should be 5-10 feet or 25% of the average depth of the lot to establish dimensional standards that relate to the size and width of the lot with up to 70% lot coverage. Minimum building height 1 story with maximum of 3 stories (excluding an attic story).*
- II.
- 1.) All Bed and Breakfast establishments allowed with special exception approval from the Planning Board.
 - 2.) Residential Facilities allowed with special exception approval from the Planning Board.
 - 3.) Lodging allowed with special exception approval from the Planning Board.
 - 4.) Personal Services allowed with special exception approval from the Planning Board.
 - 5.) Age restricted retail not allowed.
 - 6.) Restaurants with over 30 seats not allowed.
 - 7.) Government offices allowed with special exception approval from the Planning Board.
 - 8.) Parking requirements (public or private) may be provided within 500 feet of the establishment for all FBC.
 - 9.) Office, Service and Retail Use limited to 1,500 SF footprint and must include a residential unit, no drive through businesses allowed.
 - 10.) Multifamily allowed with special exception approval from Planning Board.
 - 11.) Artist studios and performing arts centers allowed with special exception
 - 12.) No front yard needs to be any less than the average depth off front yards on the lots next thereto on either side.

The Planning Board and Council considered an adoption of a new Form Based Code T-4.2B. Staff recommends creating this new zoning district that better fits the area and incorporates a text component of new zone T-4.2B as recommended by the Council and Planning Board. Council amended Planning Board's recommendation to change the front setback requirements from a minimum of 5 to a maximum of

15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more. Council instead decided to adopt similar front setback requirements to the General Business (GB) zoning district (#12 above). A draft of the codification based on Planning Board and Council input and the findings of staff report to Planning Board are attached.

Staff Recommended Action: Consider passage of second reading

Previous Meetings and History: January 3rd Council Discussion Initiation, March 21, 2022 Council First Reading and February 8th and March 8, 2022, Planning Board, June 21st Planning Board Meeting, June 27th City Council Meeting, public hearing and passage of first reading on 7/18/2022.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: Board recommendation as amended on June 21st, Ordinance, Staff Memo of City Council comments from June 27, 2022, Division 14, Form Based Code excerpt with proposed T-4.2B changes.



City of Auburn, Maine

Planning Board

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

DRAFT FOR REVIEW AND FINALIZATION AT THE 6/28/22 PLANNING BOARD MEETING

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board Report to City Council on Zoning Text and Map Amendments (T-4.2B Text and Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas Map amendment

Date: June 28, 2022

This report is the report from the Planning Board regarding the above-described map and text amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on June 21, 2022, the Planning Board forwards this report to the City Council. The Board Recommends as follows:

1. PROPOSAL: PUBLIC HEARING: Zoning Amendments: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed text amendments to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Brian DuBois; Second: Stacey LeBlanc

“I make a motion to recommend to City Council a text amendment suggested by Council with creation of a new form-based code zone T-4.2B with items listed under section 2 of your summary with a couple of revisions. One is under #9 to remove the words upper floor and say must include residential unit, and add number 12: that artists' studios and performing arts centers be considered a Special Exception”

Motion: Evan Cyr; Second: Riley Bergeron

“I make a motion to amend the front setbacks to include that we change the setbacks from a minimum of 5 to a maximum of 15 to a 5-foot minimum to a maximum of 25 foot or 25% of the lot whichever is more.”

Motion to amend passes 7-0

The main motion is now amended to include the amended setbacks

Motion: Evan; Second: Mathieu Duvall

I am going to make a motion to amend to remove note number five (5) on page 19 of 22 which read that density of 14 dwelling units per acre unless special exception subject to planning Board approval.”

Motion to amend passes 6-1

Motion to recommend new zone, T-4.2B with amendments passes 7-0

2. PROPOSAL: PUBLIC HEARING: Zoning Map Amendments: Court Street/City Core; 1,687.41 acres of Traditional Neighborhood Development District Areas (T-4.2). Proposed map amendment to the Court Street/City Core of Urban Residential Area; 1,687.41 acres of Formed Base Code T-4.2 to T-4.2B (Exhibit A)

Motion: Mathieu Duvall; Second Riley Bergeron

I'd like to make a motion to postpone this item until the first regular meeting of the Planning Board after the City Council finishes its deliberation and makes its decision on adoption of T-4.2B

Motion does not pass 0-7

Motion: Evan Cyr; Second Mathieu Duvall.

I make a motion to recommend the City to not (make a map) amend(ment) (regarding changing) T-4.2 to T-4.2 B for the Court Street area with a total area having been suggested for amendment of 1687.41 acres shown on the map exhibit A, due to process concerns specific to not knowing what the final language of T-4.2B will be from City Council that the Board would be adopting.

Motion passes as amended 7-0

DRAFT FOR CLARIFICATION BY THE BOARD: The Board intends to resume this discussion with an additional notice and public hearing after the T-4.2B Text has been finalized by the City Council.

OR

The Board requests direction from Council after receiving this report for how to proceed with future consideration.

Motion to continue the meeting to take on Item 5-8,

Motion does not pass. 5-2 (Need 100% concurrence found in Planning Board Policy- Article VI D: **No New Business.**



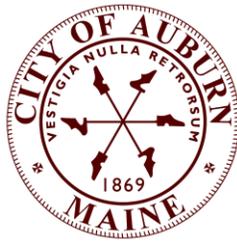
City of Auburn, Maine
Office of Planning and Permitting
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board from City Council
From: John Blais, Deputy Director of Planning & Permitting
Re: City Council update to T-4.2B
Date: June 28, 2022

The Council acknowledged that the PB did what they asked and they appreciate the recommendation. Council also discussed a couple of considerations or tweaks to the language that they will consider on July 18th.

1. Apply marijuana buffer map over zoning to see if there is any concern with areas available for MJ business being mixed in with another retail store at less than 50% floor area to avoid being an age restricted business under the existing definition. Special exception for any retail business could address the concern if PB reviews them, which is required, but they want the information to consider.
2. Setback Maximum. 25% may create anomalies. Consider GB language that averages adjacent setbacks for conformity with existing patterns: *No front yard needs to be any deeper than the average depth off front yards on the lots next thereto on either side. A vacant lot or a lot occupied by a building with a front yard more than 25 feet shall be considered as having a front yard of 25 feet.*
3. Give map examples of lots over 100 feet deep. Generally, characterize where this is common or unusual.

Action by Planning Board: None required



City Council Ordinance

IN CITY COUNCIL

Creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B

Be it ordained, that the City Council approve the creation of a New DISTRICT REGULATION in Division 14, FORM BASED CODE; Article IV, Division 14, Sec. 60-549B-60-549.3B Traditional Downtown Neighborhood T- 4.2B as recommended by the Planning Board on June 21, 2022 and amended as attached.

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DIVISION 14. FORM BASED CODE¹

Subdivision I. In General

Sec. 60-546. Purpose.

The purpose of the form based code is to:

- (a) Provide a building development pattern that is based upon the built environment's physical form and its relationship to the public realm and the private realm.
- (b) Allow for a diversity of uses appropriate and compatible to the designated district area.
- (c) Provide a more accelerated building design, review, approval and construction process.
- (d) Deliver a more predictable building development outcome that is consistent with the traditional pedestrian-oriented street-building development pattern.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-547. Transects.

Form based code uses transects as a way to describe the areas under the regulating plan. A transect is a system of ordering human habitats in a range from the most natural to the most urban. Auburn's transects are organized using five form based code districts, (Transect 4.1, [Transect 4.2B](#), Transect 4.2, Transect 5.1, Transect 5.2 and Transect 6), which describe the physical character of a place at a certain scale, according to the density and intensity of land use and urbanism.

(Ord. No. 04-03072016, 5-16-2016)

¹Editor's note(s)—Ord. No. 04-03072016, adopted May 16, 2016, repealed former Div. 14, §§ 60-546—60-549, in its entirety and enacted new provisions as herein set out. Former Div. 14 pertained to the central business district and derived from Ord. of 9-21-2009, §§ 3.69A—3.69D; Ord. of 2-16-2010.

Sec. 60-548. Traditional Main Street Neighborhood (T-4.1)



Illustrative View of T-4.1 (Main Street)

**Intent and Purpose:
Traditional Main Street Neighborhood (T-4.1)**

The Main Street Neighborhood district is designed to continue the existing pattern of large houses set along Main Street. This area is characterized by front porches, residential front yards and front doors facing the street. T-4.1 promotes a lower-density and less concentrated pattern of buildings along the street, while maintaining a pleasing, connective and compact multi-modal environment.





Characteristic Features

- Front lawns
- Front facade detailing
- Frontage fences
- Porches
- Bay windows
- Foundation planting and yard landscaping
- Street Trees
- Lower Density

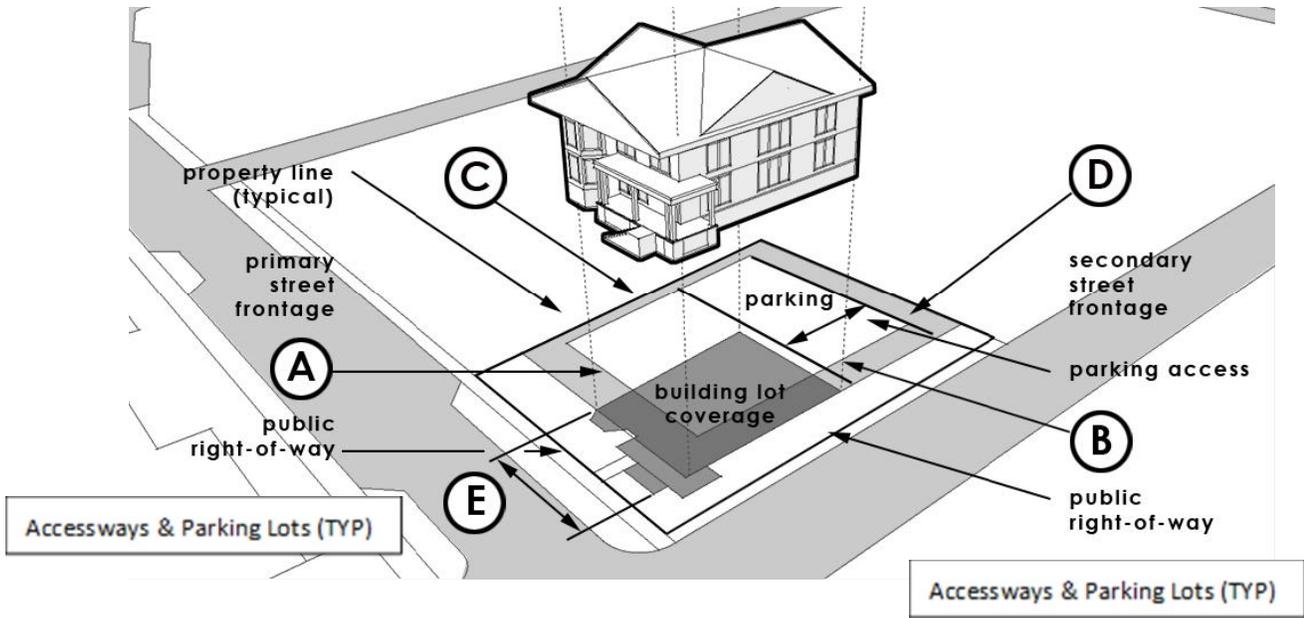


Examples of Main Street Neighborhood - T-4.1

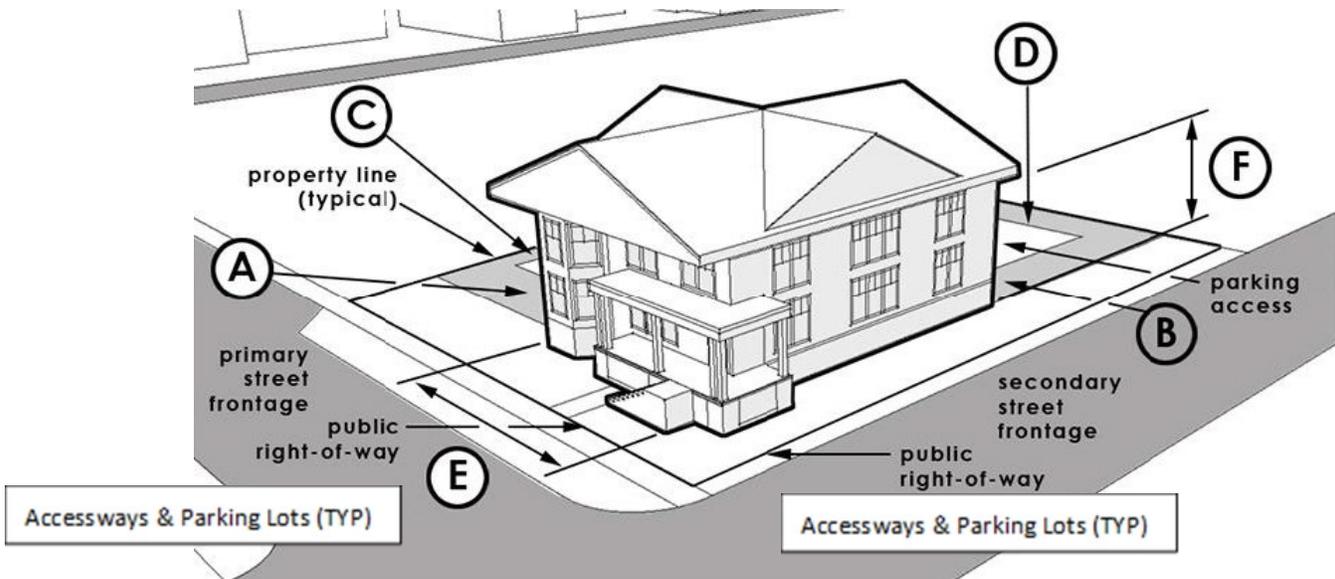
(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.1. Building placement and configuration T-4.1.

Elevated Building Placement



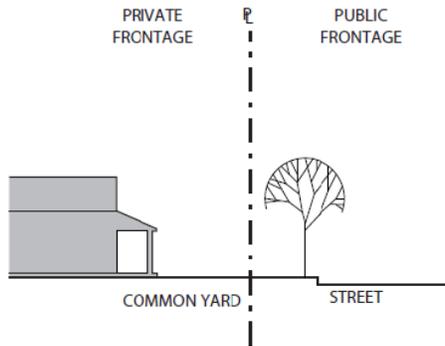
Building Placement on Lot



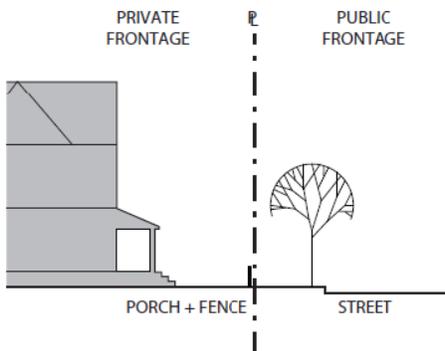
PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	15 ft. Min. 25 ft. Max.	(A)
(Corner Lot) Front Setback, Secondary:	15 ft. Min., 25 ft. Max	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	60% Max.	
Useable Open Space:	20% Min.	
Frontage Build-Out:	40% Min. (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 64 ft. Max.	(E)
Building Height Minimum:	2 Story Min.	(F)
Building Height Maximum:	2 Story Max. (excluding attic story)	(F)

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.2. Building frontages types T-4.1.



Common Yard



Porch Yard

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard
---------------------------------	-------------------------

BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story facade frontage.
Upper Story Building Frontage Facades:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story facade frontage.
Ground Story Finished Floor Elevation:	The ground story shall be a minimum of 2 feet and 6 feet maximum above the front yard elevation (average grade).
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-548.3. External elements T-4.1.

Front Yard Fence:	A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. Chain link, vinyl, split rail, or barbed wire is not allowed.
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum or maximum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 10 ft. maximum. Front Setback, Secondary Frontage 10 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	<u>Residential</u> - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. <u>Commercial</u> - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or

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(Supp. No. 21)

	40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any sidewalk or travel way. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 65, 3-15-2021)

Sec. 60.549B. Traditional Neighborhood T-4.2B.

Illustrative View of T-4.2B

(Insert Image)

Intent and Purpose:

Traditional Neighborhood (T-4.2B)

The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.



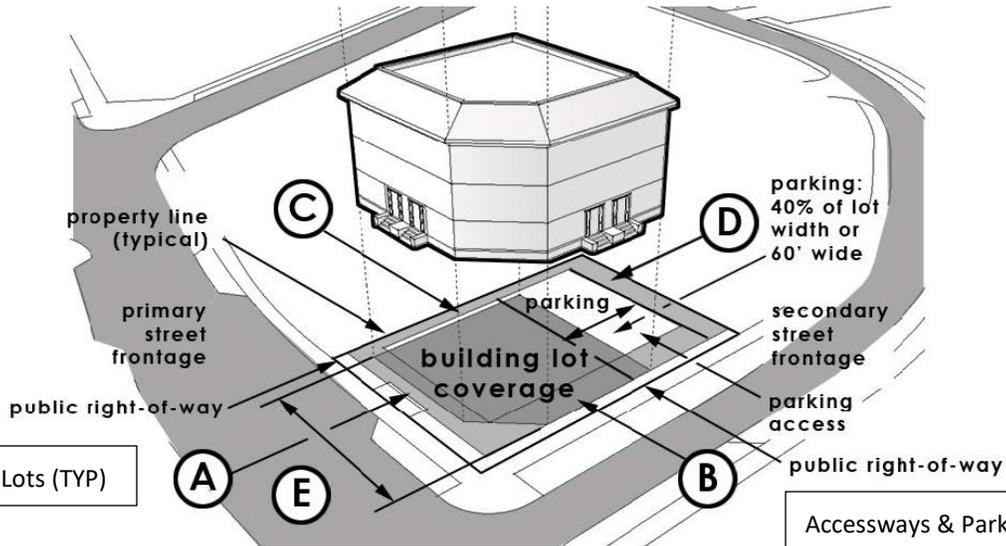


Characteristic Features

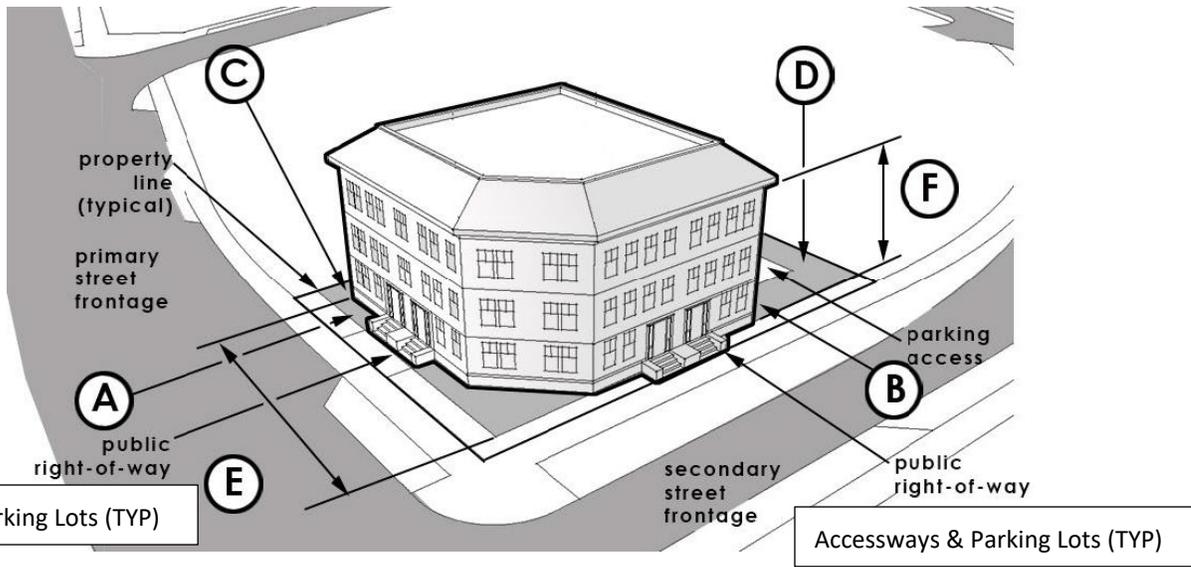
- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-549.1B. Building placement and configuration T-4.2B.



Elevated Building Placement



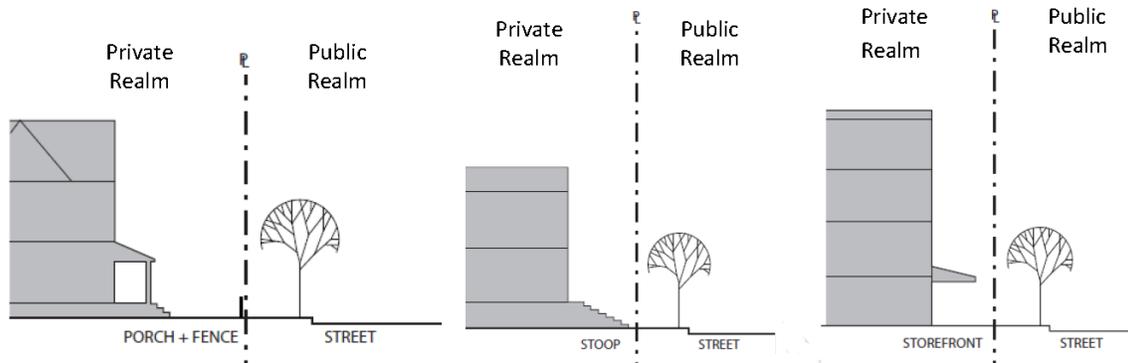
Building Placement on Lot

PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min., 15 ft. 25 ft. Max.*	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. 25 ft. Max. *	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story)

* **No front yard needs to be any less than the average depth off front yards on the lots next thereto on either side.**

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2B. Building frontages T-4.2B.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	<u>Residential</u> - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. <u>Commercial</u> - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.

Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.
Ground Story Finished Floor Elevation:	<u>Residential</u> - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). <u>Commercial</u> - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3B. External elements T-4.2B.

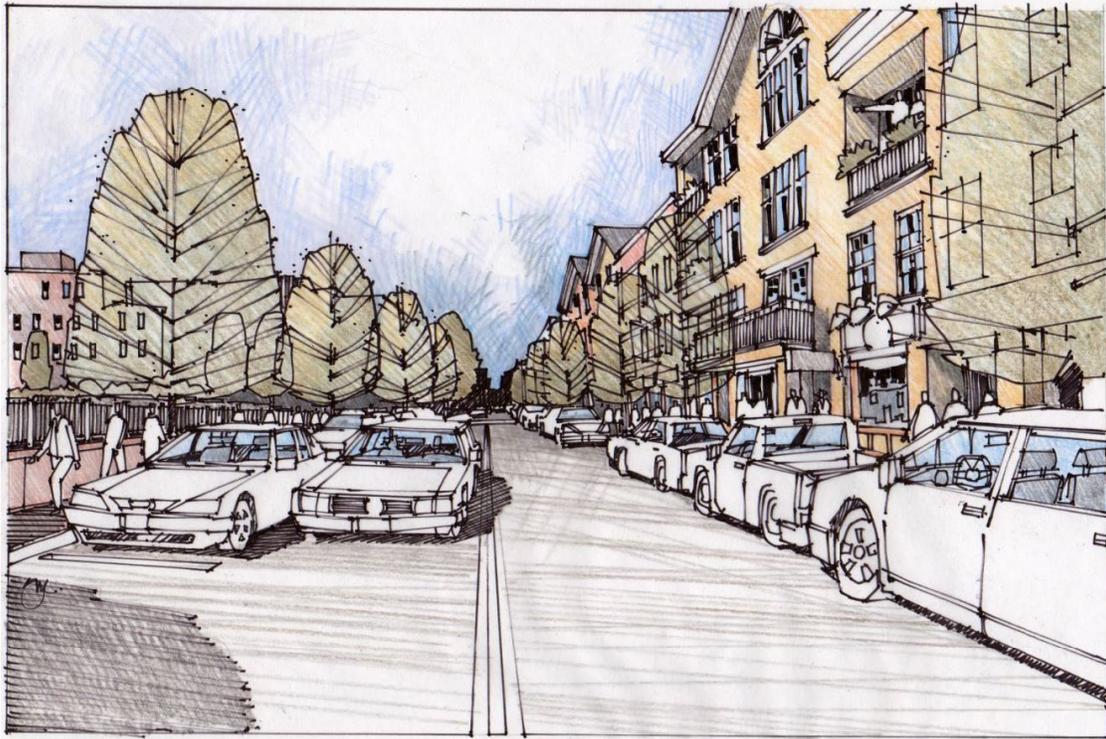
Front Yard Fence:	<u>Residential</u> - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	<u>Residential</u> - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. <u>Commercial</u> - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

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(Supp. No. 21)

Sec. 60.549. Traditional Downtown Neighborhood T-4.2.

Illustrative View of T-4.2 (Spring Street)



**Intent and Purpose:
Traditional Downtown Neighborhood (T-4.2)**

The Traditional Downtown Neighborhood district is characterized by a small to medium sized buildings with smaller front yards and stoops in a more compact urban environment, and includes and traditional neighborhood sized storefronts. The smaller minimum and maximum building set-backs form a moderately dense street-wall pattern, diverse architectural styles and pedestrian friendly streets and sidewalks.



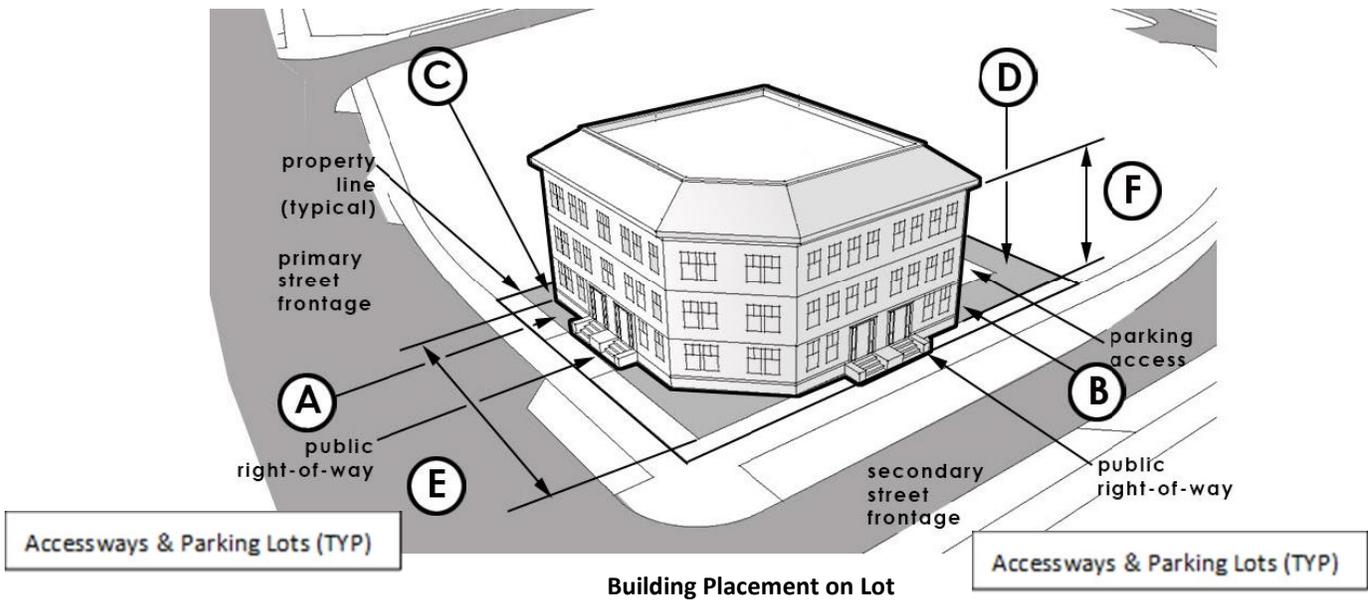
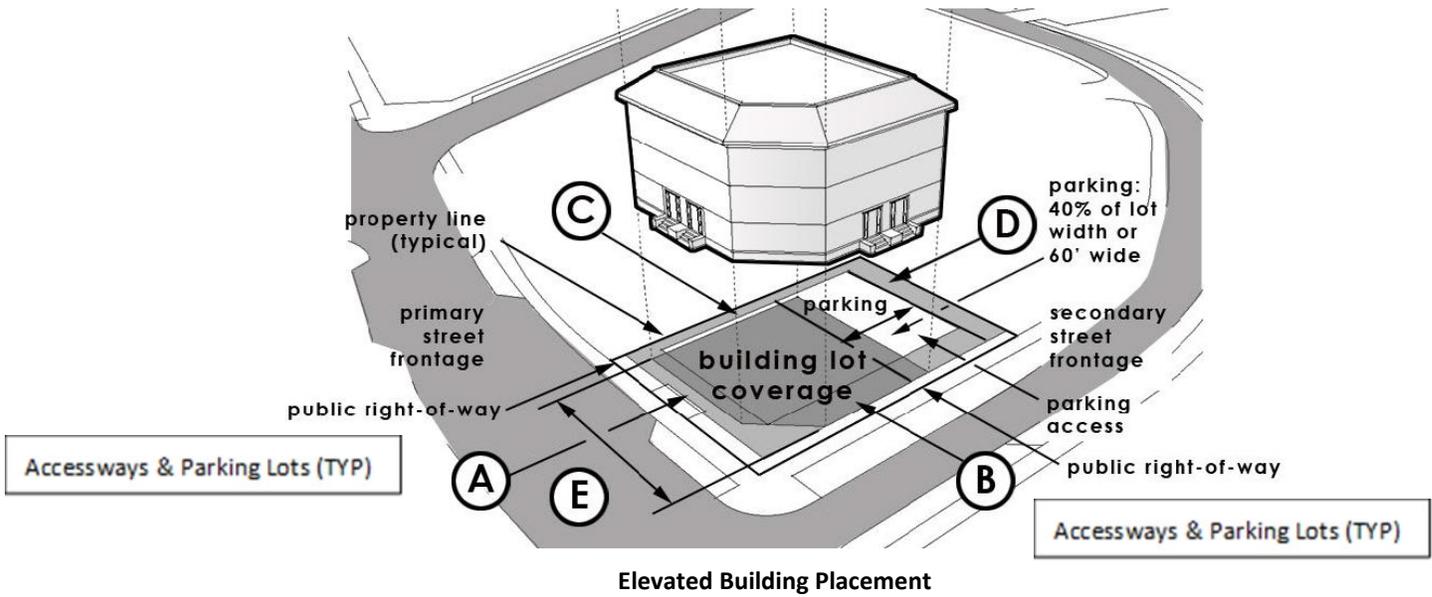


Characteristic Features

- More public and private realm interaction
- Front facade detailing
- Small front yards
- Bay windows
- Neighborhood scaled storefronts with large windows
- Frontage Fences
- Street Trees
- Moderate densities

(Ord. No. 04-03072016, 5-16-2016)

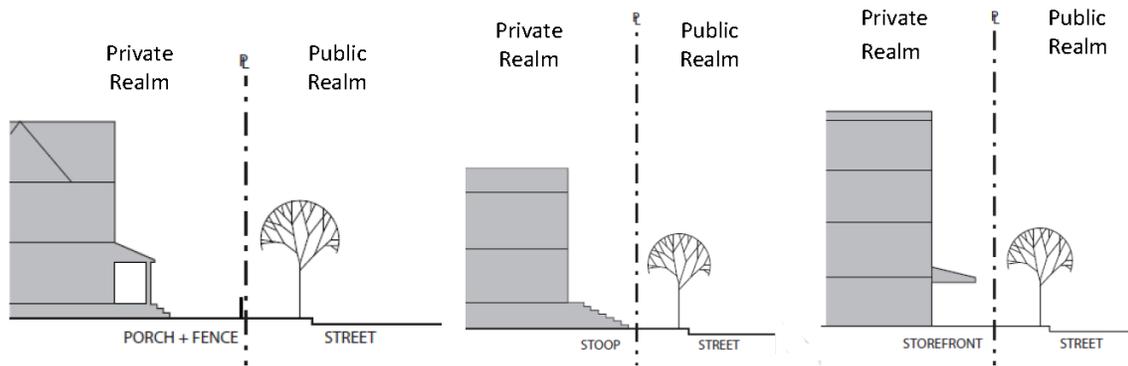
Sec. 60-549.1. Building placement and configuration T-4.2.



PRINCIPAL BUILDING PLACEMENT:		
Front Setback, Principal:	5 ft. Min/, 15 ft. Max	(A)
(Corner Lot) Front Setback, Secondary:	5 ft. Min., 15 ft. Max.	(B)
Side Setback:	5 ft. Min.	(C)
Rear Setback:	10 ft. Min.	(D)
Building Lot Coverage:	70% Max.	
Useable Open Space:	10% Min.	
Frontage Build-Out:	60% Min (along Front Setback, Primary)	
Lot Width:	24 ft. Min, 120 ft. Max.	
PRINCIPAL BUILDING CONFIGURATION:		
Building Width:	14 ft. Min., 110 ft. Max.	(E)
Building Height Minimum:	1 Story Min.	(F)
Building Height Maximum:	3 Story Max.	(F) (excluding attic story)

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60.549.2. Building frontages T-4.2.



Common or Porch Yard Stoop Yard Frontage Storefront Type

BUILDING FRONTAGE TYPES:	Common Yard; Porch Yard, Stoop and Storefront
BUILDING ENTRIES:	Primary entry door is encouraged along ground story facade facing a primary street.
BUILDING ENVELOPE ARTICULATION:	
Ground Story Building Frontage Facade:	<u>Residential</u> - Windows and doors shall comprise a minimum of 25% and maximum 60% coverage of the total ground story frontage facade. <u>Commercial</u> - Windows and doors shall comprise a minimum of 40% and maximum of 90% coverage of the total ground story frontage facade.
Upper Story Building Frontage Facade:	Windows and doors shall comprise a minimum of 20% and maximum 40% coverage of the total upper story building frontage facade.

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(Supp. No. 21)

Ground Story Finished Floor Elevation:	<u>Residential</u> - The ground story elevation must be a minimum of 2 feet minimum and 6 feet maximum above the front yard elevation (average grade). <u>Commercial</u> - The ground story elevation must be at a minimum of sidewalk grade to maximum of 2 feet.
Frontage Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 66, 3-15-2021)

Sec. 60-549.3. External elements T-4.2.

Front Yard Fence:	<u>Residential</u> - A front yard fence a minimum of 2 feet and a maximum of 4 feet in height is encouraged to maintain spatial edge of street. No chain link, vinyl, split rail, or barbed wire is allowed
Front Yard Fence/Wall Opening:	A vehicle entry way, as part of a front fence/wall, shall be a maximum width of 20 feet; a pedestrian entry way shall be a maximum width of 6 feet.
Building Projections:	No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
Porch & Stoop Encroachments:	Porches & Stoops may encroach upon the minimum front setback line by the following distances: Front Setback, Principal Frontage 5 ft. maximum. Front Setback, Secondary Frontage 5 ft. maximum.
Garages:	Detached garages shall be located a minimum of 20 feet from any street right-of-way.
Driveways:	Driveways are encouraged to be on the secondary street frontage. Driveways shall be paved and a minimum of 8 feet wide and a maximum of 20 feet wide.
Parking:	<u>Residential</u> - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk. <u>Commercial</u> - Parking shall be located to rear of the property to the greatest extent possible. Parking on a side yard is limited to no more than 60 feet wide or 40% of the lot width. Screening and/or street wall is required for parking areas along a street.
Accessory Structures:	Accessory structures shall be located a minimum of 20 feet from any street right-of-way and 5 feet from either side or rear property line.
Landscaping:	Landscaping is encouraged but shall not extend into any street right-of-way or sidewalk. Street trees are encouraged.
Foundation Planting:	Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.

Sec. 60-553. Intent.

The conservation/open space district is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses. Uses that involve significant development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no practical alternative.

(Ord. No. 30-06212021, 7-19-2021)

Sec. 60-554. Form based code use and parking matrix.

Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU	Dwelling unit
=	

USE(1)	T-4.1	<u>T-4.2B</u> <u>(4,5)</u>	T-4.2	T-5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use							
Single Family	P	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	<u>S</u>	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	X	S	S	P	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
Community Based Residential Facilities	P	<u>S</u>	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/ Lodginghouse	P	<u>S</u>	P	P	S	X	1 sp/guestroom plus
							1 sp/employee
Office/Service Type Use							
Professional Offices	S	S	S	P	P	P	None
Medical and Dental Clinics	S	S	S	P	P	P	None
Personal Services	S	<u>S</u>		P	P	P	None

Retail Type Use							
General Retail	S	<u>S</u>	S	P	P	P	None
Age Restricted Retail (3)	S	<u>X</u>	S	S	S	S	None
Specialty Shops	S	P	P	P	P	P	None
Restaurant up to 30 seats w/16 outdoor	X	S	S	P	P	P	None
Restaurant over 30 seats w/16 outdoor		<u>X</u>	S	S	P	P	None
Halls, Private Clubs, Indoor Amusement	S	S	S	S	P	P	None
Artist Studios, Performing Art Center	S	<u>S</u>	S	P	P	P	None
Civic							
Church or Places of Worship	S	S	S	P	P	P	None
Government Offices	X	<u>S</u>	X	P	P	P	None
Art Galleries	S	P	P	P	P	P	None
Transportation Facilities	X	X	X	S	S	S	None
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	S	None

Notes:

- (1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.
- (2) *Parking requirements in **T-4.1 T-4.2, T-4.2B**, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within **500** feet of the principal building, subject to planning board approval.
- (3) Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.
- (4) Office, Service and Retail uses limited to 1,500 SF footprint and must have a residential unit, with drive- through access not allowed.**

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 07-05202019, 6-3-2019; Ord. No. 29-06212021, 7-19-2021)

Subdivision II. Form Based Code Administration

Sec. 60-555. Form based code administration.

Form based code relation to zoning ordinance:

- (1) The form based code shall regulate areas designated as form based code districts.
- (2) All buildings and land uses located within a form based code district shall comply with section 60-33 et seq. (General Provisions) unless specifically stated otherwise in sections 60-546 to 60-558 of the form based code.

-
- (3) Site plan/special exception. Any project located within a form based code district that requires special exception or site plan review shall comply with section 60-45.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-556. Form based code plan types.

(a) *Administrative types.*

- (1) *By right.* No permits are required for projects such as normal maintenance or for new structures under 200 square feet.
- (2) *Minor administrative.* Projects that require permits and comply with all form based code or zoning regulations, may be approved and permitted by the appropriate city departmental staff and will not require multiple departmental or planning board approval. These projects can be applied for at any time.
- (3) *Major administrative.* Projects that do not qualify as a Subdivision. Special exception or site plan review type plans and comply with all form based code or zoning regulations, but due to multiple issues, will require review by the multiple city departmental staff.

(b) *Discretionary type plans.* The following plan types shall require review and action by the planning board.

- (1) Subdivisions of three or more lots over a five-year period or a project creating more than three dwelling units. (Subdivision Review).
- (2) Any project listed as special exception or "S" in section 60-554, Use and Parking Matrix Chart. (Special Exception and Site Plan Review).
- (3) Any project within the form based code district proposing a total of 12,000 square feet of new construction, all floors included. (Special Exception and Site Plan Review).
- (4) Any amendment to an existing discretionary plan that increases existing square footage more than 25 percent.
- (5) Any project located within the form based code district area that seeks a waiver from the adopted form based code regulating development standards shall submit a complete Special Exception and Site Plan Review application for Planning Board review and action.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-557. Applicability.

- (a) Any minor, major administrative type plan and/or discretionary plan, as defined in section 60-556, located within a form based code district, shall be required to submit a development review application prior to any issuance of building permits or development activity.
- (b) Any development activity on or within property located with the form based code district shall be reviewed for compliance with applicable form based code or zoning ordinance regulations.

(Ord. No. 04-03072016, 5-16-2016)

Sec. 60-558. Form based code development application procedure.

(a) *Administrative type plan application process.*

-
- (1) Applicant identifies the subject property's zoning/transect district and determines what plan type the project is.
 - (2) Applicant reviews the project's compliance for form based code development standards, sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance Regulations.
 - (3) Pre-development consultation. All administrative type plan applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the property's form based code or zoning district and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.
 - (4) Any minor or major administrative plan or discretionary plan applicant in a form based code district shall complete and submit a cover letter describing the project, a development review application, a form based code development checklist and the appropriate application fee and number of applications to the planning office.
 - (5) All form based code applications will be reviewed by the planning staff for completeness and applicant will be notified within five working days if the plan is deemed complete and whether the plan is administrative or discretionary. The applicant is responsible for working with the planning staff to correct any deficiencies needed to be accepted for further review.
 - (6) Type 2 and 3 administrative plans will be reviewed by the appropriate city departmental staff or other relevant agencies who will recommend approving, disapproving or postponing to allow for time to correct the application. The director of planning will notify the applicant of the decision in writing within 15 calendar days of its receipt of a completed application.
 - (7) The director of planning shall have the authority to require an administrative plan to be considered by the planning board and notify the applicant the justifications for doing so.
- (b) *Discretionary project application process.*
- (1) Applicant identifies subject property's zoning/transect and determines what plan type the project is.
 - (2) Applicant reviews the project's compliance for the applicable form based code development standards sections 60-548 through 60-552; including all sections on purpose, building placement and configuration, building frontages, external elements, lot layout, the Parking and Use Matrix Chart and administration; along with any other applicable zoning ordinance regulations.
 - (3) Pre-development consultation. All potential development and project applicants are encouraged to contact the Auburn Planning Office for a pre-development consultation to confirm the form based code or zoning regulations and discuss the form based code requirements and related zoning and/or other regulatory items. Failure to consult with the planning office may result in the delay of acceptance, review and approval of the application.
 - (4) Discretionary plan applicants will submit; a development review application, a form based code development checklist the appropriate application fee and number of applications to the planning office for review and consideration by the planning board according to their normal submission deadline and meeting schedule.
 - (5) Applications not meeting all the requirements of the form based code may include waiver as per section 60-1312 or variance requests as part of their application.
- (c) *Waiver requests.*

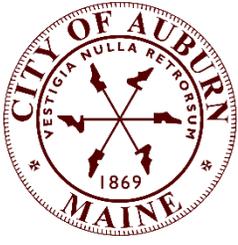
-
- (1) Any waiver request of form based code standards and requirements must identify what is regulation is being requested for the waiver and include a narrative explaining how the waiver, if approved, will allow the project to meet the purpose of the form based code and the objective of section 60-1277, site plan review.

(d) *Planning board approval.*

- (1) The planning board shall approve, approve with conditions, disapprove or postpone based on its review of the application meeting all existing requirements, conditions, criteria and provisions of special exception, site plan review. Subdivision law and any other relevant procedural requirement of Chapter 60, Zoning, as part of its consideration of a form based code application.
- (2) The planning board shall provide findings for approval or disapproval based on the application's meeting the purpose of the form based code.

(Ord. No. 04-03072016, 5-16-2016; Ord. No. 11-03012021, § 41, 3-15-2021)

Secs. 60-559—60-576. Reserved.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 01, 2022

Order: 109-008012022

Author: Alison F. Pepin, Deputy Clerk

Subject: Liquor license approval for Make Dough, LLC, DBA Otto Auburn

Information: Make Dough, LLC, DBA Otto Auburn, a new business located at 730 Center Street applied for a Liquor License. Police, Fire, and Code have completed the necessary inspections and have granted approval. There are no outstanding taxes owed.

City Budgetary Impacts: None

Staff Recommended Action: Public Hearing and recommend passage.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

- Applications
- Public Notice
- Order



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

TELEPHONE: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: maineliquor@maine.gov

Thank you for your interested in becoming a licensed establishment to sell and serve alcoholic beverages in Maine. To avoid any delay in the processing of your application and the subsequent issuance of your liquor license, please use the following checklist to assist you in completing the application. If you are renewing your license, this checklist is useful as well.

- Your application has been completed in its entirety and is legible. For a renewal, please submit your application 30 days prior to the expiration date of your liquor license.
- Your application is signed and dated by a duly authorized person.
- The application is signed and approved by the Town or City Municipal Officers or County Commissioners.
- The license fee submitted is for the correct fee for the license class for which you are applying and includes the \$10.00 filing fee.
 - The check must be made payable to "Treasurer, State of Maine"; both the license and filing fees can be submitted on one check.
 - If the licensee/applicant(s) is in an unorganized township, the application must be approved by the County Commissioners and the \$10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
- For a renewal, the dollar amount of your gross income for food, liquor and guest rooms, if applicable must be completed – see Section I.1
- A diagram of the facility to be licensed must accompany **all** applications whether for a new license or the renewal of an existing license
- If you are a registered business entity with the Maine Secretary of State's office like a corporation or a limited liability company, you must complete Section VII of the application. This does not need to be completed if you are a sole proprietor.
- Have you applied for other required licensing from other state and federal agencies? See attached list.

Important – all applications whether for a new license or to renew an existing license for an on-premises liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places to have their application approved and signed prior to submitting it to the Bureau for further consideration.

The address to send your completed application to:

1. Mailing address:
 - Bureau of Alcoholic Beverages and Lottery Operations
 - Division of Liquor Licensing and Enforcement
 - 8 State House Station
 - Augusta, ME 04333-0008
2. Courier/overnight address:
 - Bureau of Alcoholic Beverages and Lottery Operations
 - Division of Liquor Licensing and Enforcement
 - 19 Union Street, Suite 301-B
 - Augusta, ME 04330

The following licenses/permits may be required prior to be licensing as an on-premises licensee with the Bureau

Obtained	License/Permit	State/Federal Agency to Contact	Telephone Number	Physical Location
✓				
✓	Seller Certificate or Sales Tax Number	Maine Revenue Services www.maine.gov/revenue	(207) 624-9693	51 Commerce Dr, Augusta
✓	Health License	Health and Human Services www.maine.gov/dhhs	(207) 287-5671	286 Water St, 3 rd floor, Augusta
✓	Victualer's License	Municipality where premise is located.	Contact your town office or county office	Contact your town office or county office
	Shellfish License	Marine Recourses www.maine.gov/dmr	(207) 624-6550	<ul style="list-style-type: none"> • 32 Blossom Lane, Augusta • 194 McKown Point Rd, West Boothbay Harbor • Lamoine State Park, Lamoine • 650 State St, Bangor • 317 Whitneyville Rd, Jonesboro
	Dance or Entertainment License	Fire Marshall's Office www.maine.gov/dps/fmo	(207) 626-3882	45 Commerce Drive, Suite 1, Augusta
✓	Federal I.D. Number	www.irs.gov	(800) 829-4933	
✓	Legal business names for corporations and limited liability companies and "Doing Business As" Names (assumed names)	Secretary of State, Bureau of Corporations, Elections and Commissions www.maine.gov/sos/cec	(207) 624-7752	111 Sewall St, 3 rd Fl, Augusta
	Retail Beverage Alcohol Dealers Permit	Alcohol and Tobacco Tax and Trade Bureau (TTB) https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers	(877) 882-3277	

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

22 Hawthorne St #2 Portland, Maine 04103

6. Is the licensee/applicant(s) citizens of the United States? Yes No

7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes No

Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? Yes No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Maize Dough LLC dba Otto Curhan	RES-2021-13742	109 Main St Unit C Curhan, Maine 04038

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Gregory J Ingrad	10/28/89	Warren, MI
Brendan Medeiros	02/03/91	Fall River, MA

Residence address on all the above for previous 5 years

Name Gregory J Ingrad	Address: 22 Hawthorne St #2 Portland, Maine 04103
Name Gregory J Ingrad	Address: 9 Willis St Portland, Maine 04101
Name Brendan Medeiros	Address: 10 Swan St Portland, Maine 04102

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: Gregory Ingrad Date of Conviction: 11/3/2012

Offense: drug possession Location: Michigan

Disposition: probation

16. Has the licensee/applicant(s) formerly held a Maine liquor license? Yes No

17. Does the licensee/applicant(s) own the premises? Yes No

If No, please provide the name and address of the owner:

EVP Auburn LLC 49 Lexington St, Ste 5 West Newton MA
02465

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

restaurant serving pizza, salads, appetizers, desserts, soft drinks, beer, wine

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Grace Community Church

Distance: 1.3 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 06/08/2022

[Signature]
Signature of Duly Authorized Person

[Signature]
Signature of Duly Authorized Person

Gregory J Ingra
Printed Name Duly Authorized Person

Brendon Medeiros
Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? Municipal Officers of _____

County Commissioners of _____ County

Please Note: The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

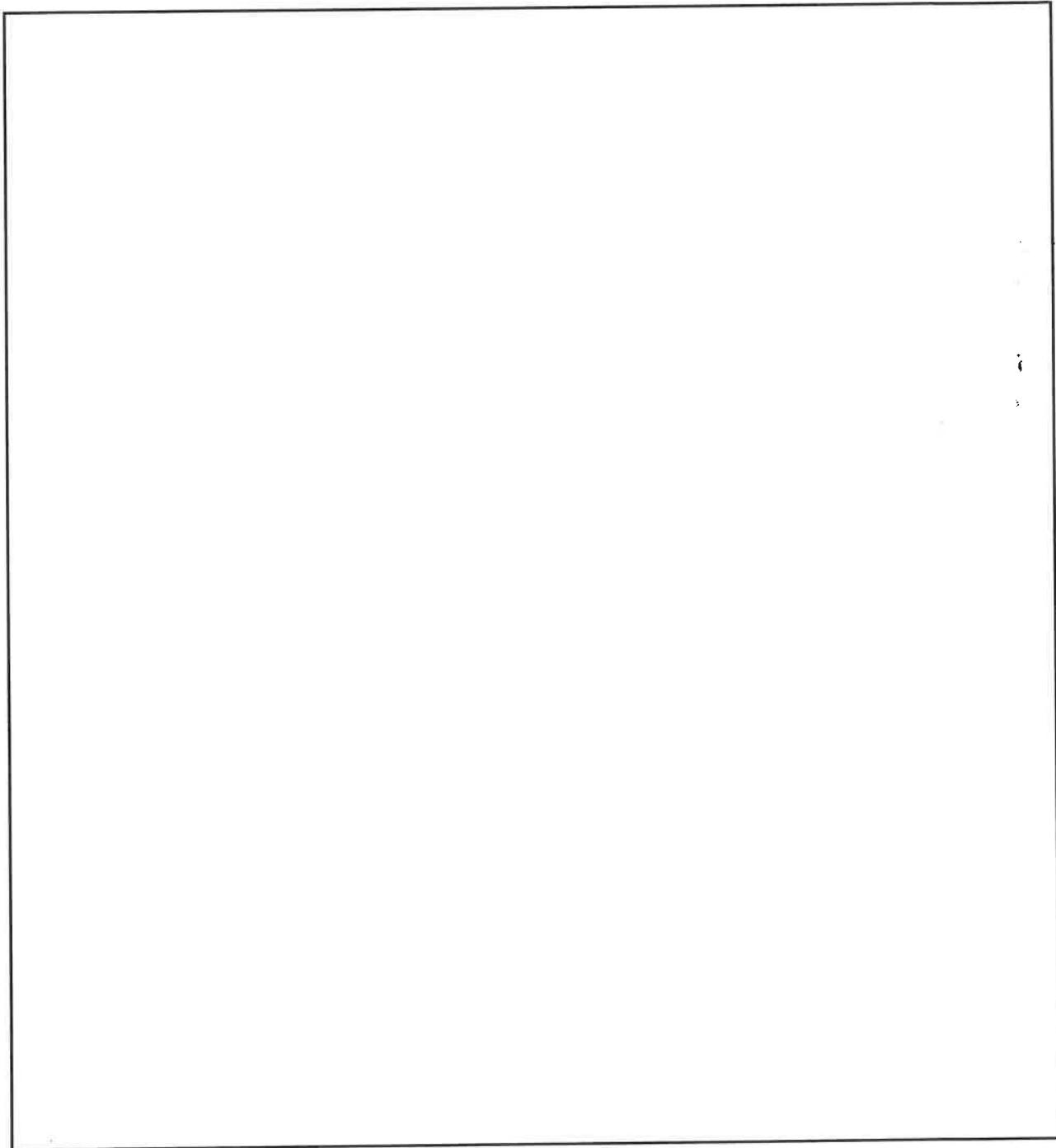
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan *See attached*

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Make Dough LLC
2. Doing Business As, if any: Otto Auburn
3. Date of filing with Secretary of State: 02/18/2021 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Gregory J Ingrað	22 Hawthornest #2 Portland, Maine 04103	10/28/89	partner	50
Brendan Medeiros	10 Swan St Portland, Maine 04102	03/91	partner	50
Gregory J Ingrað	9 Willis St Portland, Maine 04101			

(Ownership in non-publicly traded companies must add up to 100%.)

ServSafe

ServSafe® CERTIFICATION

GREGORY INGRAO

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)-Conference for Food Protection (CFPI).

16300084
CERTIFICATE NUMBER

5338
EXAM FORM NUMBER

4/5/2018
DATE OF EXAMINATION
Local laws apply. Check with your local regulatory agency for recertification requirements.

4/5/2023
DATE OF EXPIRATION

Shera Brown
Shera Brown
Executive Vice President, National Restaurant Association Solutions



ANSI
ACCREDITED
AMERICAN NATIONAL STANDARDS INSTITUTE

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17110813

4/1/11

Contact us with questions at 233 S. Wacker Drive, Suite 3000, Chicago, IL 60606-6383 or ServSafe@restaurant.org



congratulations!

This card certifies that you have successfully completed the TIPS (Training for Intervention ProcedureS) program. We value your participation and dedication to the responsible sale, service, and consumption of alcohol.

By using the techniques you have learned, you will help to provide a safer environment for your patrons, peers, and colleagues and reduce the tragedies resulting from intoxication, underage drinking, and drunk driving.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 800-438-8477.



Sincerely,

A handwritten signature in black ink, which appears to read "Adam Chafetz".

Adam F. Chafetz
HCI President

ID#: 5218773 Name: Gregory J Ingrao
Exam Date: 10/17/2019 Expiration Date: 10/17/2022



eTIPS On Premise 3.0

CERTIFIED

Issued: 10/17/2019
ID#: 5218773

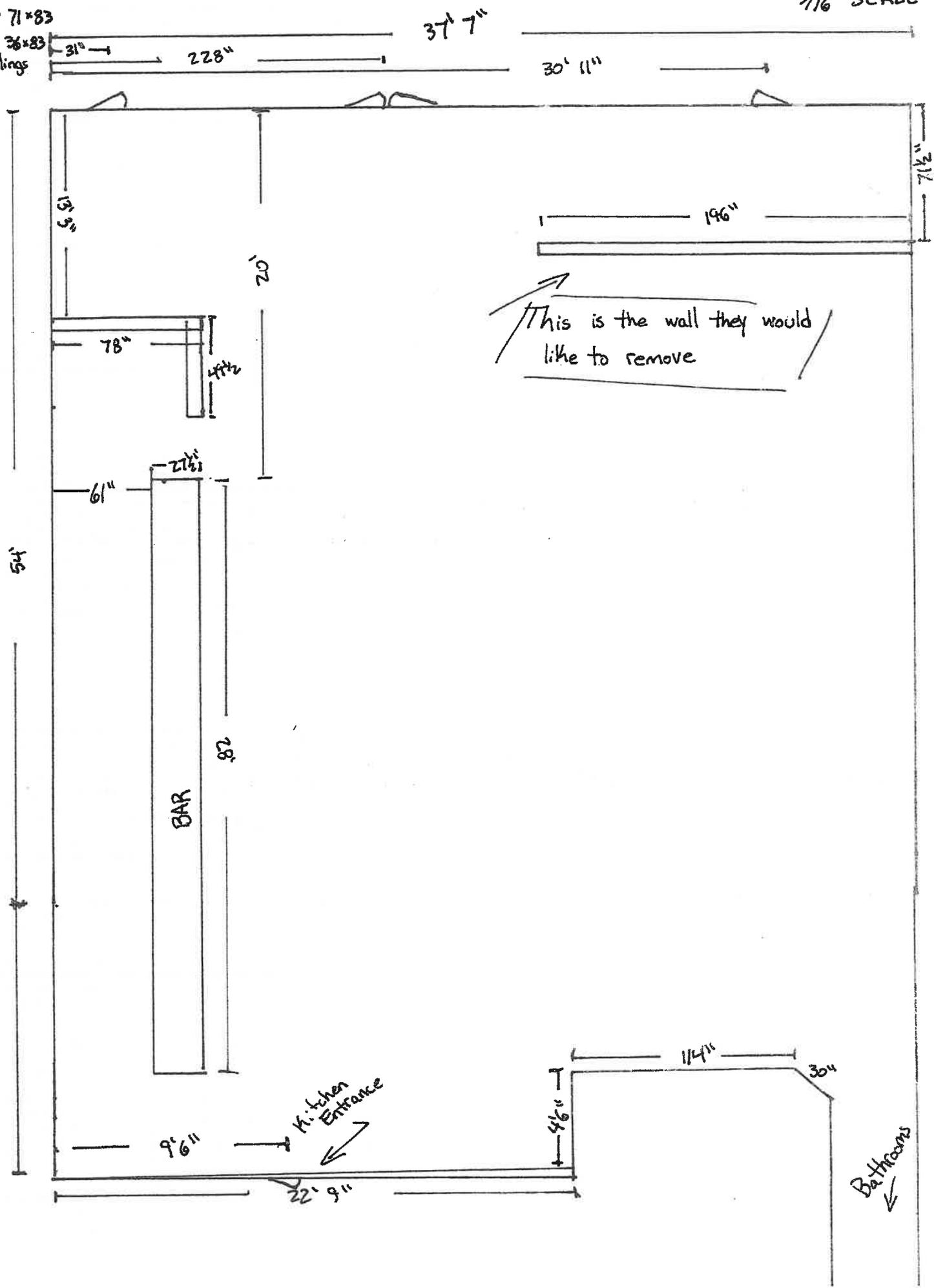
Expires: 10/17/2022

Gregory J Ingrao
Otto Pizza
576 Congress St
Portland, ME 04101-3311

For service visit us online at www.gettips.com

2- 71x83
3- 36x83
Ceilings

116 0600

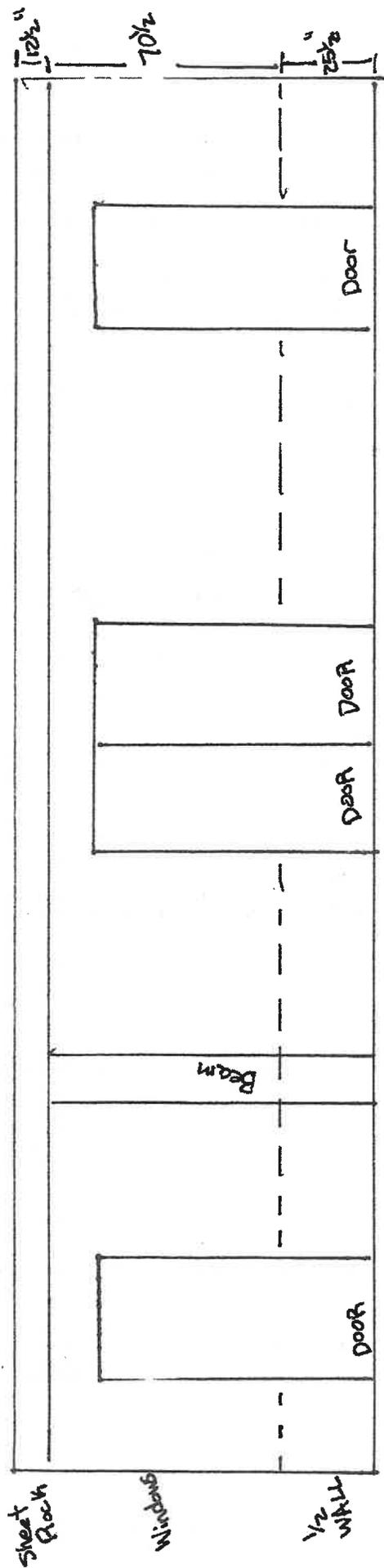


This is the wall they would like to remove

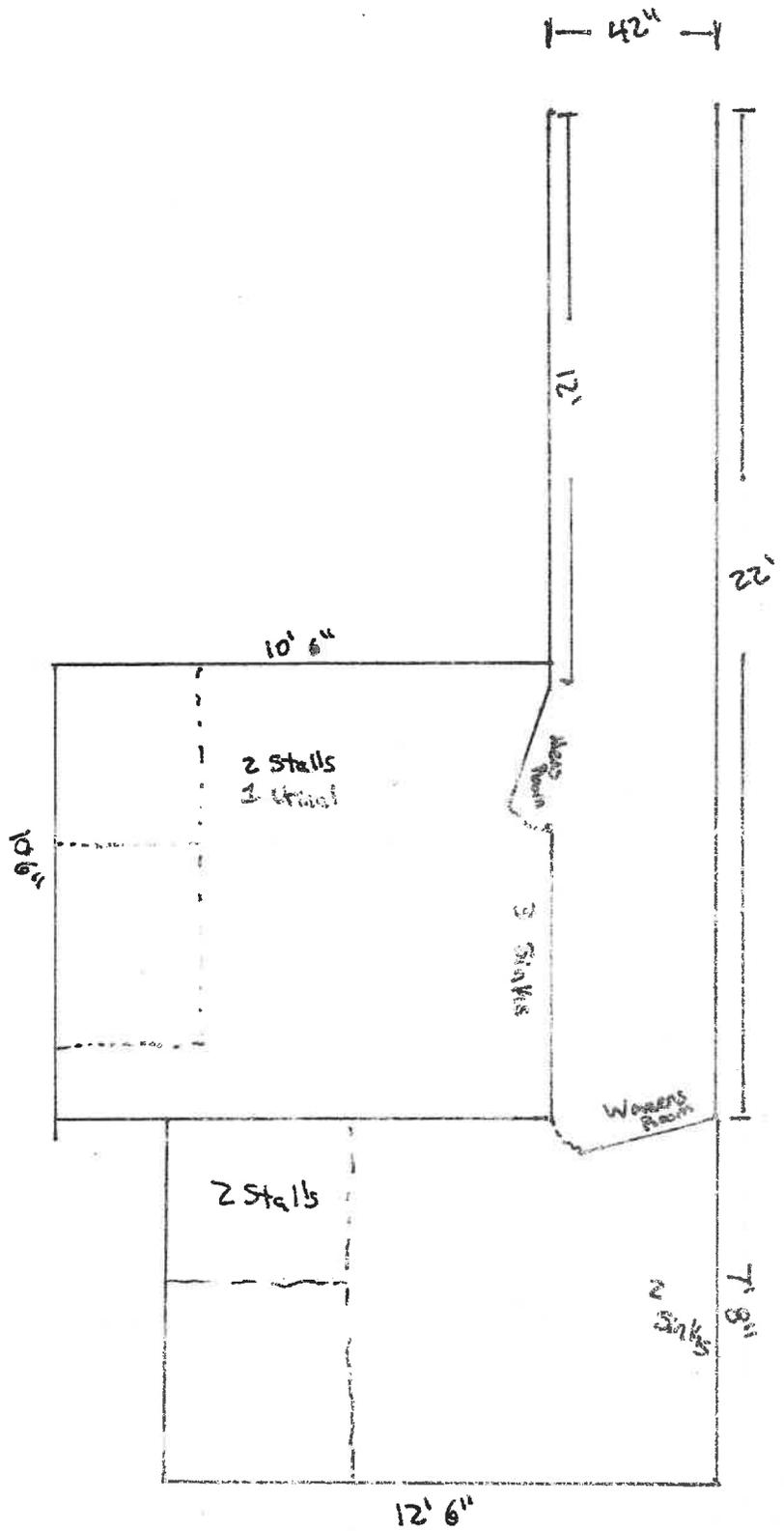
Kitchen Entrance

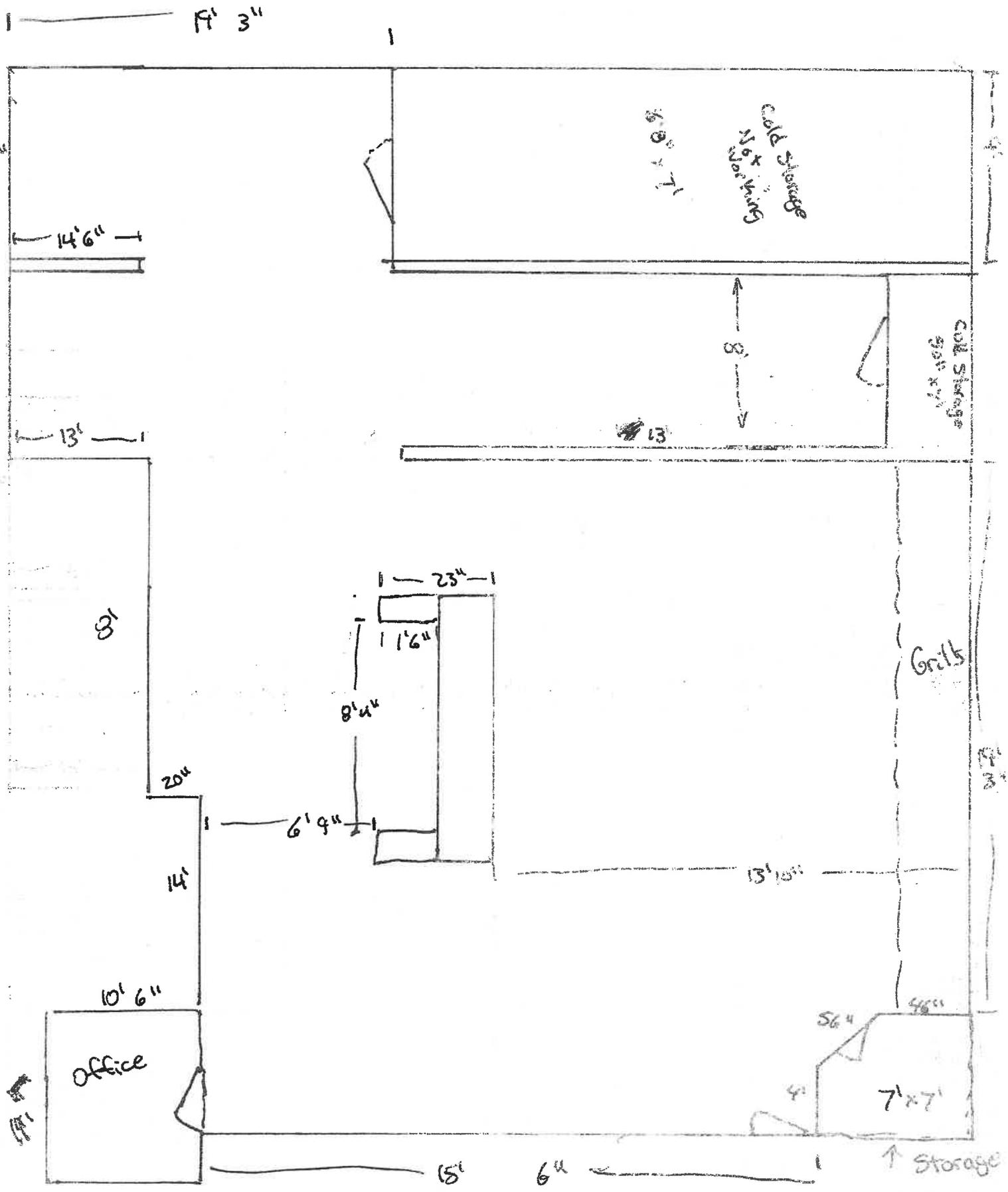
Bathrooms

BUILDING FACE



unimpaired







MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

DENISE SPOONER
60 COURT STREET
AUBURN, ME 04210

Transaction Response #: MIQ99F192888

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2022-06-13) :

Inquiries Name(s) BRENDON MEDEIROS (1991-02-03)

NO MATCH WAS FOUND FOR YOUR REQUEST.



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE)

DENISE SPOONER
60 COURT STREET
AUBURN, ME 04210

Transaction Response #: MIQ99F192889

Criminal History Record

Introduction

This criminal history record was produced in response to the following request (Produced on 2022-06-13) :

Inquiries Name(s) GREGORY J INGRAO (1989-10-28)

NO MATCH WAS FOUND FOR YOUR REQUEST.



CITY OF AUBURN

BUSINESS LICENSE APPLICATION

Business Name: Otto Auburn

Office of the City Clerk
60 Court St, Auburn,
ME 04210
207.333.6600
www.auburnmaine.gov

NEW RENEWAL Expires: _____

Please check the boxes for all licenses you are applying for:

Please Note: All real estate and personal property taxes related to the business must be current before a license can be issued.

There is a late fee of \$50.00 for renewals that are 30-45 days late, \$100.00 for more than 46 days late, and \$200.00 for reoccurring

Food Service Establishments:

*FSE Mobile Food distribution Unit (12 mths) ...\$100
Not to be located less than 200 ft from nearest food service establishment. Please include a letter from property owner authorizing use of location.

*FSE Serving Malt, Vinous & Spirituous Liquor (FSE Class I) \$500

Public hearing required for new license- \$100 fee
Background check must also be included.

*FSE Serving Malt and/or Vinous (FSE Class III & IV)..... \$400

Public hearing required for new license- \$100 fee
Background check must also be included.

*Class A Lounge Serving Malt, Vinous & Spirituous Liquor (Class X) \$1000
(Plus, actual cost of advertising hearing)

Public hearing required for new license - \$100 fee.
Background check must also be included.

* FSE (On/Off), no Alcohol.....\$200
Includes Prepackaged Foods

*Bottle Club/BYOB..... \$200

Public hearing required for new license- \$100 fee
Background check must also be included.

*Temp FSE (Per event max 30 days).....\$60

*All above licenses: include copy of floor plan, menu/
draft menu, certified food handler certificate and a copy of
all State licenses applicable.

FSE Off Premise/Retailer-Malt Liquor/Table
Wine..... \$200

Other Business Licenses Applying for:

*Special Amusement\$125
Public hearing required for new license- \$100 fee
Please fill out supplemental questionnaire (pg. 4).

*Pawnshop/Pawn Broker\$100

*Secondhand Dealer..... \$100

*Massage Establishment/Therapist..... \$150
State license #: _____

Please also include 2 copies of a passport size photograph taken within 30 days of application date (annually), copy of current State license and copy of government issued identification.

*Tattoo Artist..... \$100

*Above licenses: Each applicant for a license shall provide a copy of a criminal background check (to include all present and former names) dated not more than 3 days prior to submission of application. You can do it yourself on-line here: <http://www5.informe.org/online/pcr/>

Bowling Alley (fee per lane)
\$85 # Of lanes: _____

Roller Skating Rinks with Part/Full Kitchen...\$90

Coin-op Devices (fee per device).....
Up to 10 devices..... \$50 Ea
10 or more devices.... \$30 Ea
of devices: _____ Total Amt _____

Lodging House, Boarding House, Rooming Houses, Hotels, Motels, etc..... \$100

Seating: 80 Occupancy load: 80

LICENSING FEE(S) TOTAL DUE: \$ 600

Otto Pizza, Auburn

unit 23

NAME OF BUSINESS: Make Dough LLC BUSINESS ADDRESS: 730 Center St Auburn
 BUSINESS MAILING ADDRESS: 22 Hawthorne St #2 Portland Maine 04103
 OWNER'S NAME (LOCAL/ONSITE): Greg Ingrao DOB: 10/28/89 PHONE: 207-209-0317
 OWNER'S ADDRESS: 22 Hawthorne St #2 Portland MAILING ADDRESS: 22 Hawthorne Dr #2
Portland, Maine 04103
 PREFERRED EMAIL: gregi@ottopotland.com
 MANAGER'S NAME: Greg Ingrao PHONE # 207-209-0317 DOB: 10/28/89
 ACCOUNTANT
 PREFERRED CONTACT NAME: Robin Goodwin PHONE #: 207-420-1120
 EMAIL ADDRESS: robing@ottopotland.com
 DESCRIPTION OF BUSINESS: restaurant serving pizza salads, apps,
desserts, soft drinks beer wine liquor
 TYPE OF PREVIOUS BUSINESS AT ADDRESS (IF KNOWN): Jasmine Restaurant

FORM OF BUSINESS ORGANIZATION: Corporation Partnership Sole Proprietorship LLC Other
 (If a corporation, must include a copy of corporate papers for new licenses)

If a Corporation, Partnership or LLC, complete the following information of each owner (additional names may be listed on an attached sheet):

Name	Print Clearly Address Previous 5 years	Birth Date	% of Stock	Title
Greg Ingrao	22 Hawthorne Dr #2 Portland, ME 04103	10/28/89	50	owner
Brendon Medeiros	10 Swan St Portland, ME 04102	03/03/91	50	owner
Greg Ingrao	9 W. 11.5 St Portland, ME 04101			

OWNER OF BUILDING/UNIT: EVP Auburn LLC PHONE # 617-512-7452
 OWNER'S ADDRESS: 49 Lexington St, Ste 5 West Newton, MA 02465

HOURS OF OPERATION: Mon: 11-10 Tues: 11-10 Wed: 11-10 Thurs: 11-10
 Fri: 11-10 Sat: 11-10 Sun: 11-10

Has applicant(s) and/or manager 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 (If yes, complete the following)

Name: _____ Date of conviction: _____

Offense: _____ Location: _____

Disposition: _____

Include additional pages if needed.

THE OMISSION OF FACTS OR ANY MISREPRESENTATION 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.

There is a 14 day review period after receipt of a **completed** application. Incomplete applications will not be reviewed for approval and will be returned for completion. A business must not operate until approved by the required departments. Final approval and issuance of license will be from the City Clerk's Office.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

READ CAREFULLY BEFORE SIGNING

I, Greg Ingrad, Owner/Operator of the business, 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. I further stipulate that I am aware that deliberate falsification of the information herein shall be sufficient cause for denial of a license to operate the business. This application is accurate and true to the best of my knowledge.

Applicant Signature: [Signature]

Date: 6/8/2022

FOR OFFICE USE ONLY

REPORT OF INSPECTING OFFICERS:

<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	FIRE INSPECTOR <u>DD 7/25</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	CODE ENFORCEMENT OFFICER <u>KB 7/25</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	POLICE <u>BS 6/14</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	FINANCE <u>NB 6/14</u>

Comments:

* inspections from code & fire

Application date: <u>6/13/22</u>	License issued on: _____
Fees paid: License fee(s) <u>500</u>	Public hearing fee <u>100</u> Background fee _____ Late fee _____
Total amount paid = \$ <u>600</u>	<u>ck # 2170</u>



BEGIN

House-made Meatballs 8²⁵
pork & beef, in pomodoro sauce

Two-Cheese Garlic Sticks 6⁴⁹
asiago and mozzarella breadsticks, with pomodoro sauce (or house-made ranch or blue cheese +1²⁵)

SALADS

Caesar 7²⁵
romaine, shaved parmesan, cracked pepper, Caesar dressing

House 6⁵⁰
Lettuce mix, tomato, cucumber, red pepper, red onion, with red wine vinaigrette

Seasonal Salad Special 8²⁵

DESSERTS

Tiramisu 5¹⁰
house-made

OTTO Cookie 1³⁰
house-made Chocolate Chip

PIES

● = pies with tomato sauce

CHEESE

OTTO Four Cheese 14/22⁵⁰
ricotta, fontina, asiago, mozzarella

Three-Cheese Tortellini ● 13/18⁵⁰
ricotta, asiago, mozzarella

Cheese ● 11⁷⁵/16⁵⁰

VEG

Butternut Squash, Ricotta & Cranberry 14/22⁵⁰

Margherita 13/20⁵⁰
fresh Roma tomatoes and basil

Buffalo Cauliflower, Scallion & Blue Cheese 14/22⁵⁰

Fresh Mushrooms & Roasted Cauliflower 14/22⁵⁰

Fresh Mushrooms, Manchego & Herb ● 14/22⁵⁰

Ricotta & Basil ● 13/20⁵⁰

Eggplant, Ricotta & Basil ● 14/22⁵⁰

Spinach, Kalamata Olive & Roasted Garlic ● 14/22⁵⁰

MEAT

"The Masher"
mashed potato, bacon & scallion 14/22⁵⁰

Pepperoni ● 13/18⁷⁵

Pepperoni & Fresh Mushrooms ● 13⁷⁵/20⁷⁵

Spicy Pulled Pork, Pepperoni, Bacon & Sausage ● 14/22⁵⁰

Spicy Pulled Pork with Scallion 13⁵⁰/21

Pulled Pork & Mango 13⁵⁰/21²⁵

Chicken & Basil ● 13/20⁵⁰

Sriracha Chicken & Avocado 14/22⁵⁰

Sausage & Vidalia Onion ● 13⁷⁵/20⁷⁵

Fresh Pineapple, Bacon & Hot Honey 14/22⁵⁰

Fresh Mushrooms, Bacon & Vidalia Onion 14/22⁵⁰

ASK ABOUT

MONTHLY
PIE
SPECIALS[®]

NEW

DOUBLE DOUGH Thick Crust Option: +2 per large pie

CREATE YOUR OWN

12" = 11⁷⁵ (+ 1⁵⁰ per topping)

16" = 16⁵⁰ (+ 2⁷⁵ per topping)

red pie unless otherwise specified

VEGAN OPTIONS

Vegan Cheese: 12" + 2²⁵, 16" + 4⁰⁰

Many pies can be made vegan with Violife vegan mozzarella flavor grated cheese. The following vegetable toppings are NOT vegan: butternut squash, roasted pear, and mashed potatoes.

12" GLUTEN-FREE CRUST PIZZA

13⁷⁵ (+ 1⁵⁰ per topping)

All pies available on gluten-free crust (with the exception of Three-Cheese Tortellini).

OTTO's gluten-free options are appropriate for guests with mild gluten sensitivity. However, they are not recommended for guests with celiac disease. We cannot guarantee that each handmade pizza does not contain trace amounts of gluten.

1/2 & 1/2 PIES: At OTTO, each signature pie is uniquely composed, from its base to its seasonings. Due to the nature of the compositions, the following signature pie combinations are not available as 1/2 & 1/2 pies: Butternut Squash, Ricotta & Cranberry and Mashed Potato, Bacon & Scallion. We are happy to compose 1/2 & 1/2 pies featuring our less involved combinations – although for best results, we recommend two small pies instead.

ServSafe

ServSafe® CERTIFICATION

GREGORY INGRAO

For successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)—Conference for Food Protection (CFP).

16300084
CERTIFICATE NUMBER

5338
EXAM FORM NUMBER

4/5/2018

DATE OF EXAMINATION
Local laws apply. Check with your local regulatory agency for recertification requirements.

4/5/2023
DATE OF EXPIRATION



ANSI
ACCREDITED
ASME Z399
Certification Body

Sherann Brown
Executive Vice President, National Restaurant Association Solutions

In accordance with Minimum Technical Competency 2006, Resolution ANSA N 006-2013 Regulation 3.2, Standard 9.1.1, and the National Restaurant Association Educational Foundation (NRAEF), All rights reserved. ServSafe® and the ServSafe logo are trademarks of the National Restaurant Association. This document cannot be reproduced or altered.
12/1/2011



Contact us with questions at 233 S. Wacker Drive, Suite 3600, Chicago, IL 60606-0383 or ServSafe@restaurant.org.

This is your official TIPS certification card. Carry it with you as proof of your TIPS certification.

Congratulations!

This card certifies that you have successfully completed the TIPS (Training for Intervention ProcedureS) program. We value your participation and dedication to the responsible safe, service, and consumption of alcohol.

By using the techniques you have learned, you will help to provide a safer environment for your patrons, peers, and colleagues and reduce the tragedies resulting from intoxication, underage drinking, and drunk driving.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 800-438-8477.



Sincerely,
Adam Chafetz
Adam F. Chafetz
HCI President

ID#: 5218773 Name: Gregory J Ingrao
Exam Date: 10/17/2019 Expiration Date: 10/17/2022



CERTIFIED

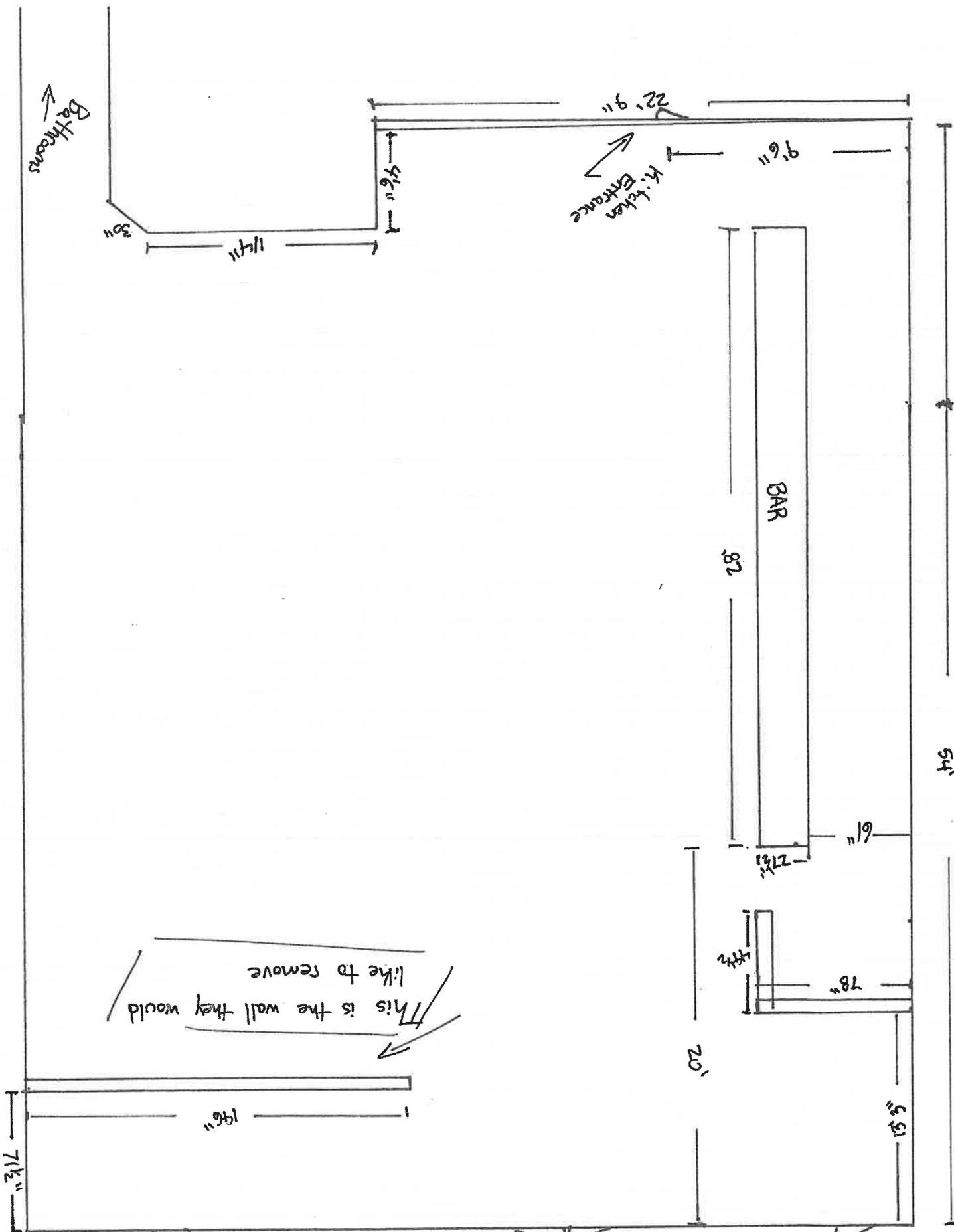
eTIPS On Premise 3.0

Issued: 10/17/2019 Expires: 10/17/2022
ID#: 5218773

Gregory J Ingrao
Otto Pizza
576 Congress St
Portland, ME 04101-3311

For service visit us online at www.gettips.com





3/16 SCALE

MICHAEL CORNIO

OLIVIA TORO

DOC 1-512x83
 OR 2-71x83
 OR 3-36x83
 + Ceiling

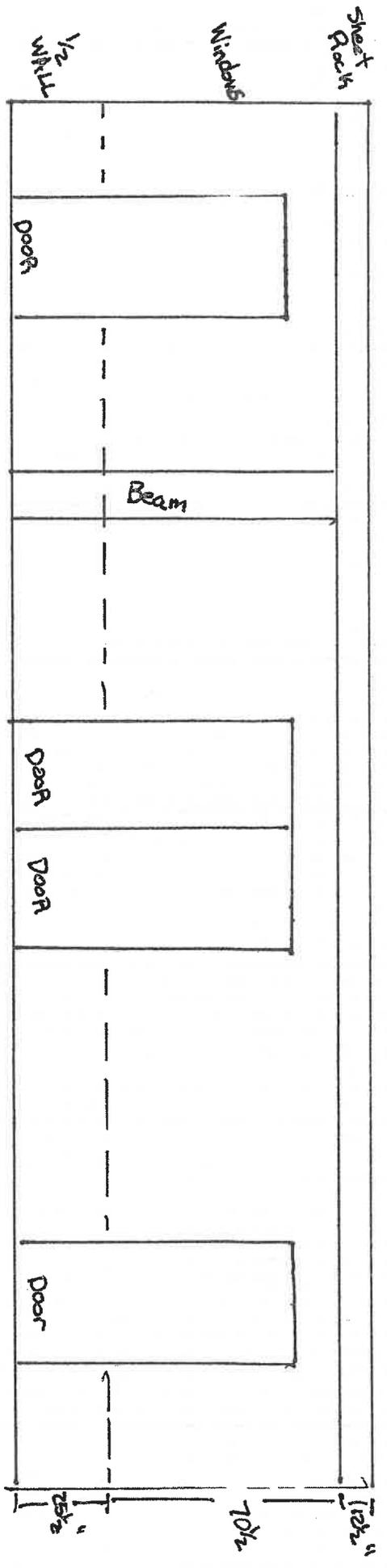
This is the wall they would
 like to remove

Kitchen Entrance

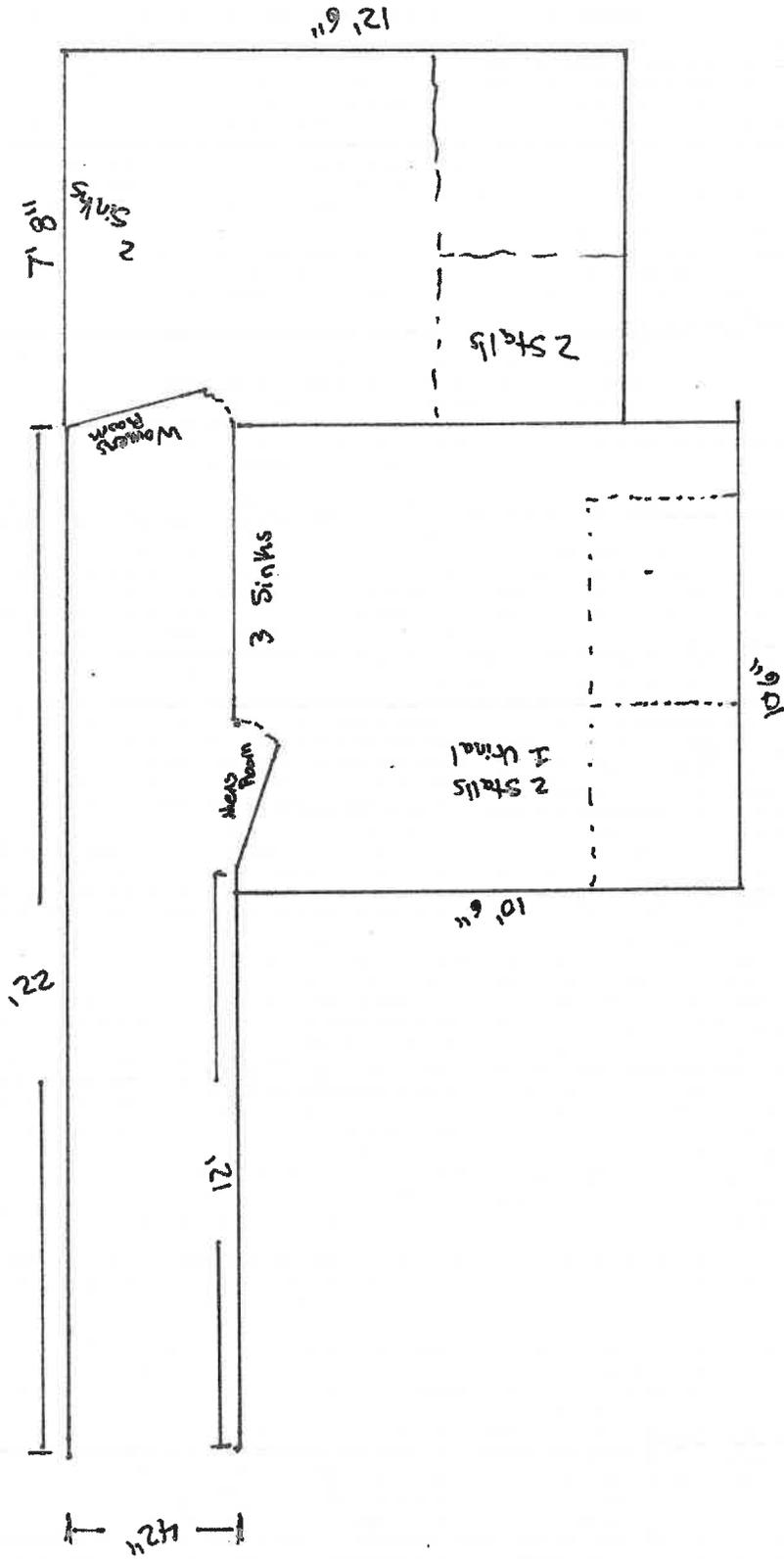
Bathrooms

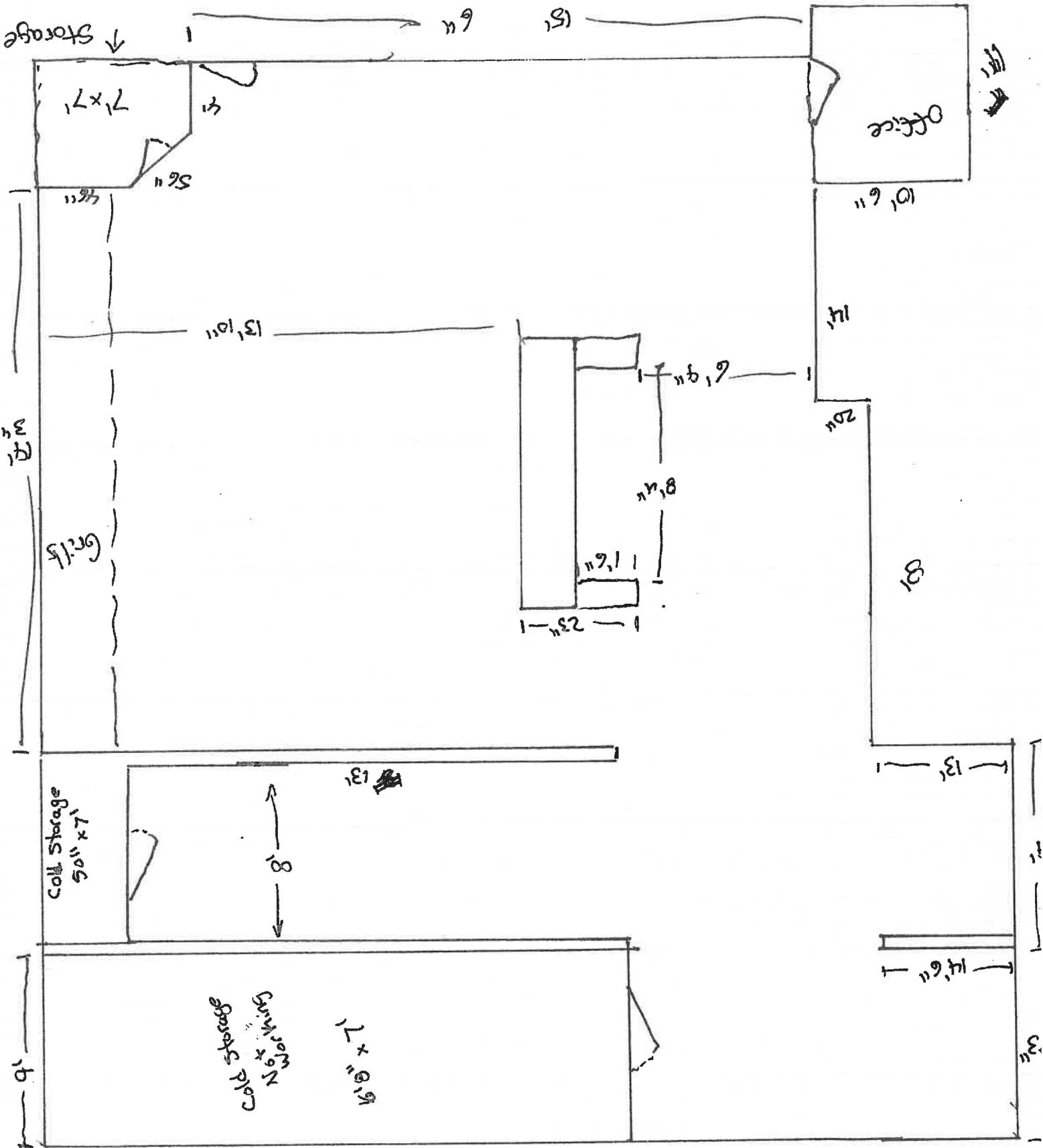
BAR

BUILDING FACE



BATHROOMS

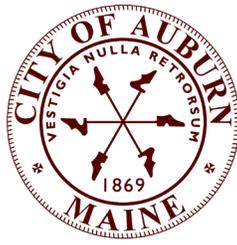




Kitchen - No Changes

CITY OF AUBURN NOTICE OF PUBLIC HEARING

A public hearing will be held by the Auburn City Council on August 01, 2022 at 7:00 p.m. or as soon as possible thereafter, in the Council Chambers of Auburn Hall, 60 Court Street, to consider the Liquor License application for: OTTO PIZZA, AUBURN – 730 CENTER STREET All interested persons may appear and will be given the opportunity to be heard before final action is taken.



ORDER 109-08012022

City Council Order

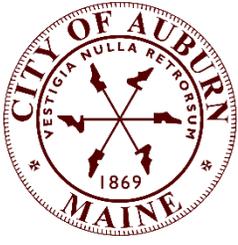
IN CITY COUNCIL

ORDERED, that the City Council hereby approves the Liquor License for Make Dough, LLC., Otto, Auburn located at 730 Center Street, Auburn, ME.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Order: 110-08012022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Auburn-Lewiston HOME-ARP Plan

Information:

The Auburn-Lewiston HOME Consortium was allocated \$1,700,829 from U.S. Department of HUD for the purpose of addressing Homelessness and housing insecurity. These funds are restricted to a “Qualified Population” as defined by HUD. This definition includes Homeless, those at-risk of becoming homeless, victims of domestic abuse and veterans.

In order to access these funds the Consortium had to complete a comprehensive assessment and consultation process. This plan codifies the recommendations from community and service provider input and establishes a 3 year budget and action plan for the use of these funds. Of the funds provided in aggregate to both cities, this plan establishes that 40% shall be spent on providing supportive services, 24% will be set aside for the development and operation of non-congregate shelters, 4% will provide additional funding for Sercirity Deposit assistance, 15% for the development of affordable housing, 5% for 3rd party non-profit operations and 12% for planning and administration of the grant.

City Budgetary Impacts:

Auburn’s share of the consortium allocation for HOME-ARP is \$914,195. These federal grant dollars cover staff salary/benefits as well as program activities for the Business and Community Development program.

Staff Recommended Action:

Vote to adopt the Auburn-Lewiston Consortium HOME-ARP Plan as presented.

Previous Meetings and History:

Public Hearing May 2, 2022

Public Comment Period July 14 – August 1, 2022

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

Auburn-Lewiston Consortium HOME-ARP Plan

Auburn-Lewiston HOME Consortium

HOME-ARP PY21 Allocation Plan



HOME-ARP Allocation Plan

Program Year 2021

Prepared by: Auburn-Lewiston HOME Consortium
July, 2022

This plan was created utilizing the HUD CPD template provided, including questions and tables, as well as the requirements for the HOME-ARP allocation plan, as described in Notice CPD-21-10: *Requirements of the Use of Funds in the HOME-American Rescue Plan Program*, unless noted as optional. Also submitted with this plan are the SF-424, and the related certifications. References to “ARP” mean the HOME-ARP statute at section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2).

Award Amount

The Auburn-Lewiston HOME Consortium (ALHC) is a Participating Jurisdiction (PJ) recognized by the US Department of Housing & Urban Development (HUD). The ALHC will receive \$1,700,829 in HOME-American Rescue Plan (ARP) funding. These funds are to be distributed by the city of Auburn to the ALHC Members in accordance with this Allocation Plan.

Consultation

In accordance with Section V.A of the Notice (page 13), before developing its HOME-ARP allocation plan, at a minimum, a PJ consulted with:

- CoC(s) serving the jurisdiction’s geographic area,
- homeless service providers,
- domestic violence service providers,
- veterans’ groups,
- public housing agencies (PHAs),
- public agencies that address the needs of the qualifying populations, and
- public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

Describe the consultation process including methods used and dates of consultation:

The Auburn-Lewiston Home Consortium (ALHC) employed the following three tactics to collect meaningful and informative data regarding the size, demographic makeup and unmet needs of the local population. First, staff sources all traditional statistical data sources including federal census numbers, American Community Survey (ACS) and the Comprehensive Housing Affordability Strategy (CHAS) data as well as local data compiled by the Maine State Housing Authority (MSHA).

Secondly, staff reached out to local homeless service providers, community advocates, educational institutions, veterans’ groups, community action programs, state agencies, domestic violence organizations, public housing authorities, mental healthcare providers and various housing navigators operating at organizations throughout the jurisdiction. This outreach included an overview of the qualified population as defined by HUD in CPD notice 21-10 as well as potential situations in which these populations may be encountered which they may not have considered in the past. This outreach concluded an appeal to these organizations to provide quantifiable data on hand or anecdotal narratives which may serve to highlight unmet needs regularly encountered. From this outreach culminated a number of formal and informal letters and consultations providing qualitative as well as quantitative data not represented or considered within the traditional data sources noted above.

The third approach was to release a broad community survey focused specifically on the impact of Covid-19 on access to adequate housing and essential services. This survey was circulated in 5 languages, utilizing digital as well as paper surveys distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households encompassing over 1,000 residents being completed.

This locally sourced survey data coupled with the formal or informal correspondence from local service providers was at times contradictory to the traditional data sources. Still, it aided in the development of a plan which is fixated on providing direct responses to the below identified needs. Through consultation and continued collaboration and data sharing with the MSHA HUB Coordinator, the Coordinated Entry system of the Continuum of Care and the various housing navigators operating at various specialty service providers within the jurisdiction the ALHC will be able to better compile accurate, local assessments of need. Sharing these methodologies and conclusions with MSHA and other state and federal level offices will improve the ability to assess and address homeless & at-risk populations.

List the organizations consulted:

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Maine Continuum of Care (MCoC)	Continuum of Care	Participated in virtual meeting with 59 people attending representing 24 service provider organizations – 10/27/21	Need to continue rental assistance programs and asses missing connections through a diversity, equity & inclusion lens. Provide direct outreach to landlords to assist development or improvement of new units. Need relaxed criteria for LMI populations.
Lewiston-Auburn Landlord Association	Private Org addressing housing	Attended regular meeting with 26 landlords. – 1/25/22	Need for more rehab programs with relaxed criteria to improve or add new units. Need relaxed zoning to allow for additional units. Need to

			remove sprinkler requirements for older buildings.
Auburn Housing Authority	Public Housing Authority	Discussions with Director	Needing increase in voucher funds for Section 8. Additional funding from HOME program for new unit development projects is needed to add to inventory.
PAL Center	Agency which addresses needs of Qualified Populations: Homeless, At-Risk & Other	Discussions with Director/ Survey Distribution Center	Need for additional funding to continue food pantry and senior services.
Auburn Police Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Discussions with Police Chief	Department needs greater assistance to comply with new Homelessness Crisis Protocol. Additional Co-responders with mental health, substance abuse or housing focus will provide for better incident outcomes and follow-up services.
Community Concepts Inc.	Agency which addresses needs of Qualified Populations: Homeless, At-Risk & Other	Consultation with Program Director	Discussed needs of QPs and current Emergency Rental Assistance counts and program sunset concerns.
Community Concepts Finance Corp	Agency which addresses needs of Qualified Populations: Homeless, At-Risk& Other	Discussions with Program Manager and review of Community Needs Assessment.	Needed increase in homeownership counseling and financial capability training for tenants to move into homeownership. Establish referral network for new tenants and tracking of completed educational opportunities.
Auburn Fire Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Discussions with Fire Chief	Direct data points indicating 34% increase in interactions with Homeless individuals & 87% dealing with substance abuse, mental health and exposure. Additional co-responder and follow up services is needed.
Auburn Adult Education	Agency which addresses needs of Qualified	Consultation with Assistant Director	Additional funding and services are needed for continued educational and job preparedness training. This includes transportation services to

	Populations: At-Risk & Other		and from training and early work- placement programs.
New Auburn Neighborhood Watch	Neighborhood group	Meeting on 4/28/22	18 residents attended. Comments supporting section 8 voucher program, question on how to achieve local adult homelessness counts, cost savings if city consolidated shelter programs.
Androscoggin Head Start	Agency which addresses needs of Qualified Populations: At-Risk & Other	Survey Distribution Center	Need to fill gaps for middle income residents and support services for LMI families and single parents.
Lewiston Housing Authority	Public Housing Agency	Consultation with HUB Coordinator	Need to integrate local actions and activities with the COC. HUB Coordinator cannot provide direct service. Case management needed to better count and facilitate services.
Lewiston Homelessness Committee	Organization addressing Fair Housing, Civil Rights and/or needs of persons with disabilities	Consultation with Committee Chair	Discusses options for transitional housing development as well as zoning and shelter options.
Veterans Inc.	Veterans Group	Consultation with Staff Grantwriter	Not enough resources to meet the increased number of homeless or at- risk veterans with their pandemic- related federal financial assistance ending in July of this year. Funding needed to supplement homeless veterans transitional housing programs as well as increased operational costs. Seeing a 17% increase in veterans served in transitional housing program so far this program year.
Preble Street Veterans Services	Veterans Group	Consultation with staff	Provided feedback regarding housing service needs and latent job training opportunities.
Emergency Quarantine Shelter	Homeless Service Providers	Consultation with Managers – 3/17/22	Current service data on population counts and demographics. Recommends additional transitional housing and low barrier shelter development.
Trinity Jubilee Shelter	Homeless Service Providers	Consultation with Executive Director	Not enough housing to use with vouchers; not enough readily accessible mental health case

			management services, program expansion estimated to serve at least 50 people per year; accessible overnight shelters that do not require guests to climb stairs to enter building and/or sleeping area; need for trainings relating to de-escalation and incentives to serve the mentally ill; need for shelters to participate in HMIS to provide robust, accurate data, offer proof of the scale of the homelessness issue, and possibly increase funding for homeless services; need for public restrooms/showers that would likely be used by more than 60 homeless people per year; and need for laundry access for at least 75 homeless people per year wash clothing and bedding.
New Beginnings	Homeless Service Providers	Feedback from Executive Director	Not enough services – shelters or housing – available to help youth exit homelessness. Funding needed for additional staffing positions for existing services; creation of new or expansion of existing support services facilities to address non-daytime weekday needs and service of individuals who are excluded by current age or other restrictions in existing programming. Significant unmet need for a) affordable housing; b) support services; and c) shelter resources.
Lewiston School Department	Agency which addresses needs of Qualified Populations	Consultation with District Resource Coordinator	Approximately 300 youth are identified as homeless or at risk for experiencing housing disruption. The Store Next Door provides hygiene items, clothing, food, gift cards for cabs/groceries, and school supplies which are funded with community donations. Funding needed to expand program offerings.
Pinetree Legal	Organization addressing Fair Housing, Civil Rights and needs of	Consultation regarding Fair housing	Direct discussions and resource development regarding fair housing services and legal aid.

	persons with disabilities.		
Androscoggin EMA	Agency which addresses needs of Qualified Populations: At-Risk	Consultation with County EMA Director	EMA has new directives on development of Emergency housing plans. Shared quantified data on estimated emergency shelter needs.
Safe Voices	Domestic Violence Service Providers	Consultation with Director of Shelter and Housing Services	Provided data on sheltered counts and local unmet demand. Support if housing in the form of security deposits and housing resources is needed.
Lewiston Fire Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Consultation with Fire Chief	Most frequent adverse housing events are unsafe housing and sanitary issues for persons housed in units that are not suited to their physical conditions. Lack of housing for physically impaired persons. Long waitlist for Section 8 and other government assistance.
Lewiston Police Department	Agency which addresses needs of Qualified Populations: Homeless, At-Risk, DV & Other	Consultation with Police Chief	Better funding is needed to provide resources to the homeless population, including better services for mental health, substance misuse, and housing. Project Support You (PSY) has 1 1/2 positions and needs the other half position funded to provide additional on-scene crisis de-escalation and mental health resources, connect individuals with ongoing treatment options, and resources to officers to address crisis calls. Funding is needed for counseling resources to address current legislation directing law enforcement to encourage counseling and resources versus arrest or issuing citations. Other needs include reimbursement for emergency hotel vouchers (weekends/holiday); wrap-around services inclusive of a temporary shelter, drug/substance abuse counseling, and shelter for those seeking protection from an abuser; affordable housing; and support for those experiencing substandard rental units.

LA Housing System Collaborative	Organization addressing Fair Housing, Civil Rights and needs of persons with disabilities.	Community Discussion Forum - 5/3/22	Worked with other housing system stakeholders to develop new structures and systems for inter-organizational communication and coordination.
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Summarize feedback received and results of upfront consultation with these entities:

Through this consultation process the ALHC identified early on that the traditional assessments and sources of data would not adequately demonstrate a modern GAP analysis for the identified Qualified Populations (QPs) for two specific reasons. First, traditional sources of data, such as the American Community Survey (ACS) or the Comprehensive Housing Affordability Strategy (CHAS) were most recently completed in 2019-20, prior to the onset of the Covid-19 pandemic. Second, the ongoing impact of the Covid-19 pandemic has negatively impacted more recent efforts to update this traditional data, including regional Point in Time (PIT) studies. Many of these annual studies have been put on hold altogether, or recent surveys have demonstrated detrimentally small respondent numbers.

For example, the scope of the 2021 Point-in-Time Youth Addendum Survey conducted by MSHA was reduced to only 25 individuals due to the Covid-19 pandemic. This survey sample represents only 0.4% of the number of homeless clients MSHA recorded as sheltered in the 2020 statewide counts. Further, through direct consultation with the local School Department 69 Auburn and 196 Lewiston homeless students within the district have already been qualified as of March 2022, with another 20 cases still being confirmed. The current year combined totals of McKinney-Vento qualified students between both Auburn and Lewiston school systems are already in excess of 265. This is, according to the direct service providers consulted in the development of this plan, still the tip of the unmet need iceberg.

The second apprehension with current statewide data points is the waiver to skip the current year unsheltered population counts. Attempting to develop an emergency service plan to address the needs of the increasing homeless and at-risk population while waiving the continued collection of data is problematic. Firstly, without consistent measurements any new data points have no baseline for change which can reasonably be relied upon. For example, Maine’s Plan to End & Prevent Homelessness as amended in 2017 estimates the population statewide at 7,020 based on HMIS data and asserts that 98% of those are currently serviced within shelters. This data was updated again in 2021 within the Homeless System Re-Design Initiative. This final report and recommendations are based on a total, statewide population in need of only 4,497. This 36% reduction in need is directly contradictory to local data recently collected. What this data does show is that the current shelter and transitional housing system is clogged with current residents and service recipients which are unable to exit the subsidized housing system and related services.

By using data generated by the Auburn Fire Department’s incident reporting system the ALHC confirmed officers had 198 separate encounters with homeless individuals from March 2020 to March 2022 with the second year containing 113 recorded encounters. This establishes a 34% increase from the previous year, a relation directly inverse to the trend demonstrated by state-level assessments. The ALHC understands this count does not establish a more accurate total, nor

does it include all potential homeless or at-risk populations. What it does do is further corroborate the view statewide data, as compiled by MSHA, is insufficient to assist if not detrimental to the development of a true needs-based plan.

What is more useful to establishing priorities within the Auburn-Lewiston Consortium is data generated locally and what can effectively incorporate these new data sources including first responders and volunteer program services. For example, of the 51 contacts with homeless individuals that the Auburn Fire Department serviced in the last 3 months, 87% of those involved substance abuse, Anxiety/psychiatric individuals, or those with exposure to the elements. Not only does this total eclipse the PIT counts provided by MSHA, but clearly demonstrates the unsheltered population, which is currently not being counted, is suffering to the extent that EMTs from the local fire departments have to intervene on a routine basis to address the needs of this population, including substance abuse, mental health and exposure.

Unfortunately, after treatment these individuals are released back into the unhoused population with little to no follow-up support or continuation of services being provided. What is needed, and what this plan lays out for response, is the development of new field service providers whose roll will be to take these self-generated or referrals from first responders and provide the needed follow up and direct service care in order to address the un-met needs of unhoused populations with the end result to facilitate the client's transition into the Coordinated Entry (CE) system either via the HUB Coordinator or the housing navigators housed within one of the specialty service providers.

There has been substantial evidence that the local homeless service providers are not committed to utilizing the HMIS system which MSHA relies on to compile their counts. In response, this plan outlines a dedicated pre-entry and co-responder system that can count, assess, and serve the unsheltered population where they are with an end goal of referring them to the most appropriate service providers and Housing Navigators that can best meet their needs.

Public Participation

Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:

- ***Date(s) of public notice: 7/14/2022***
- ***Public comment period: start date – 7/14/2022 end date – 8/1/2022***
- ***Date(s) of public hearing: 8/1/2022
5/2/2022***

Describe the public participation process:

Traditional public participation process, including posting of the proposed plan in its entirety, holding public hearings and public comment period have been expanded to additionally include multiple community outreach efforts as documented above. ALHC staff sent direct requests to area service providers which highlighted all of the potential uses of the program funds and outlined the qualified populations. Staff also conducted multiple listening sessions within both cities hosted at city council meetings, neighborhood

watch events and housing focused meetings. The efforts to broaden this participation from the mandated minimum will be more thoroughly described below.

Evidence of public posting and appeals for input is included below:

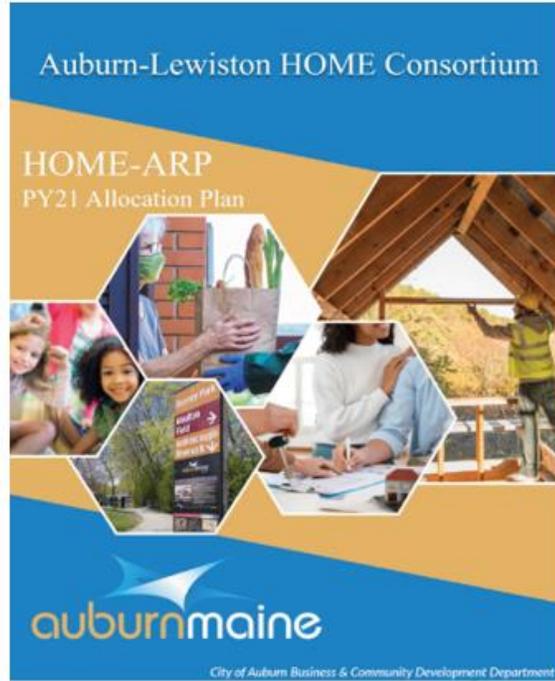
PUBLIC NOTICE

The Auburn-Lewiston HOME Consortium presents their HOME ARP Plan. This plan spells out how HOME-ARP funds, as provided by the U.S. Department of Housing & Urban Development, will be used to provide homelessness assistance and supportive services. Prior to submitting the HOME-ARP allocation plan to HUD, the Auburn/Lewiston consortium must provide reasonable notice and opportunity for the public to comment on the plan no less than 15 days.

Public comments will be accepted until August 1, 2022. Comments may be submitted to CDBG@auburnmaine.gov, delivered in person to the Business & Community Development Office, or offered at a Public Hearing to be held on August 1, 2022.

Printed copies, translations and accommodations can be requested by emailing CDBG@auburnmaine.gov or calling the Community Development Office at (207) 333-6601

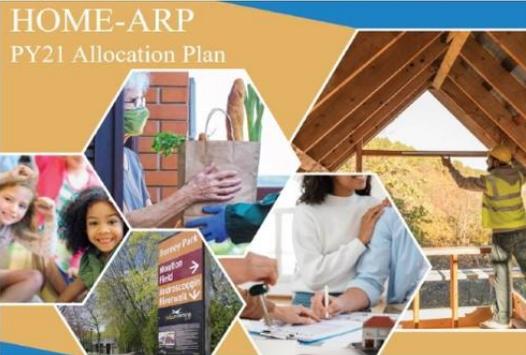
View the plan at AuburnMaine.gov or scan the QR code below to download:



 **City of Auburn, Maine (Official)**
July 14 at 3:53 PM · 🌐

The Auburn-Lewiston HOME Consortium presents their HOME-ARP Plan. This plan spells out how HOME-ARP funds (provided by the U.S. Department of Housing & Urban Development) will be used to provide homelessness assistance and supportive services.

Prior to submitting this plan to HUD, the consortium must provide an opportunity for public comment. Comments can be submitted to CDBG@auburnmaine.gov, delivered in person to the Business & Community Development Office, or offered at ... [See more](#)



👍❤️ 2 2 Comments 3 Shares

👍 Like 💬 Comment ➦ Share

All comments ▾



Patrisa Phillips
Homelessness across the US is increasing. It's almost doubled in Maine from last year. Many factors contribute to that. You have to separate the various causes, i.e. mental illness, lack of education/skills, poor paying jobs, education on family planning (too many single parents, immediate reliance on government assistance for children), drug addiction. Of course no one wants people to be unsafe and w/o a roof over their head. But where are the plans to lower the rate of homelessness thru education, better liveable wage jobs, drug addiction and mental illness facilities, etc? I have no issue with tax dollars assisting society but I do with money just be thrown at a problem w/o solutions to decrease the cause of the problem.

3d Edited



Maximus Guida Magnus
"HOME-ARP funds (provided by the U.S. Department of Housing & Urban Development)"
Incorrect. Provided by the taxpayer. That is where HUD gets its money from. Tired of seeing the impression given that it doesn't cost each and every working person. ALL funds coming from a government entity are TAXPAYER money.

3d

Senior Center



P.A.L. Center



Auburn Public Library



Auburn Housing



Auburn City Hall



Responses to any public comments delivered will be entered here.

Describe efforts to broaden public participation:

Prior to the development of the Home-ARP and the Auburn-Lewiston HOME Consortium Annual Action Plan a comprehensive community needs survey was circulated in 5 languages. This survey method utilized digital as well as paper surveys which were distributed at key service points within the city including food pantries, youth centers, head start service providers and municipal offices. The result was over 362 households including over 1,000 residents being received. This information, along with consultation efforts with area service provider partners helped craft the plan as presented.

The consultation process also entailed direct correspondence with dozens of area service providers. By educating them on the specifics of the qualified population as defined by HUD in CPD notice 21-10 this outreached further solicited quantifiable or anecdotal narratives which may serve to highlight unmet needs they regularly encounter.

Additionally, ALHC staff held listening session at multiple community neighborhood meetings and events as indicated above.

Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:

Numerical data developed through the community survey will be summarized within the GAP analysis below. A selection of narrative input received during the local survey is included below. This input, sourced from over 1,000 households across two surveys, was key to filling data gaps caused by the Covid-19 pandemic and demonstrates the changed landscape residents and service providers need to navigate and adapt to in order to better address the needs of at-risk and homeless populations.

- The prices of housing has increased substantially. Between prices of rent and goods we can barely make ends meet.
- Public transportation is severely lacking in Auburn especially in the evening.
- Lack of home health care due to staffing shortages and issues around quality healthcare
- Loss of jobs due to school closure and lack of adequate affordable childcare.
- I'm on a fixed income and looking into elderly housing but the waiting lists are so long
- My father and brother are living with me because they cannot find housing.
- Can't afford car upkeep or bills
- Can't access programs to help
- Don't have money for food medication and bill. Need help with property taxes
- I went to through the process the rent assistance is on average six to eight weeks late via community concepts. The landlords get frustrated and toss the clients even if they share the applications to the program.
- folks are taking their important items and moving into their vehicles and sleeping in parking lots around auburn where they won't be harassed. I know of at least 500

vehicles at least some are couch surfing when possible or in for medical reasons, so their cars are parked around the hospital.

- I have a son with a disability who currently lives an hour away. For safety reasons he needs to be closer to us. He is on a ridiculously long waiting list for low-income housing.
- Rising costs have put me back to living paycheck to paycheck and seeking a second job. Pre-covid I lived comfortably on my single income. The cost of food is outrageous. I pay more for CMP delivery charges than I use in electric.
- There's a gap for kids who qualify for Headstart and those who don't. There is a long waitlist for many [childcare] providers.
- People don't know there's help out there and they are hard to navigate.
- People don't know about services. We have so many services, but they all work solo. None are working together.
- Covid-19 exacerbated food issues. People who were hurting are hurting more now.

Summarize any comments or recommendations not accepted and state the reasons why:

No comments or recommendations were intentionally dismissed. Some responses or recommendations derived either from the community surveys or through direct consultation with area service providers did contain demonstrations of unmet need which are unable to be addressed given the restrictions on funding availability or individuals whom do not fall within the Qualified Population as defined by HUD. In these cases, consideration is taken, and priority of funding is established as available.

Needs Assessment and Gaps Analysis

The Auburn-Lewiston Home Consortium includes the entirety of both cities. Much of the data provided at the state level is by Androscoggin County or as the Lewiston-Auburn Metropolitan Statistical Area (LAMSA), which includes 12 surrounding municipalities. Both Auburn & Lewiston serve as a regional service HUB for the area meaning that even though HOME-ARP funds are designated for residents of the two cities, the needs of these cities is impacted by the spillover, or centralization of needs from the surrounding rural populations. The two emergency shelters recently operated in Lewiston during the Covid-19 pandemic corroborated this fact by reporting that 20% of their population cited towns outside of the PJ as their residence.

The American Community Survey (ACS) data calculated a total population of the jurisdiction as 59,425 in 2020. This accounts for 53% of the population of the entire county of Androscoggin being housed on only 20% of the total area. For this reason, and as further demonstrated by residency data provided by the two Emergency Shelters, this plan takes into account the expected spillover of needs from the total LAMSA. An additional concern with the data utilized is that the county level data provided by MSHA is still derived from the 2015-2020 American community survey. Most of this data provided by ACS was compiled pre-covid and the recent and dramatic shifts in household income and rental rates are not representative of the current situation.

Describe the size, demographic composition of qualifying populations and unmet housing and service needs within the PJ's boundaries:

Definitions of the four Qualified Populations (QP) is described below. Refer to HUD CPD Notice 21-10 for a more complete definition:

- Homeless
 - lacking fixed/regular and adequate nighttime residence
 - Nighttime residence is not designed for ordinary sleeping accommodations
 - Living in public/private shelter or commercial lodging
 - Will lose nighttime residence:
 - Within 14 days
 - Lacks support network needed to obtain new housing
 - Unaccompanied youth (under 25) or families with children which:
 - Defined by HUD as Runaway, DV or McKinney-Vento
 - Not had lease or ownership in permanent housing within 60 days
- At-Risk of Homelessness
 - Annual income below 30%LMI (\$15k individual)
 - Not had lease or ownership in permanent housing within 60 days
 - Has been notified in writing of eviction
- Fleeing DV, Dating Violence, Stalking or Assault
- Other Populations
 - Families requiring services or housing assistance to prevent homelessness
 - At greatest risk of homelessness
 - Annual income less than 30%AMI
 - Cost burden of 50% monthly household income
 - Veterans and families that include a veteran family member

Homeless as defined in 24 CFR 91.5

The Maine Continuum of Care (MCoC) is a state-wide effort, which is beneficial in regards to coordination of efforts and resources across a wide territory as the system improves. From a local data collection effort, as addressed prior, it is also a limiting factor. The data below is from the statewide MCoC 2021 PIT. This data demonstrates a total population of sheltered individuals at 2,063.

Summary by household type reported:

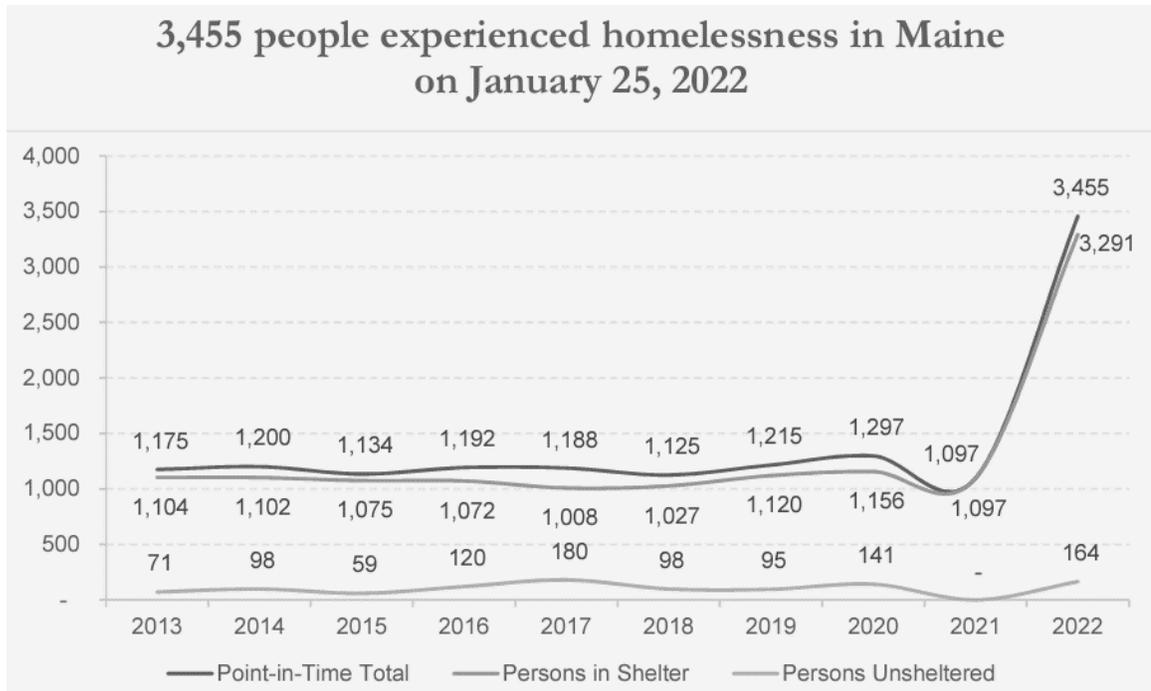
	Sheltered	
	Emergency Shelter	Transitional Housing*
Households without children ¹	706	529
Households with at least one adult and one child ²	113	134
Households with only children ³	3	2
Total Homeless Households	822	665

Summary of persons in each household type:

Persons in households without children¹	717	556
Persons Age 18 to 24	46	56
Persons Over Age 24	671	500
Persons in households with at least one adult and one child²	362	423
Children Under Age 18	201	255
Persons Age 18 to 24	14	22
Persons Over Age 24	147	146
Persons in households with only children³	3	2
Total Homeless Persons	1,082	981

Source: MSHA PIT Report

The number of people experiencing homelessness statewide, and MSHA quantified in January 2022, jumped to 3,455 in the updated 2022 PIT count. This increase was the result of including, for the first time, data derived from the local General Assistance providers as well as the Emergency Rental Assistance program. The most concerning take-away from this updated data compiled by MSHA is that as the sheltered counts increased over 300% over the past year by including new data sources, the unsheltered count only increased 15%. This demonstrates that, although new data collection and reporting is improving the accuracy of the sheltered counts, there is still an unmet need in adequately finding and quantifying the unhoused population.



Source: MSHA PIT count

Local data collected from the 2 emergency shelters operated at the Lewiston Ramada Inn and the Lewiston Armory clearly demonstrates this catch-basin effect of homeless services provided within the ALHC. The combined totals of the two emergency shelters (whose numbers are not included in MSHA PIT counts) regularly operated at capacity. Of their total 213 individuals sheltered 60% claimed Lewiston as their residence, 20% claimed Auburn with the remaining 20% coming from outside of the ALHC jurisdiction. The unmet needs as reported by managers and service providers is a lack of adequate case management as well as vacancies within transitional or supervised housing facilities that are essential to take high-need clients out of short-term shelters.

Another resource engaged during this assessment process was the Auburn & Lewiston School Departments McKinney-Vento Homeless Assistance liaisons. For Auburn, the historic totals were 69 students for school year 19-20, 70 students for school year 2021 and what is looking like 80 students for school year 2021-22. Department staff was clear data is currently hard to quantify as data was tracked in multiple systems. Still, the 265 students in the school systems who are being

transported by the system under the McKinney-Vento program is notably larger than the totals of sheltered teen as reported by MSHA and the Continuum of Care. The unmet needs reported include additional funding for reliable transportation as well as supplies and expenses necessary to sustain their education while in an unstable housing situation.

At Risk of Homelessness as defined in 24 CFR 91.5

Those at risk of homelessness within Androscoggin County are renters within 30% of the Area Median Income with at least one severe housing problem, such as overcrowding or rent burden greater than 30% of their income. The below chart provides for a total of 1, 665 renters in Androscoggin County which qualified as 30%AMI.

Owner Occupied Households			Renter Occupied Households			Total
HOUSEHOLD INCOME	Estimate	Margin Of Error	HOUSEHOLD INCOME	Estimate	Margin Of Error	
30% of Median Household Income	2,388	+/-428	30% of Median Household Income	1,665	+/-266	4,052
50% of Median Household Income	5,612	+/-572	50% of Median Household Income	3,804	+/-529	9,416
80% of Median Household Income	11,305	+/-926	80% of Median Household Income	6,849	+/-967	18,155
Total =	19,305		Total =	12,318		

Source: MSHA Housing Characteristics Report

Over 57% of the survey respondents indicated household income levels below 80% of the Area Median Income (AMI), meaning their household would already qualify for assistance under traditional HOME programs. Furthermore, over 24% of respondents indicated a household income under 30% AMI, meaning they would qualify as “At Risk of Homelessness” as defined in 24 CFR 91.5. Of the total respondents, 36% indicated that their household income was negatively impacted by the Covid-19 pandemic. A further 34% also indicated their families access to food and household necessities was made more difficult due to the pandemic. Regarding housing, 14% of respondents indicated that their access to adequate housing was negatively impacted this past year.

Lastly, through consultation with local housing authorities provided data on the Housing Choice Voucher centralized waitlist provided the quantification of 454 current applicants. 411 applicants currently qualify under 60% AI with 121 applicants residing in “temporary residences”, 26 being housed in a shelter or hotel and 33 reporting that they are currently “living in a place not normally used for housing.” Lastly, 57 of the current waitlist applicants are households of 3 or more.

The unmet needs relating to this QP includes additional support for subsidized housing such as the TBRA programs as well as the creation of additional new affordable units within the jurisdiction. Additional emergency expense assistance programs targeted to address short-term emergencies which usually turn into catalysts for homelessness would aid further in the prevention of homelessness within the at-risk population living under the poverty line.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

Information provided by SafeVoices, a domestic abuse shelter service provider currently operating a 17-bed shelter, demonstrates an average 44 shelter requests per month. Safe

Voices has been committed to the mission of supporting and empowering those affected by domestic violence and human trafficking and engaging the community in creating social change in Androscoggin, Oxford and Franklin counties for 45 years.

In their last fiscal year, SafeVoices alone received a total of 325 local shelter requests but were only able to house 83 individuals. This leaves an unmet need of 242 families which were under-served by the current capacity. The unmet need reported by DV focused shelter operators is additional funds and support for TBRA and subsidized housing programs to aid in the re-housing of their current population as well as a larger public awareness campaign to address the increasing instances of domestic violence they are seeing in recent years.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

In looking to better assess the at-risk population the ALHC staff reached out the current Emergency Rental Assistance providers for concrete numbers related to the impending end of the current Emergency Rental Assistance program. This program, which locally administered by Community Concepts Inc, has serviced 1,118 non-duplicated households as of March 2022. With the scheduled closure of the Ramada Inn Emergency Homeless shelter and the end of the ERA program funding, preparations for a dramatic increase in housing assistance needs are being developed.

Additional data below indicates a total of over 14, 000 households within Androscoggin which have reported incomes below the poverty line. These families qualify as having characteristics of housing associated with instability and increase risk of homelessness, which includes having a household income of less than 30% AMI and/or paying more than 50% of their monthly income toward housing expenses.

	2015 Income below Poverty Level			2020 Income below Poverty Level		
	Households	Margin of Error Households in Poverty	% of Family Type in Poverty	Households	Margin of Error Households in Poverty	% of Family Type in Poverty
Total Households	7,041	+/-515	15.8%	5,410	+/-503	11.8%
Family Households	3,179	+/-351	11.4%	1,931	+/-346	7.0%
Married Couple Fam HH	905	+/-185	4.4%	569	+/-194	2.8%
M C Fam HH w/Children	508	+/-139	6.5%	358	+/-164	4.7%
Male Head of Family HH	368	+/-140	16.7%	194	+/-90	8.2%
Male Head of HH w/Children	341	+/-138	21.7%	132	+/-73	8.4%
Female Head of Family HH	1,906	+/-293	38.3%	1,168	+/-296	24.6%
Female Head of HH w/Children	1,816	+/-280	47.2%	962	+/-291	31.6%
Non-Family HH	3,862	+/-394	22.9%	3,479	+/-469	19.2%
				Total=	14,203	

Source: MSHA Housing Characteristics Report

In addition to the current homelessness crisis and the influx of more refugee families into a jurisdiction already coping with a housing shortage is the impending end of the current Emergency

Rental Assistance program. This program, which locally administered by Community Concepts Inc, has serviced 1,118 non-duplicated households as of March 2022. These populations are currently being housed within hotels and apartments funded through the ERA or General Assistance programs within the jurisdiction. Simultaneously, as the ERA program is coming to a funding cliff, the GA program has announced that the hotels will no longer be pay going rates for housing refugees. As these funds shrink the unmet needs of these QPs will be new unit development with the necessary TBRA and subsidized housing to support these populations.

Identify and consider the current resources available to assist qualifying populations, including congregate and non-congregate shelter units, supportive services, TBRA, and affordable and permanent supportive rental housing (Optional):

The General Assistance offices of both cities work proactively to prevent LMI families from becoming homeless. These efforts are not just based on the use of General Assistance funds but also the addition of wrap-around support services rooted in their proactive community roles. Similarly, the Auburn Public Health office continues to work with residential institutions to match needs with readily dwindling community housing and support resources. The Community Development Office is adding a new, Homelessness Intervention Specialist position with an additional Mckinney-Vento style budget from the HOME-ARP allocation to provide additional services and resources to these at-risk qualified populations including TBRA.

Additionally, the Maine COC has added a new HUB Coordinator & Housing Navigator located at the Lewiston Housing Authority. This position will be the point of Coordinated Entry (CE) into the MCoC system, allowing the Community Development and Public Health teams to focus their efforts on crisis response and early intervention efforts.

A number of new shelter initiatives are being developed within both cities. With the scheduled closure of the Ramada Inn Emergency Homeless shelter and the end of the ERA program funding set to expire on June 30th, 2022, preparations for a dramatic in housing needs are being developed. This plan allocates substantial funding and staff time to support these projects as they develop.

Identify any gaps within the current shelter and housing inventory as well as the service delivery system:

Community Concepts, who has been running the Emergency Rental Assistance program has reported a total of 1,118 non-duplicated households in the city of Auburn who have been assisted to date. As this program winds down, it is expected that these families will still be in need of some form of transitional Tennent Based Rental Assistance. More recently, MSHA has provided for government rate caps on rental assistance, which is substantially decreasing the number of hotel/motels that will accept discounted rates. The end result being an anticipated eviction wave of residents currently housed within these privately owned facilities.

Total housing inventory data, as compiled by MSHA in 2021 for Androscoggin County demonstrates only a 2.6% vacancy rate for rental units. This rate is a causal reasons for individuals to find themselves stuck within the shelter and transitional housing systems.

Units by Tenure & Vacancy

	2011-2015	%	Margin of Error 2011-2015	2016-2020	%	Margin of Error 2016-2020	% Change
Total Units	49,164		+/-154	50,053		+/-187	2%
Occupied Units	44,636	91% of Total	+/-483	45,906	92% of Total	+/-574	3%
Owner Occupied	28,372	64% of Occ.	+/-620	29,796	65% of Occ.	+/-724	5%
Renter Occupied	16,264	36% of Occ.	+/-596	16,110	35% of Occ.	+/-654	-1%
Vacant Units	4,528	9% of Total	+/-480	4,147	8% of Total	+/-541	-8%
Vacant For Sale	519	1.8% Vac.	+/-179	384	1.3% Vac.	+/-179	-26%
Vacant For Rent	681	4% Vac.	+/-213	423	2.6% Vac.	+/-146	-38%
Vacant Seasonal	1,110	2% of Total	+/-249	1,432	3% of Total	+/-363	29%

Data from the American Community Survey are estimates

Source: MSHA Housing Characteristics Report

Although this plan expects to provide funding for 4 new affordable rental units, the ALHC regular allocation budget workplan expects to double that number. Historically, Auburn and Lewiston have added multiple large affordable housing projects in the past few years. According to statistics maintained by Maine Housing Authority 243 new affordable housing units have been created with MSHA funding (including Auburn & Lewiston Consortium funds) between 2019 and 2022. These buildings offer modern affordable amenities to public housing residents. Auburn Housing Authority has been transitioning to a voucher-based system allowing more aid to residents using privately owned units.

Identify priority needs for qualifying populations:

Priority needs for qualified populations include the development of new, affordable housing units to ease the congestion within the current shelter as well as transitional housing systems. Additional direct field services and case management is also needed to aid in the transition from the high-need unhoused population into openings within the current structures and non-profit service providers across the jurisdiction.

The Auburn Community Development Department, the Auburn Housing Authority, the Lewiston-Auburn Alliance for Services to the Homeless, the Lewiston Community Development Department, the Lewiston Housing Authority, Community Concepts, Healthy Androscoggin, and other city departments, and local and regional nonprofit organizations coordinate closely in the planning and delivery of housing services. However, there are not enough resources among all of the partners to meet the identified needs. Waiting lists for services at the housing authorities are long. By leveraging private developers to construct more affordable units and engage with the Section 8 voucher program multiple agencies would be increasing efficiency and ability to better serve the 434 low-to-moderate income residents currently on the Section 8 wait list. By engaging with the new HUB Coordinator through a dedicated Housing Intervention Specialist position within the city these production efforts can be aided with wrap-around services necessary to move residents in need through a better organized structure with concrete benchmarks and measurable goals.

Explain how the PJ determined the level of need and gaps in the PJ's shelter and housing inventory and service delivery systems based on the data presented in the plan:

Housing inventory has been a recent topic for all income brackets within Auburn and Lewiston as of late. Private development of multi-unit housing projects is on the rise across Auburn. As reported by the Auburn Planning & Permitting Department, there are a total of 102 new units in 3 different projects expected to come into service by the end of 2022. Another 423 new units are also in process to be completed by 2023, and 196 seeking approval for 2024. The large, and rapid increase in new unit development, coupled with Auburn Housing Authority's conversion to a voucher-based system will have a notable impact on addressing not just the over-all housing shortage, but will also make much needed headway in the alleviation of the shortage of affordable housing.

In order to better qualify the current state of availability it is key to point out that in the 2009 Lewiston Auburn Homelessness Strategy it was clearly stated that “the homelessness problem in Lewiston and Auburn is not, in the first place, primarily a problem of lack of housing... Instead, homelessness is a problem of insufficient income and resources, a lack of life skills, and health problems (primarily mental health and substance abuse).” This plan presented a 10-year goal of 210 new affordable units to be developed by the Auburn and Lewiston Community Development Offices. According to MSHA there were 243 new affordable units constructed within the area between 2019 and 2022 alone (not including the to-be developed Choice Neighborhood project currently underway in Lewiston).

This 2009 plan clearly identified the gaps as a service deficiency, as opposed to a long-term permanent housing problem. This initial, although dated, claim is supported by the service call data from the Auburn Fire Department who indicate 87% of their responses to homeless individuals are related to substance or mental health situations. Therefore the development of a more effective Crisis Response Team as suggested in the 2009 strategy is a key component and priority addressed by this plan.

HOME-ARP Activities

Describe the method(s) that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:

The ALHC will draft a Request for Proposals (RFP) in order to choose projects and developers to receive HOME-ARP awards. The applicants must demonstrate how funding will be used to create affordable housing and provide services. Applicants will be scored according to a rubric including points for criteria such as developer experience, capacity building, services offered, housing need, project readiness, compliance to existing land use requirements, and availability of match funding. Applicants must submit application materials by a specific deadline. Applications will be scored by the ALHC management team and will award funding in order of scoring results until there are no remaining funds available. The applicants will be developers or service providers who must describe their own experience as well as that of any service providers, contractors, or consultants with

whom they wish to partner. Application exhibits must demonstrate the financial feasibility of the projects, conformity to HOME-ARP requirements, commitments for services and other funding sources, site control, compliance with land use requirements, and detailed construction plans.

Describe whether the PJ will administer eligible activities directly:

The ALHC will both provide supportive services directly as well as competitively selecting local service providers to fill identified service gaps. The City of Auburn will be creating a 3 year, field service provider position. These services are focused on responding to the needs of community members experiencing homelessness, who are at risk of homelessness or who are fleeing domestic/dating violence, sexual assault, or human trafficking. The definition of a Qualified Population (QP) to be assisted with these funds if further defined by HUD in their CDP Notice 21-10.

These services are being developed in response to quantifiable data collected by the Auburn Lewiston HOME Consortium in partnership with multiple city department, service providers and non-profits. This plan contains two key elements. The first is to provide funding for qualified services to include both **Tenant Based Rental Assistance (TBRA)**, which includes security deposits and utility deposits for qualified households, as well as **Direct Support Services (DSS)** to include McKinney-Vento Support Services and Homelessness Prevention services as further outlined in CPD Notice 21-10.

The second key element will be the creation of a Crisis Response Team (CRT) as put forward in the 2009 LAASH plan. Direct support service providers, housed in the Auburn Community Development Office, which will work proactively across city departments including the School Departments, Police Departments and General Assistance Departments to provide advocacy and support services to residents at their time of need. By engaging with the new HUB Coordinator through a dedicated Housing Intervention Specialist position within the city these production efforts can be aided with wrap-around services necessary to move residents in need through a better organized structure with concrete benchmarks and measurable referrals to the Coordinated Entry system.

The **Homeless Intervention Specialist (HIS)** will work across multiple city departments to build relationships with community members experiencing homelessness or at risk of homelessness to provide advocacy and support services and assist with connecting individuals to housing and support services. The Specialist will assist with identifying unsheltered homeless or at-risk neighbors through direct outreach with and referrals from the Auburn Police Department, Auburn Fire Department, Auburn School Department, Public Health Manager, and General Assistance Manager as needed. This may include meeting with individuals in encampments, shelters, warming locations, and other locations not meant for human habitation. The work schedule will include some evening and weekend hours where the Specialist will assess the needs of the individuals identified and facilitate placement into emergency or short-term housing as needed.

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the

subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

The ALHC did not provide administration funds to a subrecipient prior to HUD's acceptance of the HOME-ARP allocation plan.

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$684,419	40%	
Acquisition and Development of Non-Congregate Shelters	\$410,000	24%	
Tenant Based Rental Assistance (TBRA)	\$60,000	4%	
Development of Affordable Rental Housing	\$250,000	15%	
Non-Profit Operating	\$90,000	5%	5%
Non-Profit Capacity Building	\$0	0%	5%
Administration and Planning	\$206,410	12%	15%
Total HOME ARP Allocation	\$1,700,829	100%	

Describe how the PJ will distribute HOME-ARP funds in accordance with its priority needs identified in its needs assessment and gap analysis:

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. Auburn, serving as the program sponsor, utilizes 75% of the portion of the allocations which can be set aside for administration of the HOME program to cover the overall administration of the program for the Consortium. Lewiston utilizes the remaining 25% for their administration costs. The balance of current year allocations is then divided evenly between both cities to provide programming.

Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

What the MSHA PIT, the CHAS & ACS data clearly demonstrates is the need for a local option in collecting quantifiable data around housing, homelessness, and at-risk populations. This plan takes the lack of on the ground data seriously and has built in a mechanism for not just responding to the demonstrated needs which have been established through direct consultation with area service providers and locally executed community surveys, but also including a 2-year assessment component which will build the basis for developing a more permanent, sustainable and integrated response.

The last time this data was locally developed was in 2009, which was published in the Lewiston Auburn Homelessness Strategy by the Lewiston/Auburn Alliance for Services for the Homeless (LAASH). This was a local initiative used to establish a 10-year plan to end homelessness in the area. This plan was to be administered by regional partners including the cities of Auburn & Lewiston, Auburn Housing Authorities, Community Concepts, St. Mary's and New Beginnings. This initiative was to be overseen by the United Way of Androscoggin County. This plan had concrete benchmarks and established expectations for all partners and was set to be re-assessed in 2019.

The below table is derived from the May 2009 study. Although it is dated this data still demonstrates the inconsistency between local assessments and state-level data that still exists to this day:

Gaps in Service for Homeless populations in Lewiston Auburn Lewiston Auburn Homelessness Strategy – May 8, 2009		
	Numbers	At-Risk
Youth	204 homeless youth grades 9-12 identified by schools 423 homeless youth served by New Beginnings and Volunteers of America	Youth not employed: 900 ages 20-21 500 ages 22-24 Youth not in school: 200 ages 15-17
Families	2008 MSHA Point-In-Time Survey found 6 families homeless on January 30, 2008 As of September 2008, 23 families sheltered; 47 families turned away 69 homeless children grades K-8 identified by schools	Families living in poverty in Lewiston Auburn: 1,400 families 1,200 families with children 200 families over age 65
Domestic Violence Survivors	AWAP's domestic violence shelter served 170 women and children last year	434 domestic violence crimes were reported to Lewiston and Auburn police departments in 2006
New Americans	There are an estimated 4,000- 6,000 New Americans living in Lewiston-Auburn.	As of Jan. 2007, Lewiston identified 2,641 immigrants who had moved to the city and enrolled in General Assistance. A 2007 study by the Maine Department of Labor found unemployment among the Somali immigrants to be at 51%
Single Adults	546 homeless single adults sheltered by Hope Haven and St. Martin De Porres in 2007 As of Sept. 2008, Hope Haven had sheltered 252 homeless individuals and turned away 207 because it was full.	3,900 non-institutionalized individuals with a mental disability over the age of 16 700 veterans living below poverty, 2/3 of whom are disabled National rates suggest that as many as 3,000 people in Lewiston Auburn may have significant substance abuse issues

The table above indicates the MSHA PIT report demonstrated 6 homeless families in 2008, while local data verified through the Auburn School Department verified 70 homeless families. Similarly, of the 546 homeless single adults sheltered by Hope Haven & St. Martin in 2007, the MSHA PIT report for 2022 estimates those same facilities to have only 12.

Unfortunately, in 2017 LAASH members agreed to use the Statewide Homeless Council's updated plan as the framework for advocacy as the group did not have the capacity to undertake the work and the expense of updating the plan. This abdication has left the Auburn Lewiston HOME Consortium with little to no accurate baseline data for use in the generation of this plan. In order to begin to augment the anecdotes and small data samples provided by local service providers the consortium released a Covid-19 Community housing and service survey.

Current day MSHA has made dramatic steps to improve local services for the homeless population by, as recently as March 2022, funding a new HUB Coordinator position located at Lewiston Housing Authority whose role will be to better assess the current data collection methods and coordinate service delivery through the various and disparately funded shelters and service providers.

HOME-ARP Production Housing Goals

Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

The ALHC anticipates 4 affordable rental units for qualified populations will be produced with HOME-ARP funds.

Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how the production goal will address the PJ's priority needs:

The ALHC will prioritize projects that are able to be developed quickly and that can operate with sufficient operating and supportive service dollars to meet the needs of tenants. As noted above, it is anticipated that at least 4 units of affordable rental housing units will be developed. The units developed with HOME-ARP funds will meet the ALHC's Consolidated Plan Priorities of Improving and Preserving the Quality of Housing and Expanding Affordable Housing Opportunities.

Preferences

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:

The ALHC will not provide preferential services for a subset of the qualified populations within the service area.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

The ALHC will not provide preferential services for a subset of the qualified populations within the service area.

Referral Methods

Identify the referral methods that the PJ intends to use for its HOME-ARP projects and activities. PJ's may use multiple referral methods in its HOME-ARP program. (Optional):

A waitlist will be established for each HOME-ARP project.

If the PJ intends to use the coordinated entry (CE) process established by the CoC, describe whether all qualifying populations eligible for a project or activity will be included in the CE process, or the method by which all qualifying populations eligible for the project or activity will be covered. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

If the PJ intends to use the CE process established by the CoC, describe the method of prioritization to be used by the CE. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

If the PJ intends to use both a CE process established by the CoC and another referral method for a project or activity, describe any method of prioritization between the two referral methods, if any. (Optional):

The ALHC does not intend to use the coordinated entry process for referrals.

Limitations in a HOME-ARP rental housing or NCS project

Describe whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population identified in section IV.A of the Notice:

The ALHC will not limit eligibility to a particular qualifying population.

If a PJ intends to implement a limitation, explain why the use of a limitation is necessary to address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

The ALHC will not limit eligibility to a particular qualifying population.

If a limitation was identified, describe how the PJ will address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the limitation through the use of HOME-ARP funds (i.e., through another of the PJ's HOME-ARP projects or activities):

The ALHC will not limit eligibility to a particular qualifying population.

HOME-ARP Refinancing Guidelines

Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity

The ALHC will not provide refinancing activities with HOME-ARP funds.

Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.

The ALHC will not provide refinancing activities with HOME-ARP funds.

State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.

The ALHC will not provide refinancing activities with HOME-ARP funds.

Specify the required compliance period, whether it is the minimum 15 years or longer.

The ALHC will not provide refinancing activities with HOME-ARP funds.

State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

The ALHC will not provide refinancing activities with HOME-ARP funds.

Other requirements in the PJ's guidelines, if applicable:

The ALHC will not provide refinancing activities with HOME-ARP funds.

HOME-ARP CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the participating jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing pursuant to 24 CFR 5.151 and 5.152.

Uniform Relocation Act and Anti-displacement and Relocation Plan --It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It will comply with the acquisition and relocation requirements contained in the HOME-ARP Notice, including the revised one-for-one replacement requirements. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42, which incorporates the requirements of the HOME-ARP Notice. It will follow its residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the HOME-ARP program.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

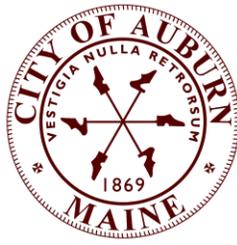
Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and program requirements.

Section 3 --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

HOME-ARP Certification --It will use HOME-ARP funds consistent with Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) and the CPD Notice: Requirements for the Use of Funds in the HOME-American Rescue Plan Program, as may be amended by HUD, for eligible activities and costs, including the HOME-ARP Notice requirements that activities are consistent with its accepted HOME-ARP allocation plan and that HOME-ARP funds will not be used for prohibited activities or costs, as described in the HOME-ARP Notice.

Phillip L. Crowell
City Manager

DATE



ORDER 110-08012022

City Council Order

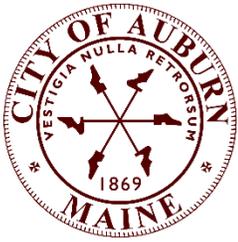
IN CITY COUNCIL

ORDERED, that that City Council hereby adopts the Auburn-Lewiston Consortium HOME-ARP Plan as recommended by the Business & Community Development Office.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Order: 111-08012022

Author: Glen E. Holmes, Director of Business & Community Development

Subject: Tambrands II Technical Revision

Information: The City's original District application was submitted on March 30, 2001 and was granted conditional approval. The approval allowed for the City to expend TIF revenues to make credit enhancement payments, but withheld approval of all City project costs and expenditures. There is no history that there was any follow up on the conditional approval from the City or from the Department of Community and Economic Development.

The City made credit enhancement payments but also spent TIF revenues on what the City believed to be approved City project costs. Once submitting the First Amendment to the District this year, it became clear this was done in error. The City has reviewed the expended TIF revenues from the start of the District through present. All of the expenditures fell into a project cost listed in the original development program.

This order and attached documentation is what DECD has requested to ensure the city is in compliance with the Districts plans.

City Budgetary Impacts: NONE

Staff Recommended Action: Approve the Order as presented.

Previous Meetings and History: NONE

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Program overview

Tambrands II Original District Project Costs

Expenditure History

Project Costs	TIF Revenues Expended to Date	Statutory Citation (as of March 30, 2001)	Projects Undertaken
Public Infrastructure: To fund infrastructure improvements within and abutting the District including but not limited to roads, traffic signals, sewer, water, storm drains, sidewalks and landscaping (herein after called the Public District Improvements)”	\$1,742,478	30-A MRSA §5252(8)(B)(1)(a)	Bond payments related to infrastructure improvements in the area of the District.
Economic Development Job Creation: To develop new employment opportunities in the City and to pay other Project costs	\$0	30-A MRSA §5252(8)(B)(11)	
Public Safety: To provide for costs reasonably related to the construction, alteration, and expansion of facilities not located within the District that are required due to improvements or activities within the District as described in 30-A MRSA section 5252(8)(B)(9) including road, water sewer, stormwater and environmental protection improvements, and fire and public safety projects.	\$297,721	30-A MRSA §5252(8)(B)(9)	Purchase of a fire truck that significantly increases ability to fight fires at large commercial structures such as the Tambrands facility.

<p><u>Administration:</u> To fund the City’s economic development programs including but not limited to implementation of Auburn Downtown Action Plan for Tomorrow being the City’s downtown revitalization plan</p>	<p>\$1,324,424</p>	<p>30-A MRSA §5252(8)(B)(11)</p>	<p>Economic development programs and economic development department salary.</p>
<p><u>Environmental Improvements:</u> To fund environmental improvement programs</p>	<p>\$0</p>	<p>30-A MRSA §5252(8)(B)(11)</p>	
<p><u>Infrastructure:</u> To Fund infrastructure improvements and other Project Costs</p>	<p>\$0</p>	<p>30-A MRSA §5252(8)(B)</p>	
<p><u>TOTAL</u></p>	<p>\$3,364,625</p>		

Tambrands II Municipal Project Cost Table

Project Costs	Cost Estimate	Statutory Citation
<u>Public Infrastructure:</u> To fund infrastructure improvements within and relating to the District including but not limited to roads, traffic signals, sewer, water, storm drains, sidewalks and landscaping.	\$200,000	30-A MRS §5225(1)(A)(1), (1)(B)(1), (1)(B)(2)
<u>Economic Development Job Creation:</u> To develop new employment opportunities in the City and to pay other project costs.	\$150,000	30-A MRS §5225(1)(C)(1), (1)(C)(4)
<u>Public Safety:</u> To provide for costs reasonably related to the construction, alteration, and expansion of facilities not located within the District that are required due to improvements or activities within the District including road, water sewer, stormwater and environmental protection improvements, and fire and public safety projects.	\$250,000	30-A MRS §5225(1)(A)(1), (1)(B)(1), (1)(B)(2), (1)(C)(9).
<u>Administration:</u> To fund the City’s economic development programs including but not limited to implementation of Auburn Downtown Action Plan for Tomorrow, the City’s downtown revitalization plan.	\$100,000	30-A MRS §5225(1)(C)(1)
<u>Environmental Improvements:</u> To fund environmental improvement programs.	\$100,000	30-A MRS §5225 (1)(C)(2)
<u>Infrastructure:</u> To fund infrastructure improvements and other project costs.	\$200,000	30-A MRS §5225(1)(A)(1), (1)(B)(1), (1)(B)(2), and (1)(C)(9)
<u>TOTAL</u>	\$1,000,000	

NOTICE OF PUBLIC HEARING

CITY OF AUBURN NOTICE OF PUBLIC HEARING

**Regarding
A Technical Revision to the Municipal Development and Tax Increment Financing District
known as:**

**“#6 Proctor & Gamble (Tambrands II) Municipal Development and Tax Increment
Financing District”**

Notice is hereby given that the City of Auburn will hold a public hearing on

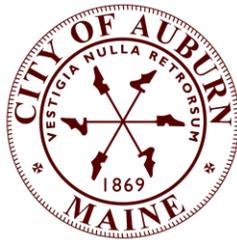
**August 1, 2022
at 60 Court Street Auburn , ME 04210
The Public Hearing will be at 7:00 p.m.**

The purpose of the public hearing is to receive public comments on the technical revision to the municipal development and tax increment financing district known as the Tambrands II Municipal Development and Tax Increment Financing District (the “District”) and the approval of the technical revision to the development program for the District pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The Tambrands II Municipal Development Tax Increment Financing District is comprised of approximately 84 acres and is located on Hotel Road. The proposed technical revision involves providing an updated project cost list with estimates of TIF revenue expenditures to the Department of Economic and Community Development.

A copy of the proposed technical revision materials will be on file with the City Office during normal business hours of 8:30 am – 4:00 pm. They can also be found at <https://www.auburnmaine.gov/> or one can call 207-333-6601 during normal business hours to request that a copy be mailed to you. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearings and written comments should be submitted to Susan Clements-Dallaire, City Clerk at sdallaire@auburnmaine.gov. Written comments will be accepted until 4:00PM on July 28, 2022.



City Council Order

IN CITY COUNCIL

Technical Revision to the #6 Proctor & Gamble (Tambrands II) Municipal Development Tax Increment Financing Development Program

WHEREAS, the City of Auburn (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the City as the Tambrands II Tax Increment Financing District (the "District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, on November 6, 2000 the Auburn City Council designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department"); and

WHEREAS, on February 21, 2022 the City adopted the First Amendment to the District and Development Program (the "First Amendment") to continue to achieve the District's original goals by revising the percentage of taxes paid on captured assessed value allocated to Tambrands Inc. ("the Company") in the Credit Enhancement Agreement; and

WHEREAS, the Department is requiring the City to provide an updated project cost list stating the cost estimates of the tax increment revenue expenditures from the City's Project Cost Subaccount in order to obtain the Department's approval of the First Amendment to the District; and

WHEREAS, the City Council has held a public hearing on August 1, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of submitting a technical revision to the Development Program; and

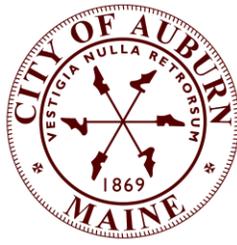
WHEREAS, the City Council has considered the comments provided at the public hearing, both for and against the technical revision to the Development Program, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the technical revisions; and

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large

Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager



City Council Order

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF AUBURN, MAINE:

Section 1. The City Council hereby approves and adopts the proposed technical revision to the Tambrands II Municipal Development Tax Increment Financing Development Program as presented.

Section 2. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the technical revisions to the Department for review and approval.

Approved _____, 2022, by the City Council, at a meeting duly convened and conducted at Auburn, Maine.

Richard S. Whiting, Ward One
Joseph R. Morin, Ward Four
Belinda A. Gerry, At Large

Ryan A. Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana N. Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Order: 112-08012022

Author: Dan Goyette

Subject: HVAC Systems

Information: The City Council on July 18, 2022 officially authorized the City Manager to move forward with four projects that will result in the upgrade and/or replacements of HVAC systems in three city-owned facilities. The Council requested that the funding of the \$1,600,000 projects be determined later. We are recommending that the funding be taken from the City's ARPA allocation. This project aligns with ARPA (American Rescue Plan Act) focus area – 1 / 1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency.

City Budgetary Impacts: By using the ARPA funding for the project there will be no budgetary impact. If the City were to bond the project, it would cost \$341,333 in interest payments in addition to the \$1.6 million dollar bond. A bond schedule has been attached.

Staff Recommended Action: Allocate ARPA funds to complete the projects in lieu of additional capital funds in the amount of \$1,600,000 saving tax payers a total of \$1,941,333.

Previous Meetings and History: 6/6/22, 6/27/22, 7/18/22

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Bond Payment Schedule

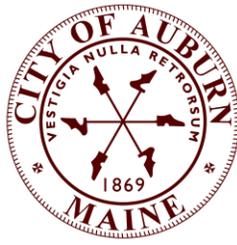
City of Auburn, Maine
2022 General Obligation Bonds

Dated Date Tuesday, November 1, 2022
Delivery Date Tuesday, November 1, 2022

Debt Service Schedule

Date	Principal	Bond Type	Coupon	Interest	Debt Service	Fiscal Total	Bond Balance
3/1/2023				21,333.30	21,333.30	21,333.30	1,600,000.00
9/1/2023	160,000.00	Standard	4.000000	32,000.00	192,000.00		1,440,000.00
3/1/2024				28,800.00	28,800.00	220,800.00	
9/1/2024	160,000.00	Standard	4.000000	28,800.00	188,800.00		1,280,000.00
3/1/2025				25,600.00	25,600.00	214,400.00	
9/1/2025	160,000.00	Standard	4.000000	25,600.00	185,600.00		1,120,000.00
3/1/2026				22,400.00	22,400.00	208,000.00	
9/1/2026	160,000.00	Standard	4.000000	22,400.00	182,400.00		960,000.00
3/1/2027				19,200.00	19,200.00	201,600.00	
9/1/2027	160,000.00	Standard	4.000000	19,200.00	179,200.00		800,000.00
3/1/2028				16,000.00	16,000.00	195,200.00	
9/1/2028	160,000.00	Standard	4.000000	16,000.00	176,000.00		640,000.00
3/1/2029				12,800.00	12,800.00	188,800.00	
9/1/2029	160,000.00	Standard	4.000000	12,800.00	172,800.00		480,000.00
3/1/2030				9,600.00	9,600.00	182,400.00	
9/1/2030	160,000.00	Standard	4.000000	9,600.00	169,600.00		320,000.00
3/1/2031				6,400.00	6,400.00	176,000.00	
9/1/2031	160,000.00	Standard	4.000000	6,400.00	166,400.00		160,000.00
3/1/2032				3,200.00	3,200.00	169,600.00	
9/1/2032	160,000.00	Standard	4.000000	3,200.00	163,200.00	163,200.00	
	<u>1,600,000.00</u>			<u>341,333.30</u>	<u>1,941,333.30</u>		
			Accrued				
	<u>\$1,600,000.00</u>			<u>\$341,333.30</u>	<u>\$1,941,333.30</u>		

Bond Years	8,533.333	
Average Coupon	3.9999996	
Average Life	5.3333333	
N I C %	3.9999996	using 100.0000000
T I C %	4.0009390	from Delivery Date
Weighted N I C %	3.9999996	
Weighted Bond Years	8,533.333	
Weighted Average Life	5.3333333	



ORDER 112-08012022

City Council Order

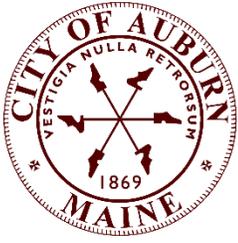
IN CITY COUNCIL

ORDERED, that the Auburn City Council allocate \$1,600,000.00 of American Rescue Plan Act ((ARPA) funds for the upgrades and/or replacements of HVAC systems in our city-owned facilities.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: August 1, 2022

Referred Ordinance: 11-03212022

Author: Sue Clements-Dallaire, City Clerk

Subject: Action on Citizen Petition and Potential Repeal of Ordinance 11-03212022

Information: On March 28, 2022, the City Council adopted Ordinance 11-03212022, a Zoning Ordinance Amendment to amend the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2).

On April 5, 2022, an affidavit to form a Petitioner’s Committee was filed with the City Clerk. On April 8, 2022, petition blanks were issued. The deadline for the petition to be filed with the City Clerk was July 7, 2022. The petition was filed with the City Clerk on July 6, 2022. At that point, pursuant to Sec. 9.5 of the Charter, the Ordinance was suspended from taking effect.

The total number of valid signatures required was 1,648. See Charter Sec. 9.3(A). The petition was reviewed and signatures validated; the petition was certified to be sufficient, with 2,152 valid signatures and 260 invalid signatures, on July 21, 2022. The City Clerk then issued a Certificate of Sufficiency of Petition and provided a copy to the Petitioners’ Committee’s contact person, John Cleveland, on July 22, 2022.

Once the petition is determined to be sufficient, pursuant to Sec. 9.6 of the Charter, the City Council shall promptly consider voting to repeal the ordinance. If the Council fails to repeal the ordinance within 30 days after the date the petition was finally determined to be sufficient, it must submit the Ordinance to the voters of the City.

A proposed motion to act to repeal the ordinance is as follows: “I move that the ordinance specified in the referendum petition (Ordinance 11-03212022) be repealed.”

If the repeal motion fails, it means that the Ordinance must be sent to the voters for a City-wide referendum vote. The timing of the referendum election is dictated by Sec. 9.6(B) of the Charter: the referendum election must be held “not less than one hundred twenty (120) days and not later than six (6) months” from the date the petition is determined to be sufficient. If the City Council is ready on August 1st to set the date for the referendum election, a motion in substantially the same form as follows ought to be made: “I move that the ordinance specified in the referendum petition (Ordinance 11-03212022) be sent to a referendum vote to be held on _____, 202__.”

City Budgetary Impacts: N/A

Staff Recommended Action: Consider the repeal of Ordinance 11-03212022.

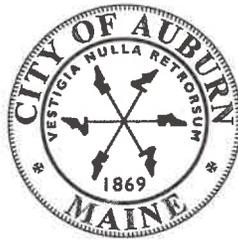
Previous Meetings and History: On March 28, 2022, Council adopted Ordinance 11-03212022

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Ordinance 11-03212022; copy of petition blanks; copy of affidavit to form a Petitioner's Committee; Certificate of Sufficiency of Petition; Article IX of the City Charter; Referred Ordinance 11-03212022.



City Council Ordinance

IN CITY COUNCIL

Amending the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2).

Be it ordained, that the City Council hereby amends the boundary to be adjusted from Urban Residential and Multi-Family Suburban to Traditional Neighborhood Development District; T-4.2 the total amendment includes 1,687.41 acres shown on the map as Exhibit C and Utilize Public Parking in all Formed Based Code; Sec. 60-554, Notes (2)

*Parking requirements in T-4.1, T-4.2, T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval. Sec 548.2-552.2 allow Accessways (A)

A TRUE COPY

ATTEST

Susan Clements-Dallaire
Susan Clements-Dallaire, City Clerk Date *4/5/2022*

Passage of first reading, as amended on 3/21/2022, 5-2 (Councilors Gerry and Whiting opposed).

Passage of second reading, with all 3/21/2022 amendments rescinded, 5-2 (Councilors Gerry and Whiting opposed).

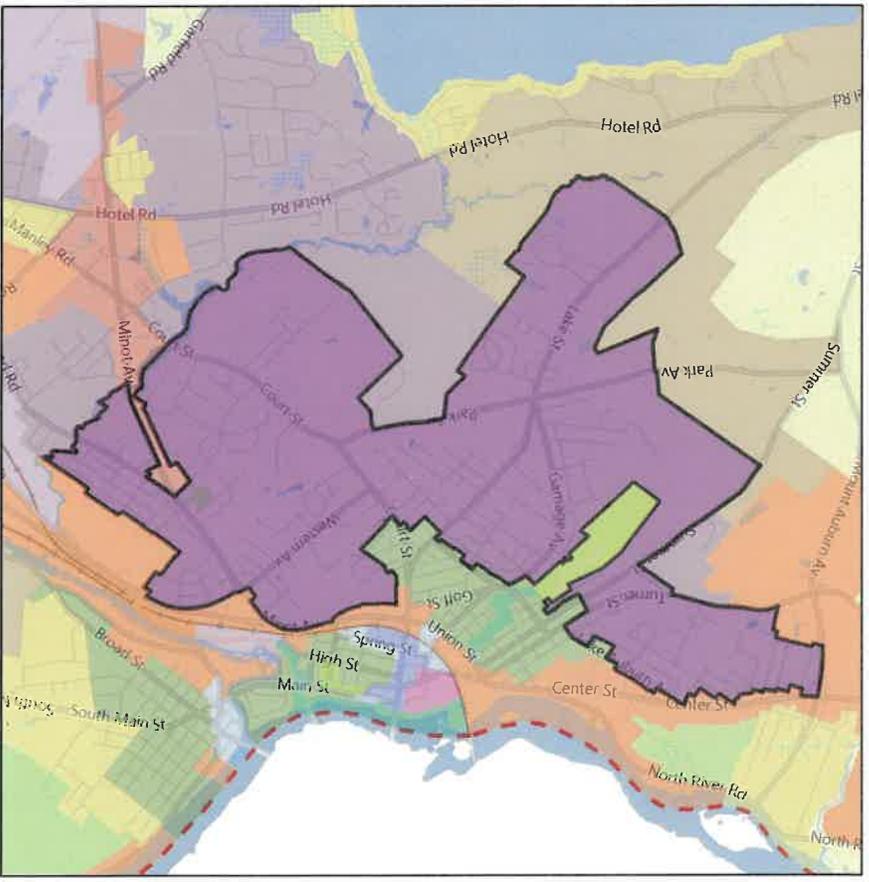
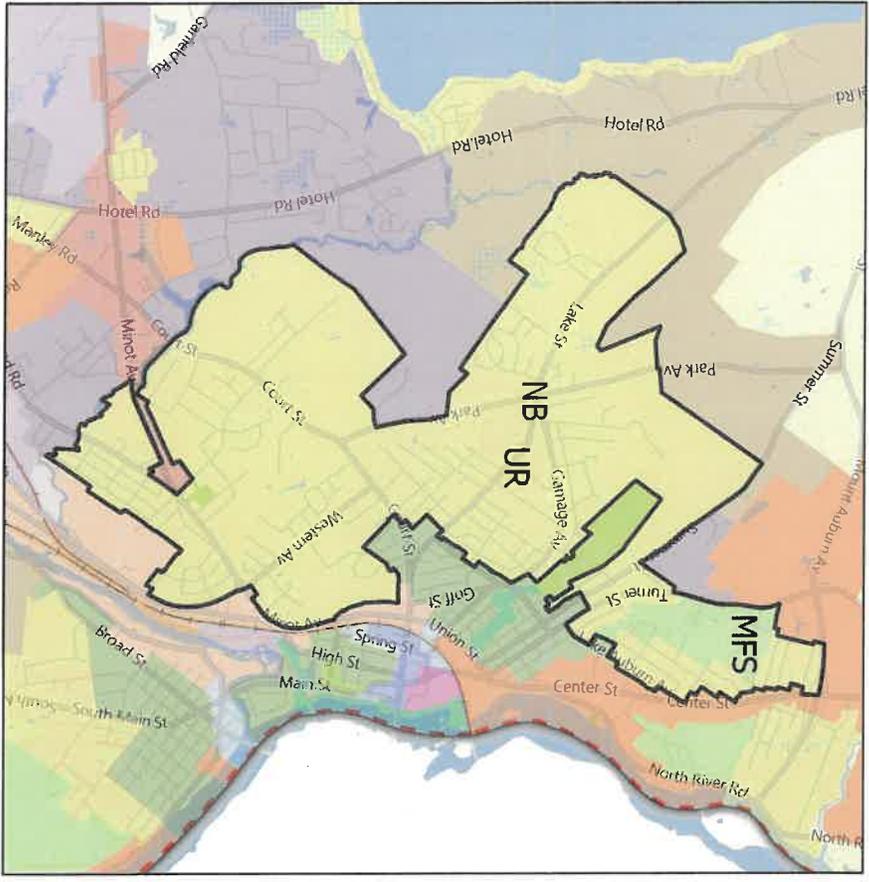
Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager

Court Street: Exhibit C

Ordinance 11-03212022



Current Zoning

Proposed Change

Recommended Zoning Updates	Current Zoning
Description	Description
Comp Plan to TNOB	AG - Agriculture and Resource Protection
<all other values>	GB - General Business
	GB II - General Business II
	ID - Industrial
	MFS - Multi-Family Suburban
	RR - Rural Residential
	SR - Suburban Residential
	UR - Urban Residential
	T-4.1 - Traditional Mainstreet Neighborhood
	T-4.2 - Traditional Downtown Neighborhood
	T-5.1 - Downtown Traditional Center
	T-5.2 - Downtown City Center
	T-6 - Great Falls Metropolitan
	C/O5 - Conservation / Open Space



Circulator's Affidavit

I _____ of _____, hereby certify that I personally circulated this paper; all _____ (number) of the signatures on this paper were signed in my presence; to the best of my knowledge and belief, each signature is that of the person it purports to be; and each signer had an opportunity before signing to read the ordinance to be reconsidered.

Signature of Circulator

Printed Name

Subscribed to and sworn before me on this date _____ (Date must be completed by Notary)

Signature of Notary

Printed Name

Date my Notary Commission expires: _____

REGISTRAR'S CERTIFICATION

MUNICIPALITY _____

TOTAL VALID _____ TOTAL INVALID _____

I hereby certify that the names of all the petitioners listed as valid appear on the voting list as qualified to vote.

DATE & TIME PETITION RECEIVED _____

Signature of Registrar: _____

Date petition certified: _____

CITY OF AUBURN
INITIATIVE, REFERENDUM, AND RECALL

Shall the following residential neighborhood zoning ordinance and map adopted by the City Council on March 28, 2022 be REPEALED: Ordinance 11- 03212022,

"Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2)."

List of five registered voters filing this affidavit stating they will constitute a petitioners' committee.

1. I, John J Cleveland, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: John J Cleveland

ADDRESS: 183 Davis Avenue Auburn, ME 04210

PHONE: 207.212.7755

SIGNATURE

John J. Cleveland

Sworn to and subscribed before me,

~~Attorney/notary public~~, this 4 day of April, 2022.

Justin Leary

Bar NO 3661

2. I, Robert P. Hayes, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Robert P. Hayes

ADDRESS: 172 Allen Avenue Auburn, ME 04210

PHONE: 207.232.3903

SIGNATURE

Robert P. Hayes

Sworn to and subscribed before me,

~~Attorney/notary public~~, this 4 day of April, 2022.

Justin Leary

Bar NO 3661

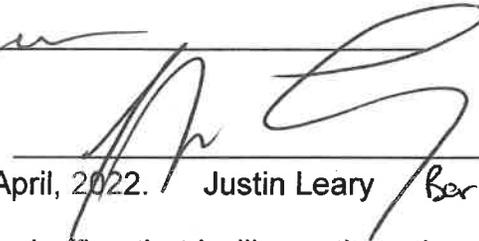
3. I, Denis P. Bergeron, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Denis P. Bergeron

ADDRESS: 23 Dexter Avenue Auburn, ME 04210

PHONE: 207.576.4588

SIGNATURE 

Sworn to and subscribed before me, 
Attorney/~~notary public~~, this 4 day of April, 2022. Justin Leary Bar No 3661

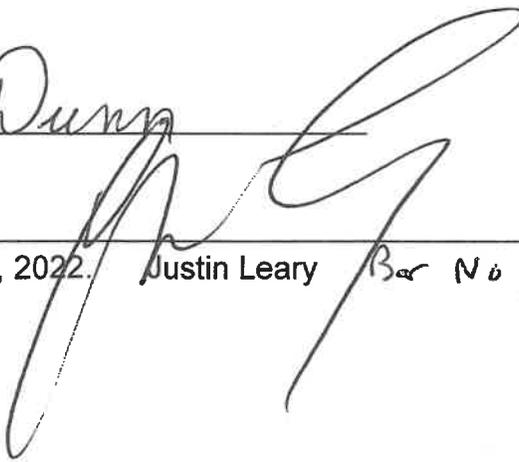
4. I, Elizabeth Dunn, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Elizabeth A. Dunn

ADDRESS: 530 Court Street Auburn, ME 04210

PHONE: 207.212.2837

SIGNATURE 

Sworn to and subscribed before me, 
Attorney/~~notary public~~, this 4 day of April, 2022. Justin Leary Bar No 3661

5. I, Ryan Smith, do swear and affirm that I will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form.

NAME: Ryan C. E. Smith

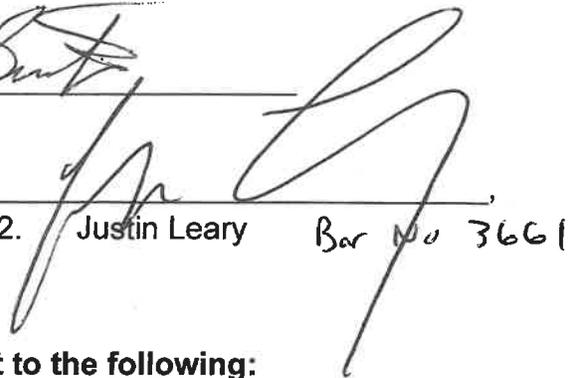
ADDRESS: 11 Harris Street Auburn, ME 04210

PHONE: 207.558. 2266

SIGNATURE



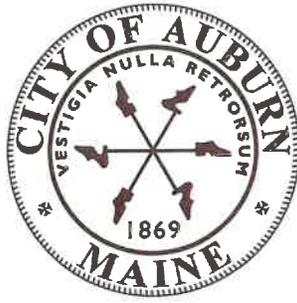
Sworn to and subscribed before me, _____,
Attorney/notary public, this 4 day of April, 2022. Justin Leary Bar No 3661



All notices to this committee are to be sent to the following:

Name: John J Cleveland

Address: 183 Davis Avenue Auburn, ME
04210



CERTIFICATE OF SUFFICIENCY OF PETITIONS

PETITION TO REPEAL ORDINANCE 11-03212022, ZONING AMENDMENT COURT STREET/CITY CORE OF URBAN RESIDENTIAL AREA; 1,687.41 ACRES OF URBAN RESIDENTIAL TO TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT AREAS (T-4.2)."

Date petitions issued to Petitioner's Committee: **April 8, 2022**

Number of valid signatures required: **1,648**

Deadline to file petitions with the City Clerk (90 days after petition blanks are provided): **July 7, 2022**

Date petitions were filed with the City Clerk: **July 6, 2022**

Deadline for City Clerk to complete a certificate of sufficiency: **July 26, 2022**

Number of petitions certified: **119 of 119 submitted**

Number of signatures verified: **2,412**

Number of valid signatures: **2,152**

Number of invalid signatures: **260**

I, Susan Clements-Dallaire, Auburn City Clerk, hereby declare that the Petitions submitted to Repeal Ordinance 11-03212022, Zoning Amendment Court Street/City Core of Urban Residential Area; 1,687.41 Acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2) meets the requirements and sufficient number of signatures pursuant to Article IX, Sec. 9.3 of the Auburn City Charter.

ATTEST:

Susan Clements-Dallaire 7/21/2022

Susan Clements-Dallaire, City Clerk

Date

Office of the City Clerk

60 Court Street | Auburn, Maine 04210 | www.auburnmaine.gov | 207.333.6601 Ext. 1126

ARTICLE IX. - INITIATIVE, REFERENDUM, AND RECALL

Sec. 9.1. - General authority.

- A. *Initiative.* The registered voters of the city shall have the power to propose ordinances, orders, and resolves to the city council and, if the city council fails to adopt the matter proposed without any change in substance, to adopt or reject it at a city election, provided that such power shall not extend to the budget or capital program or any ordinance, order, or resolve relating to appropriation of money, levy of taxes, or salaries of city officers or employees. An initiative which fails to win a majority vote in a citywide election may not be the subject of another initiative for at least six months after the citywide election in which it failed.
- B. *Referendum.* The registered voters of the city shall have power to require reconsideration by the city council of any adopted ordinance, order, or resolve and, if the city council fails to repeal the matter so reconsidered, to approve or reject it at a city election, provided that such power shall not extend to the budget or capital program or any emergency ordinance or ordinance, order, or resolve relating to appropriation of money or levy of taxes. A referendum which fails to win a majority vote in a citywide election may not be the subject of another referendum for at least six months after the citywide election in which it failed.
- C. *Recall.* The registered voters of the city shall have the power to recall any elected official, but no recall petition shall be filed against any official within six months after the official takes office, nor, in the case of an official subjected to a recall election and not removed, until at least six months after the recall election.

Sec. 9.2. - Commencement of proceedings.

- [A.] Any five registered voters may commence initiative, referendum, or recall proceedings by filing with the city clerk an affidavit stating they will constitute a petitioners' committee and be responsible for circulating the petition, filing it in proper form, stating their names and addresses, and specifying the address to which all notices to the committee are to be sent, as well as setting out in full the proposed initiative ordinance, order, or resolve or citing the ordinance, or other matter sought to be reconsidered, or the elected official proposed to be recalled, together with a statement not to exceed 200 words, of the reasons for the recall. Grounds for the recall should relate to and affect the administration of the official's office and be of a substantial nature directly affecting the rights and interest of the public. Promptly after receipt of a recall petition, the city clerk shall serve, personally or by certified mail, return receipt requested, restricted delivery, a copy of the affidavit on the elected official sought to be recalled. Within ten days of the copy's delivery, refusal, or being unclaimed, the elected official sought to be recalled may file a statement with the city clerk not to exceed 200 words in response.
- [B.] Promptly after the affidavit of the petitioners' committee is filed, the city clerk shall issue appropriate petition blanks to the petitioners' committee.

Sec. 9.3. - Petitions.

- A. *Number of signatures.* Initiative and referendum petitions must be signed by registered voters of the city equal in number to at least ten percent of the number of registered voters as of the date on which the petitioners' committee filed its affidavit. Recall petitions must be signed by at least 15 percent of the number of registered voters as of the date on which the petitioners' committee filed its affidavit.
- B. *Form and content.* All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Petitions shall contain or have attached during their

circulation the full text of the ordinance, order, or resolve proposed or sought to be reconsidered or the name of the elected official proposed to be recalled and the reasons for that action. Petitions for recall shall be limited to the recall of one individual and shall contain the statement of grounds for the recall and the response of the official sought to be recalled, if any. If no response was filed, the petition shall state that fact.

- C. *Affidavit of circulator.* Each paper of a petition shall have attached to it when filed an affidavit signed by the circulator stating the number of signatures as well as that the circulator:
- (a.) Is a resident of the city;
 - (b.) Personally circulated the paper;
 - (c.) Had all the signatures signed in the circulator's presence;
 - (d.) Believes the signatures are the genuine signature of the persons; and
 - (e.) That each signer had an opportunity before signing to read the full text of the ordinance proposed or to be reconsidered or the name of the elected official proposed to be recalled and the statements of both the official and the petitioners' committee.
- D. *Time for filing.* Referendum affidavits must be filed within 30 days after adoption by the city council of the ordinance, order, or resolve sought to be reconsidered. petitions for initiative, referendum and recall must be filed with the city clerk within 90 days of the city clerk's issuance of petitions, otherwise the petitions expire.

Sec. 9.4. - Procedure after filing.

- A. *Certificate of city clerk; amendment.* Within 20 days after the petition is filed, the city clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by certified mail, return receipt requested, restricted delivery. A petition certified insufficient for lack of the required number of valid signatures may be amended once, if the petitioners' committee files a notice of intention to amend it with the city clerk within five days after receiving the copy of the certificate and files a supplementary petition upon additional papers within ten days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsections B and C of section [9.]3 above. Within five days after the supplementary petition is filed, the city clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by certified mail, return receipt requested, restricted delivery, as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request city council review under subsection B of this section within the time required, the city clerk shall promptly present the certificate to the city council and the certificate shall then be a final determination as to the sufficiency of the petition.
- B. *City council review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it, or if an amended petition has been certified insufficient, the committee may, within two days after receiving the copy of such certificate, file a request for review by the city council. The city council shall review the certificate at its next meeting following the filing of such request and approve or disapprove it. The city council's determination shall be a final determination as to the sufficiency of the petition. The official proposed to be recalled shall not participate in any proceedings regarding the petition or the election.
- C. *Court review; new petition.* A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose.

Sec. 9.5. - Referendum petitions; suspension of effect.

When a referendum petition is filed with the city clerk, the ordinance, order, or resolve sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

- a. There is a final determination of insufficiency of the petition; or
- b. The petitioners' committee withdraws the petition; or
- c. The city council repeals the ordinance, order, or resolve; or
- d. Thirty days have elapsed after a vote of the city on the ordinance, order, or resolve.

Sec. 9.6. - Action on petitions.

- A. *Action by city council.* When an initiative or referendum petition has been fully determined sufficient, the city council shall promptly consider the proposed initiative ordinance, order, or resolve in the manner provided in article 2 or reconsider the referred ordinance, order, or resolve by voting its repeal. If the city council fails to adopt a proposed initiative ordinance, order, or resolve without any change in substance within 60 days or fails to repeal the referred ordinance, order, or resolve within 30 days after the date the petition was finally determined sufficient, it shall submit the proposed or referred matter to the voters of the city.
- B. *Submission to voters.* The vote of the city on a proposed or referred ordinance, order, or resolve shall be held not less than 120 days and not later than six months from the date of the final city council vote thereon. In the case of a recall petition, the election shall be held not later than six months after the petition is finally determined to be sufficient. If no regular city election is to be held within the period prescribed in this subsection, the city council shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election except that the city council may, in its discretion, provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred matter shall be available for view at the polls.
- C. *Withdrawal of petition.* An initiative, referendum, or recall petition may be withdrawn at any time prior to the 15th day preceding the day scheduled for a vote of the city, by filing with the city clerk a request for withdrawal signed by at least four members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Sec. 9.7. - Results of election.

- A. *Initiative.* If a majority of the registered voters voting on a proposed initiative ordinance, order, or resolve vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances, orders, or resolves of the same kind adopted by the city council. If conflicting ordinances, orders, or resolves are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- B. *Referendum.* If a majority of the registered voters voting on a referred ordinance, order, or resolve vote for repeal, it shall be considered repealed upon certification of the election results.
- C. *Recall.* If a majority of the registered voters voting on a recall petition vote in favor of the petition, the office of the recalled official shall become vacant upon certification of the election results. If the election results or procedure is legally challenged by the recalled official, that person's right to serve in that office shall be suspended and the city shall not compensate that official pending the resolution of the legal proceeding.



City Council Ordinance

IN CITY COUNCIL

Repealing Ordinance 11-03212022 amending the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2) that was adopted on 3/28/2022.

Whereas, the City Council adopted Ordinance 11-03212022, a Zoning Ordinance amendment to amend the zoning district Court Street/City Core of Urban Residential Area; 1,687.41 acres of Urban Residential to Traditional Neighborhood Development District Areas (T-4.2); and

Whereas, a Petitioners' Committee was formed to gather a minimum of 1,648 signatures of registered voters in the City of Auburn in an effort to repeal said Ordinance; and

Whereas, the petition was filed with the City Clerk on July 6, 2022 and determined to be sufficient on July 21, 2022; and

Whereas, Section 9.6 of the Charter provides that when a referendum petition has been determined to be sufficient, the City Council shall promptly consider voting to repeal the referred ordinance; and

Whereas, if the City Council fails to repeal the referred ordinance within 30 days after the date the petition was finally determined to be sufficient, the City Council shall submit the referred ordinance to the voters of the City;

NOW, THEREFORE, be it ordained that the City Council hereby repeals Ordinance 11-03212022 that was adopted on March 28, 2022.



**City of Auburn
City Council Information Sheet
August 1, 2022**

Council Workshop or Meeting Date: August 1, 2022

Orders: 113-08012022 through 120-08012022

Author: Jay Brenchick, Director of Economic Development

Subject: Sale of City-Owned Properties

Information: The Economic Development department has identified 8 city-owned properties that have the potential to create economic impact if sold. The Economic Development department will work with the city's contracted real estate broker to market the properties and identify potential uses.

City Budgetary Impacts: None

Staff Recommended Action: Approve the orders as presented

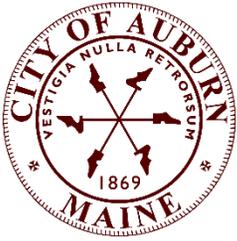
Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: List of properties



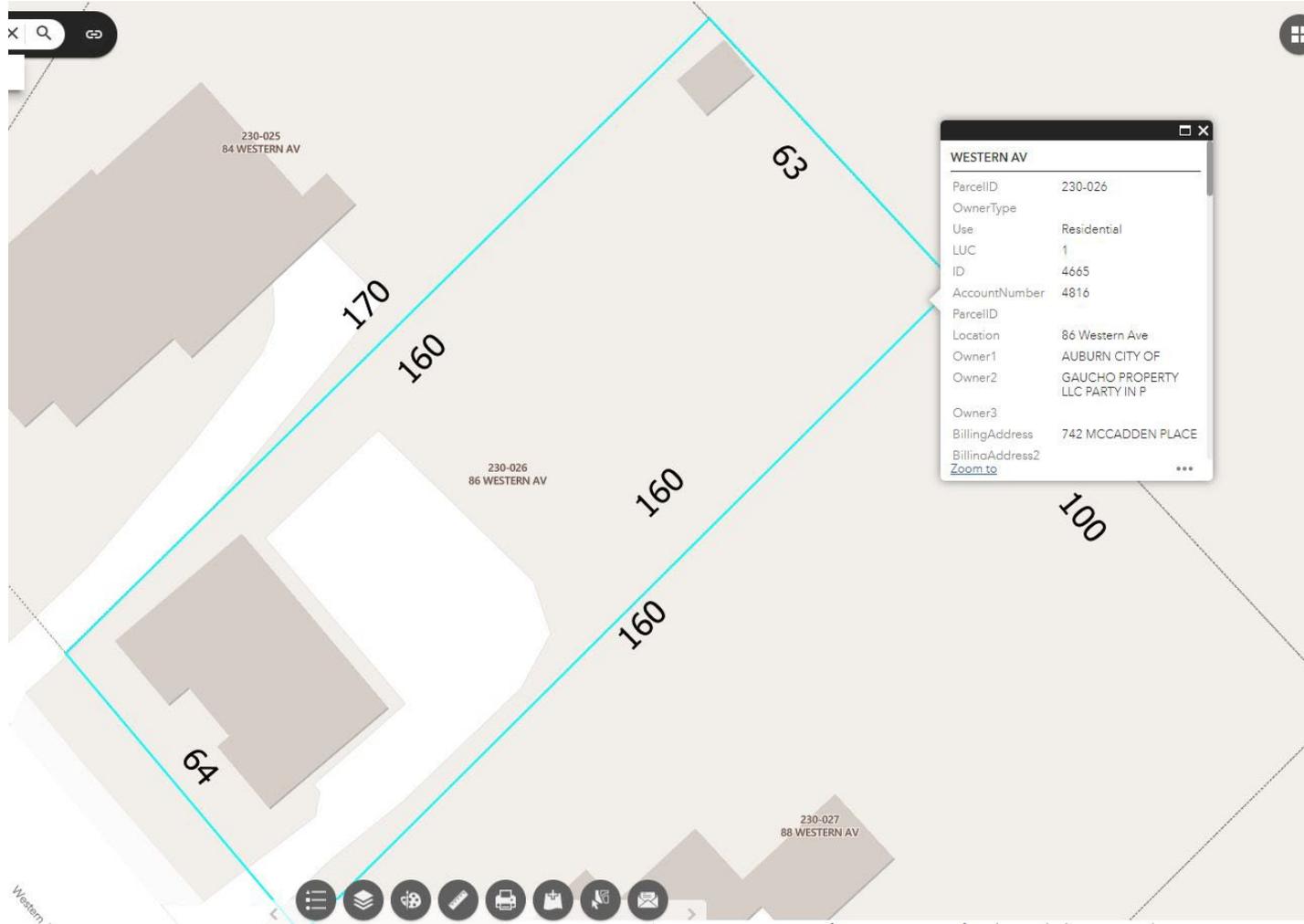
**City of Auburn
Proposed Sale of City-Owned Properties
City Council Meeting August 1, 2022**

Jay Brenchick, Director of Economic Development

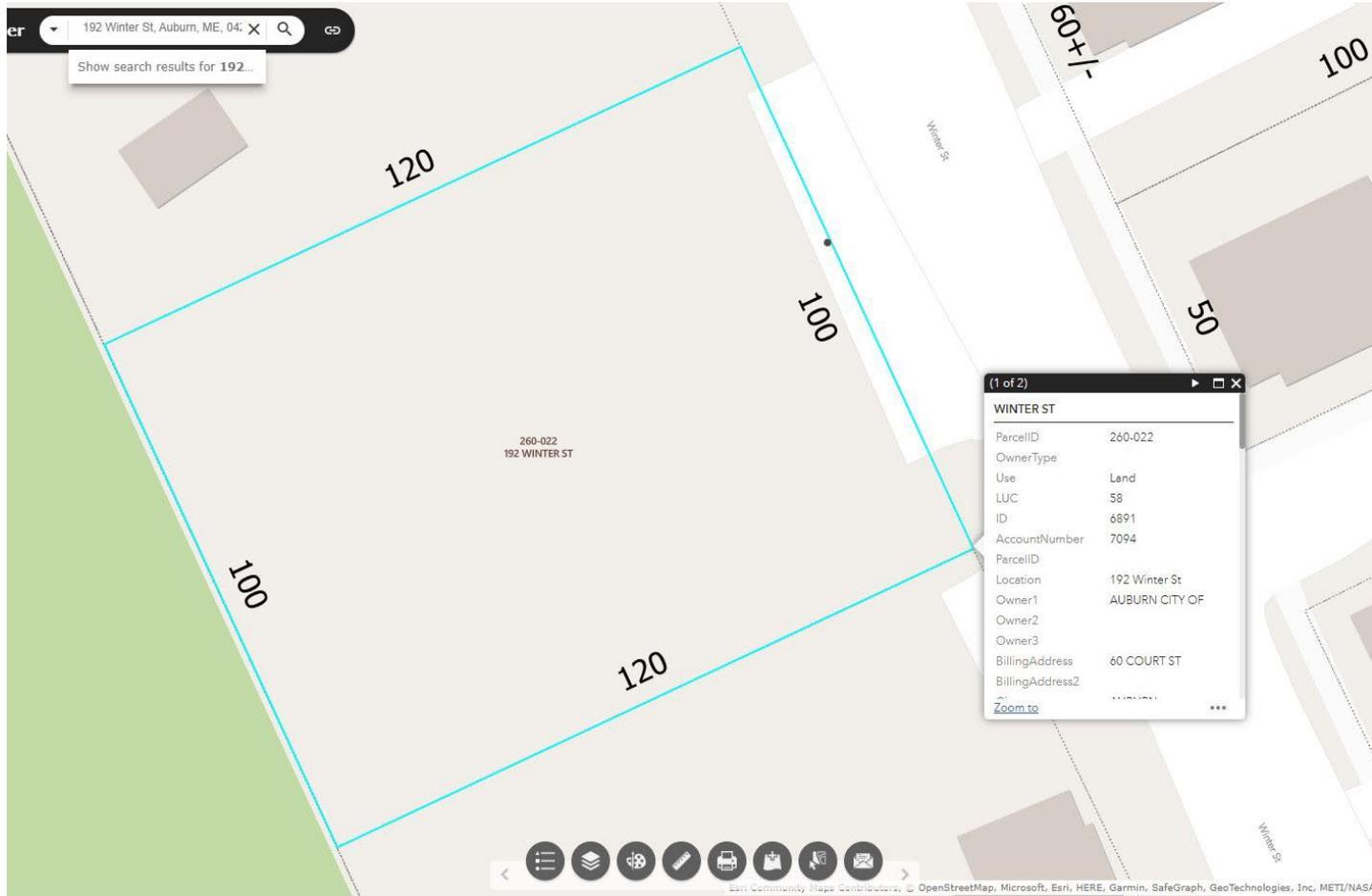
Subject: The City of Auburn Economic Development Department seeks approval to sell the city-owned properties below through the city’s approve bid process. Applicants will be required to share a short narrative describing what they plan to build as well as the project’s anticipated timeline and completion date.

Address	Description
86 Western Ave	Parcel ID: 230-026
192 Winter Street	Parcel ID: 260-022
103 Newbury Street	Parcel ID: 221-058
115 Newbury Street	Parcel ID: 221-055
369 Main Street	Parcel ID: 221-044
351 Main Street	Parcel ID: 221-048
Vickery Road Property	Parcel ID: 183-029
Winter Oak Property	Parcel ID: 191-101

86 Western Ave.
.23 +/- acres
Zoned: Traditional Downtown Neighborhood (T-4.2)



192 Winter Street
.28 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

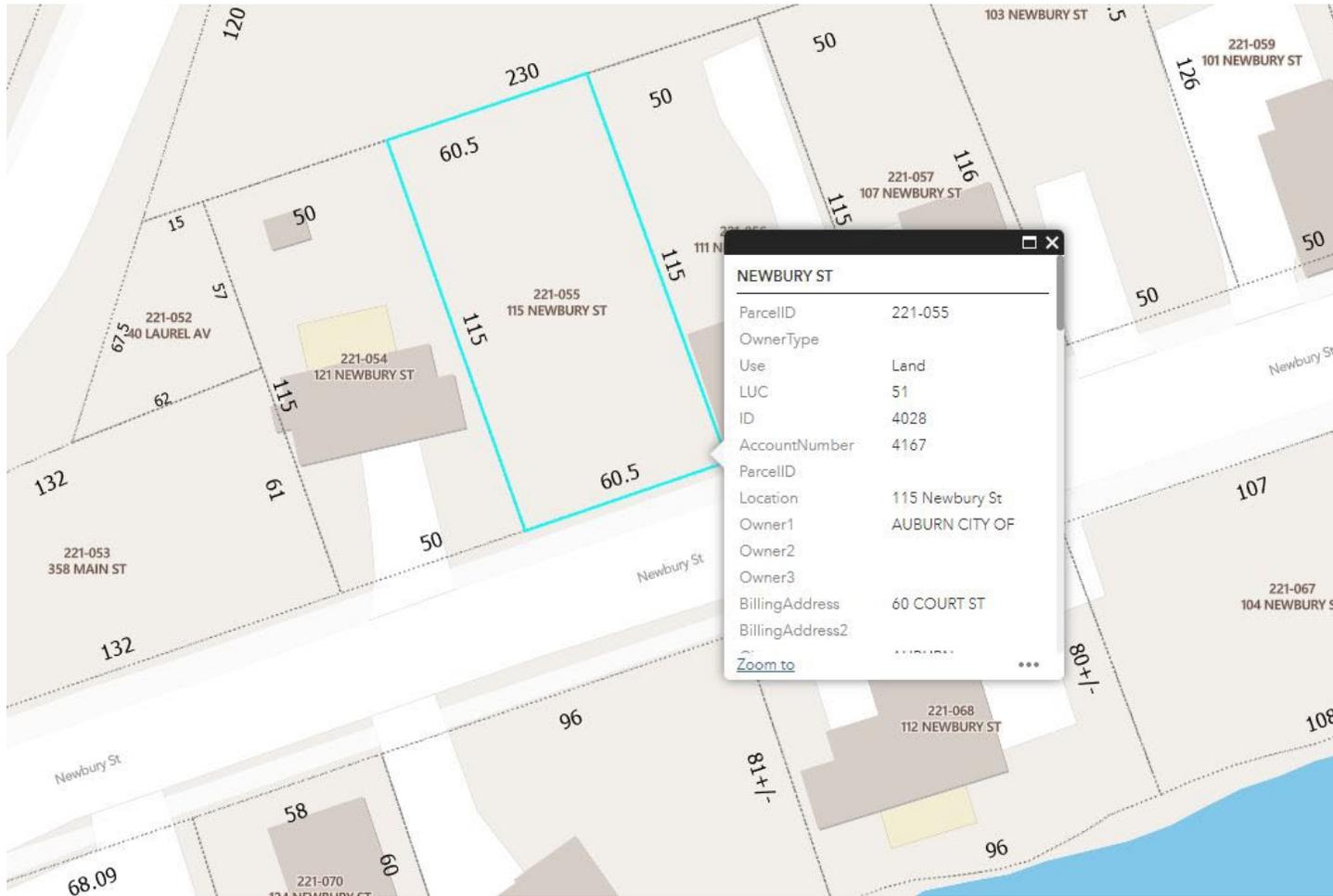


103 Newbury Street
.21 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

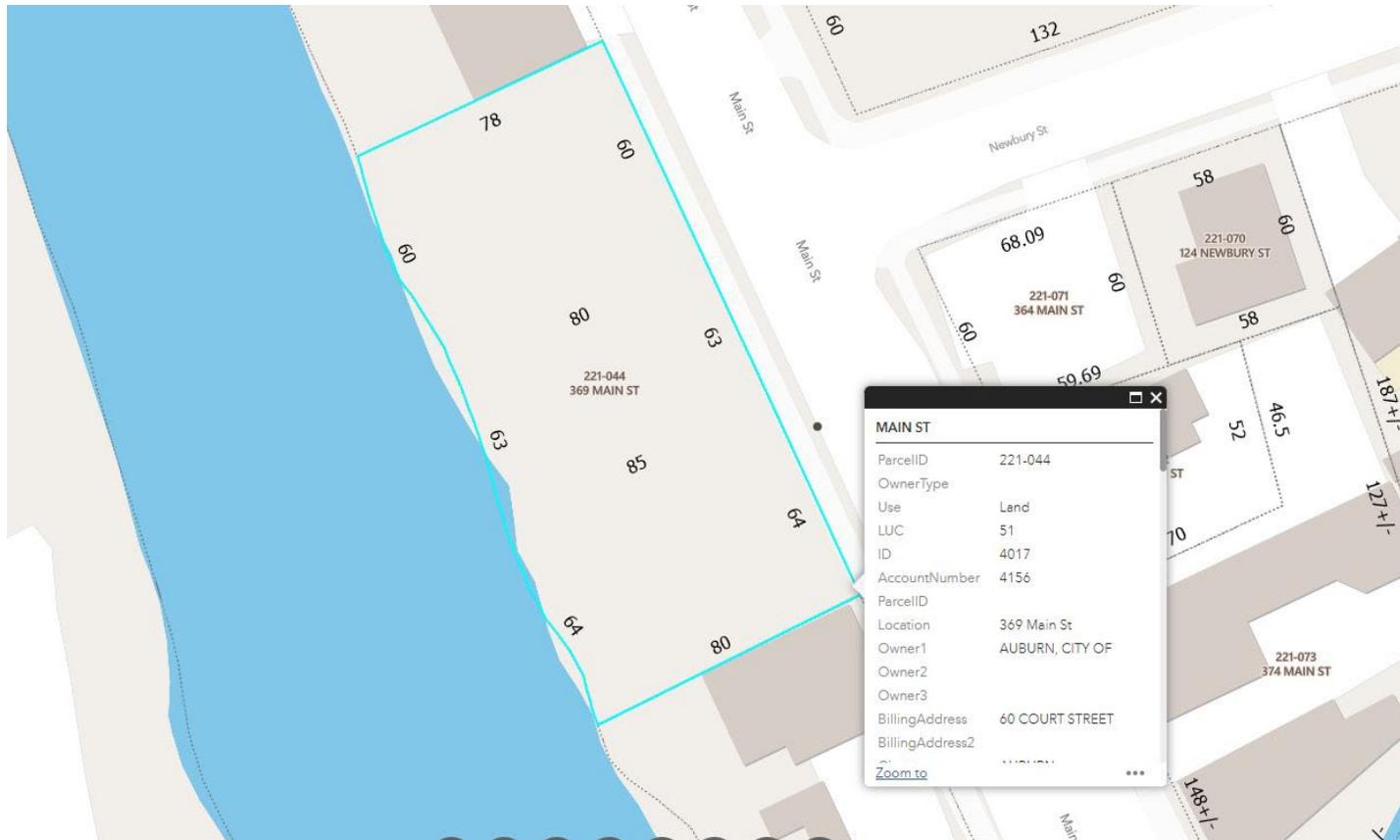


NEWBURY ST	
ParcelID	221-058
OwnerType	
Use	Land
LUC	51
ID	4031
AccountNumber	4170
ParcelID	
Location	103 Newbury St
Owner1	AUBURN CITY OF
Owner2	
Owner3	
BillingAddress	60 COURT ST
BillingAddress2	
Zoom to	...

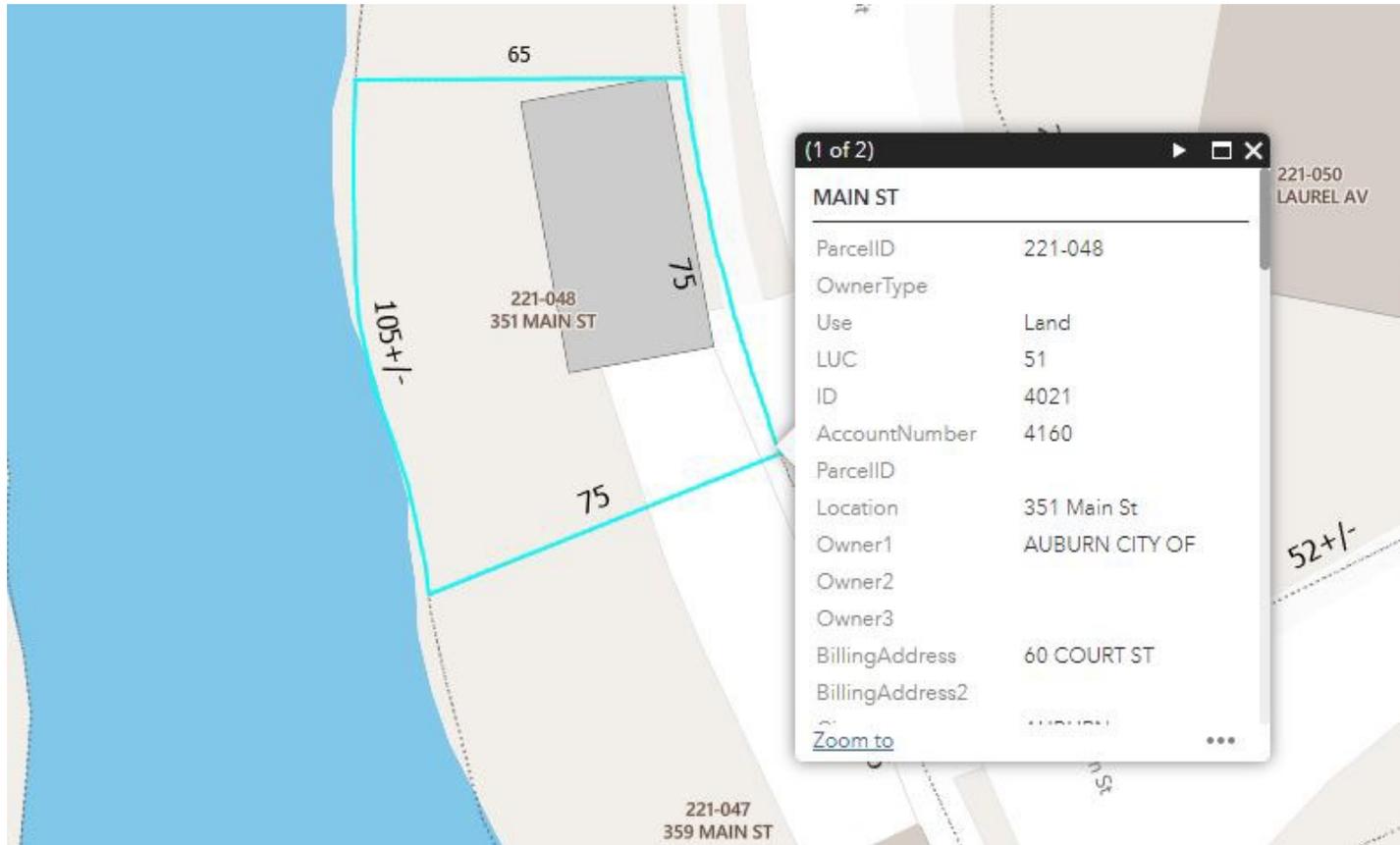
115 Newbury Street
.16 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



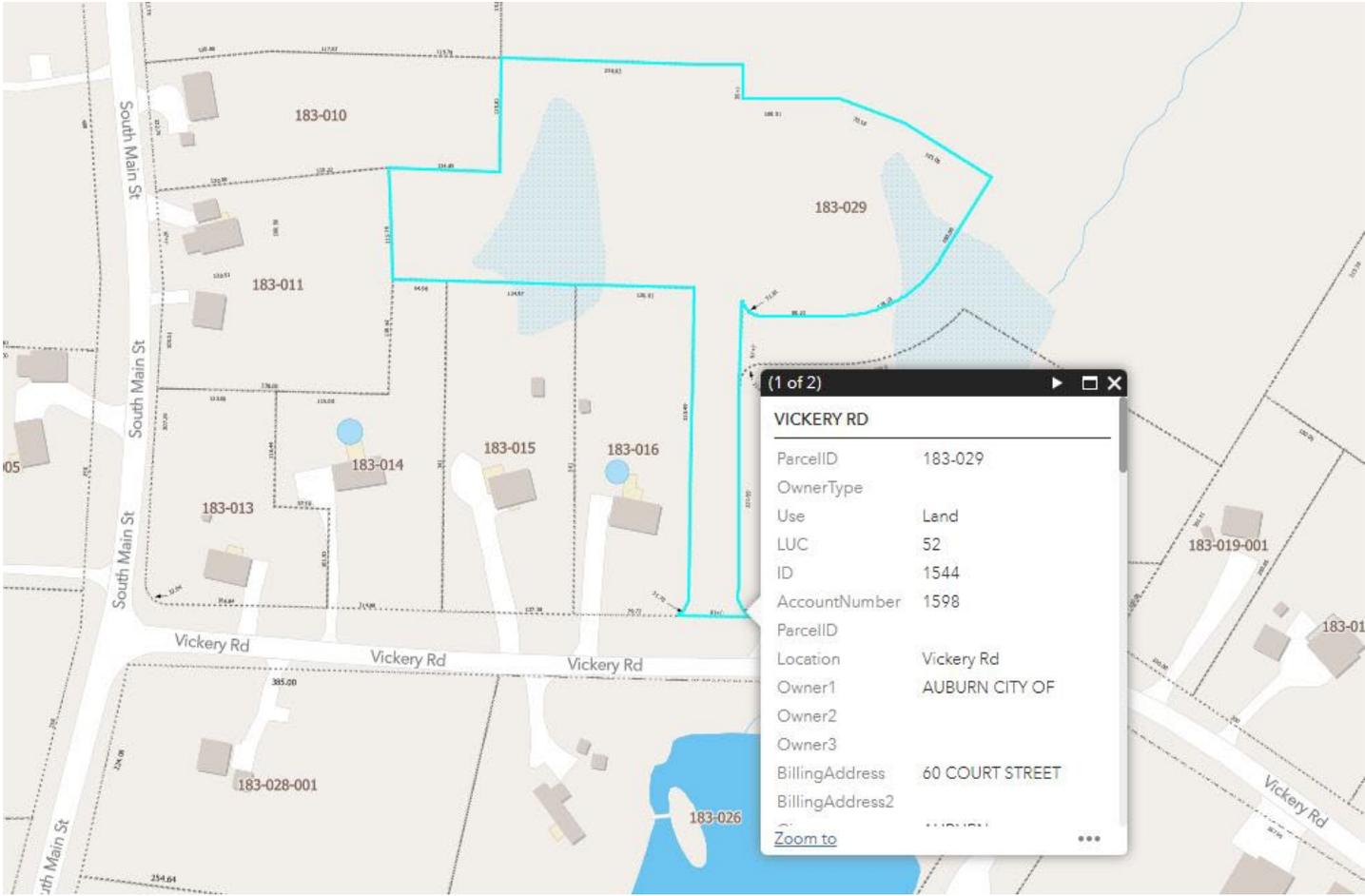
369 Main Street
.4 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)



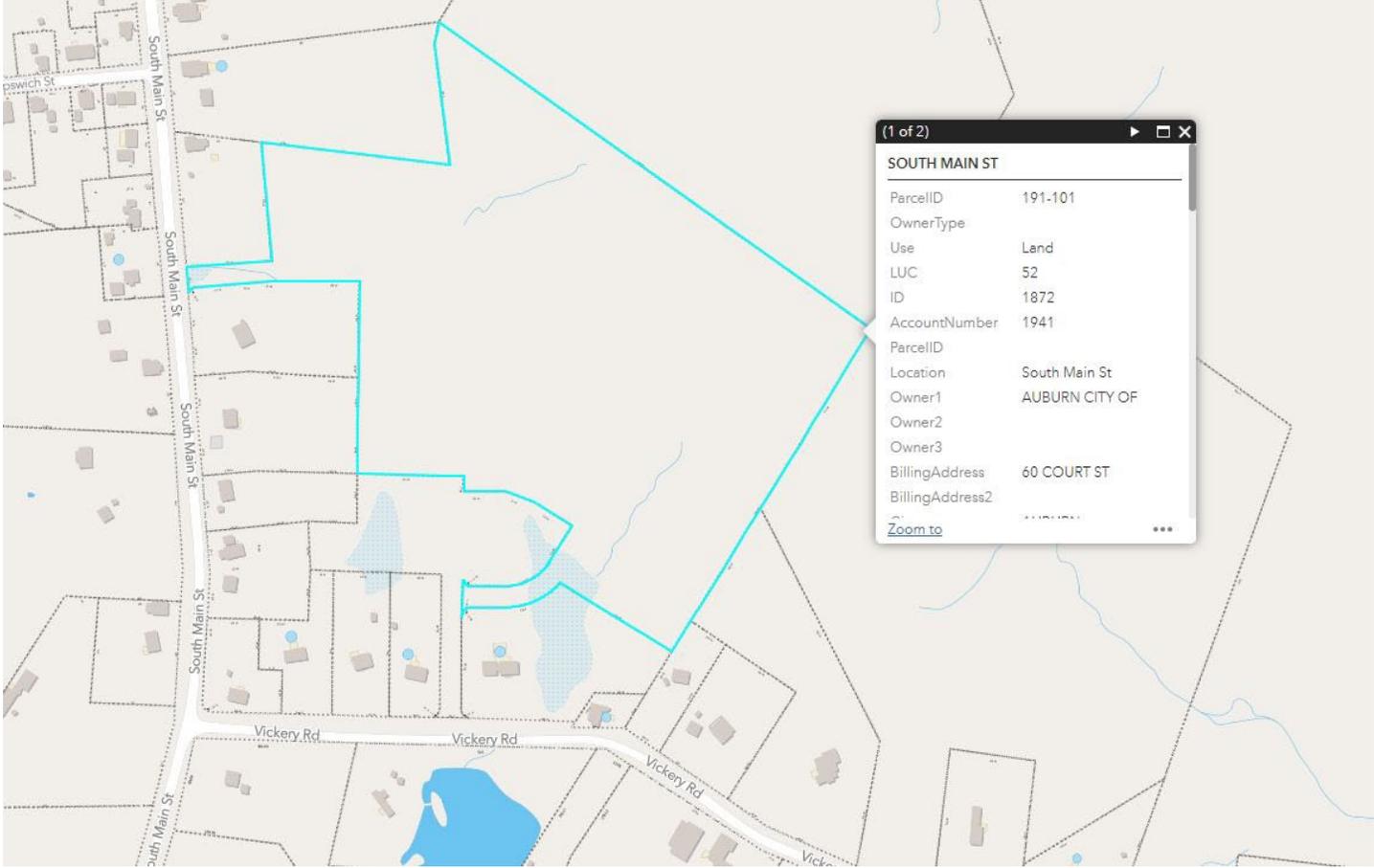
351 Main Street
.15 Acres +/-
Zoned: Traditional Downtown Neighborhood (T-4.2)

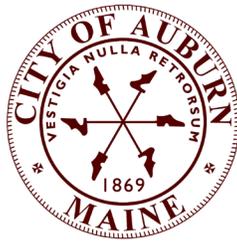


**Vickery Road
Parcel ID 183-029
3.01 Acres +/-
Zoned: Multifamily Suburban**



Winter Oaks Property
Parcel ID 191-101
34.24 Acres +/-
Zoned: Multifamily Suburban





ORDER 113-08012022

City Council Order

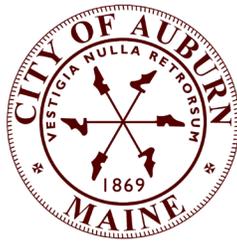
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 86 Western Ave. Parcel ID 230-026 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 114-08012022

City Council Order

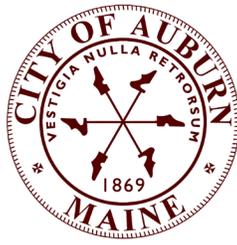
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 129 Winter Street Parcel ID 260-022 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 115-08012022

City Council Order

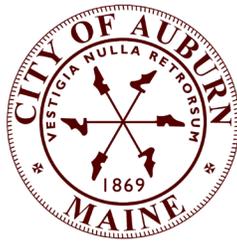
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 104 Newbury Street, Parcel ID 221-067 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 116-08012022

City Council Order

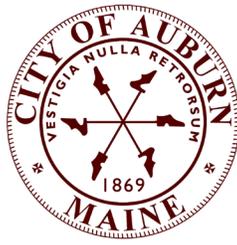
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 103 Newbury Street, Parcel ID 221-058 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 117-08012022

City Council Order

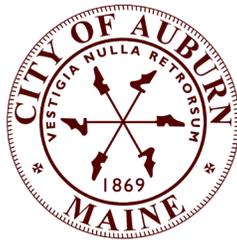
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 369 Main Street, Parcel ID 221-044 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 118-08012022

City Council Order

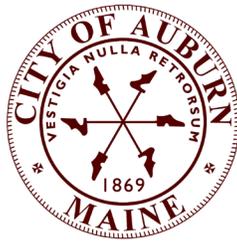
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of 351 Main Street, Parcel ID 221-048 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 119-08012022

City Council Order

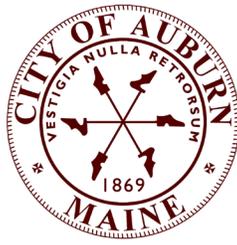
IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of Vickery Road Property, Parcel ID 183-029 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager



ORDER 120-08012022

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby authorizes the marketing of Winter Oak Property, Parcel ID 191-101 (city-owned property) by the Economic Development Department.

Richard Whiting, Ward One
Joseph Morin, Ward Four
Belinda A. Gerry, At Large

Ryan Hawes, Ward Two
Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

Stephen G. Milks, Ward Three
Dana Staples, At Large
Phillip L. Crowell, Jr., City Manager