



**City Council Workshop & Meeting
September 11, 2017
Agenda**

5:30 P.M. Workshop

- A. School Subsidy – Peter Crichton (30 minutes)
- B. Barker Mill Dam Relicensing – Eric Cousens (30 minutes)
- C. Lewiston-Auburn History Trails – Eric Cousens (30 minutes)
- D. Executive session – Personnel matter pursuant to 1 M.R.S.A. §405(6)(A)
If time allows, otherwise, this item will be moved to the end of the meeting

7:00 P.M. City Council Meeting

Roll call votes will begin with Councilor Walker

Pledge of Allegiance

- I. **Consent Items** – All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.
 - 1. **Order 75-09112017***
Approving the temporary sign request for Saint Dominic Academy's Annual Holiday Festival.
 - 2. **Order 76-09112017***
Appointing Assistant City Manager Denise Clavette as the alternate member of the Maine Municipal Association's Legislative Policy Committee.
 - 3. **Order 77-09112017***
Approving the renewal of the Auto Graveyard/Junkyard permit for M & P Auto located at 227 Merrow Road.
 - 4. **Order 78-09112017***
Approving the renewal of the Auto Graveyard/Junkyard permit for Randy's Auto Parts located at 899 Broad Street.
 - 5. **Order 79-09112017***
Approving the renewal of the Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC located at 522 Washington St. N.
 - 6. **Order 80-09112017***

Approving the renewal of the Auto Graveyard/Junkyard permit for Isadore T. Miller Co., a Division of Schnitzer NE located at 78 & 80 Hotel Road.

7. Order 81-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for Don's No Preference Towing, DBA Morris Auto Parts & Sales, located at 940 Washington St. N.

8. Order 82-09112017*

Approving the renewal of the Auto Graveyard/Junkyard permit for Ty Auto, located at 249 Merrow Road.

II. Minutes

- August 21, 2017 Regular Council Meeting
- August 31, 2017 Special Council Meeting

III. Communications, Presentations and Recognitions

- **Proclamation** - Lakes & Mountains Area Walk to End Alzheimer's on September 16th, 2017

IV. Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

V. Unfinished Business

1. Ordinance 08-08212017

Adopting the Recreational Planned Unit Development Ordinance Amendments (Chapter 60, Article IV, Division 10, Sec. 60-359 through Sec. 60-361, Sec. 60-359 through Sec. 60-361, Sec. 60-382 through Sec. 60-389, Sec. 60-421, and Sec. 60-2). Public hearing and second reading.

2. Ordinance 09-08212017

Amending the Auburn Zone Map from General Business (GB) to Traditional Downtown Center (T-5.1) for certain properties in the Troy Street area. Public hearing and second reading.

VI. New Business

3. Order 83-09112017

Appointing Gilda Berube and Danelle Martel to serve on the Auburn Housing Authority, each with a term expiration of 10/1/2022.

4. Order 84-09112017

Appointing Levi Gervais to serve as a full member on the Board of Assessment with a term expiration of 10/01/2022.

5. Order 85-09112017

Appointing Dana Bonenfant and Christopher Brann to serve on the Community Development Block Grant (CDBG) Loan Committee with term expirations of 10/1/2020.

6. Order 86-09112017

Appointing Maurice Keene to serve on the Conservation Commission with a term expiration of 6/1/2020.

7. Order 87-09112017

Appointing Timothy Cogle, Howard Fogle, and Belinda Gerry to the Parks and Recreation Advisory Board, each with a term expiration of 10/1/2019.

8. Order 88-09112017

Approving a 20 year extension of rights to certain paper streets.

9. Ordinance 10-09112017

Adopting a zoning ordinance text amendment to Article IV District Regulations, Division 2. Agriculture and Resource Protection District, Section 6-145 Use Regulations, (b) Special Exceptions (16), to allow Kennels as a Special Exception in the Agricultural and Resource Protection Zone. Public hearing and first reading.

VII. Reports

a. Mayor's Report

b. City Councilors' Reports

c. City Manager Report

VIII. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

IX. Executive Session

X. Adjournment

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 of personnel issues
- B. Discussion or consideration by a school board of suspension of expulsion
- 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 disclosure of the information would prejudice the competitive or bargaining position of the body or agency
- D. Labor contracts
- E. Contemplated litigation
- F. Discussion 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. Consultation between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



City of Auburn, Maine

Office of the City Manager

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

TO: Mayor and Council Members

FROM: Peter J. Crichton, City Manager

RE: Additional School Subsidy Workshop

DATE: September 7, 2017

As background, during the FY18 budget process the School Committee Chairman Tom Kendall and Superintendent Katy Grondin agreed to have 100% of the increased school subsidy go toward tax relief. There was no mention of Essential Programs & Services (EPS) having an impact on the 100% tax relief agreement during the discussion that took place by the Mayor and me, on behalf of the Council, with Tom Kendall and Katy Grondin. Nor was this possibility raised at the City Council meeting by the Superintendent when the FY18 School Budget was approved by the Council or at any other time during the budget process.

On the evening of July 26th, I received an email from Katy Grondin stating that \$128,755 of the \$1,222,442 in additional school subsidy needed to be used as the Auburn School Department's local cost share to meet 100% of EPS. With the tax commitment due to be set by the City, this became a major concern to resolve as quickly as possible without having a negative effect on the schools and the community. The tax commitment had to be made on July 27th. Therefore, with this question unresolved, the tax commitment was made without the \$128,755.

Since that time, I have learned that EPS is not an issue. So, I am recommending that the \$128,755 be credited to the taxpayers utilizing the software that the City has with the great assistance and cooperation of the Finance Director Jill Eastman.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 9-11-17

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

Subject: Barker Mill Dam Relicensing Update

Information: The Barker Mill Dam uses the Little Androscoggin River to generate power. Hydropower has an impact on river flows, the environment and recreational opportunities and the FERC relicensing process takes those impacts into consideration. We only get a chance to comment on a license renewal every 30 to 50 years so it is important that we advocate for compatibility and even contribution to accomplishing community goals in exchange for using the public's river for private power generating revenues. Based on past Council direction we have participated in the public process and advocated for Auburn's interests. We have been engaged with other stakeholders including the Androscoggin Land Trust, American Whitewater, Maine DEP, National Park Service, Trout Unlimited, Maine IF&W, we have encouraged/helped the applicant to host past meetings in LA and at the Barker Mill Housing building and promoted the goals of the New Auburn Master Plan and Comprehensive Plan through the licensing process. There is a strong interest in recreation within the project boundaries and the New Auburn Master Plan Identifies increased river access as Recreation Goal # 1. A status update Memo dated 9/8/17 is attached. Additional documents and information available at <http://www.auburnmaine.gov/pages/government/rivers-hydropower> .

On a related note, there is a strong interest from fisheries agencies in removing a defunct and breached dam at the end on Littlefield road in Auburn and adjacent to Martindale Golf Course. There may be funding available from the Federal Government and fisheries nonprofits. The City is being asked if they would be willing to manage funding and a removal project if funds were made available to contract out the work. Removal of the dam would help open up spawning habitat for salmon and other fish if upstream passage is mandated by FERC at the lower and upper Barker Mill Dams, which appears likely. Removal would also reduce any existing liability to the property owner related to the dam and we are told he is open to the removal.

Advantages: Advocate for Auburns recreational and community interests around the facility.

Disadvantages: None

City Budgetary Impacts: None.

Staff Recommended Action: Provide feedback on Barker Mill Relicensing and Littlefield Dam removal.

Previous Meetings and History: Discussed prior to Pre Application Document Comments in 2014 and Study Plans at the May 4, 2015 CC Mtg, May 2, 2016 CC Mtg, August City Managers Report.

Attachments: September 2017 relicensing update memo, Whitewater Flow Study Comments, Motion to intervene.



City of Auburn, Maine

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Auburn, Maine 04210
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Date: September 8, 2017

To: Peter Crichton, City Manager

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

Re: LOWER BARKER MILL DAM – FERC License Process Update

The Barker Mill Dam uses the Little Androscoggin River to generate power and is operated by Kruger Energy Inc. (KEI). Hydropower has an impact on river flows, the environment and recreational opportunities. The FERC relicensing process takes those impacts and public input into consideration and attempts to mitigate some of them. The current license for the Lower Barker Mill Dam expires in 2019 and we have been actively engaged in the relicensing process since 2013. We only get a chance to comment on a license renewal every 30 to 50 years so it is important that we advocate for compatibility and even contribution to accomplishing community goals in exchange for using the public's river for private power generating revenues. We have also been engaged with other stakeholders including the Androscoggin Land Trust, American Whitewater, Maine DEP, National Park Service, Trout Unlimited, Maine IF&W, NOAA Fisheries Maine DMR and others interested in rivers, recreation and fisheries. During the past few years we have encouraged/helped the applicant to host public meetings at the Barker Mill Housing building and promoted the goals of the New Auburn Master Plan as part of the process. There is a strong interest in recreation within the project boundaries and the New Auburn Master Plan Identifies increased river access as Recreation Goal # 1.

To date, the City has submitted comments at every available comment period and those comments and related documents are available at <http://www.auburnmaine.gov/pages/government/rivers-hydropower> . Below is a summary of the comments and history to date:

January 2014- KEI submits PAD to FERC

March 2014- FERC Grants approval for KEI to use Traditional License Process (TLP)

June 2014 – City submits comments on the Pre-Application Documents submitted by the licensee.

June 2014 – City submits study requests.

April 2015 – KEI submits proposed study plan.

May 2015 – City Submits comments on proposed study plan.

November 2015 – Bates College Recreational Potential Report for FERC Licensing Process



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August 2016 – KEI Submits Final Study Plan

January 2017 – City submits comments on Draft License Application and study plan

June 2017 – KEI Submits Whitewater Flow Study

June 2017 – KEI submits notice of Scoping Meetings for the public on Tuesday, August 29, 2017 at 7:00 p.m. at the Hilton Garden Inn and for stakeholder agencies on Wednesday, August 30, 2017 at 9:00 a.m.

June 2017 – FERC Files notice of application acceptance for filing and solicits motions to intervene, protest or requests for cooperating agency status by August 29, 2017.

August 2017 – City Submitted comments on Whitewater Flow Study dated August 2, 2017.

August 2017 - City Submitted Motion to intervene and participate in the licensing process dated August 21, 2017.

August 2017 – City Staff and/or the Mayor participated in the Barker Mill Dam Environmental Site Review and Evening Scoping Meeting on August 29th and the Daytime Scoping meeting on August 30, 2017.

Next Steps:

1. Draft city comments regarding information raised at the scoping meetings and submit by the end of September. Mostly the same information presented already and not yet addressed by KEI. Additional City Plans and local trails information to be submitted as part of the record.
2. FERC will likely draft a second version of the scoping documents in response to information provided at the meetings and submitted in September.
3. Solicit feedback from the Council. If the economics of the project do not support continued operation does the Council support, oppose or remain indifferent to decommissioning and dam removal?

So far in the process we have promoted substantial collaboration between local and national stakeholder agencies for such a small facility. This license process is important to fisheries groups/agencies because it is the first barrier to anadromous fish such as alewives and salmon between here and the Atlantic Ocean that has not been required to provide for upstream fish passage as part of an existing license. Fresh water fish stocking of trout within the project area was discontinued a number of years ago because of low flows limiting suitable habitat in the bypassed reach. The Little Androscoggin has existing downstream runs of alewives from stocking programs in the watershed, including Taylor Pond, but upstream runs are blocked by the Lower and Upper Barker Mill Dams. While we continue to advocate for recreational and community needs we should be aware that fisheries needs may impact the facility to a greater



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extent; It is likely that upstream fish passage will be required and that can be expensive. The Lower Barker Mill project appears to lose a small amount of money each year and it may have been maintained as part of a large hydropower portfolio of facilities just to avoid the expense of decommissioning. We continue to advocate for recreation requirements to be added to the license and the whitewater study comments and motion to intervene filed by the City are attached.

On a related note the license for the Upper Barker Mill Dam expires in 2023 so we anticipate that KEI will start that licensing process in late 2017 or 2018 if they follow a similar process to the Lower Barker Dam.



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UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

KEI (Maine) Power Management (III) LLC

Lower Barker Hydroelectric Project
(FERC Project No. 2808)

CITY OF AUBURN, MAINE COMMENTS IN RESPONSE TO THE WHITEWATER FLOW STUDY FOR THE LOWER BARKER HYDROELECTRIC PROJECT, FERC PROJECT NO. 2808

The City of Auburn submits these comments to FERC in response to the Whitewater Flow Study (June 2017) for the Lower Barker Hydroelectric Project for the relicensing of the Lower Barker Hydroelectric Project (FERC Project No. 2808). The City has previously submitted comments and study requests requesting that the Licensee study the impact of its hydroelectric operations on the recreational opportunities available to non-motorized boaters in the project area.

When the Licensee submitted their Draft License Application (DLA), they proposed no significant changes to current operations save a minor increase in minimum conservation flows in the natural river channel (bypassed reach) and had not yet completed the whitewater flow studies proposed in the approved study plan. To date, the Licensee has shown a lack of recognition that recreational amenities are important within the project area and the City and the Androscoggin Land Trust (ALT) continue to invest public and private funds to provide improved, yet limited access to the River.

We would like to reiterate, as we did in the previous comment periods in greater detail that the City is spending substantial local, State and Federal resources in and adjacent to the project area to improve the quality of life for our residents and create economic opportunity for the predominantly low income neighborhoods. During the current budget process the City Council programmed in excess of \$1,000,000 to match over \$1,500,000 in potential State and Federal funding to revitalize the adjacent New Auburn Village Center. Plans for proposed and active work in the vicinity of the project were previously provided. The City recently extended a sidewalk connection to the Barker Mill trail with local funds and a Recreational Trails Program Grant from the State of Maine. The cooperation of KEI is an essential component of our economic and recreational strategies yet we recognize that it may be to the advantage of KEI to



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minimize notice and public involvement in the licensing process as this may reduce the perceived recreational demand in the project area.

Project Nexus Summary and Necessary Recreation Impact Mitigation

The whitewater flow study minimizes the quality of the whitewater experience at studied flows for expert whitewater boaters but does highlight that studied flows can provide a good experience for novice to intermediate boaters and the experience would likely improve at higher flows. The report estimates that 600cfs to 800cfs flows could provide a higher quality experience for all boaters with required skill levels increasing with flows. Expert boaters also indicated flows exceeding 1000cfs would provide a desirable expert level experience. The City is pleased to learn that common flows can provide a good experience for novice boaters because there are many more novice boaters or potential novice boaters within the local population than there are expert boaters. Recreational activities for average people is part of the City's strategy to improve quality of life and attract new residents. Paddlers had good things to say about the potential for short run, local recreation, fun play waves and optimism for an even better run at slightly higher flows.

The report also indicates that the put-in trail is a potential safety hazard because it is steep and may be slippery during rain or wet weather. The highest potential for desirable flows exist during the wettest parts of the year and the Licensee should be required to improve access to the project area if a license is issued. Access at this point is only necessary because the hydro electric facility severs paddling connectivity on the river.

Currently there is no reliable flow gauge that the general public can access and easily understand current flow levels or trends within the project area. According to the DLA, the nearest USGS gauge for river flow data is USGS Gage No.01057000, Little Androscoggin River near South Paris, Maine, which is approximately 22 miles northwest of the Lower Barker Project. For the purpose of the DLA and presumably the Whitewater Flow Study, the Licensee estimates flows based on a drainage area proration. The proration is assumed as follows: the drainage area at the USGS gauge is 73.5 square miles, and by comparing that to the drainage area at the Lower Barker dam which is 357.4 square miles, the data is pro-rated by a factor of 4.9 ($=357.4/73.5$) to estimate available flows at Lower Barker. This calculation is too



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cumbersome to expect the general public to learn and understand and not knowing flows above and below the facility in the bypassed reach discourages daytrips to recreate in the project area. Table 4-2 and 4-3 on page 4-12 of the previously submitted DLA (<http://www.auburnmaine.gov/pages/government/rivers-hydropower>) confirms that there are many days with adequate flows for safe and quality recreation opportunities in the project area.

The Licensee proposes no change in its mode of operation that would meaningfully improve recreational opportunities that are impacted adversely by project operations today. Under current license conditions, recreational use of the bypassed reach is severely limited by the lack of any formal access points, the lack of real-time flow information, and the lack of predictable and adequate boatable flows. The upper impoundment and lower bypassed reach is severed by the dam for connective paddling within the river. The Licensee has made no attempt to quantify its impact or propose appropriate project mitigation and enhancement measures for recreation so the City of Auburn respectfully requests that they provide the following related to whitewater and river boating:

1. Agree to provide 600-800 CFS flows for a scheduled recreational boating events at least five times per year for up to 5 hours on a weekend day, coordinated with the City of Auburn.
2. Establish a gauge estimating real time river inflows and bypassed reach outflows that takes into account generating activities and publish the real time information to a website site that can be linked or incorporated to the City of Auburn website. The intent of this is to allow paddlers, anglers and residents to access real time flow information that can help make decisions about safe recreation opportunities available on a given day within the project area.
3. Fund the establishment high quality and safe water access above and below the Lower Barker Mill Dam and contribute to the planned water access on the Little Androscoggin downstream of the turbine, with the City of Auburn committing to partner on access to land for its construction, and contribute an annual payment to the City of Auburn or Androscoggin Land Trust by April 1st annually each year to assist in the maintenance of the Barker Mill Trail expenses connecting the two access points and to serve as a portage trail.

Conclusion

The City of Auburn submits these comments as part of the record for the Lower Barker



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Hydroelectric Project relicensing, and requests that the Licensee revise its Draft License Application to include a commitment to mitigate the impacts of hydroelectric operations to local recreation as outlined above. Thank you for considering these comments.

Respectfully submitted this 2nd day of August 2017

A handwritten signature in black ink that reads "Eric Cousens".

Eric J. Cousens

Deputy Director of Economic and Community Development

City of Auburn, ME

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

KEI (Maine) Power Management (III) LLC
Lower Barker Mill Project

Project No. 2808

CITY OF AUBURN MOTION TO INTERVENE
LOWER BARKER HYDROELECTRIC PROJECT (FERC PROJECT NO. 2808)

The City of Auburn, Maine hereby moves to intervene in this proceeding pursuant to 18 C.F.R. § 385.210 and § 385.214. Service of process and other Communications should be made to:

Eric J. Cousens
Deputy Director of Economic and Community Development
City of Auburn, Maine
60 Court Street, Suite 104
Auburn, ME 04210

I. Introduction

The City of Auburn is a Municipal Corporation located in Androscoggin County within the State of Maine. The Barker Mill Hydroelectric Project Area is located entirely within the municipal boundaries of Auburn and mostly within a portion of the community known as New Auburn. Most of Auburn's 23,000 residents live within a few miles of the Lower Barker Hydroelectric Project. We would like to reiterate, as we did in the previous comment periods that the City is spending substantial local, State and Federal resources in and adjacent to the project area to improve the quality of life of our residents and create economic opportunity for the predominantly low income neighborhoods. The City wishes to remain engaged in the FERC Relicensing Process to ensure that the Licensee appropriately studies and mitigates the impacts of its hydroelectric operations on recreational opportunities.

The City of Auburn has a strong interest and solid policy basis for insisting on high quality recreational access within and around the project area. Through our Comprehensive Planning Process the residents of Auburn determined that New Auburn required a specific plan to address the unique needs of that portion of the community and the New Auburn Master Plan (NAMP) was created. New Auburn includes areas designated as low-moderate income by the US Census Bureau, including the Barker Mill Project area. Recreation Goal #1 of the NAMP is to establish a greenbelt and improve riverfront access.

II. Grounds for Intervention

Intervention by The City of Auburn is in the public interest as required by 18 C.F.R. §385.214(b)(2)(iii). The inhabitants of the City of Auburn may be directly affected by the outcome of the license proceeding as per 18 C.F.R. §385.214(b)(2)(ii). As noted above and in the comments filed in the current proceeding, the City of Auburn, Maine has a significant interest in the recreational use of the Little Androscoggin River in and around the project boundary.

The City of Auburn seeks intervener status in this License Application Process in order to advocate for safe and appropriate recreational opportunities within the project boundary and to ensure that the licensee mitigates the impacts of their hydroelectric operations on those recreational opportunities. No other party to the proceeding will be able to adequately represent the interests of the inhabitants of the City of Auburn. The City of Auburn has a direct and substantial interest in the outcome of this process.

III. General Comments

The Licensee proposes no significant change to current operations save a minor increase in minimum conservation flows in the natural river channel (bypassed reach) and we are well into the public process where the Licensee could have proposed some mitigation measures.

The Licensee has shown a lack of recognition that recreational amenities are important within the project area and the City and the Androscoggin Land Trust (ALT) continue to invest funds to provide limited access to the River. New information also shows that the the facility loses money after operating costs which may not support its continued operation and the associated negative environmental and recreational impacts.

The Licensee has attempted to use the Form 80 process as documentation for recreational demand and to assess potential demand. The City requests that FERC consider requiring more than the inadequate Form 80 process for assessing recreational demand and access for the following reasons:

- 1) Existing access is poor and although it receives heavy use at times the lack of high quality access in itself reduces potential use. The Licensees Whitewater flow study identifies access as being hazardous in wet conditions.
- 2) The FORM 80 Data appears to be collected poorly showing many data forms filled out and dated over long periods of time with the same penmanship and ink color. The data is inconsistent in some cases with actual weather records for the day and also shows more than one entry for the same day at the same time with different information. It appears that many days worth of forms may have been filled out at one sitting making the data inaccurate to begin with. A summary of the data sheets comparing weather records to the forms was included with the City's DLA

Comments and the actual daily data sheets are available from the Licensee or could be provided by the City if needed.

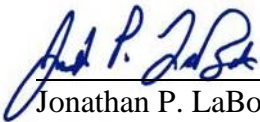
We would like to reiterate, as we did in the previous comment periods that the City is spending substantial local, State and Federal resources in and adjacent to the project area to improve the quality of life for our residents and create economic opportunity for the predominantly low income neighborhoods. The City Council has programmed in excess of \$1,000,000 to match over \$1,500,000 in potential State and Federal funding to revitalize the adjacent New Auburn Village Center. Plans for proposed and active work in the vicinity of the project were previously provided. The City recently extended a sidewalk connection to the Barker Mill trail with local funds and a Recreational Trails Program Grant from the State of Maine. The cooperation of KEI is an essential component of our economic and recreational strategies and we recognize that it may be to the advantage of KEI to minimize notice and public involvement in the licensing process as this may reduce the perceived recreational demand in the project area.

The Licensee proposes no change in its mode of operation that would meaningfully improve recreational opportunities that are impacted adversely by project operations today. Under current license conditions, recreational use of the bypassed reach is severely limited by the lack of any formal access points, the lack of real-time flow information, and the lack of predictable and adequate boatable or fish habitat flows. While the Licensee acknowledges that there is some angling use in the project boundary, the lack of sufficient flows, access, and passage facilities certainly have an adverse impact. Further, the Licensee has made no attempt to quantify its impact or propose appropriate project mitigation and enhancement measures.

VI. Conclusion

Granting intervenor status to the City of Auburn, Maine will not delay this proceeding. No other party represents the inhabitants of the City of Auburn's interests in this proceeding and it is important that we stay engaged to ensure project mitigation measures are achieved. For these reasons, the Commission should accept this motion to intervene in this proceeding.

Respectfully submitted this 21st day of August, 2017.



Jonathan P. LaBonte
City Of Auburn Mayor
60 Court Street
Auburn, ME 04210



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 9/11/17

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

Subject: History Trail / Museum in the Streets Proposal

Information: Staff has completed the installation of the highest priority wayfinding signs and kiosks downtown. Androscoggin Land Trust has completed a Travel Storys Local Audio Story for walking and kayaking downtown. As a next step, staff has been participating in a few meetings over the last year with a working group interested in promoting awareness of history in Auburn and Lewiston and using that history to create a high quality walking tour downtown. Participants in the discussion include Grow L+A, ALT, Healthy Androscoggin, Cities of Lewiston and Auburn, Androscoggin Historical Society, Jane Costlow and Kristen Barnett (Bates Professors), Sam Boss (Bates Harward Center), and Museum LA. The group has come up with a proposal to create a memorable walking tour in the two cities and is asking if the cities are willing to fund the project. Auburn has \$25,000 in approved funding for a wayfinding sign project and this proposal could be a good component to continue that effort.

Next steps include determining content and designs that complement existing signs, installation and maintenance cost estimates and then ordering signs. The budget will likely need to be revised to include installation costs and may require a reduced number of signs to back into the total available funding of \$25,000 as the limiting factor.

Advantages: Take advantage of our history to create a high quality walking tour experience downtown.

Disadvantages: Cost of the signs.

City Budgetary Impacts: Expenditure of up to \$25,000 in CIP funds already designated for signage projects.

Staff Recommended Action: Funding for wayfinding signs including informational kiosks is approved. If there are no objections by the Council we will move forward with the project as a component of the wayfinding sign initiative.

Previous Meetings and History: CIP meetings in 2015 and 2016.

Attachments: Request and project summary, additional concepts/examples and Travel Storys Flyer.



Dear Auburn City Manager Peter Crichton and Mayor Jonathan LaBonte,

Attached you will find a draft budget for the history trail that several organizations have been developing over the past year. Together we believe that investing in a tangible history trail along the existing Riverwalk infrastructure only serves to enhance the value of our downtown and creates an economic driver that affords an opportunity for citizens and visitors alike to connect with our great past.

The Androscoggin Land Trust has put hundreds of hours into developing the wayfinding signage that serves as the template for the new signs coming online in both cities, including kiosks being installed in the next month. Those projects have been ongoing, and the formatting, color scheme, and design work will serve as a template for the signage along the new history trail we envision.

ALT's existing GPS oriented, walking tour smartphone application (that was created with input from the Androscoggin Historical Society, Museum LA and Bates College) serves as the foundation for this new collaborative community development effort involving: Grow L+A, Healthy Androscoggin, Museum LA, Androscoggin Historical Society, and Bates College. The working group endeavors to turn ALT's smartphone walking tour into a tangible history trail along the existing public infrastructure that is the Auburn River Walk and Simard Payne Park and also to expand its current reach with new content.

A significant portion of the historical narratives are written and the accompanying media for the signage is 85% shovel ready. The finished product will invite residents and visitors alike to engage in a cultural experience that allows them to experience the riverfront and outdoors, while simultaneously enjoying the opportunity to learn about our community's history.

Because so much community input and technical groundwork has already been done, we feel confident that the attached budget represents a wonderful opportunity for the Cities of Lewiston and Auburn. We hope you will join this working group in our efforts to promote our waterfront and the fascinating history of our community's culture. There is an opportunity at our feet and we ask that you please consider finding a way to fund half of this project. Thank you for your consideration.

Sincerely,

The Androscoggin Land Trust and Grow L+A

Board of Directors

Dana Little – *Auburn*
President

Marian (Kitsie) Claxton –
Auburn
Vice President

Wes Davis – *New Gloucester*
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Mary Howes – *Jay*
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Amanda Meader – *Winthrop*

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Justin Merrill – *Jay*

Camille Parrish – *Auburn*

James F. Pross – *Auburn*

Elwood (Woody) Trask
Auburn

Staff

Shelley Kruszewski
Conservation Director



Androscoggin Land Trust

PO Box 3145 Auburn, Maine 04212

www.androscogginlandtrust.org

(207) 782-2302

LA Riverwalk History Trail Budget 2017

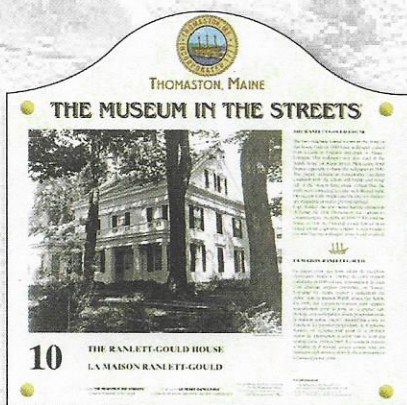
Expenses

Please note: staff work time will be provided by LA Riverwalk History Trail working group partners, volunteers who have appropriate skills, and contract consultants where necessary. For planning purposes, all work time is valued at the volunteer rate recommended by Independent Sector of \$23.56, rounded to \$24.

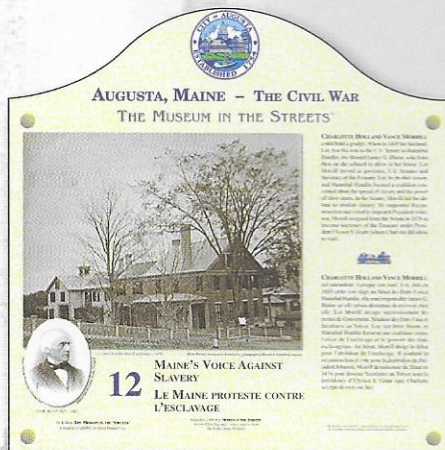
<u>Sign content creation and design work</u>		
-Work with local experts on sign content=60 hours at \$24/hr		\$1,440
<u>Sign acquisition</u>		
-30 small interpretive panels and 2 large panels (based on quote from Museum in the Streets)		\$21,100
-2 large sign posts @ \$450 ea		\$900
-30 small sign posts @ \$150 ea		\$4,500
-20 hours to supervise and coordinate above at \$24/hr		\$480
-shipping sign posts from Belfast		\$1,000
<u>Installation of signs</u>		
Cities/Public Works?		?
<u>Promotion and Kick-off Event</u>		
Expenses for kick-off event		\$1,000
Coordinate, promote and staff kick-off event-55 hours at \$24/hr		\$1,320
Promotion through individual, corporate, municipal and institutional partners, nearby schools and youth organizations and through traditional and social media-80 hours total at \$24/hr		\$1,920
Promotional materials		\$1,000
<u>Upgrades to TravelStories App to match new signs</u>		
18 additional geotags at \$500/geotag		\$9,000
Recording/updating recording/visual aspects of app 20 hours @\$24/hr		\$480
Annual maintenance cost for Travelstories \$540/year		\$540
<u>Total project cost</u>		\$44,680

THE MUSEUM IN THE STREETS™

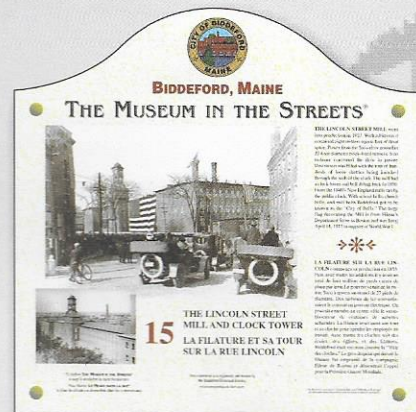
SOME OF OUR REFERENCES



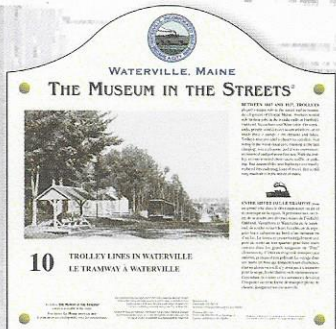
> Thomaston (Maine, U.S.A.)



> Augusta (Maine, U.S.A.)



> Biddeford (Maine, USA)



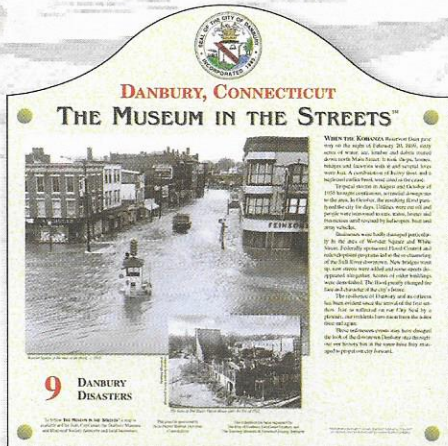
> Waterville (Maine, U.S.A.)



> Fouras (Charente Maritime, FRANCE)



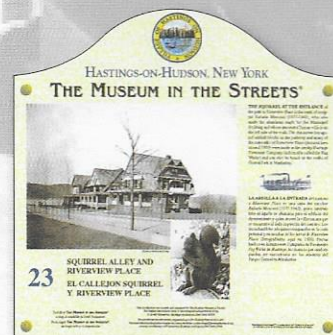
> Pontlevoy (Loir-et-Cher, FRANCE)



> Danbury (Connecticut, U.S.A.)



> Vignole Borbera (ITALY)



> Hastings-on-Hudson (New York, U.S.A.)

Your contact

Patrick CARDON

P.O. Box 11, Cushing, Maine 04563

E-mail: info@themuseuminthestreets.com

+1 207 354 0497

The Museum in the Streets™
Le musée dans la rue™
L'histoire au fil des rues™
Il Museo lungo la Strada™
are trademarks owned and protected.

Recent Updates and potential topics

I wanted to keep you updated regarding the History Trail project and realized you did not receive the most recent email to the working group. Below is an email summarizing the Museum in the Streets program that the working group is looking into.

Here are some other recent updates:

- working group members include: Grow L+A, ALT, Healthy Androscoggin, Cities of Lewiston and Auburn, Androscoggin Historical Society, Jane Costlow and Kristen Barnett (Bates Professors), Sam Boss (Bates Harward Center), and Museum LA.

- The Cities of Lewiston and Auburn will have a few kiosks installed by June 1. Some will include directions for using the Travelstorys app. These kiosks will not interfere with the History Trail plans but instead will be a nice compliment.

- The working group is investigating enlisting the help of "Museum in the Streets"

<http://www.themuseuminthestreets.com/> They offer panel design and creation for 20 small panels and 2 large panels for \$16,200 (posts and installation not included). We are finalizing a budget to present for potential funding.

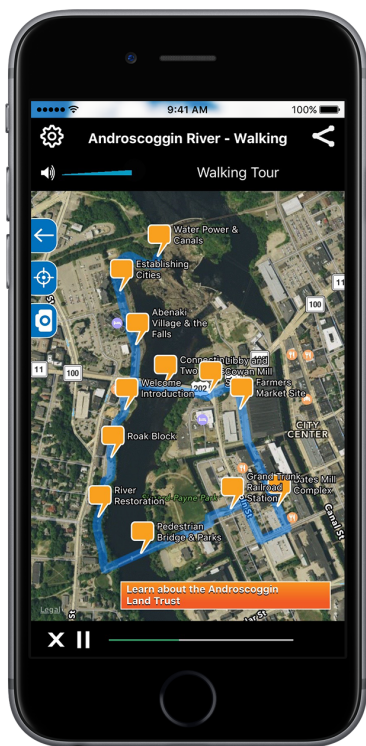
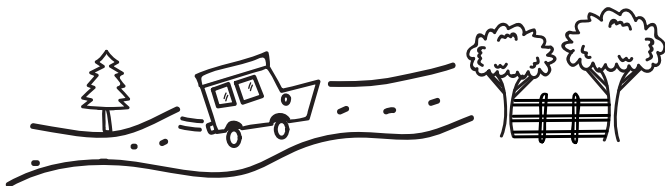
- City of Lewiston is interested in expanding the tour to include some sites on Lisbon Street

Other new content ideas for the tour include: Expand re: Indigenous people as well as a timeline of immigration (then and now), Expand re: the canals in Lewiston, Veterans Park, Incorporate health and outdoor recreation/exercise, incorporate the Knight House, include Marston Hartley, include the Edward Little House, have an interactive kid portion on the signs (treasure hunt), natural history and info re: feeding the ducks, Laurel Street ice house, Saw Mill at falls and log drives

Please let us know if you have any questions and thank you for your interest in this project!

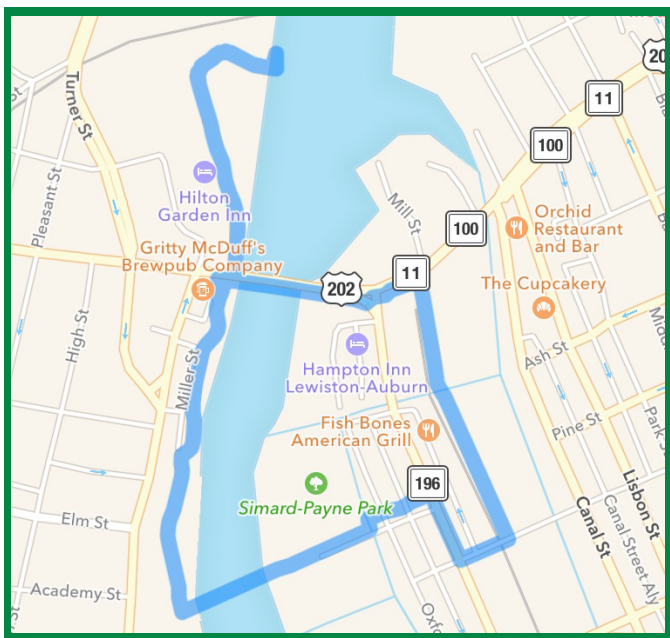
Shelley

TAP INTO YOUR SURROUNDINGS



THE APP THAT TURNS YOUR CELL PHONE INTO A TOUR GUIDE





AUTHENTIC LOCAL AUDIO STORIES

FREE TO DOWNLOAD

WALKING & PADDLING

NO WIFI NECESSARY

DOWNLOAD NOW AND PLAY IT BY EAR



WWW.TRAVELSTORYS.COM

U.S. Patent No. 8,965,410 & U.S. Pat. No. 9,078,096



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: September 11, 2017

Subject: Executive Session

Information: Discussion regarding a personnel matter, pursuant to 1 M.R.S.A. Section 405(6) (A).

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

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

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

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

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

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

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

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

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 09/11/2017

Order: 75-09112017

Author: Sue Clements-Dallaire, City Clerk

Subject: Temporary Sign Request – St. Dominic Academy

Information: This is a request to allow St. Dominic Academy to place a temporary sign for their Holiday Festival. They would like to place the sign on Mt. Auburn Avenue beside Starbucks from October 21st to November 6th. The event will take place on November 4, 2017.

Advantages: Promotes this local event.

Disadvantages: Some may not like the appearance of the sign.

City Budgetary Impacts: None

Staff Recommended Action: Passage of the Order.

Previous Meetings and History: This is a yearly request.

Attachments:

Letter of request
Photo of the sign template
Diagram showing placement
Order 75-09112017



SAINT DOMINIC ACADEMY

Donald Fournier, President

Marianne Pelletier, Principal
Grades Pre K-6
17 Baird Avenue
Lewiston, Maine 04240
207-783-9323 fax: 207-783-9491

Shelly Wheeler, Principal
Grades 7-12
121 Gracelawn Road
Auburn, Maine 04210
207-782-6911 fax: 207-795-6439

To Susan Clements-Dallaire (Auburn City Council):

St. Dominic Academy is holding its 12th Annual Holiday Festival at our High School campus in Auburn on Saturday November 4th, 2017. St. Dominic's mission is to educate students according to the highest moral and educational standards. We anticipate several hundred attendees at this year's Holiday Festival that will include crafts, baked goods, games and activities for all ages. It is one of our largest events of the year and helps us raise needed funds to support our educational mission.

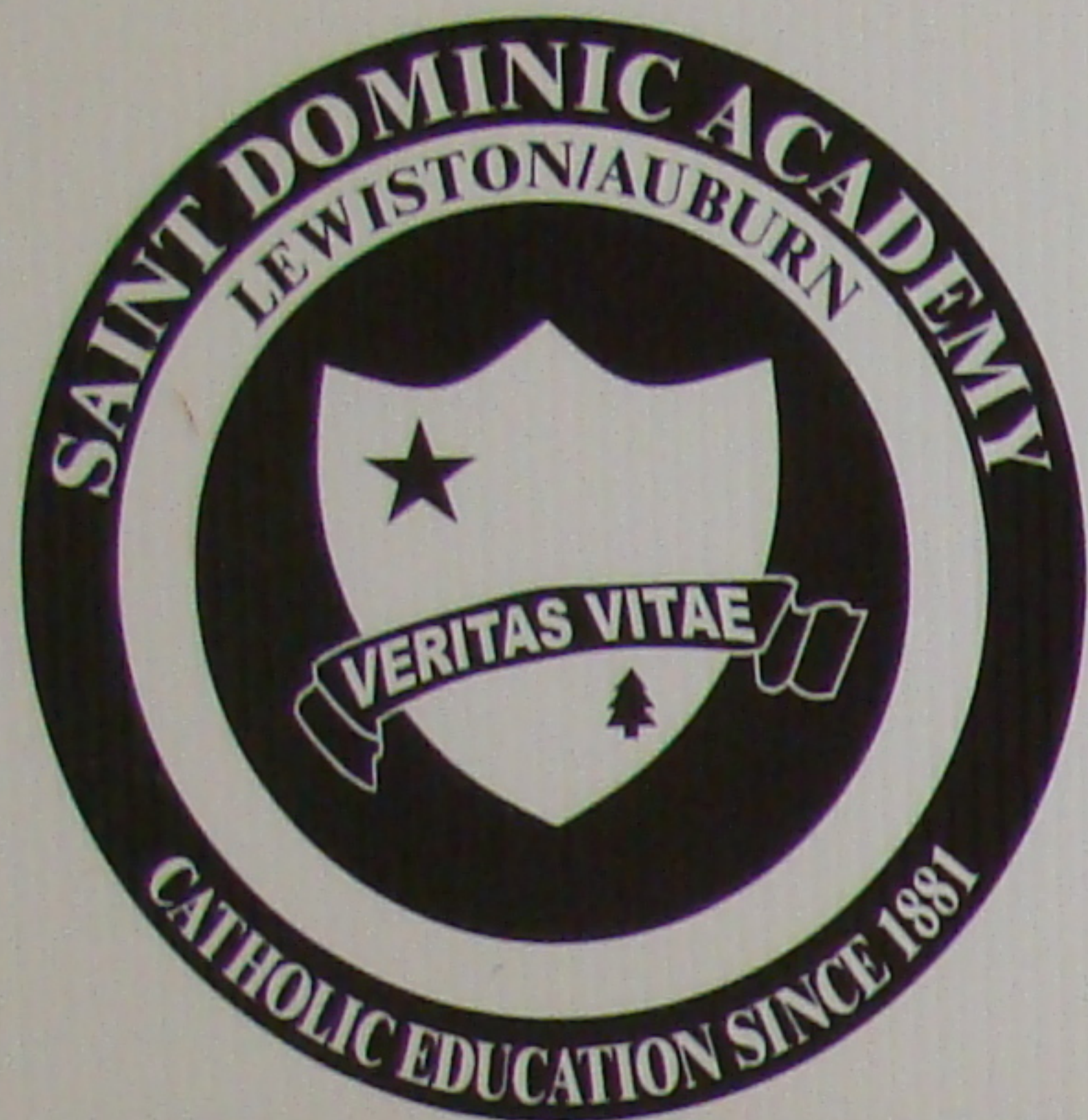
We would like to get permission from the Auburn City Council to place a sign for the Holiday Festival on Mt. Auburn Avenue in Auburn beside Starbucks from October 21st through November 6th, 2017. Enclosed is a photo of the sign.

Please let me now if you need anything (Donna Cote at 207-345-3124 - dcote@unum.com).

Thank you for your time and your support. May God bless you!

Sincerely,

Donna Cote
Committee Chair - Saint Dominic Academy Holiday Festival



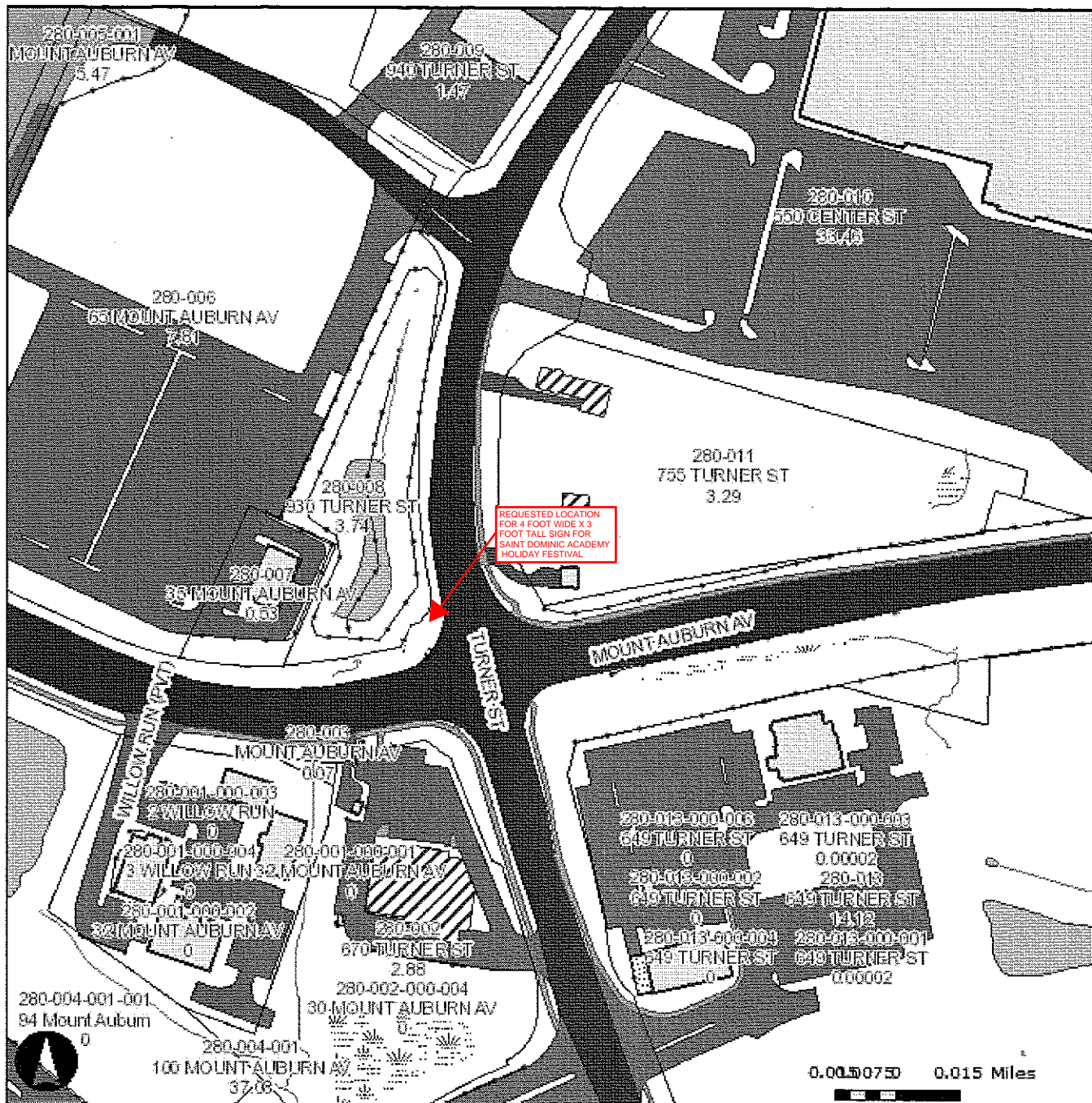
St. Dom's

GRACELAWN ROAD, AUBURN

Holiday Festival

Saturday, Nov 12th
9 AM - 3 PM

Map



James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 75 - 09112017

ORDERED, that the City Council hereby approves the request for Saint Dominic Academy to place a temporary sign for its Holiday Festival to be placed on Mount Auburn Avenue beside Starbucks from October 21st to November 7th. The event will take place on November 4, 2017.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 11, 2017

Order: 76-09112017

Author: Sue Clements-Dallaire, City Clerk

Subject: Auburn's Alternate Appointment to the Maine Municipal Association Legislative Policy Committee

Information: July 11, 2016, Councilor Robert Stone was appointed to the Maine Municipal Association (MMA) Legislative Policy Committee for a term from July 1, 2016 to June 30, 2018. On April 24, 2017, City Manager Peter Crichton was appointed as an alternate member on that committee. This order is to appoint Assistant City Manager Denise Clavette as an alternate member on that committee, replacing City Manager Crichton.

Advantages: Representation for Auburn

Disadvantages: None

City Budgetary Impacts: None

Staff Recommended Action: Recommend passage.

Previous Meetings and History: N/A

Attachments:

Order 76-09112017

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 76-09112017

ORDERED, that the City Council hereby appoints Denise Clavette as alternate member of the Maine Municipal Association's Legislative Policy Committee, replacing City Manager Crichton.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 11, 2017

Author: Kelsey Earle, License Specialist

Subject: Automobile Graveyard/Junkyard permits renewals

Information: This is an annual renewal of currently existing Automobile Graveyard/Junkyards in Auburn. Reminder letters and applications were sent out 08/03/2017. Inspections have been made. Council approval is required for renewal of these licenses. Because the 6 listed below are renewals, they do not require a public hearing. All have passed inspections conducted by the Code and Fire Departments, therefore have been placed on the Consent Agenda for approval as they are considered routine.

Title 30-A, Sec. 3754 states *"Municipal officers or county commissioners, as provided for in section 3753, shall hold a public hearing before granting a permit to establish a new automobile graveyard, automobile recycling business or junkyard and may hold public hearings annually regarding the relicensing of these facilities"*.

M & P Auto, Inc., 227 Merrow Road
Randy's Auto Parts, Inc., 899 Broad Street
Prolerized New England Company, LLC., 522 Washington St. North
Isadore T. Miller, 79 & 80 Hotel Road
Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North
Ty Auto, 249 Merrow Road

Advantages: Allows existing taxpaying businesses to continue operating as long as they meet requirements. Junkyards provide a special service; to both people searching for inexpensive car parts and to the environment, since they reuse valuable vehicle parts that would otherwise go to waste.

Disadvantages: Junkyards can potentially be a source of pollution if they are not properly maintained and regulated.

City Budgetary Impacts: N/A

Staff Recommended Action: Staff recommends the City Council approve renewal applications.

Previous Meetings and History: Annual Renewal

Attachments:

1. Automobile Graveyard/Junkyard applications
2. Inspection Memo – Eric Cousens (Economic and Community Development)
3. Inspection Memo – David O'Connell (Fire Department)
4. 30-A §3753, 30-A §3754
5. Orders 77-09112017, 78-09112017, 79-09112017, 80-09112017, 81-09112017, and 82-09112017



City of Auburn, Maine

Office of Economic & Community Development
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

To: Mayor and City Council
From: Eric J. Cousens, Deputy Director of Economic and Community Development
Re: 2017 Junkyard License Inspections
Date: August 24, 2017

The City Clerk requested that this office inspect licensed junkyards that have applied for license renewals prior to the Council's consideration of their application. Inspections were completed during the month of August and staff found the following:

In general there are still more cars stored at junkyards in Auburn than usual. It is normal to see fluctuations in storage as worldwide prices for scrap metal fluctuate. I was told this year that steel prices are rising and they are starting to sell more of their scrap cars again.

Randy's Auto Parts - 899 Broad St. - No concerns. The site is meeting junkyard requirements.

M & P Auto, Inc. - 227 Merrow Rd. - No Concerns. The site is meeting junkyard requirements.

Morris Auto Parts - 940 Washington ST. N – Over the last few years the inspections revealed that there were some operational violations and we have worked closely with this business since then. They have made substantive management and operational changes and are operating mostly in compliance with the applicable junkyard requirements. They need to make some repairs to their screening along Washington Street for full compliance and they have promised that they will do so by September 8th.

Prolerized New England Company – 522 Washington Street- No concerns. The site is meeting junkyard requirements.

Isadore T. Miller Co. – 78 & 80 Hotel Road - No concerns. The site is mostly empty and still meeting junkyard requirements.

Ty Auto - 249 Merrow Road - No concerns. The site is mostly cleared and still meeting junkyard requirements.

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 183: ECONOMIC REGULATION

§3753. PERMIT REQUIRED

A person may not establish, operate or maintain an automobile graveyard, automobile recycling business or junkyard without first obtaining a nontransferable permit from the municipal officers of the municipality in which the automobile graveyard, automobile recycling business or junkyard is to be located, or from the county commissioners of the county of any unorganized territory in which the automobile graveyard, automobile recycling business or junkyard is to be located. Permits issued to an automobile graveyard or junkyard under this section are valid until the first day of the following year; except that, beginning in calendar year 2004, permits issued to an automobile graveyard or junkyard under this section are valid until the first day of October of the following year. Permits issued to an automobile recycling business under this section are valid for 5 years from the date of issuance and are renewable provided that the permit holder furnishes a sworn statement, annually, on the anniversary date of the granting of the permit, that the facility complies with the standards of operation applicable at the time of issuance of the permit. A person operating a business that involves the recycling of automobiles may operate under a permit for an automobile graveyard or a permit for an automobile recycling business. [2003, c. 312, §7 (AMD).]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1993, c. 173, §4 (AMD). 2003, c. 312, §7 (AMD).

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PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
Chapter 183: ECONOMIC REGULATION

§3754. HEARINGS

Municipal officers or county commissioners, as provided for in section 3753, shall hold a public hearing before granting a permit to establish a new automobile graveyard, automobile recycling business or junkyard and may hold public hearings annually regarding the relicensing of these facilities. Municipal officers or county commissioners shall require an applicant to provide proof of mailing the notice of the application to all abutting property owners. Municipal officers or county commissioners shall also post a notice of the hearing at least 7 and not more than 14 days before the hearing in at least 2 public places in the municipality or unorganized territory and publish a notice in one newspaper having general circulation in the municipality or unorganized territory in which the automobile graveyard, automobile recycling business or junkyard is to be located. The municipal officers or county commissioners shall give written or electronic notice of the application to establish a new automobile graveyard or automobile recycling business to the automobile dealer licensing section of the Department of the Secretary of State, Bureau of Motor Vehicles by mailing a copy of the application at least 7 and not more than 30 days before the hearing. The municipal officers or county commissioners shall give written notice of the application to the public water supplier if the application is for an automobile graveyard, automobile recycling business or junkyard located within the supplier's source water supply area. The notice may be given by mailing a copy of the application at least 7 and not more than 14 days before the hearing. [2005, c. 424, §2 (AMD).]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1993, c. 173, §4 (AMD). 1999, c. 761, §5 (AMD). 2003, c. 312, §8 (AMD). 2005, c. 424, §2 (AMD).

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AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We MTP Auto Inc / Albert Bazinet Jr hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

Physical Address: 227 Merraw Rd.
Auburn, ME 04210

Mailing Address: Same as above

Phone Number: 207-786-3030

E-Mail: cbazinet@roadrunner.com

Answer all questions in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?

227 Merraw Rd
Auburn, ME

2. Is this application made by or for a company, partnership corporation or individual:

3. Is this property leased? no Property owned by: Albert Bazinet Jr.
Address: 81 Dawes Ave. Auburn, ME 04210

4. How is "yard" screened?

☐ Fence (type) ✓ Height: 8'
☐ Trees (type) _____



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- ☐ Embankment: _____
☐ Gully: _____
☐ Hill: _____
☐ Other: _____

5. How far is edge of "yard" from center of highway?

400 ft

6. Can junk be seen from any part of highway? Yes _____ No ✓

7. Were Junkyard Law, Requirements and Fees explained to you? Yes ✓ No _____

8. Is any portion of this "yard" on public property? Yes _____ No ✓

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No ✓

10. When was "yard" established? 1978 By whom? Albert Baznet Jr.

11. When was last permit issued? 2016 By whom? M+P Auto Inc

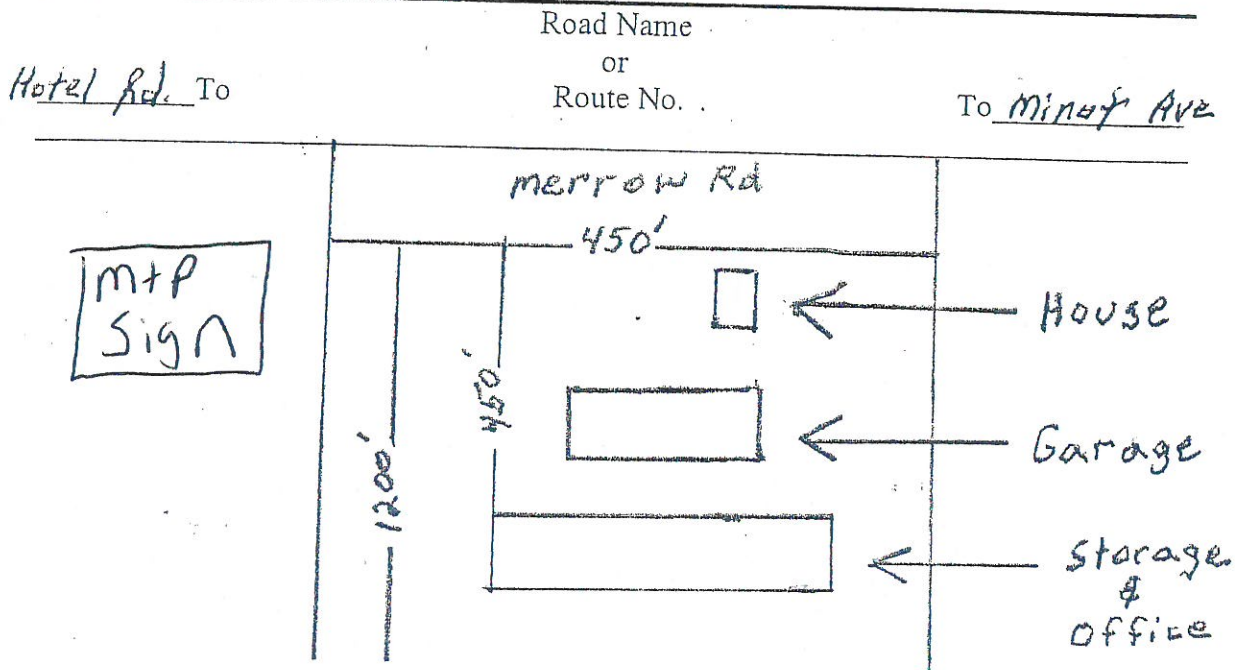
The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Claudette Baznet for: M+P Auto Inc.
Name of Company, Corporation, Partnership or Individual

Address: 227 Merrow Rd. Auburn, ME 04210

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. _____



James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 77-09112017

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for M & P Auto, Inc., 227 Merrow Road.



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

AUG 08 2017

AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We RANDY'S AUTO PARTS INC. hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

Physical Address: 899 BROAD STREET

Mailing Address: P.O. Box 1243 AUBURN, ME 04211

Phone Number: 207 782 9589

E-Mail: TAYLORBROO@ROADRUNNER.COM

Answer all questions in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?
899 BROAD STREET AUBURN, ME
2. Is this application made by or for a company, partnership, corporation or individual:
ERNEST & RONALD LEVASSEUR
3. Is this property leased? NO Property owned by: ERNEST & RONALD LEVASSEUR
Address: 899 BROAD STREET AUBURN, ME
4. How is "yard" screened?
☒ Fence (type) Wood Height: 6' & 8'
☒ Trees (type) FIR



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- ☐ Embankment: _____
☐ Gully: _____
☐ Hill: _____
☐ Other: _____

5. How far is edge of "yard" from center of highway?

300' FT

6. Can junk be seen from any part of highway? Yes _____ No ☒

7. Were Junkyard Law, Requirements and Fees explained to you? Yes ☒ No _____

8. Is any portion of this "yard" on public property? Yes _____ No ☒

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No ☒

10. When was "yard" established? 1980 By whom? TWINTOWN RENDERING

11. When was last permit issued? 2016 By whom? Randy's Auto Parts Inc.

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Ronald J. Levasseur for: Randy's Auto Parts Inc.

Address: P.O. Box 1243 Auburn, ME 04211 782-9589
899 BROAD STREET

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 182-001



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

Lot No. 182-001
Zone _____

Check correct direction:

- ☐ North
- ☐ East
- ☐ West
- ☒ South

- 1 copy of application to City
- 1 copy of application to Applicant
- 1 copy of application to State Police, Augusta
- 1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)

BROAD STREET

Road Name

or

Route No.

To

To

TREES
XXXXXX
8' FENCE

50 X 80
Buildin

300'
ENTRANCE
INTO THE
YARD

8' FENCE
TREES

12 X 12
Buildin

FENCE

TREES
XXXXXX
FENCE

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 78-09112017

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for TY Auto, 249 Merrow Road.



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We PROLERIZED NEW ENGLAND COMPANY LLC hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

Physical Address: 522 WASHINGTON ST, NORTHMailing Address: 69 ROVER STREET
EVERETT, MA 02149Phone Number: 781-873-1667E-Mail: RACARMOSINO@SCHV.COM**Answer all questions in full.**

1. Where is the location of the Automobile Graveyard and/or Junkyard?

522 WASHINGTON STREET - NORTH

2. Is this application made by or for a company, partnership,
- corporation
- or individual:

3. Is this property leased?
- NO
- Property owned by:
- PROLERIZED NEW ENGLAND CO LLC

Address: 69 ROVER STREET, EVERETT, MA 02149

4. How is "yard" screened?

☒ Fence (type) METAL Height: 8'
☒ Trees (type) MIX



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- ☐ Embankment: _____
☐ Gully: _____
☒ Hill: _____
☐ Other: _____

5. How far is edge of "yard" from center of highway?

150'

6. Can junk be seen from any part of highway? Yes _____ No ☒

7. Were Junkyard Law, Requirements and Fees explained to you? Yes _____ No ☒

8. Is any portion of this "yard" on public property? Yes _____ No ☒

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No ☒

10. When was "yard" established? 1986 By whom? MAINE METAL RECYCLING

11. When was last permit issued? 2016 By whom? PROLIFERATED NEW ENGLAND CO LLC

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: [Signature] for: PROLIFERATED NEW ENGLAND CO LLC

Name of Company, Corporation, Partnership or Individual

Address: 69 RIVER ST, EVERETT, ME 02149

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 109



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

Lot No. 024
Zone GB 9

Check correct direction:

- ☐ North
- ☐ East
- ☐ West
- ☐ South

1 copy of application to City

1 copy of application to Applicant

1 copy of application to State Police, Augusta

1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 79-09112017

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Prolerized New England Company, LLC., 522 Washington St. North.



SEP 06 2017

City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We ISADORE T. MILLER hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

Physical Address: 79 & 80 HOTEL RD
AUBURN, ME

Mailing Address: PROLERIZED NEW ENGLAND CO. LLC
69 ROVER ST, EVERETT, MA 02149

Phone Number: 781-873-1667

E-Mail: RACARMOSINO@SCHN.COM

Answer all questions in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?

79 & 80 HOTEL RD
AUBURN, ME

2. Is this application made by or for a company, partnership, corporation or individual:

3. Is this property leased? NO Property owned by: ISADORE T. MILLER
Address: PROLERIZED NEW ENGLAND CO, 69 ROVER ST, EVERETT, MA
02149

4. How is "yard" screened?

☒ Fence (type) WOOD Height: 6'
☒ Trees (type) RED PINES



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- ☐ Embankment: _____
☐ Gully: _____
☐ Hill: _____
☐ Other: _____

5. How far is edge of "yard" from center of highway?

200'

6. Can junk be seen from any part of highway? Yes _____ No ☒

7. Were Junkyard Law, Requirements and Fees explained to you? Yes _____ No ☒

8. Is any portion of this "yard" on public property? Yes _____ No ☒

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes ☒ No _____

10. When was "yard" established? 1930 By whom? BAKER FAMILY

11. When was last permit issued? 2016 By whom? ISADORE T MILLER

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: [Signature] for: PROVERIZED NEW ENGLAND CO

Name of Company, Corporation, Partnership or Individual

Address: 69 ROVER ST., EVERETT, MA 02149

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. 079



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210

207.333.6601

Lot No. 017 & 018

Zone I3

Check correct direction:

- ☐ North
- ☐ East
- ☐ West
- ☐ South

1 copy of application to City

1 copy of application to Applicant

1 copy of application to State Police, Augusta

1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 80-09112017

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Isadore T. Miller, 79 & 80 Hotel Road.



APR 14 2017

Auto Salvage

AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We Donald Sturmain hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

Physical Address: 940 WASHINGTON ST N.

Mailing Address: PO Box 283
Auburn ME 04212-0283

Phone Number: 207 7844619 OR 207 7847374

E-Mail: donaldst@yaho.com

Answer all questions in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?

940 WASHINGTON ST N.

2. Is this application made by or for a company, partnership, corporation or individual:

3. Is this property leased? No

Property owned by: Donald Sturmain
Address: 940 WASHINGTON ST N.

4. How is "yard" screened?

☒ Fence (type) wood
☐ Trees (type) _____

Height: 6' & 7' Red TRAIL



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- ☐ Embankment: _____
☐ Gully: _____
☐ Hill: _____
☐ Other: _____

5. How far is edge of "yard" from center of highway?

40 feet

6. Can junk be seen from any part of highway? Yes ? No NO

7. Were Junkyard Law, Requirements and Fees explained to you? Yes X No _____

8. Is any portion of this "yard" on public property? Yes _____ No X

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No X

10. When was "yard" established? 1938 By whom? MORRIS BAKER

11. When was last permit issued? 2017 By whom? DONALD STREIMAN

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: [Signature] for: DONALD B. MORRIS Auto Parts & Sales
Name of Company, Corporation, Partnership or Individual

Address: 900 WASHINGTON ST. N

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. _____

Lot No. _____

Zone _____

Check correct direction:

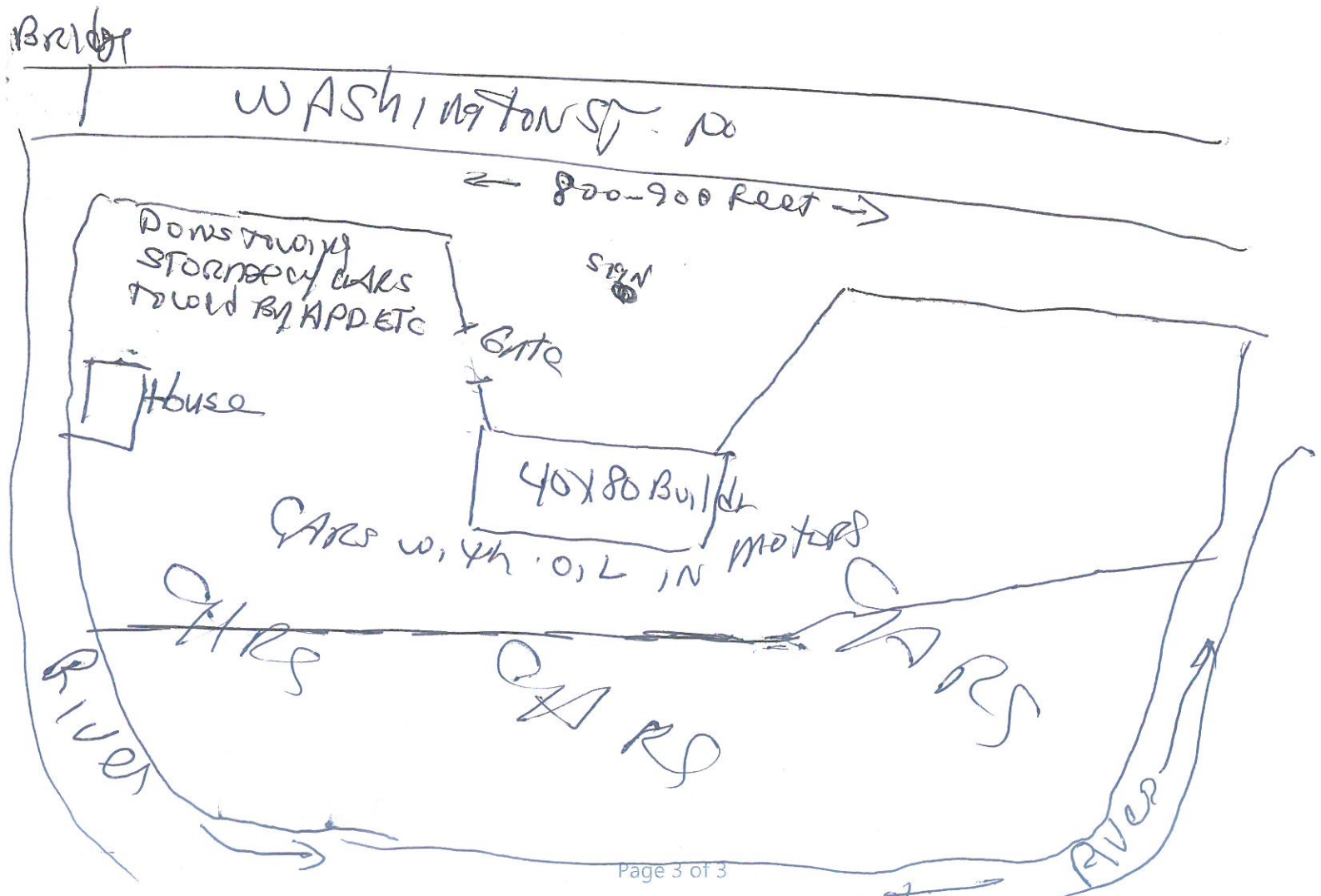
- ☒ North
☐ East
☐ West
☐ South

1 copy of application to City

1 copy of application to Applicant

1 copy of application to State Police, Augusta

1 Copy of application to Dept. of Transportation, Augusta (Right of Way Division)



James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 81-09112017

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for Don's No Preference Towing of L/A, Inc., dba Morris Auto Parts, 940 Washington St. North.



AUG 14 2017
City of Auburn, Maine
Office of The City Clerk
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT APPLICATION

To the City of Auburn, County of Androscoggin, Maine:

I/We TY Auto hereby
Make application for a permit to establish, operate or maintain an Automobile Graveyard and/or
Junkyard at the following described location and in accordance with the provisions of Title 30-A
MRSA Sections 3751-3760.

Physical Address: 249 Merrow Rd.

Mailing Address: SAME

Phone Number: 207-577-4166

E-Mail: tyautomaine@yahoo.com

Answer all questions in full.

1. Where is the location of the Automobile Graveyard and/or Junkyard?

249 Merrow Rd Auburn, ME 04210

2. Is this application made by or for a company, partnership, corporation or individual:

3. Is this property leased? _____ Property owned by: Central Maine Land trust
Address: 249 Merrow Rd

4. How is "yard" screened?

☒ Fence (type) Chain link Height: 8 ft.
☐ Trees (type) _____



City of Auburn, Maine

Office of The City Clerk

www.auburnmaine.gov | 60 Court Street

Auburn, Maine 04210

207.333.6601

- ☐ Embankment: _____
- ☐ Gully: _____
- ☐ Hill: _____
- ☐ Other: _____

5. How far is edge of "yard" from center of highway?

850 - 900 feet

6. Can junk be seen from any part of highway? Yes _____ No ☒

7. Were Junkyard Law, Requirements and Fees explained to you? Yes ☒ No _____

8. Is any portion of this "yard" on public property? Yes _____ No ☒

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes _____ No ☒

10. When was "yard" established? unknown By whom? Randy's

11. When was last permit issued? 2016 By whom? City of Auburn

The undersigned certified that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Vicki D Poland for: Ty Auto

Name of Company, Corporation, Partnership or Individual

Address: 249 Merrow Rd

Make complete sketch of "yard". Show footage of all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. _____

Parcel ID # 186-012



Auburn Parcel Inquiry

[City of Auburn Website](#) [MapAuburn Home Page](#)

Find address or place



James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 82-09112017

ORDERED, that the City Council hereby approves the annual renewal request for an Auto Graveyard/Junkyard permit for TY Auto, 249 Merrow Road.

IN COUNCIL REGULAR MEETING AUGUST 21, 2017 VOL. 35 PAGE 61

Motion was made by Councilor Stone and seconded by Councilor Burns to appoint Councilor Young as Mayor Pro Tempore in the absence of Mayor LaBonte. Passage 5-0-1 (Councilor Young abstained), Councilor Pross had an excused absence.

Mayor Pro Tempore Young called the meeting to order at 7:04 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonte and Councilor Pross both had excused absences. All other Councilors were present.

1. Order 72-08212017*

Setting the time to open the polls at 7:00 A.M. for the November 7, 2017 Election.

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

Passage 6-0.

II. Minutes - August 7, 2017 Regular Council Meeting

Motion was made by Councilor Burns and seconded by Councilor Walker to approve the minutes of the August 7, 2017 Council meeting. Passage 6-0.

III. Communications, Presentations and Recognitions

The City Manager introduced and welcomed Jody Durisko, the new Executive Assistant to the City Manager.

IV. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Joe Gray, Sopers Mill Road had questions regarding the school subsidy.

V. Unfinished Business

1. Ordinance 07-08072017

Adopting the proposed food sovereignty ordinance (Chapter 14, Article II, Sec. 14-50). Public hearing and second reading.

Motion was made by Councilor Lee and seconded by Councilor Burns for passage.

Public hearing - Kathy Shaw, Sopers Mill Road, also a farmer and owner of the Four Seasons Market in New Auburn spoke in support of the proposed ordinance amendment.

Dan Herrick, Hatch Road provided clarification on the inspection process and spoke in favor of the proposed ordinance.

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

VI. New Business

2. Order 73-08212017

Authorizing the City Clerk to place the proposed consolidation agreement and charter question on the November 7, 2017 ballot as recommended by the Joint Charter Commission.

Motion was made by Councilor Titus and seconded by Councilor Burns for passage.

Motion was made by Councilor Stone and seconded by Councilor Walker to amend the language to read "Do you approve the Consolidation Agreement as recommended by the Lewiston Auburn Joint Charter Commission which would result in the merger of the Cities of Auburn and Lewiston?" Motion failed 2-4 (Councilors Titus, Lee, Young, and Burns opposed).

Public comment – no one from the public spoke.

Passage of the original motion 4-2 (Councilors Walker and Stone opposed).

3. Ordinance 08-08212017

Adopting the Recreational Planned Unit Development Ordinance Amendments (Chapter 60, Article IV, Division 10, Sec. 60-359 through Sec. 60-361, Sec. 60-359 through Sec. 60-361, Sec. 60-382 through Sec. 60-389, Sec. 60-421, and Sec. 60-2). First reading.

Motion was made by Councilor Burns and seconded by Councilor Titus for passage.

Public comment – Robert Shaw, West Shore Road and also owns property on Young's Corner Road referenced a sun journal article that was in Saturday's newspaper in regards to this issue. He said he is in favor of hotel and condominium development in the Lost Valley and golf course areas but has been hearing about industrial projects that may come about in those areas and has concerns with that.

Barbara Mitchell, West Shore Road said that between the two watersheds doesn't seem to be the best place for development. She said that she doesn't see Lost Valley benefitting from condos or hotels since it is not like Sugarloaf or Sunday River adding that traffic is bad in that area already.

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

4. Ordinance 09-08212017

Amending the Auburn Zone Map from General Business (GB) to Traditional Downtown Center (T-5.1) for certain properties in the Troy Street area. First reading.

Motion was made by Councilor Burns seconded by Councilor Walker for passage.

Public comment – no one from the public spoke.

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

VII. Reports

City Councilors' Reports

Councilor Stone – no report

Councilor Titus – no report

Councilor Young – reported on the open house at Knight House last weekend noting that a link was sent to facebook page of the city website.

Councilor Lee - thanked Auburn Public Library Director, Mamie Ney and the Auburn Public Library staff for hosting the Solar Eclipse event. He also reported that he participated in the Androscoggin Land Trust's river clean up event adding that he would like to see them done more frequently.

Councilor Walker – no report

Councilor Burns - reported on the ELHS Building Committee meeting that was held last week and the Appointment Committee meeting that was held earlier this afternoon to make their Board and Committee nominations adding that they still have outstanding vacancies to fill. He encouraged residents to apply if they have an interest.

City Manager Report – reported that there is going to be a public discussion on the school subsidy September 11th. He also reported that he met with the Ethics committee and they've expressed an interest in coming before the Council at some point to talk about what they are doing. He noted that there is going to be a City Council workshop on September 13th from 5:30 to 8:30 to work on developing a work plan for FY2018. Another workshop is scheduled for October 12th to discuss Fire Department overtime issues. Last, he reported on the Recreation Department's Summer Festival that took place over the weekend adding that it was a successful event.

Finance Director, Jill Eastman – June and July 2017 Monthly Finance Reports

Motion was made by Councilor Burns and seconded by Councilor Walker to accept and place on file the June and July 2017 monthly finance reports.

Passage 6-0.

VIII. Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.

Joe Gray, Sopers Mill Road, clarified that the Food Sovereignty Ordinance that passed goes into effect in 5 days on the City side but not until November on the State side.

Dan Herrick, Hatch Road spoke on the new crosswalk that makes a beeping noise. He would like to see the volume of that turned down a bit.

IX. Executive Session

Executive session regarding a real estate matter, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Burns and seconded by Councilor Walker.

Passage 6-0, time 8:08 PM.

Council was declared out of executive session at 8:36 PM.

Executive session regarding a personnel matter, pursuant to 1 M.R.S.A. §405(6)(C).

Motion was made by Councilor Stone and seconded by Councilor Walker.

Passage 5-0 (Councilor Lee was not in the room for the vote), time 8:37 PM.

Council was declared out of executive session at 9:04 PM.

X. Adjournment

Motion was made by Councilor Burns and seconded by Councilor Lee to adjourn.
Passage 4-0 (Councilors Titus and Stone were out of the room). Time 9:04 PM.

A TRUE COPY

ATTEST *Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk

IN COUNCIL SPECIAL MEETING AUGUST 31, 2017 VOL. 35 PAGE 65

Motion was made by Councilor Stone and seconded by Councilor Walker to appoint Councilor Young to serve as Mayor Pro Tempore in the absence of Mayor LaBonté. Passage 5-0 (Councilors Burns and Titus were absent).

Mayor Pro Tempore Young called the meeting to order at 5:37 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. Mayor LaBonte and Councilors Burns and Titus both had excused absences. All other Councilors were present.

I. Executive Session - Real Estate discussion, pursuant to 1 M.R.S.A. §405(6)(C).

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

Passage 4-1 (Councilor Lee opposed). Time in 5:38 PM.

Council was declared out of Executive Session at 6:02 PM.

II. New Business

1. Order 74-08312017

Authorizing the City Manager to execute a purchase and sales agreement for a City owned property, PID #240-212, and a portion of Troy Street Right of Way if vacated at a future date.

Public comment - Dana Staples, Greenfield Drive, spoke of his concern with having a special meeting with three days notice. Asked why a meeting was being held on a Thursday night.

Dan Herrick, Hatch Road, agreed with statements made by Dana Staples. Commented that the purchase should have been handled before and asked when tax acquired properties had been made available to the public for sale.

Joe Gray, Sopers Mill Road, commented on the proposed purchase price and lack of transparency from the Council in regards to details of the proposed deal.

Motion was made by Councilor Pross and seconded by Councilor Stone for passage.

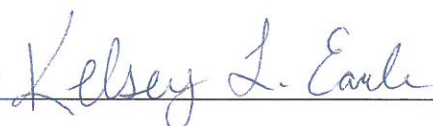
Passage 4-1 (Councilor Lee opposed).

III. Adjournment

Motion was made by Councilor Lee and seconded by Councilor Stone to adjourn, all were in favor. Adjourned at 6:56 PM.

A TRUE COPY

ATTEST



Kelsey L. Earle, Deputy City Clerk



City of Auburn, Maine

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

PROCLAMATION

WHEREAS, Alzheimer's disease continues to be a major health concern – with over 69,000 family caregivers providing \$988,000,000 in unpaid care for the 27,000 people living with Alzheimer's disease in Maine this year alone; and

WHEREAS, The rise of Alzheimer's disease requires a committed community lead effort to increase communication, education, and united action to stop or deter the number of Alzheimer's cases; and

WHEREAS, Each Fall, the Alzheimer's Association, Maine Chapter organizes the Lakes & Mountains Walk to End Alzheimer's to honor those who face daily challenges of living with Alzheimer's, to remember those taken by the disease, and to support those actively fighting to end the disease by encouraging citizens of Auburn to raise awareness and funds in the fight against Alzheimer's disease by participating; and

WHEREAS, the City of Auburn acknowledges the mission of the Alzheimer's Association to eliminate Alzheimer's disease through the advancement of research; to provide and enhance care and support for all affected; and to reduce the risk of dementia through the promotion of brain health; and

WHEREAS, the City of Auburn is proud to support and host the Lakes & Mountains Area Walk to End Alzheimer's on September 16th, 2017.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Jonathan P. LaBonté, Mayor of the City of Auburn and members of the City Council do hereby proclaim September 16th, 2017 to be the Lakes & Mountains Area Walk to End Alzheimer's Day of Recognition, and urge our citizens to take part on this day and acknowledge and encourage all those around who are affected by Alzheimer's. Visit www.alz.org/maine for more information.

Signed and sealed this 11th day of September, 2017

Jonathan P. LaBonté, Mayor
City of Auburn, Maine



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 9-11-17

Ordinance: 08-08212017

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

Subject: Recreational Planned Unit Development Ordinance Public Hearing and Second Reading

Information: Councilors Walker and Stone have agreed to bring forward a proposal that was postponed at a meeting of a prior Council because there is a strong need to promote the viability of recreational uses if we are serious about sports tourism. The concept of allowing commercial or residential development around major recreational uses as a way to generate additional income, attract new visitors and residents and to help maintain the recreational assets by making them financially stable has been discussed for years. The 2010 Comprehensive recommended that we consider options to allow this nationally common flexibility within the City of Auburn. In 2011-2012 a lengthy public review of a proposal to allow this was conducted and the proposal was recommended for adoption by the Planning Board. At the time, the motivation for the discussion was for the success of existing recreational facilities and the users of those assets, advancement of the existing Comp Plan recommendations and for the advancement of a specific project opportunity at Martindale Country Club. A resident of the Martindale neighborhood promoted and organized neighborhood opposition to the proposal and the Council eventually postponed the item indefinitely. We now have a new opportunity for investment at another major recreational asset, Prospect Hill Golf Course, that the City should consider. The proposal provides a framework for the Planning Board to consider all benefits and impacts of individual proposals for customary commercial or residential uses that are not otherwise permitted in the zone to be considered adjacent to major recreational uses. Existing "Major Recreational Uses" as defined in the draft ordinance include and are limited to Lost Valley, Prospect Hill, Fox Ridge and Martindale. The Council reopened the discussion at the last meeting. Historic information, the latest draft ordinance and a memo summarizing comments from recreational business owners are attached.

Advantages: May encourage new recreational investment consistent with the Council priority to increase sports and recreational tourism, improve quality of life and increase valuation.

Disadvantages: Any known disadvantages (traffic was the main concern in the last review) can be addressed and mitigated through the Planning Board review process in the proposed ordinance.

City Budgetary Impacts: Increased investment and valuation.

Staff Recommended Action: Hold Public Hearing, consider any input and approve second and final reading.

Previous Meetings and History: Planning Board Workshop on October 25, 2011, Planning Board Public Hearings on September 13, October 11, and November 15, 2011, a meeting organized by the Beech Hill Road

Neighborhood on October 4, 2011, City Council Workshop on April 30, 2012, Council Public Hearing on May 21, 2012, Council workshop July 17, 2017, Council Meeting August 7, 2017, First Reading August 21, 2017.

Attachments: August 16 Memo summarizing modifications to accommodate business concerns, Draft RR PUD Ordinance Draft recommended by Planning Board with modifications for private sewer and density, August 3 Memo regarding business feedback, Rec Sewer Survey from 2012, RR PUD Ordinance Second Reading Order.



City of Auburn, Maine

Economic & Community Development

Michael Chammings, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: August 17, 2017

To: Mayor LaBonte and Auburn City Council

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

Re: Recreational Planned Unit Development (RPUD) Ordinance Feedback from Businesses

Since the workshop on this topic we have spoken with the owners of the four Major Recreational Uses as defined by the ordinance and received feedback that they support the ordinance but it could be modified to allow additional flexibility. The owners asked for a meeting with Councilors Stone and Walker to discuss challenges faced by their facilities. The Councilors expressed support for bringing the ordinance and the businesses ideas/concerns to the full Council during the public process. The August 3, 2017 Memo included in the packet at the last meeting is also included in this packet for additional details.

The Planning Board unanimously recommended the draft ordinance that the Council reviewed at the last meeting. There have been two modifications made to the draft that the Council will review on August 21, 2017 to consider addressing concerns raised by recreational facility owners: 1) Residential Density; and 2) Public Sewer vs. Onsite Wastewater Disposal. All of the changes to the Planning Board recommended version are highlighted in yellow (pages 1, 2, 4 and 7 of the draft ordinance) and would accommodate the flexibilities explained in the August 3, 2017 Memo.

As you know this was postponed in 2012 and now we are working once again to accommodate a potential investment that could benefit the community. The uncertainty and delays of a zone change process while an investor is ready to invest can be an obstacle to attracting investment. Most communities allow residences and other commercial uses to accommodate guests and visitors near golf courses and ski areas so this is not an unusual concept. Staff encourages the Council to allow our major recreational uses the flexibility of the RR PUD Ordinance to let them and the City take advantage of their full economic potential. If industry standards and local history stay consistent, we will almost certainly see future requests for similar projects; with the ordinance in place we will be ready to carefully evaluate individual proposals as opportunities are presented.



City of Auburn, Maine

Economic & Community Development

Michael Chammings, Director

60 Court Street | Auburn, Maine 04210

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Date: August 3, 2017

To: Mayor LaBonte and Auburn City Council

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

Re: Recreational Planned Unit Development (RPUD) Ordinance Feedback from Businesses

Since the workshop on this topic we have spoken with the owners of the four Major Recreational Uses as defined by the ordinance and received feedback that they support the ordinance but it could be modified to allow additional flexibility. The owners asked for a meeting with Councilors Stone and Walker to discuss challenges faced by their facilities. The Councilors expressed support for bringing the ordinance and the businesses ideas/concerns to the full Council during the public process. There have been two concerns raised that we are asking Council to consider addressing as part of the adoption of the proposed ordinance: 1) Residential Density; and 2) Public Sewer vs. Onsite Wastewater Disposal.

Residential Density

Based on the current draft ordinance the residential density allowed is equal to the density required by the zoning district. Two of the existing Major Recreational Uses are located in the Low Density Rural Residence (LDRR) District and the other two are split between the Agriculture and Resource Protection (AG/RP) and the LDRR or Low Density Country Residence. The number of residences that could be reviewed as part of the draft RPUD ordinance varies widely based on the lot size of the district. One way to address this inequity between recreational uses to provide a more even opportunity for each of them would be to allow the density of the district in which it is located as written, but to also allow the split zoned facilities to use the density of either zoning district that the parcel is partly located in. A chart showing what that modification would do as a simple function of dividing the lot by minimum required lot size is below.

<u>Facility Name</u>	<u>Lot Size (Acres)</u>	<u>Zoning District(s)</u>	<u>Maximum Possible Units Currently</u>	<u>Possible Units w/RPUD as Drafted</u>	<u>Possible Units w/ modified RPUD</u>
Lost Valley	194	AG/RP and LDCR	20 (17 AG use restricted)	20	65
Prospect Hill	110	LDRR	110	110	110
Martindale	215	LDRR	215	215	215
Fox Ridge	195	AG/RP and LDRR	20 (19 AG use	20	195

			restricted)		
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The chart is a simple calculation and likely estimates substantially more units than could actually fit around the perimeter of most of the facilities to still meet the ordinance requirements of preserving the recreational use. Any RPUD Proposal would still need to meet the requirements of the ordinance and would be reviewed through a public process with the Planning Board carefully considering each proposal. It is staff's opinion that the Council could make the above modification to the draft ordinance to allow a more even opportunity for density across all four of the recreational uses and still have a good ordinance to review proposals and mitigate impacts.

Wastewater Disposal

Flexibility for recreational uses is recommended by the Comprehensive Plan. The proposed ordinance urgency during the last review was motivated by a potential project in an area that had access to public sewer. We have now heard concerns that the requirement for public sewer will make it cost prohibitive for Lost Valley or Prospect Hill to ever take advantage of the RPUD Ordinance. The owners of both facilities are supportive of the direction in the proposed ordinance and would not want any possible controversy over sewer to delay the adoption of the ordinance and prevent the City and Prospect Hill from taking advantage of current investment opportunities. That said they have asked us to consider amending the proposal to follow State Plumbing Code, environmental and industry standards for wastewater disposal instead of simply requiring connection to public sewer.

Sewer was discussed by the Planning Board and the requirement remained in the ordinance as part of their unanimous recommendation. As with any public process there are compromises made, but there was not unanimous agreement on whether connection to public sewer should be required. Attached is a wastewater disposal survey of recreational uses provided by a Planning Board Member during the discussion in 2012. As you might expect, many rural recreational resources like ski areas and rural golf courses rely on private wastewater disposal systems designed to meet State Plumbing Codes, not public sewer.

As part of the Council's consideration of the ordinance adoption the above input from the owners of recreational facilities should be considered. At the August 7th Council meeting we ask that the Council schedule this item for a new First Reading and Public Hearing at the next possible meeting and that the Council direct staff to draft amendments for the Council to consider at the hearing that would address the concerns raised by the businesses. The Council will then be able to get feedback from the public and move forward with a version that makes sense for the City. If the density and sewer discussions may delay the adoption of the current draft substantially the Council could adopt the version recommended by the Planning Board (after 2 readings and a public hearing) to allow a current opportunity to proceed and ask the Planning Board to consider an amendment to address the input from facility owners.

Town/City	contact info	major recreational attraction	zoning	acres	water/sewer
Auburn	GIS	Lost Valley	LDCR/AG&RP	194	private/private
Auburn	GIS	Martindale Country Club	RR	214	public/public
Auburn	GIS	Prospect Hill	RR	110	private/private
Auburn	GIS	Fox Ridge Golf Club	RR/AG&RP	195	private/private
Auburn	GIS	Pine Acres Golf Course/Roy's	LDCR/AG&RP	54	private/private
Auburn	GIS	Dragon Field Disc Golf	LDCR	45	private/private
Minot	Arlin Saunders (TM)	Hemonds Moto-X Park	Village District	35	private/private
Minot	345-3305	2.7 miles hiking trails	Residential District	n/a	n/a
Poland	Sue Therriault (Ass)	Poland Spring Resort-hotel/golf/driving/disc	Village	186	private/private
Poland	998-4601	Poland Preservation Park	Historical	5	n/a
Poland	Niki Pratt (CIO)	Summit Springs Golf-cottages	Residential	78	private/private
Poland	Scott Segal (Rec)	Fairlawn Golf	Farm & Forest	398	private/private
Poland	998-4650	Poland Spring Driving Range	Historical	180	n/a
Mc. Falls	Nick Richard (CIO)	Harvest Hill Farms	highway commercial	200	private/private
Mc. Falls	345-2871	Wolf Run Racing/Disc Golf	Downtown Business 3	17	public/public
Lewiston	Susan Ricker (Ass)	Casino (proposed) Bates Mill # 5	Mill	5	pubic/public

Lewiston	513-3122	Apple Valley Golf Course	Rural	50	private/private
Oxford	Rodney Smith (CIO)	Oxford Plains Speedway	Mixed use	30	public/private
Oxford	539-4431	4 Seasons Resort Casino (April 2012)	Mixed use	100	public/private
Oxford		Oxford County Fairgrounds	Mixed use	55	public/private
Leeds	Jennifer 524-5171	Spring Brook Golf Club	Commercial	183	private/private
Saco	Kendi (Ass)	Saco Bay Trails(charitable)	Resource Protection	11	public/public
Saco		Funtown Splashtown USA	Amusement	34	public/public
Saco		Deep Brook Golf Course	Resource Protection	83	private/private
Saco		Aquaboggan Waterpark	Amusement	40	public/public
Saco		Monkey Trunks (zipline/disc golf/climbing)	Resource Protection	15	public/public
Old Orchard Bch	Bill DiDonato (Ass)	Palace Playland	Downtown D#1	4	public/public
Old Orchard Bch	934-5714 ext 212	Dune Grass Country Club (condo subdiv)	Planned mixed use	166	public/public
Old Orchard Bch		Old Orchard Beach	Beach	3.7 miles	public/public
Old Orchard Bch		Ocean Park (Baptist private community)	Res 3/Neighbrhd	250 (est)	public/public
Old Orchard Bch		Salvation Army (camp meeting house)	Res 2	6 (est)	public/public
York Beach	Rick Mace (Ass)	York's Wild Kingdom	Rt 1 #1	59	public/public
York Beach	363-1005	York Beach	Beach	2 miles	public/public
York Beach		Ledges Golf Course	Residential	257	private/private

York Beach			York Golf and Tennis	Residential	185	public/private
York Beach			Cape Nedick Golf	Residential	247	private/private
Rumford	Rachel (Ass)	364.4576	Black Mountain of Maine	none	595	private/private
Greenwood	Kim	875-2773	Mount Abrams	none	500	private/private
Denmark	Bill	452-2356	Shawnee Peak (also in Bridgton)	unknown	??	private/private
Bridgton	Dawn Taft (Ass)		Shawnee Peak (also in Denmark) PUD	none	882	private/private
Bridgton		647-8786	Bridgton Highlands Country Club (subdv)	none	99	private/private
Jay		897-6785	Spruce Mountain	none		private/private
W. Farmington	Mark Caldwell (Ass)		Titcomb Mountain	Farm & Forest	197	private/private
Farmington		778-6538	Frankland County Fair Grounds	Village Residential	59	public/public
Farmington			Bonney Woods (community trails)	Village Residential	65	available
Camden	Beth	236-3353	Camden Snow Bowl	Rural Recreational	73	private/private
Skowhegan	Lisa (Ass)	474-6903	Eaton Mountain	none	99	private/private
Skowhegan			Loon Cove Golf	none	29	private/private
Skowhegan			Lake George Regional Park	none	133	private/private
Skowhegan			Run of the River (Kennebec Rvr) proposed			n/a

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DRAFT PLANNING BOARD RECOMMENDATION ACCEPTED AS PART OF MINUTES AT 1/10/12
PLANNING BOARD MEETING-Modified for sewer and density requests (yellow).-

DIVISION 10. - PLANNED UNIT DEVELOPMENTS

Subdivision I. - In General
Subdivision II. - Types
Subdivision III. - Application Procedure

Subdivision I. - In General

[Sec. 60-359. - Purpose.](#)
[Sec. 60-360. - Scope.](#)
[Sec. 60-361. - General standards.](#)
[Secs. 60-362—60-380. - Reserved.](#)

Sec. 60-359. - Purpose.

The purpose of this section is to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to conserve and make available open space, to utilize new technologies for ~~urban~~ land development and to ~~gain flexibilities over offer a flexible alternative to~~ conventional land control regulations. This section should not be used as a device for circumventing the city's development regulations and may be employed in instances where there is truly some benefit to be derived from its use for the community and for the developer. The type and amount of development permitted shall be based on the Planning Board's evaluation of the development proposal and the purposes standards and provisions set forth in this Division.

(Ord. of 3-16-2009, § 3.51(A); Ord. of 9-21-2009, § 3.51A)

Sec. 60-360. - Scope.

- (a) Application for a PUD-C Planned Unit Development, PUD-I Planned Unit Development or PUD-R Planned Unit Development ~~planned unit development~~ may be made for land located where public sewer is presently available or will be made available by the developer prior to certificates of occupancy being issued. Application for a for PUD-RR Planned Unit Development: Recreation/Residential may be made for land located where public sewer is presently available, will be made available by the developer prior to certificates of occupancy being issued or may utilize private wastewater disposal systems in compliance with State Plumbing Codes. ~~in all zoning districts except agriculture and resource protection districts.~~
- (b) ~~The requirements for setback, lot width, lot depth, lot area, street frontage and percentage of lot coverage stated in individual zoning classifications shall be subject to negotiation as they apply to planned unit developments, except the front yard setback from all dedicated rights of way shall not be reduced. In specific cases, the requirements for off street parking stated in article V of this chapter and minimum area as stated in individual zoning classifications may be reduced. These requirements shall be controlled by the criteria and~~

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~~standards of this division and as shown on the approved planned unit development plan.~~

~~The dimensional requirements stated in individual zoning districts and signs as stated in Article V of this Chapter may be increased or decreased by the Planning Board as they apply to planned unit developments, except the front yard setback from all public streets shall not be reduced. The dimensional requirements and provision of signs shall be controlled by the standards sets forth in Sec. 60-359 Purpose and Sec 60-361 General Standards.~~

(c) Coordination with subdivision regulations.

- (1) ~~It is the intent of this division that if~~ a plan review is required under division 4 of article XVI Subdivision of this chapter, ~~that it shall~~ be accomplished simultaneously with the review of the planned unit development plan under this division of this zoning chapter.
- (2) The final development plan shall be submitted in a form that is in accordance with the requirements of division 4 of article XVI Subdivision of this chapter relative to final plans where applicable.
- (3) Requirements of this division of this zoning chapter and those of division 4 of article XVI of this chapter shall apply to all planned unit developments.

(Ord. of 3-16-2009, § 3.51(B); Ord. of 9-21-2009, § 3.51B)

Sec. 60-361. - General standards.

The following provisions apply to all planned unit development districts:

- (1) The ~~setback, lot width and lot coverage~~dimensional requirements as stated in individual zoning ~~classification districts~~ shall apply within the PUD but may be ~~reduced~~increased or decreased due to individual site ~~limitations characteristics~~ as determined by the ~~planning board~~Planning Board to promote the purposes set forth in section 60-359 of this chapter.
- (2) ~~The number of off-street parking spaces in each planned unit development may not be less than the requirements as stated in article V of this chapter except that the~~The planning boardPlanning Board may increase or decrease the required number of off-street parking spaces as stated in Article V of this chapter in consideration of the following factors:
 - a. ~~Probably~~The probable number of cars owned by occupants of dwellings in the planned unit development;
 - b. The Parking needs of any ~~non~~dwellling nonresidential uses;
 - c. Varying time periods of use, and whatever joint use of common parking areas is proposed.
- (3) Whenever the number of off-street parking spaces ~~are is~~ reduced because of the nature of the occupancy, the city shall obtain assurance that the nature of the occupancy will not change.
- (4) ~~In any~~A PUD involving residential uses ~~that receives a density bonus and has lot sizes that are reduced below the minimum required within the residential district, shall reserve an amount of land equal to that created through the reduction in required lot sizes, required by section 60-1367 to be held as open space for the mutual use of the residents of the PUD~~ or open to the public. ~~This shall be accomplished by either~~Land reserved to satisfy the open space requirement shall be:

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- a. ~~The land shall be a~~Administered through a homeowner's association; or
 - b. ~~The land shall be d~~Dedicated to and accepted by the city for public ~~use; use; or~~
 - c. Land occupied by a major recreational use adjacent to a PUD-RR; or
 - d. Managed by a non-profit organization or land trust deemed capable of management by the Planning Board; or
 - e. A combination of a, b, c and/or d above.
- (5) All of the requirements of the city code of ordinances applicable to the zoning district not addressed in this division, shall apply.
- (6) Before granting approval of the final development plans, the city Planning Board must ~~be satisfied~~find that said ~~plan plan incorporates addresses~~ each of the following criteria or that one or more of the criteria are not applicable to the proposed development and/or that a practical substitute to one or more of the criteria has been achieved; or can demonstrate that:
- a. ~~One or more of the criteria are not applicable; or~~
 - b. ~~A practical substitute has been achieved for each of these elements consistent with the public interest:~~
 1. ~~There~~The proposed development has is an appropriate relationship to the surrounding area;
 2. Circulation, in terms of internal street circulation system, is designed for the type of traffic generated, safety, separation from living areas, convenience, access and control of noise and exhaust~~control~~. Proper circulation in parking areas is designed for safety, convenience, separation and screening~~;~~;
 3. ~~Functional Adequate~~ open space has been provided in terms of with consideration given optimum preservation to preservation of natural features including trees and drainage areas, topographic features, recreation, and views, density relief and convenience of functions;
 4. Privacy in terms of needs of individuals, families and neighbors;
 5. Pedestrian and bicycle traffic in terms of safety, separation, convenience and; access points ~~of destination and attractiveness;~~
 6. Building types in terms of appropriateness to density, site relationship and bulk;
 7. Building design in terms of orientation, spacing, ~~materials, color and texture~~character, storage, signs and lighting;
 8. Landscaping of total site in terms of purpose such as screening, ornamental types used, and materials uses, if any;
 9. ~~Maintenance, suitability and effect on the neighborhood;~~ Preservation of historically or architecturally significant buildings or places, if any;

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10. There is public sewer available to the lot or will be made available by the developer prior to certificates of occupancy being issued, except as allowed by Sec. 60-360(a) in the case of a PUD-RR.

11. That the proposal meets the requirements of Sec.60-1335, Special Exception of this Ordinance.

(Ord. of 3-16-2009, § 3.51(D); Ord. of 9-21-2009, § 3.51D)

Secs. 60-362—60-380. - Reserved.

Subdivision II. - Types

Sec. 60-381. - Definitions.

Sec. 60-382. - PUDs established.

Sec. 60-383. - Zoning map indication.

Sec. 60-384. - Permitting.

Sec. 60-385. - Planned Unit Development-Residential (PUD-R).

Sec. 60-386. - ~~Planned Unit Development-Commercial (PUD-C).~~ Planned Unit Development: Recreation/Residential (PUD-RR)

Sec. 60-387. - ~~Planned Unit Development-Commercial (PUD-IC).~~

Sec. 60-388. - ~~Planned Unit Development-Industrial (PUD-I).~~

~~Secs. 60-389—60-417. - Reserved.~~

Sec. 60-381. - Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Planned includes plans, plats or any combination thereof.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-382. - PUDs established.

The following types of planned unit development may be established by special use approval in any existing zoning district as noted in this section. The options for use are as follows:

(1) PUD-R Planned Unit Development: Residential in LDCR, RR, SR, UR, MFS, MFU, GB and CB.

~~(2) PUD-C Planned Unit Development: Commercial in GB and CB.~~

~~(3) PUD-I Planned Unit Development: Industrial in ID.~~

(2) PUD-RR Planned Unit Development: Recreation/Residential in AG/RP, LDCR, RR, SR, UR, and GB.

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(3) PUD-C Planned Unit Development: Commercial in GB and CB.

(4) PUD-I Planned Unit Development: Industrial in ID.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-383. - Zoning map indication.

The area included in each approved planned unit development shall be indicated on the zoning map as PUD-R or ~~€~~, PUD-RR or PUD-C or PUD -I.

(Ord. of 3-16-2009, § (3.51)(C); Ord. of 9-21-2009, § 3.51C)

Sec. 60-384. - Permitting.

Phased planned unit developments shall be permitted where any type of PUD is otherwise allowed by this chapter with an additional review by the director of planning and permitting prior to recording at the Androscoggin County Registry of Deeds. It is the intent of this phasing to allow coordinated long term planning of a large scale development without the disincentives of taxation and financing for phases that will not be constructed in the short term. The final development plan shall be kept on file in the planning and permitting office and the developer shall meet the requirements of section 60-420(c) prior to declaration and recording of a phase. The developer shall declare and record the approved phase plan within 30 days after a written approval is issued by the director. The recorded plan shall contain a note referencing this chapter. This division may be applied to existing PUDs if said plan was approved by the ~~planning board~~Planning Board as a phased development.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-385. - Planned Unit Development-Residential (PUD-R).

It is the intent of this section that any residential property which is under single ownership and contains three acres or more area may be developed as PUD-R planned unit development: residential. Within the PUD-R the following uses and densities may be permitted subject to the approval of the ~~planning board~~Planning Board.

- (1) Uses permitted by right or permitted by special exception in the residential districts noted in ~~this section~~this section and the underlying zoning district.
- (2) Commercial uses may be permitted in the PUD-R district if the planned unit development contains 20 or more dwelling units. Such commercial ~~centers~~uses shall be subject to the following requirements:
 - a. Such ~~centers~~uses including parking shall be included as an integral part of the PUD and shall not occupy more than five percent of the total area of the PUD. Commercial uses in any development shall not be open to use prior to issuance of the certificates of occupancy for 50 percent of the dwelling units.
 - b. Except as stated in division 10 of article IV of this chapter all restrictions applicable to the NB district are applicable to the commercial center in the PUD-R district.

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- c. Such establishments shall be located, designed and operated primarily to serve the needs of the persons within the planned development. These buildings shall be architecturally compatible with the dwellings they serve using similar materials, geometry, topographic relationships, color and lighting to minimize its effect on the environment of existing or future residential uses adjacent to them.
- d. Sign.
1. Any part of the sign for a commercial use shall not project above the eaves or protrude from the face of the building more than 12 inches. A premise-commercial use shall have not more than one sign for every street frontage. ~~All~~ Any free standing signs may not exceed 20 feet in height and must have a minimum setback of 25 feet. Portable flashing and moving signs are not permitted. All emblems, shields or logos are considered part of the total allowable sign area.
 2. A ~~R~~ residential subdivision may have one sign for each newly created entry to the subdivision, not to exceed 40 square feet in size.
- (3) The total number of dwellings units permitted in the PUD-R district shall be determined by dividing the total project acreage (not including public rights-of-way) by the area required per unit in ~~that the~~ underlying zoning district or as approved by the city-Planning Board pursuant to ~~section 60-361(3)-the~~ standards in the underlying zoning district.
- (4) If common open space remaining is offered to the city and is acceptable to the city, such dedication ~~shall~~ may not be considered as partial or total fulfillment of park and open space dedication.
- (5) Upon review of a PUD-R proposal, ~~if special circumstances exist in regard to land usability, topographical characteristics, or natural assets of the site to be preserved,~~ the city-Planning Board may authorize up to a 20 percent increase in density over ~~the that otherwise allowed in the underlying~~ requirement if the following criteria are met:
- a. *Architecture*. Utilization of existing topography, recognition of the character of the area reflected in materials and layout.
 - b. *Siting*. Preservation of unique natural features, separation of pedestrian and vehicular circulation and integration of open space.
 - c. *Design*. A unified cohesive development, focal points ~~(cluster of seating, art forms, water feature)~~ for orientation and interaction, variety of scale.
 - d. *Landscaping*. The compatibility with natural landscape, the separation of individual units for privacy.
 - e. *Convenient*. A convenient well-defined access.
 - f. *Compatibility*. ~~The~~ Compatibility with ~~ultimate- the adopted comprehensive plan and/or~~ plans approved by City boards and departments for school service area and size of buildings, park system, police and fire protection standards and other facilities public or private.
- (6) All planned unit developments containing residential units shall comply with all city zoning and subdivision regulations.

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(Ord. of 3-16-2009, § 3.51(C)(2); Ord. of 9-21-2009, § 3.51C)

Sec. 60-386- Planned Unit Development: Recreation/Residential (PUD-RR)

The PUD-RR district is created to provide for the development of residential and commercial uses that are customary, complementary, and appropriate to major recreational uses on land located adjacent to them. Major recreation uses of land are designed for outdoor use of large land areas and have indoor facilities to accommodate groups of people. Major Recreation uses may be open year round or may operate seasonally and their economic viability and continued operation are recognized as assets to Auburn. Flexibility for the siting of homes, condominiums, hotels or motels and accessory uses that are of a scale that is compatible with the surrounding area will help support the economics of a major recreation use.

Any major recreation use containing one hundred (100) acres or more area may be developed as a Planned Unit Development: Recreation/Residential- PUD-RR. Within a PUD-RR the following uses and densities may be permitted subject to the approval of the Planning Board.

(1) Uses permitted by right or permitted by special exception in the underlying zoning district.

(2) Attached single-family dwellings with direct access to the outside at ground level may be permitted, provided that they are approved as part of a Planned Unit Development and as a Subdivision under Sec.60-359 and Sec. 60-1359 of this chapter.

(3) Hotels or motels adjacent to an existing major recreation use or a major recreation use if construction of the major recreational use is complete and open for use, provided that they are approved by the Planning Board as a Site Plan and as a Special Exception under Sec.60-1276 and Sec.60-1335 of this chapter. The size and scale of a hotel, motel, or accessory commercial uses shall be determined by the Planning Board at the time of PUD and/or Special Exception review. In making their determination, the Planning Board shall consider the appropriate relationship of the hotel, motel or accessory buildings and structures to the major recreation use and the surrounding neighborhood in terms of bulk, location or operation of proposed buildings and structures, traffic impact, access management, parking requirements, internal circulation, vehicular and pedestrian connections to adjacent property, external lighting, landscaping, signage using the standards of Sec.60-385(2)d as a guide, provisions for water and public sewer, and the preservation of scenic and natural beauty to the extent possible.

(4) Accessory commercial uses provided that they are approved as a Site Plan and as a Special Exception under Sec. 60-1276 and Sec. 60-1335. Building and structures shall be architecturally compatible using similar materials, topographic relationships, color and lighting, landscaping, and signage to minimize its effect on the environment of existing or future recreation and residential uses adjacent to it.

(5) The total number of dwelling units permitted in the PUD-RR district shall be determined by dividing the total project acreage including the major recreational use (not including public rights-of-way) by the area required per unit in that zoning district or as approved by the Planning Board pursuant to section 60-361(4). For the purpose of determining the number of dwelling units permitted on parcels located within more than one zoning district, the higher density district standard may be applied to the entire parcel and adjacent major recreational use in the case of a PUD-RR Planned Unit Development.

(6) The requirements of a Planned Unit Development, Sec. 60-361(4) and as a Subdivision, Sec.60-1367 to provide recreation and/or open space may be satisfied by the principal recreation, entertainment, and social uses of the adjacent major recreation use.

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(7) Access to the property shall be located on an arterial or collector street to minimize congestion or unsafe conditions and unreasonable deterioration of the local road system. Access to individual house lots shall be from an internal street system to retain the character of the area.

(8) The requirements of this chapter applicable to the underlying district or districts, not addressed in this section, shall apply.

Sec. 60-3876. - Planned Unit Development-Commercial (PUD-C).

The PUD-C district is created to provide for the development of planned business and shopping centers and mixtures thereof. It is intended to promote the grouping of professional offices and retail commercial uses and to provide areas of sufficient size to establish harmonious relationships between structures, people and vehicles through the use of well planned parking access, pedestrian walkways, courtyards, walls and other open spaces. This district should offer a wide variety of goods and services. Any commercially zoned area three acres or more in size may be developed as a PUD-C district. Uses permitted in the ~~commercial-zoning~~underlying zoning districts are permitted in the PUD-C district.

(Ord. of 3-16-2009, § 3.51(C)(3); Ord. of 9-21-2009, § 3.51C)

Sec. 60-3878. - Planned Unit Development-Industrial (PUD-I).

The PUD-I district is created to provide for the development of planned industrial areas. It is intended to promote the grouping of industrial uses and to group these uses in such a manner that they provide well planned parking and access, landscaped open areas and harmonious relationships between structures. Any industrial area over five acres may be developed as a PUD-I district. Uses permitted in the ~~industrial-underlying~~ zoning district are permitted in the PUD-I district.

Secs. 60-3898—60-417. - Reserved.

Subdivision III. - Application Procedure

[Sec. 60-418. - Compliance.](#)

[Sec. 60-419. - Submission and review.](#)

[Sec. 60-420. - Final development plan.](#)

[Secs. 60-421—60-438. - Reserved.](#)

Sec. 60-418. - Compliance.

All applicants for planned unit development shall comply with procedures set forth in this subdivision and in accordance with division 2 of article XVI of this chapter site plan review.

(Ord. of 3-16-2009, § 3.51(E)(intro. ¶); Ord. of 9-21-2009, § 3.51E)

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Sec. 60-419. - Submission and review.

- (a) An applicant shall make application for the approval of the planned unit development to the planning department. The applicant shall present his completed application and fee, in the amount provided in the city fee schedule, along with the development plan outline as specified in this division.
- (b) The development plan outline shall include both the site plan map and a written statement of procedures. The plan shall indicate sufficient areas surrounding the proposed planned unit development to demonstrate the relationship of the planned unit development to adjoining existing and proposed uses.
- (c) The site plan must contain the following information:
 - (1) All site plans shall conform to the provisions as contained in division 2 of article XVI of this chapter;
 - (2) The type and character of proposed development to include general architectural design, types of building materials to be used and, when appropriate, the proposed number of dwelling units per acre;
 - (3) The proposed location and size of public uses including schools, parks, playgrounds, swimming pools and other common open spaces.
- (d) The written statement to accompany the development plan outline map must contain the following information:
 - (1) A brief description of unique project design needs that make the planned unit approach advantageous to the city and developer;
 - (2) An anticipated schedule of development and a conceptual phase plan where the developer intends to phase the declaration of portions of the development;
 - (3) Proposed agreements, provisions or covenants which govern the use, maintenance and continued protection of the PUD and any of its common areas.
- (e) The number of copies of the written statement must be consistent with the provisions of section 60-1300
- (f) The applicant may be requested to submit any other information or exhibits deemed pertinent in evaluating the proposed planned unit development.

(Ord. of 3-16-2009, § 3.51(E)(1); Ord. of 9-21-2009, § 3.51E)

Sec. 60-420. - Final development plan.

- (a) The final development plan shall be submitted in accordance with section 60-419 of the municipal code relative to final plans.
- (b) The ~~planning board~~Planning Board shall approve the final development plan if it is in substantial compliance with the approved preliminary development plan. The final development plan shall be recorded as if it were a final subdivision plan except in the case of a phased development which shall follow the standards of subsection (c) of this section.
- (c) For phased developments the final development plan shall be kept on file in the planning and permitting office. The developer shall provide a phase plan and letter of intent to declare a phase for review and approval

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by the director of planning and permitting prior to recording at the registry of deeds. The director shall consider the following standards before approving a phased plan for recording:

- (1) The remaining undeveloped land/phases shall be considered as one lot for frontage purposes. The phase plan shall provide the required frontage for the remaining land/phases.
 - (2) Common open space, roadway improvements and/or access to utilities may be completed without opening a phase provided that the director determines that the work is necessary or beneficial to an open phase of the development or to the city.
 - (3) The phased plan must be determined by the director of planning and permitting to be consistent with and progress towards completion of the long term final development plan.
- (d) From time to time the ~~planning board~~Planning Board shall compare the actual development accomplished in the planned unit development with the approved development schedule. If the owner of property in the PUD has failed to meet the approved development schedule without cause, the ~~planning board~~Planning Board may initiate proceedings. The ~~planning board~~Planning Board, for good cause shown by the property owner, may extend the limits of the development schedule.
- (e) The ~~planning board~~Planning Board may require adequate assurance in a form consistent in a form acceptable to the ~~planning board~~Planning Board, that the common open space shown in the final development plan shall be provided and developed.
- (f) Final development plan contents:
- (1) The final development plan shall contain the information ~~provided on~~ provided on the preliminary development plan ~~or any logical part thereof and any additional information requested by the Planning Board; and~~ must be submitted within one year following the approval of the preliminary development plan unless written request is made for an extension of up to one year and approved ~~d~~ by the ~~planning board~~Planning Board.
 - (2) The final development plan, with supplemental information in report form, shall be prepared in conformity with the provisions of section 60-419
 - (3) Copies of any special agreements, conveyances, deed restrictions, or covenants, which will govern the use, maintenance and continued protection of the planned unit development and any of its common area must accompany the final development plan.
 - (4) The applicant may submit any other information or exhibits he deems pertinent in evaluating his proposed planned unit development.
- (g) Control of planned unit development following completion.
- (1) The ~~planning board~~Planning Board shall review and take action on the competed final plan.
 - (2) After final approval has been granted the use of the land and the construction, modification or alteration of any building or structure within the planned development shall be governed by the approved final development plan rather than by any other provisions of this zoning chapter.
 - (3) After final approval, no changes may be made in the approved final development plan except upon application to the appropriate agency under the following procedures:

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- a. Any minor extension, alteration, or modification of existing buildings or structures may be authorized by the ~~planning board~~Planning Board if they are consistent with the purposes and intent of the final plan. No change authorized by this division may decrease or increase the dimension of any building or structure by more than ten percent.
- b. Any uses not authorized by the approved final plan, but allowable in the PUD as a permitted principle, accessory, or special use under the provisions of the underlying zoning district in which the planned development is located may be authorized by the planning director and added to the final development plan provided that such an addition does not adversely impact the approved development plan.
- c. A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan or amendments thereof approved under subsection (g)(3)a and b of this section.
- d. Changes in use of common open spaces may be authorized by an amendment to the final development plan under subsection (g)(3)a and b of this section.
- e. All other changes in the final development plan must be made by the ~~planning board~~Planning Board under the procedures authorized by this chapter. No changes may be made in the final development plan unless found to be required for:
 1. Continued successful functioning of the planned unit development;
 2. By changes in conditions that have occurred since the final plan was approved; or
 3. By changes in the development of the community.

No changes in the final development plan which are approved under this division are to be considered as a waiver of the provisions limiting the land use, buildings, structures, and improvements within the area of the planned unit development, and all rights to enforce these provisions against any changes permitted in this division are expressly reserved.

(Ord. of 3-16-2009, § 3.51(E)(2); Ord. of 9-21-2009, § 3.51E)

Secs. 60-421—60-438. - Reserved.

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PART II - CODE OF ORDINANCES
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ARTICLE I. – IN GENERAL

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Dwelling ~~or dwelling unit~~ means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling, multifamily, means a residence designed for or occupied by three or more families with separate housekeeping and cooking facilities for each.

Dwelling, one-family detached, means a dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding those forms of temporary housing permitted by section 60-666. Each one-family detached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, one-family attached, means a residential structure designed to house a single-family unit from lowest level to roof, with private outside entrance, but not necessarily occupying a private lot, and sharing a common wall or walls with an adjoining dwelling unit or units. Each one-family attached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, seasonal, means a dwelling occupied for not more than six months of any year.

Dwelling, two-family, means a freestanding building intended and designed to be occupied and used exclusively for residential purposes by two families only, with separate housekeeping and cooking facilities for each.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used for or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Major Recreational use of land means permanent use of at least 100 acres of outdoor space limited to ski areas with at least 2 lifts and public and private golf courses with a minimum of 18 holes.

Open space, common means land within or related to a development which is not individually owned and is designed and intended for the common use or enjoyment of the residents of a development and may include such complementary structures and improvements as are necessary and appropriate.

Recreational uses of land means permanent uses of outdoor space which are intended or designed for public use and include but are not limited to ski areas, golf courses (both public and private), driving ranges, horse boarding and riding facilities, miniature golf, paintball, horse and dog racing, snowmobile races, motorhome or recreational vehicle parks or commercial campgrounds and facilities for mass gatherings when used for two or more events during a calendar year.

(Ord. of 9-21-2009, § 2.2)

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 08-08072017

BE IT ORDAINED, that the City Council hereby adopts the Recreational Planned Unit Development Ordinance amendments (Chapter 60, Article IV, Division 10, Sec. 60-359 through Sec. 60-361 and Sec. 60-382 through Sec. 60-389, Sec. 60-421, and Sec. 60-2) as attached.

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DRAFT PLANNING BOARD RECOMMENDATION ACCEPTED AS PART OF MINUTES AT 1/10/12
PLANNING BOARD MEETING-Modified for sewer and density requests (yellow).-

DIVISION 10. - PLANNED UNIT DEVELOPMENTS

Subdivision I. - In General
Subdivision II. - Types
Subdivision III. - Application Procedure

Subdivision I. - In General

Sec. 60-359. - Purpose.
Sec. 60-360. - Scope.
Sec. 60-361. - General standards.
Secs. 60-362—60-380. - Reserved.

Sec. 60-359. - Purpose.

The purpose of this section is to provide for a greater variety and choice of design for urban and suburban living, to gain efficiencies, to coordinate design development efforts, to conserve and make available open space, to utilize new technologies for ~~urban~~ land development and to ~~gain flexibilities over offer a flexible alternative to~~ conventional land control regulations. This section should not be used as a device for circumventing the city's development regulations and may be employed in instances where there is truly some benefit to be derived from its use for the community and for the developer. The type and amount of development permitted shall be based on the Planning Board's evaluation of the development proposal and the purposes standards and provisions set forth in this Division.

(Ord. of 3-16-2009, § 3.51(A); Ord. of 9-21-2009, § 3.51A)

Sec. 60-360. - Scope.

- (a) Application for a PUD-C Planned Unit Development, PUD-I Planned Unit Development or PUD-R Planned Unit Development ~~planned unit development~~ may be made for land located where public sewer is presently available or will be made available by the developer prior to certificates of occupancy being issued. Application for a for PUD-RR Planned Unit Development: Recreation/Residential may be made for land located where public sewer is presently available, will be made available by the developer prior to certificates of occupancy being issued or may utilize private wastewater disposal systems in compliance with State Plumbing Codes, in all zoning districts except agriculture and resource protection districts.
- (b) ~~The requirements for setback, lot width, lot depth, lot area, street frontage and percentage of lot coverage stated in individual zoning classifications shall be subject to negotiation as they apply to planned unit developments, except the front yard setback from all dedicated rights of way shall not be reduced. In specific cases, the requirements for off street parking stated in article V of this chapter and minimum area as stated in individual zoning classifications may be reduced. These requirements shall be controlled by the criteria and~~

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~~standards of this division and as shown on the approved planned unit development plan.~~

~~The dimensional requirements stated in individual zoning districts and signs as stated in Article V of this Chapter may be increased or decreased by the Planning Board as they apply to planned unit developments, except the front yard setback from all public streets shall not be reduced. The dimensional requirements and provision of signs shall be controlled by the standards sets forth in Sec. 60-359 Purpose and Sec 60-361 General Standards.~~

(c) Coordination with subdivision regulations.

- (1) ~~It is the intent of this division that if~~ a plan review is required under division 4 of article XVI Subdivision of this chapter, ~~that it shall~~ be accomplished simultaneously with the review of the planned unit development plan under this division of this zoning chapter.
- (2) The final development plan shall be submitted in a form that is in accordance with the requirements of division 4 of article XVI Subdivision of this chapter relative to final plans where applicable.
- (3) Requirements of this division of this zoning chapter and those of division 4 of article XVI of this chapter shall apply to all planned unit developments.

(Ord. of 3-16-2009, § 3.51(B); Ord. of 9-21-2009, § 3.51B)

Sec. 60-361. - General standards.

The following provisions apply to all planned unit development districts:

- (1) The ~~setback, lot width and lot coverage~~dimensional requirements as stated in individual zoning ~~classification districts~~ shall apply within the PUD but may be ~~reduced-increased or decreased~~ due to individual site ~~limitations-characteristics~~ as determined by the ~~planning board~~Planning Board to promote the purposes set forth in section 60-359 of this chapter.
- (2) ~~The number of off-street parking spaces in each planned unit development may not be less than the requirements as stated in article V of this chapter except that the~~The planning boardPlanning Board may increase or decrease the required number of off-street parking spaces as stated in Article V of this chapter in consideration of the following factors:
 - a. ~~Probably~~The probable number of cars owned by occupants of dwellings in the planned unit development;
 - b. The Parking needs of any ~~non~~dwellling-nonresidential uses;
 - c. Varying time periods of use, and whatever joint use of common parking areas is proposed.
- (3) Whenever the number of off-street parking spaces are-is reduced because of the nature of the occupancy, the city shall obtain assurance that the nature of the occupancy will not change.
- (4) ~~In any~~A PUD involving residential uses ~~that receives a density bonus and has lot sizes that are reduced below the minimum required within the residential district, shall reserve an amount of land equal to that created through the reduction in required lot sizes, required by section 60-1367 to be held as open space for the mutual use of the residents of the PUD~~ or open to the public. ~~This shall be accomplished by either~~Land reserved to satisfy the open space requirement shall be:

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- a. ~~The land shall be a~~Administered through a homeowner's association; or
 - b. ~~The land shall be d~~Dedicated to and accepted by the city for public ~~use; use; or~~
 - c. Land occupied by a major recreational use adjacent to a PUD-RR; or
 - d. Managed by a non-profit organization or land trust deemed capable of management by the Planning Board; or
 - e. A combination of a, b, c and/or d above.
- (5) All of the requirements of the city code of ordinances applicable to the zoning district not addressed in this division, shall apply.
- (6) Before granting approval of the final development plans, the ~~city~~Planning Board must ~~be satisfied~~find that said ~~plan~~plan incorporates addresses each of the following criteria or that one or more of the criteria are not applicable to the proposed development and/or that a practical substitute to one or more of the criteria has been achieved; or can demonstrate that:
- a. ~~One or more of the criteria are not applicable; or~~
 - b. ~~A practical substitute has been achieved for each of these elements consistent with the public interest:~~
 1. ~~There~~The proposed development has is an appropriate relationship to the surrounding area;
 2. Circulation, in terms of internal street circulation system, is designed for the type of traffic generated, safety, separation from living areas, convenience, access and control of noise and exhaust~~control~~. Proper circulation in parking areas is designed for safety, convenience, separation and screening~~;~~;
 3. ~~Functional Adequate~~ open space has been provided in terms of with consideration given optimum preservation to preservation of natural features including trees and drainage areas, topographic features, recreation, and views~~, density relief and convenience of functions;~~
 4. Privacy in terms of needs of individuals, families and neighbors;
 5. Pedestrian and bicycle traffic in terms of safety, separation, convenience and; access points ~~of destination and attractiveness;~~
 6. Building types in terms of appropriateness to density, site relationship and bulk;
 7. Building design in terms of orientation, spacing, ~~materials, color and texture~~character, storage, signs and lighting;
 8. Landscaping of total site in terms of purpose such as screening, ornamental types used, and materials uses, if any;
 9. ~~Maintenance, suitability and effect on the neighborhood;~~ Preservation of historically or architecturally significant buildings or places, if any;

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10. There is public sewer available to the lot or will be made available by the developer prior to certificates of occupancy being issued, except as allowed by Sec. 60-360(a) in the case of a PUD-RR.

11. That the proposal meets the requirements of Sec.60-1335, Special Exception of this Ordinance.

(Ord. of 3-16-2009, § 3.51(D); Ord. of 9-21-2009, § 3.51D)

Secs. 60-362—60-380. - Reserved.

Subdivision II. - Types

Sec. 60-381. - Definitions.

Sec. 60-382. - PUDs established.

Sec. 60-383. - Zoning map indication.

Sec. 60-384. - Permitting.

Sec. 60-385. - Planned Unit Development-Residential (PUD-R).

Sec. 60-386. - ~~Planned Unit Development-Commercial (PUD-C).~~ Planned Unit Development: Recreation/Residential (PUD-RR)

Sec. 60-387. - ~~Planned Unit Development-Commercial (PUD-IC).~~

Sec. 60-388. - ~~Planned Unit Development-Industrial (PUD-I).~~

~~Secs. 60-389—60-417. - Reserved.~~

Sec. 60-381. - Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Planned includes plans, plats or any combination thereof.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-382. - PUDs established.

The following types of planned unit development may be established by special use approval in any existing zoning district as noted in this section. The options for use are as follows:

(1) PUD-R Planned Unit Development: Residential in LDCR, RR, SR, UR, MFS, MFU, GB and CB.

~~(2) PUD-C Planned Unit Development: Commercial in GB and CB.~~

~~(3) PUD-I Planned Unit Development: Industrial in ID.~~

(2) PUD-RR Planned Unit Development: Recreation/Residential in AG/RP, LDCR, RR, SR, UR, and GB.

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(3) PUD-C Planned Unit Development: Commercial in GB and CB.

(4) PUD-I Planned Unit Development: Industrial in ID.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-383. - Zoning map indication.

The area included in each approved planned unit development shall be indicated on the zoning map as PUD-R or ~~€~~, PUD-RR or PUD-C or PUD -I.

(Ord. of 3-16-2009, § (3.51)(C); Ord. of 9-21-2009, § 3.51C)

Sec. 60-384. - Permitting.

Phased planned unit developments shall be permitted where any type of PUD is otherwise allowed by this chapter with an additional review by the director of planning and permitting prior to recording at the Androscoggin County Registry of Deeds. It is the intent of this phasing to allow coordinated long term planning of a large scale development without the disincentives of taxation and financing for phases that will not be constructed in the short term. The final development plan shall be kept on file in the planning and permitting office and the developer shall meet the requirements of section 60-420(c) prior to declaration and recording of a phase. The developer shall declare and record the approved phase plan within 30 days after a written approval is issued by the director. The recorded plan shall contain a note referencing this chapter. This division may be applied to existing PUDs if said plan was approved by the ~~planning board~~Planning Board as a phased development.

(Ord. of 3-16-2009, § 3.51(C)(1); Ord. of 9-21-2009, § 3.51C)

Sec. 60-385. - Planned Unit Development-Residential (PUD-R).

It is the intent of this section that any residential property which is under single ownership and contains three acres or more area may be developed as PUD-R planned unit development: residential. Within the PUD-R the following uses and densities may be permitted subject to the approval of the ~~planning board~~Planning Board.

- (1) Uses permitted by right or permitted by special exception in the residential districts noted in ~~this section~~this section and the underlying zoning district.
- (2) Commercial uses may be permitted in the PUD-R district if the planned unit development contains 20 or more dwelling units. Such commercial ~~centers~~uses shall be subject to the following requirements:
 - a. Such ~~centers~~uses including parking shall be included as an integral part of the PUD and shall not occupy more than five percent of the total area of the PUD. Commercial uses in any development shall not be open to use prior to issuance of the certificates of occupancy for 50 percent of the dwelling units.
 - b. Except as stated in division 10 of article IV of this chapter all restrictions applicable to the NB district are applicable to the commercial center in the PUD-R district.

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- c. Such establishments shall be located, designed and operated primarily to serve the needs of the persons within the planned development. These buildings shall be architecturally compatible with the dwellings they serve using similar materials, geometry, topographic relationships, color and lighting to minimize its effect on the environment of existing or future residential uses adjacent to them.
- d. Sign.
1. Any part of the sign for a commercial use shall not project above the eaves or protrude from the face of the building more than 12 inches. A premise-commercial use shall have not more than one sign for every street frontage. ~~All~~ Any free standing signs may not exceed 20 feet in height and must have a minimum setback of 25 feet. Portable flashing and moving signs are not permitted. All emblems, shields or logos are considered part of the total allowable sign area.
 2. A ~~R~~ residential subdivision may have one sign for each newly created entry to the subdivision, not to exceed 40 square feet in size.
- (3) The total number of dwellings units permitted in the PUD-R district shall be determined by dividing the total project acreage (not including public rights-of-way) by the area required per unit in ~~that the~~ underlying zoning district or as approved by the city Planning Board pursuant to ~~section 60-361(3) the~~ standards in the underlying zoning district.
- (4) If common open space remaining is offered to the city and is acceptable to the city, such dedication ~~shall~~ may not be considered as partial or total fulfillment of park and open space dedication.
- (5) Upon review of a PUD-R proposal, ~~if special circumstances exist in regard to land usability, topographical characteristics, or natural assets of the site to be preserved,~~ the city Planning Board may authorize up to a 20 percent increase in density over ~~the~~ that otherwise allowed in the underlying district ~~requirement~~ if the following criteria are met:
- a. *Architecture*. Utilization of existing topography, recognition of the character of the area reflected in materials and layout.
 - b. *Siting*. Preservation of unique natural features, separation of pedestrian and vehicular circulation and integration of open space.
 - c. *Design*. A unified cohesive development, focal points ~~(cluster of seating, art forms, water feature)~~ for orientation and interaction, variety of scale.
 - d. *Landscaping*. The compatibility with natural landscape, the separation of individual units for privacy.
 - e. *Convenient*. A convenient well-defined access.
 - f. *Compatibility*. ~~The~~ Compatibility with ~~ultimate~~ the adopted comprehensive plan and/or plans approved by City boards and departments for school service area and size of buildings, park system, police and fire protection standards and other facilities public or private.
- (6) All planned unit developments containing residential units shall comply with all city zoning and subdivision regulations.

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(Ord. of 3-16-2009, § 3.51(C)(2); Ord. of 9-21-2009, § 3.51C)

Sec. 60-386- Planned Unit Development: Recreation/Residential (PUD-RR)

The PUD-RR district is created to provide for the development of residential and commercial uses that are customary, complementary, and appropriate to major recreational uses on land located adjacent to them. Major recreation uses of land are designed for outdoor use of large land areas and have indoor facilities to accommodate groups of people. Major Recreation uses may be open year round or may operate seasonally and their economic viability and continued operation are recognized as assets to Auburn. Flexibility for the siting of homes, condominiums, hotels or motels and accessory uses that are of a scale that is compatible with the surrounding area will help support the economics of a major recreation use.

Any major recreation use containing one hundred (100) acres or more area may be developed as a Planned Unit Development: Recreation/Residential- PUD-RR. Within a PUD-RR the following uses and densities may be permitted subject to the approval of the Planning Board.

- (1) Uses permitted by right or permitted by special exception in the underlying zoning district.
- (2) Attached single-family dwellings with direct access to the outside at ground level may be permitted, provided that they are approved as part of a Planned Unit Development and as a Subdivision under Sec.60-359 and Sec. 60-1359 of this chapter.
- (3) Hotels or motels adjacent to an existing major recreation use or a major recreation use if construction of the major recreational use is complete and open for use, provided that they are approved by the Planning Board as a Site Plan and as a Special Exception under Sec.60-1276 and Sec.60-1335 of this chapter. The size and scale of a hotel, motel, or accessory commercial uses shall be determined by the Planning Board at the time of PUD and/or Special Exception review. In making their determination, the Planning Board shall consider the appropriate relationship of the hotel, motel or accessory buildings and structures to the major recreation use and the surrounding neighborhood in terms of bulk, location or operation of proposed buildings and structures, traffic impact, access management, parking requirements, internal circulation, vehicular and pedestrian connections to adjacent property, external lighting, landscaping, signage using the standards of Sec.60-385(2)d as a guide, provisions for water and public sewer, and the preservation of scenic and natural beauty to the extent possible.
- (4) Accessory commercial uses provided that they are approved as a Site Plan and as a Special Exception under Sec. 60-1276 and Sec. 60-1335. Building and structures shall be architecturally compatible using similar materials, topographic relationships, color and lighting, landscaping, and signage to minimize its effect on the environment of existing or future recreation and residential uses adjacent to it.
- (5) The total number of dwelling units permitted in the PUD-RR district shall be determined by dividing the total project acreage including the major recreational use (not including public rights-of-way) by the area required per unit in that zoning district or as approved by the Planning Board pursuant to section 60-361(4). For the purpose of determining the number of dwelling units permitted on parcels located within more than one zoning district, the higher density district standard may be applied to the entire parcel and adjacent major recreational use in the case of a PUD-RR Planned Unit Development.
- (6) The requirements of a Planned Unit Development, Sec. 60-361(4) and as a Subdivision, Sec.60-1367 to provide recreation and/or open space may be satisfied by the principal recreation, entertainment, and social uses of the adjacent major recreation use.

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(7) Access to the property shall be located on an arterial or collector street to minimize congestion or unsafe conditions and unreasonable deterioration of the local road system. Access to individual house lots shall be from an internal street system to retain the character of the area.

(8) The requirements of this chapter applicable to the underlying district or districts, not addressed in this section, shall apply.

Sec. 60-3876. - Planned Unit Development-Commercial (PUD-C).

The PUD-C district is created to provide for the development of planned business and shopping centers and mixtures thereof. It is intended to promote the grouping of professional offices and retail commercial uses and to provide areas of sufficient size to establish harmonious relationships between structures, people and vehicles through the use of well planned parking access, pedestrian walkways, courtyards, walls and other open spaces. This district should offer a wide variety of goods and services. Any commercially zoned area three acres or more in size may be developed as a PUD-C district. Uses permitted in the ~~commercial-zoning~~underlying zoning districts are permitted in the PUD-C district.

(Ord. of 3-16-2009, § 3.51(C)(3); Ord. of 9-21-2009, § 3.51C)

Sec. 60-3878. - Planned Unit Development-Industrial (PUD-I).

The PUD-I district is created to provide for the development of planned industrial areas. It is intended to promote the grouping of industrial uses and to group these uses in such a manner that they provide well planned parking and access, landscaped open areas and harmonious relationships between structures. Any industrial area over five acres may be developed as a PUD-I district. Uses permitted in the ~~industrial-underlying~~ zoning district are permitted in the PUD-I district.

Secs. 60-3898—60-417. - Reserved.

Subdivision III. - Application Procedure

[Sec. 60-418. - Compliance.](#)

[Sec. 60-419. - Submission and review.](#)

[Sec. 60-420. - Final development plan.](#)

[Secs. 60-421—60-438. - Reserved.](#)

Sec. 60-418. - Compliance.

All applicants for planned unit development shall comply with procedures set forth in this subdivision and in accordance with division 2 of article XVI of this chapter site plan review.

(Ord. of 3-16-2009, § 3.51(E)(intro. ¶); Ord. of 9-21-2009, § 3.51E)

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Sec. 60-419. - Submission and review.

- (a) An applicant shall make application for the approval of the planned unit development to the planning department. The applicant shall present his completed application and fee, in the amount provided in the city fee schedule, along with the development plan outline as specified in this division.
- (b) The development plan outline shall include both the site plan map and a written statement of procedures. The plan shall indicate sufficient areas surrounding the proposed planned unit development to demonstrate the relationship of the planned unit development to adjoining existing and proposed uses.
- (c) The site plan must contain the following information:
 - (1) All site plans shall conform to the provisions as contained in division 2 of article XVI of this chapter;
 - (2) The type and character of proposed development to include general architectural design, types of building materials to be used and, when appropriate, the proposed number of dwelling units per acre;
 - (3) The proposed location and size of public uses including schools, parks, playgrounds, swimming pools and other common open spaces.
- (d) The written statement to accompany the development plan outline map must contain the following information:
 - (1) A brief description of unique project design needs that make the planned unit approach advantageous to the city and developer;
 - (2) An anticipated schedule of development and a conceptual phase plan where the developer intends to phase the declaration of portions of the development;
 - (3) Proposed agreements, provisions or covenants which govern the use, maintenance and continued protection of the PUD and any of its common areas.
- (e) The number of copies of the written statement must be consistent with the provisions of section 60-1300
- (f) The applicant may be requested to submit any other information or exhibits deemed pertinent in evaluating the proposed planned unit development.

(Ord. of 3-16-2009, § 3.51(E)(1); Ord. of 9-21-2009, § 3.51E)

Sec. 60-420. - Final development plan.

- (a) The final development plan shall be submitted in accordance with section 60-419 of the municipal code relative to final plans.
- (b) The ~~planning board~~Planning Board shall approve the final development plan if it is in substantial compliance with the approved preliminary development plan. The final development plan shall be recorded as if it were a final subdivision plan except in the case of a phased development which shall follow the standards of subsection (c) of this section.
- (c) For phased developments the final development plan shall be kept on file in the planning and permitting office. The developer shall provide a phase plan and letter of intent to declare a phase for review and approval

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by the director of planning and permitting prior to recording at the registry of deeds. The director shall consider the following standards before approving a phased plan for recording:

- (1) The remaining undeveloped land/phases shall be considered as one lot for frontage purposes. The phase plan shall provide the required frontage for the remaining land/phases.
 - (2) Common open space, roadway improvements and/or access to utilities may be completed without opening a phase provided that the director determines that the work is necessary or beneficial to an open phase of the development or to the city.
 - (3) The phased plan must be determined by the director of planning and permitting to be consistent with and progress towards completion of the long term final development plan.
- (d) From time to time the ~~planning board~~ Planning Board shall compare the actual development accomplished in the planned unit development with the approved development schedule. If the owner of property in the PUD has failed to meet the approved development schedule without cause, the ~~planning board~~ Planning Board may initiate proceedings. The ~~planning board~~ Planning Board, for good cause shown by the property owner, may extend the limits of the development schedule.
- (e) The ~~planning board~~ Planning Board may require adequate assurance in a form consistent in a form acceptable to the ~~planning board~~ Planning Board, that the common open space shown in the final development plan shall be provided and developed.
- (f) Final development plan contents:
- (1) The final development plan shall contain the information ~~provided on~~ provided on the preliminary development plan ~~or any logical part thereof and any additional information requested by the Planning Board; and~~ must be submitted within one year following the approval of the preliminary development plan unless written request is made for an extension of ~~up to~~ up to one year and approved ~~d~~ by the ~~planning board~~ Planning Board.
 - (2) The final development plan, with supplemental information in report form, shall be prepared in conformity with the provisions of section 60-419
 - (3) Copies of any special agreements, conveyances, deed restrictions, or covenants, which will govern the use, maintenance and continued protection of the planned unit development and any of its common area must accompany the final development plan.
 - (4) The applicant may submit any other information or exhibits he deems pertinent in evaluating his proposed planned unit development.
- (g) Control of planned unit development following completion.
- (1) The ~~planning board~~ Planning Board shall review and take action on the competed final plan.
 - (2) After final approval has been granted the use of the land and the construction, modification or alteration of any building or structure within the planned development shall be governed by the approved final development plan rather than by any other provisions of this zoning chapter.
 - (3) After final approval, no changes may be made in the approved final development plan except upon application to the appropriate agency under the following procedures:

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- a. Any minor extension, alteration, or modification of existing buildings or structures may be authorized by the ~~planning board~~Planning Board if they are consistent with the purposes and intent of the final plan. No change authorized by this division may decrease or increase the dimension of any building or structure by more than ten percent.
- b. Any uses not authorized by the approved final plan, but allowable in the PUD as a permitted principle, accessory, or special use under the provisions of the underlying zoning district in which the planned development is located may be authorized by the planning director and added to the final development plan provided that such an addition does not adversely impact the approved development plan.
- c. A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan or amendments thereof approved under subsection (g)(3)a and b of this section.
- d. Changes in use of common open spaces may be authorized by an amendment to the final development plan under subsection (g)(3)a and b of this section.
- e. All other changes in the final development plan must be made by the ~~planning board~~Planning Board under the procedures authorized by this chapter. No changes may be made in the final development plan unless found to be required for:
 1. Continued successful functioning of the planned unit development;
 2. By changes in conditions that have occurred since the final plan was approved; or
 3. By changes in the development of the community.

No changes in the final development plan which are approved under this division are to be considered as a waiver of the provisions limiting the land use, buildings, structures, and improvements within the area of the planned unit development, and all rights to enforce these provisions against any changes permitted in this division are expressly reserved.

(Ord. of 3-16-2009, § 3.51(E)(2); Ord. of 9-21-2009, § 3.51E)

Secs. 60-421—60-438. - Reserved.

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PART II - CODE OF ORDINANCES
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ARTICLE I. – IN GENERAL

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Dwelling ~~or dwelling unit~~ means a building or portion thereof arranged or designed to provide living facilities for one or more families.

Dwelling, multifamily, means a residence designed for or occupied by three or more families with separate housekeeping and cooking facilities for each.

Dwelling, one-family detached, means a dwelling unit singly and apart from any other building and intended and designed to be occupied and used exclusively for residential purposes by one family only, excluding those forms of temporary housing permitted by section 60-666. Each one-family detached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, one-family attached, means a residential structure designed to house a single-family unit from lowest level to roof, with private outside entrance, but not necessarily occupying a private lot, and sharing a common wall or walls with an adjoining dwelling unit or units. Each one-family attached dwelling shall contain not less than 700 square feet of net floor area of habitable space.

Dwelling, seasonal, means a dwelling occupied for not more than six months of any year.

Dwelling, two-family, means a freestanding building intended and designed to be occupied and used exclusively for residential purposes by two families only, with separate housekeeping and cooking facilities for each.

Dwelling unit means a room or group of rooms located within a building and forming a single habitable unit, physically separated from any other rooms or dwelling units which may be in the same structure, with facilities which are used for or intended to be used for independent living, sleeping, cooking and eating purposes. Dwelling units available for rental or occupancy for periods of less than one week shall be considered boarding/lodging units.

Major Recreational use of land means permanent use of at least 100 acres of outdoor space limited to ski areas with at least 2 lifts and public and private golf courses with a minimum of 18 holes.

Open space, common means land within or related to a development which is not individually owned and is designed and intended for the common use or enjoyment of the residents of a development and may include such complementary structures and improvements as are necessary and appropriate.

Recreational uses of land means permanent uses of outdoor space which are intended or designed for public use and include but are not limited to ski areas, golf courses (both public and private), driving ranges, horse boarding and riding facilities, miniature golf, paintball, horse and dog racing, snowmobile races, motorhome or recreational vehicle parks or commercial campgrounds and facilities for mass gatherings when used for two or more events during a calendar year.

(Ord. of 9-21-2009, § 2.2)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 11, 2017

Ordinance: 09-08212017

Author: Doug Greene, Urban Development Specialist

Subject: Troy Street Zoning Map Amendment

Information: At their July 17, 2017 meeting, the City Council initiated a zoning map amendment (zone change) and instructed the Planning Board to make a recommendation to the City Council on the proposal. The staff is recommending a block of properties bounded by Union Street, Library Street, Troy Street and the Central Maine Railroad right of way. The properties are currently zoned General Business (GB) and the proposed zoning would be changed to Traditional Downtown Center (T-5.1). The zone change would make the properties easier to redevelopment and also complement the neighborhood and pedestrian friendly design of the Hampshire Street reconstruction project.

Advantages: Rezoning the Troy Street block of properties to Traditional Downtown Center (T-5.1) would provide the property owners the benefits of Form Based Code:

- More building area is allowed with smaller set-backs.
- Reduced parking requirements.
- Greater flexibility how you can use your property.
- New construction that follows the Form Based Code creates a predictable built environment that protects investment in new development.
- Most new development that follows all the Form Based Code requirements can apply directly for a building permit.

Disadvantages: There may be a reduction of public parking in the area.

City Budgetary Impacts: Redevelopment should boost property tax revenues for underutilized property.

Staff Recommended Action: Staff recommends the City Council approve the zone change.

Previous Meetings and History: The Form Based Code went through a 2 year process by the Planning Board leading to adoption by the City Council in May of 2016. The Planning Board voted on August 8, 2017 unanimously to forward a recommendation of APPROVAL of this zone change request. The City Council considered the zone change at a workshop on August 7th with a 1st reading on the August 21st meeting.

Attachments:

1. Staff Report for the Planning Board's August 8, 2017 meeting.
2. Planning Board Report to the City Council on the Troy Street zone change.
3. Mapping of existing and proposed zoning.
4. Traditional Downtown Center (T-5.1) section from Auburn Zoning Ordinance.
5. Photos of the proposed zone change area.

**PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
Urban Development Specialist

Re: Zoning Map Amendment for Troy Street Properties

Date: August 8, 2017

I. PROPOSAL –, The City Council initiated a Zoning Map Amendment (zone change) at their July 17, 2017 meeting request. The Staff is recommending the block of properties bounded by Union Street, Hampshire St., Library St. and Troy St. be rezoned at the same time. The parcels are: PID 249-211 (52 Hampshire St.), 240-210 (50 Hampshire St.), 240-213 (43 Union St.), 240-214 (39 Union St.), 240-201 (31 Library St.), 240-202 (29 Library St.), 240-212 (Troy St.) and 240-215 (35 Union St.). These properties are currently zoned General Business (GB) and the Staff feels this area would benefit from a zone change to a Form Based Code, Downtown Traditional Center (T-5.1).

BACKGROUND and STAFF COMMENTS - During the Planning Board's deliberation in 2015 on the initial Form Based Code zone change for Downtown Auburn and New Auburn, the downtown Minot Avenue corridor, northeast of the railroad tracks was discussed and considered to be included in the overall zone change. Ultimately, the Planning Board chose to limit the boundaries of the Form Based Code to the Central Business District and not extend beyond the rail road tracks. In particular the Downtown Traditional Center (T-5.1) would allow a zero set back along Union Street, Hampshire Street and Troy Street, decrease the parking requirement and allow a greater density, building height and coverage. The Staff is supportive of this change and would also be interested in discussing future expansions of Form Based Code at a later date.

II. DEPARTMENT REVIEW - The proposed zoned change was reviewed at the July 19, 2017 Plan Review Committee.

- a. Police - No Comments.
- b. Auburn Water and Sewer - No Comments.
- c. Fire Department - No Comments.
- d. Engineering – No Comments.

- e. Public Services – No Comments.
- f. Economic and Community Development – Staff presented the zone change request to the Plan Review Committee.

III. **PLANNING BOARD ACTION-** The Planning Board is being asked to use Chapter 60-1445, *Amendments to the Zoning Ordinance Map*. The Planning Board should reference A.) The Comprehensive Plan Goals and Objectives and B.) The Future Land Use Map designations and descriptions when considering whether a zone change is appropriate and in compliance with the 2010 Comprehensive Plan.

A. The 2010 Comprehensive Plan has the following sections described in the Chapter 1, Goals, Policies and Strategies that support this zone change:

Community Development Policies- H1- Neighborhood Actions and H2 Housing

- a) “To carry out these housing policies, Auburn will maintain and enhance existing neighborhoods and housing, and provide opportunities for a wide range of new housing development in appropriate locations.” (Vision Statement pg. 56)
- b) “Promote various housing options to meet the needs of Auburn residents and support neighborhood stability.” (Goal H.2 pg. 58)
- c) “Encourage investment in higher-density downtown multi-family and mixed-use neighborhoods to develop a balance of rental and ownership options that serve a wide range of households.” (Housing Objective-H. 2. 4 pg. 61)
- d) “Assure that the City’s zoning and land use regulations allow private owners to improve property in these neighborhoods.” (Housing Strategy, H. 2. 4. a pg. 61)
- e) “Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimension.” (Housing Strategy, H. 2. 4. a, ii pg. 61)
- f) “Create flexible zoning provisions such as variable density requirements (bedroom-based density or building envelope provisions) that allow for the coordinated reuse or rehabilitation of a series of adjacent buildings in order to create expanded housing opportunities.” (Housing Strategy, H. 2. 4. a, iii pg. 61)

B. **Future Land Use Map-** The 2010 Comprehensive Plan’s Future Land Use Map designates this area as a Limited Business Development Area (LBD) (See attachment 1 for map)

Limited Business Development District (LBD) (pg. 89-90)

Objective – Allow for the development and redevelopment of small and moderate scale nonresidential uses in areas that have good vehicle access and are served or can be served by public water and sewerage (see Figures 2.3, 2.4, and 2.5). Since these districts are often located adjacent to existing residential neighborhoods or residentially zoned areas, the allowed uses and development standards are intended to assure that activity within these districts have minimal adverse impact on the adjacent residential areas. In addition to



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non-residential activity, the Limited Business Development District should allow for both existing and new residential uses at a density of up to 10-12 units per acre.

Allowed Uses – The following general types of uses should be allowed in the Limited Business Development District:

- small and moderate size retail uses (<40,000 square feet)
- personal and business services
- business and professional offices
- restaurants excluding drive-thru service
- hotel, motels, inns, and bed & breakfast establishments
- residential uses (including single and two-family, townhouses, and multi-family housing)
- community services and government uses
- small and moderate size (<20,000 square feet) fully-enclosed research, light manufacturing, assembly, and wholesale uses
- contractors and similar activities
- motor vehicle service
- motor vehicle sales limited to a subordinate or accessory use where the principal use is motor vehicle service
- recreational uses and facilities

Development Standards – The focus of the City’s development standards for the Limited Business Development District should be on assuring that **new development or redevelopment/expansion of existing uses is done in a manner the results in well designed, attractive projects that minimize the potential for undesirable impacts.** To ensure that redevelopment/conversion of residential buildings to nonresidential uses is compatible with the design and character of the community, these projects should require site plan review. The review standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require an attractive treatment along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts. **Multifamily housing and townhouse style development should be allowed at a density of up to 10-12 units per acre,** while single and two-family housing should be allowed at a density of up to 6-8 units per acre. Conversion of older single family units to duplexes is encouraged, as well as the full utilization of all established units within multi-unit buildings, provided that the building will be renovated and meet the City’s requirements for residential units, including the provision of appropriate parking and green space.

IV. STAFF COMMENTS-

Context- The proposed zone change area, while not officially part of “Downtown Auburn”, is adjacent and similar in character and visual appearance to an area rezoned to Traditional Downtown Center (T-5.1) in May of 2016 located across the railroad tracks at

Spring, Hampshire and Library Streets. Re-zoning these properties to Traditional Downtown Center (T-5.1) would provide the affected property owners the benefits of Form Based Code:

- More building area is allowed.
- Smaller set-backs.
- Reduced parking requirements.
- Greater flexibility how you can use your property.
- New construction will have to follow the Form Based Code creating a predictable built environment that protects investment.
- Additions of less than 50% to existing buildings, will be exempt from Form Based Code.
- Most new development that follows all the Form Based Code requirements can apply directly for a building permit.

The Traditional Downtown Center (T-5.1) zoning to the proposed properties will be a positive incentive for redevelopment by taking advantage of the increased density and building size that the Form Based Code allows. In addition, Hampshire Street is undergoing a complete reconstruction and re-design that will make the surrounding neighborhood more pedestrian friendly, walkable and desirable for rehabilitation and investment.

Density- When the Central Business District was replaced by the Form Based Code, the density limits as recommended in the 2010 Comprehensive Plan were replaced by the Form Based Code regulations of building placement, configuration and parking. For each site or property, the density of a project will be determined by how it meets the Form Based Code prescriptive requirements. A developer that abides by the Form Based Code regulations and standards typically can create more dwelling units than previously allowed in traditional zoning districts. With that in mind, the Staff is recommending that the density recommendations contained in the city's future land use designations be replaced by a finding that states *"Densities for properties zoned in a Form Base Code district will be determined by compliance with the underlying Form Based Code requirements."*

V. STAFF RECOMMENDATION

The Staff recommends the Planning Board forward a motion of **APPROVAL** to the City Council of the Zoning Map Amendment for the properties listed as: PID 249-211 (52 Hampshire St.), 240-210 (50 Hampshire St.), 240-213 (43 Union St.), 240-214 (39 Union St.), 240-201 (31 Library St.), 240-202 (29 Library St.), 240-212 (Troy St.) and 240-215 (35 Union St.) from General Business (GB) to Traditional Downtown Center (T 5.1).

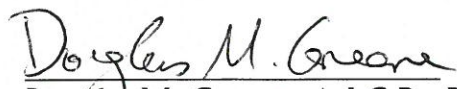
This recommendation is made with the following findings:

1. The zoning request is in compliance with the 2010 Comprehensive Plan's goals, policies and objectives for Housing by meeting the following:

- a) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing

Objective H.2.4 to "encourage investment in higher-density downtown multi-family and mixed-use neighborhoods to develop a balance of rental and ownership options that serve a wide range of households."

- b) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy: H.2.4.a, "Assure that the City's zoning and land use regulations allow private owners to improve property in these neighborhoods."
 - c) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy H.2.4.a.ii "Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimension."
 - d) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy H.2.4.a.iii "Create flexible zoning provisions such as variable density requirements (bedroom-based density or building envelope provisions) that allow for the coordinated reuse or rehabilitation of a series of adjacent buildings in order to create expanded housing opportunities."
2. Rezoning the properties to Traditional Downtown Center (T-5.1) will allow future redevelopment to be constructed in a manner consistent with the existing character and visual appearance of the immediate neighborhood.
3. Densities for the properties being rezoned to the Form Base Code Downtown Traditional Center district (T-5.1) will be determined by compliance with the underlying Form Based Code requirements.

A handwritten signature in black ink that reads "Douglas M. Greene".

Douglas M. Greene, A.I.C.P., R.L.A.
Urban Development Specialist



PLANNING BOARD REPORT TO THE CITY COUNCIL

To: Honorable Mayor Jonathan LaBonte and the Auburn City Council

From: Daniel Philbrick, Chairman, Auburn Planning Board

Re: Zoning Map Amendment for Troy Street Properties

Date: August 16, 2017

The Auburn Planning Board held a public hearing and made a recommendation to the City Council on a Zoning Map Amendment (zone change) at their August 8, 2017 meeting. The Planning Board considered a zone change on the block of properties bounded by Union Street, Hampshire St., Library St. and Troy St.. The parcels are: PID 249-211 (52 Hampshire St.), 240-210 (50 Hampshire St.), 240-213 (43 Union St.), 240-214 (39 Union St.), 240-201 (31 Library St.), 240-202 (29 Library St.), 240-212 (Troy St.) and 240-215 (35 Union St.). These properties are currently zoned General Business (GB) and the Staff recommended this area would benefit from a zone change to a Form Based Code, Downtown Traditional Center (T-5.1).

The Staff made a presentation on the proposed zone change and described the current block of properties as being a good candidate for Form Based Code as the properties were more in line with the character that Form Based Code required. In addition, the current structures on these properties were a better fit to meet Form Based Code regulations. In particular, the proposed Downtown Traditional Center (T-5.1) would allow a zero building set back along Union Street, Hampshire Street and Troy Street, decrease the parking requirement and allow greater density, building height and coverage.

The Planning Board also considered the Staff's discussion on how the proposed zone change is in compliance with the 2010 Comprehensive Plan's Housing Goals, Policies and Strategies. The Staff explained that the 2010 Comprehensive Plan's Future Land Use Map was in general compliance with the area's designation as a Limited Business Development Area. The Planning Board discussed how the Form Based Code would allow greater density if the zone change was approved, just as what happened to the Central Business District when it was rezoned to Form Based Code.

The Staff's presentation continued describing the context of the proposed zoned change surroundings. They suggested that the proposed zone change area, while not officially part of "Downtown Auburn", is adjacent and similar in character and visual appearance to an area

rezoned to Traditional Downtown Center (T-5.1) in May of 2016 that is located across the railroad tracks at Spring, Hampshire and Library Streets. Re-zoning these properties to Traditional Downtown Center (T-5.1) would provide an incentive to redevelop or rehabilitate the affected properties. In addition, Hampshire Street is undergoing a complete reconstruction and re-design that will make the surrounding neighborhood more pedestrian friendly, walkable and desirable for rehabilitation and investment.

No one spoke during the public hearing. After some discussion, the Planning Board voted unanimously to forward a recommendation of APPROVAL to the City Council of the Zoning Map Amendment with the following findings :

1. The zoning request is in compliance with the 2010 Comprehensive Plan's goals, policies and objectives for Housing by meeting the following:
 - a) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Objective H.2.4 to "encourage investment in higher-density downtown multi-family and mixed-use neighborhoods to develop a balance of rental and ownership options that serve a wide range of households."
 - b) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy: H.2.4.a, "Assure that the City's zoning and land use regulations allow private owners to improve property in these neighborhoods."
 - c) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy H.2.4.a.ii "Review and revise the zoning requirements, as needed, to allow for redevelopment and infill development on vacant lots that is in character with the neighborhood in terms of lot sizes and density, frontage, setbacks, and similar dimension."
 - d) Rezoning the properties to the Traditional Downtown Center (T-5.1) district would be in agreement with the 2010 Comprehensive Plan's Housing Strategy H.2.4.a.iii "Create flexible zoning provisions such as variable density requirements (bedroom-based density or building envelope provisions) that allow for the coordinated reuse or rehabilitation of a series of adjacent buildings in order to create expanded housing opportunities."
2. Rezoning the properties to Traditional Downtown Center (T-5.1) will allow future redevelopment to be constructed in a manner consistent with the existing character and visual appearance of the immediate neighborhood.



Dan Philbrick
Planning Board Chair

ATTACHMENT 3- MAPS

2010 Future Land Use Map

Area Proposed for T-5.1 zoning

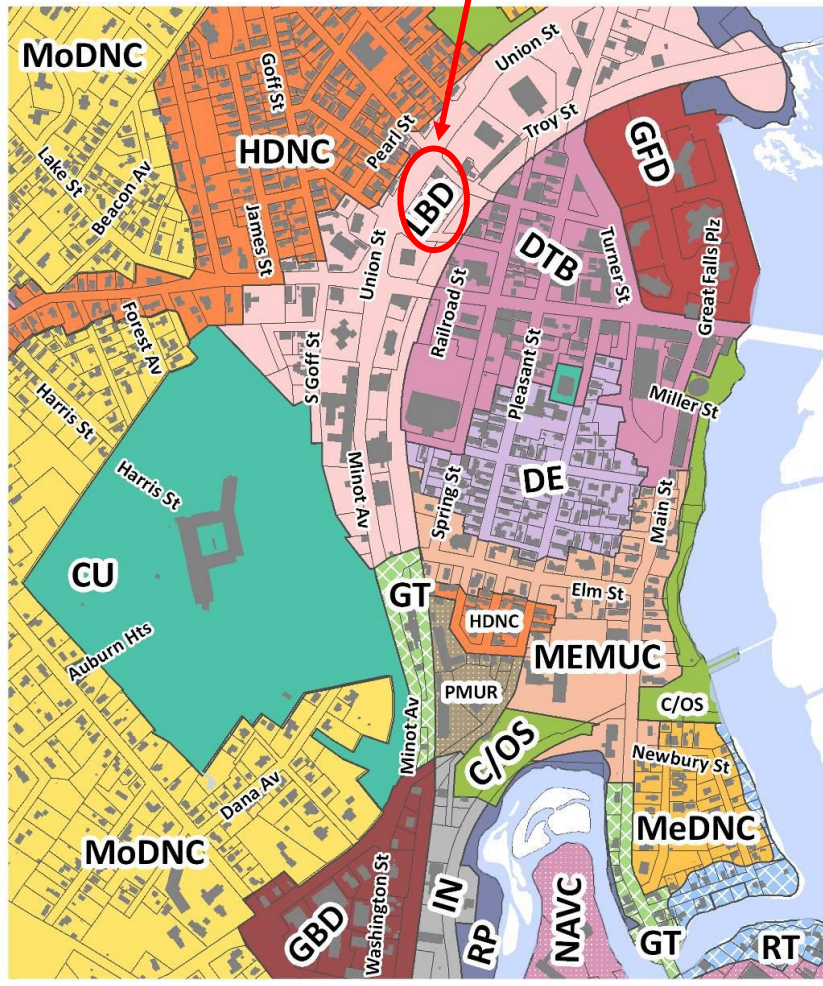
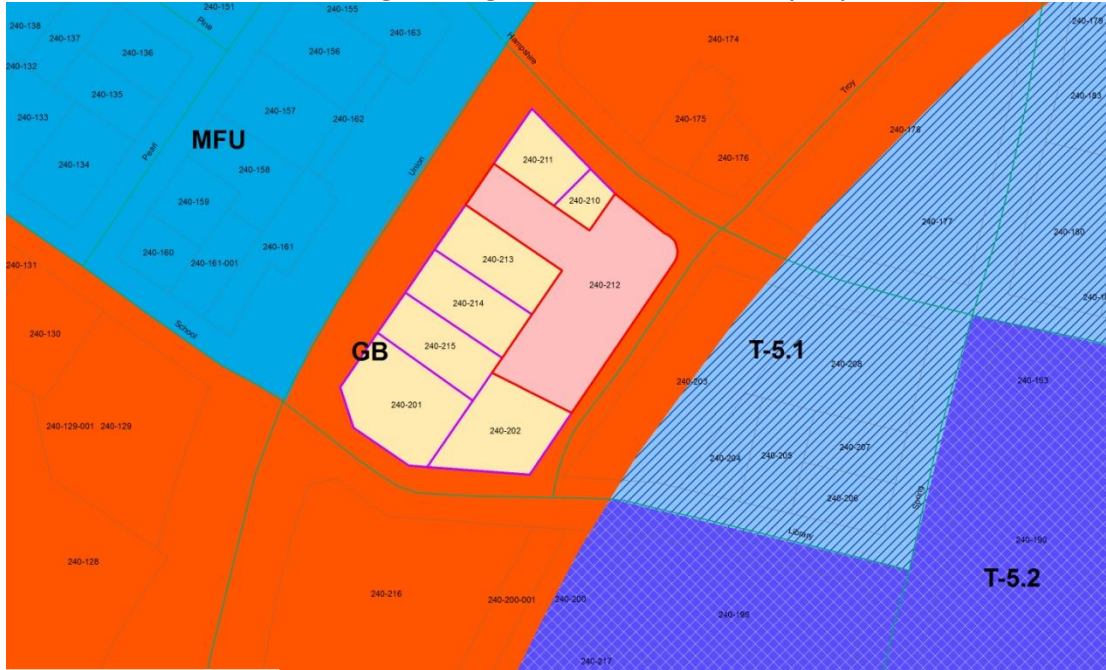


Figure 2.4
Downtown Auburn Area

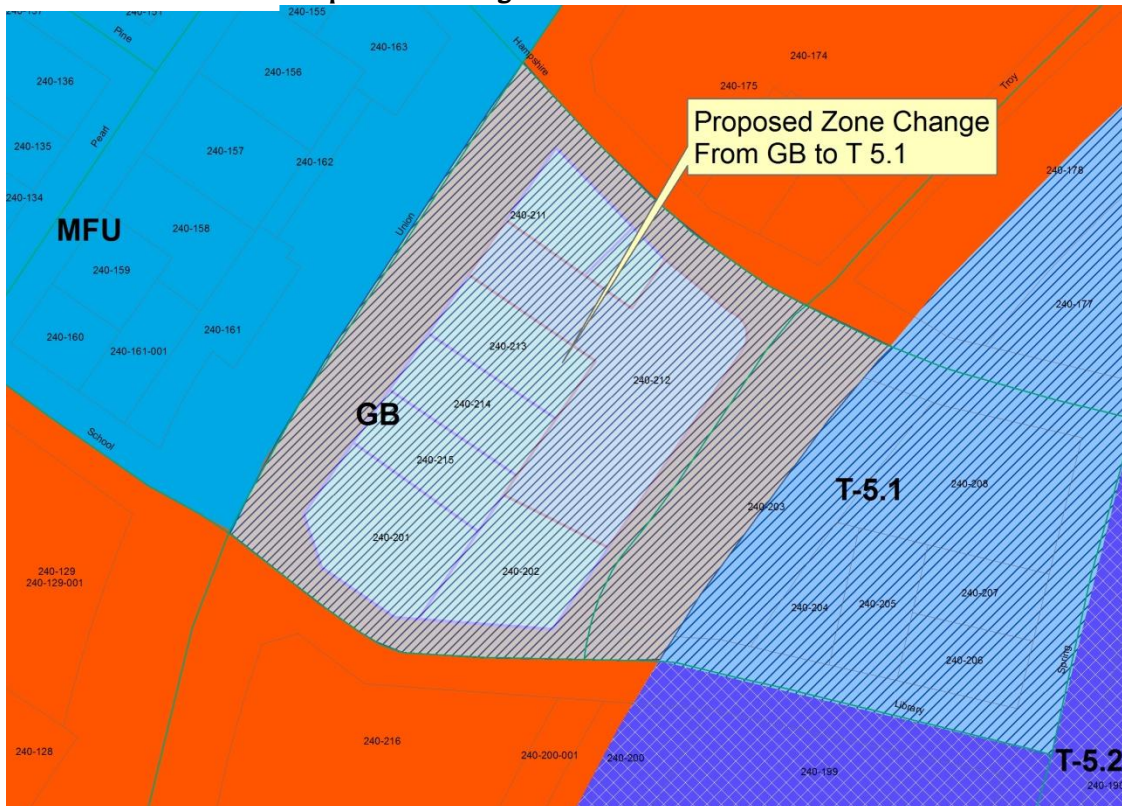
- LMoDRD-Low-Moderate Density Residential Development
- LDRPUD-Low Density Residential Planned Unit Development
- LDRD-Low Density Residential Development
- MoDNC-Moderate Density Neighborhood Conservation
- MoDRD-Moderate Density Residential Development
- MeDNC-Medium Density Neighborhood Conservation
- MeDRD-Medium Density Residential Development
- MeDPRD-Medium Density Planned Residential Development
- HDNC-High Density Neighborhood Conservation
- NB-Neighborhood Business
- DTB-Downtown Traditional Business
- NAVC-New Auburn Village Center
- DE-Downtown Enterprise
- NAE-New Auburn Enterprise
- MEMUC -Main/Elm Mixed Use Corridor
- CMUC-Corridor Mixed Use Development
- PMU-Planned Mixed Use Development
- PMUR-Planned Mixed Use Redevelopment
- LBD-Limited Business Development
- PCD-Planned Commercial Development
- RBD-Regional Business Development
- LAPBD-Lake Auburn Planned Business Development
- GFD-Great Falls Development
- GBD-General Business Development
- BXT-Business Expansion Transition
- IN-Industrial
- INT-Industrial Transition
- Community Use
- Conservation/Open Space
- GT-Gateway Transition
- RT-Riverfront Transition
- AG-Agriculture/Rural
- RP-Resource Protection



Existing Zoning of General Business (GB)



Proposed Zoning to T-5.1 Downtown Traditional Center



ATTACHMENT 4



Illustrative View of T- 5.1 (Future Great Falls Plaza)

Intent and Purpose:

Downtown Traditional Center (T- 5.1)

The Downtown Traditional Center zone is characterized by medium to larger sized buildings in a compact urban environment that generates an active street life. There is interplay between the Public Realm of the busy street and sidewalk, and the Private Realm of the residential stoops, commercial storefronts and gallery building fronts. The increased building widths form a more solid and compact street wall pattern, generating an energized traditional downtown feel.



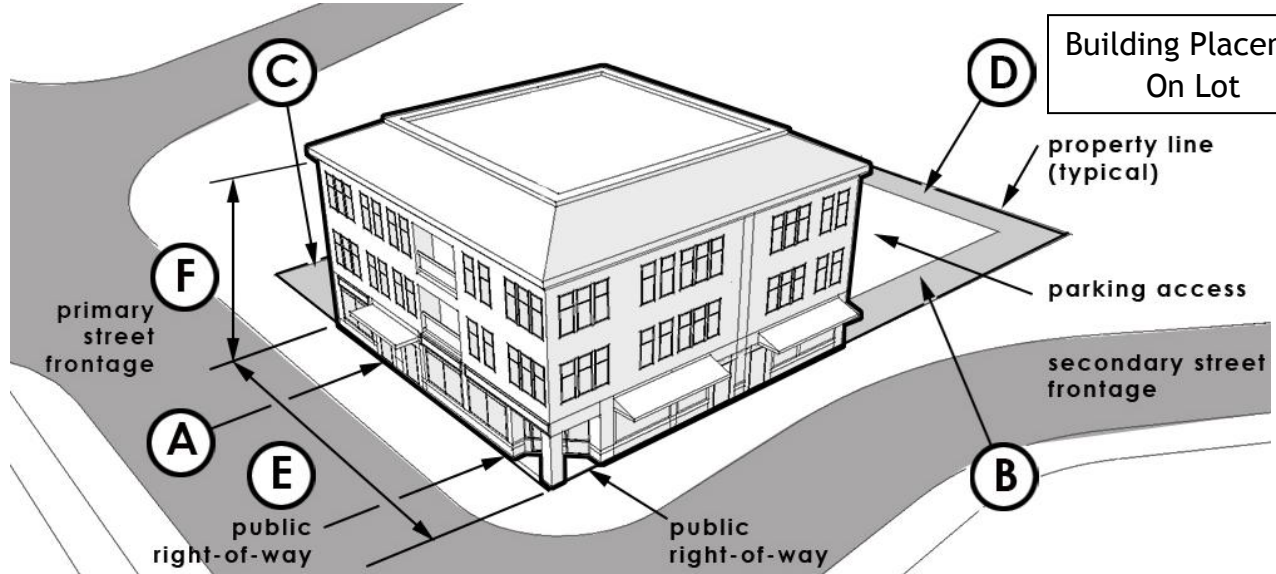
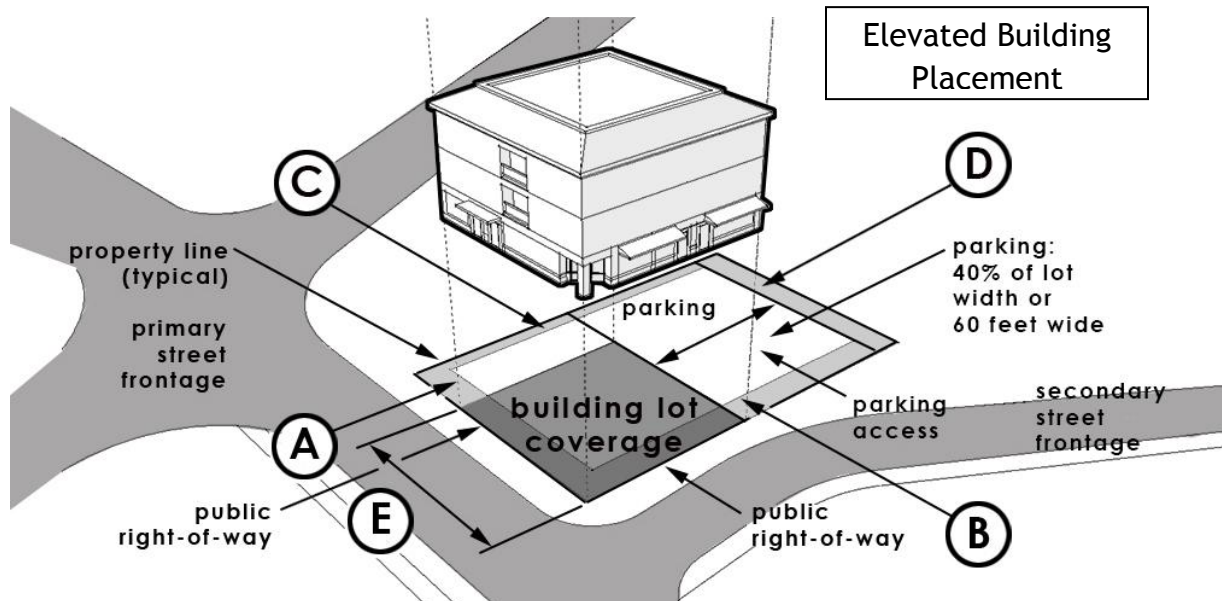
Key Features

- Vibrant and active interaction between public and private realms
- Larger buildings
- Front facade detailing
- Bay windows
- Balconies
- Street trees
- More urban density



Examples of Downtown Traditional Center – T- 5.1

Sec. 60-550.1 BUILDING PLACEMENT & CONFIGURATION T-5.1

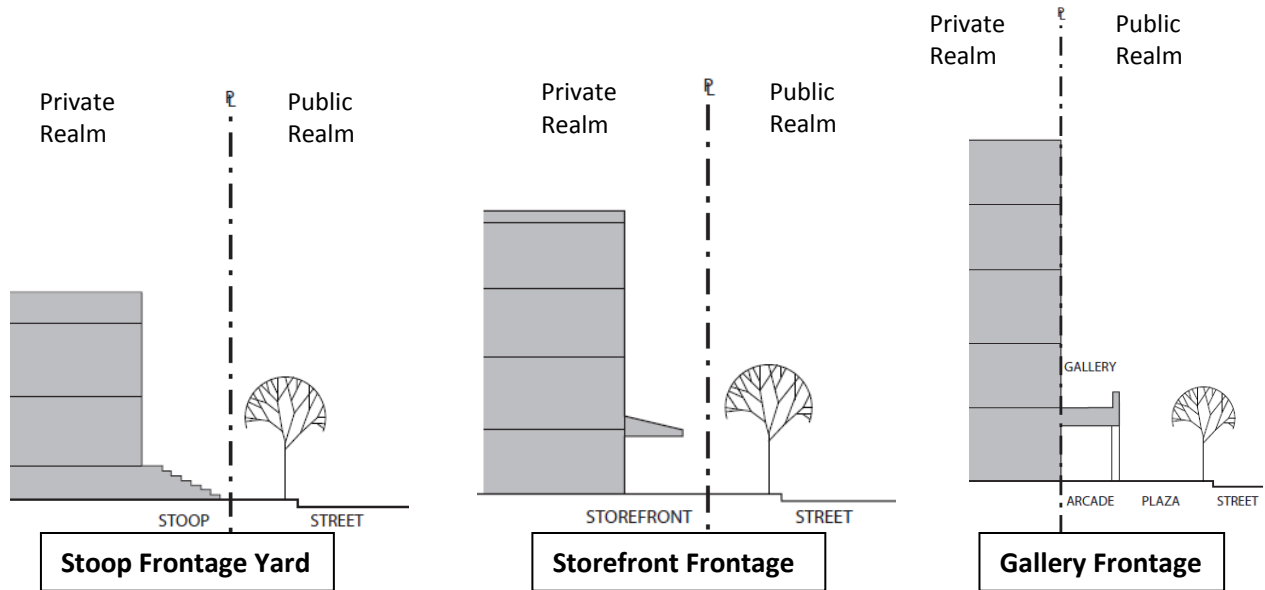


PRINCIPAL BUILDING PLACEMENT:

Front Setback, Principal:	0 ft Min, 10 ft Max	(A)
(Corner Lot) Front Setback, Secondary:	0 ft Min, 10 ft Max	(B)
Side Setback:	0*-5 ft Min	(C)
	*Subject to Building Permit Approval	
Rear Setback:	10 ft Min	(D)
Building Lot Coverage:	75% Max	
Useable Open Space:	5% Min	
Frontage Build-Out:	75% Min (along Front Setback, Primary)	
Lot Width:	24 ft Min, 160 ft Max	

PRINCIPAL BUILDING CONFIGURATION:

Building Width:	14 ft Min, 150 ft Max	(E)
Building Height Minimum:	2 Story Min	(F)
Building Height Maximum:	4 Story Max	(F)
	(excluding attic story)	



BUILDING FRONTAGE TYPES:	Stoop, Storefront and Gallery
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 Facade:	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:	<u>Residential</u> - The ground story elevation must be a minimum of 2 feet minimum to 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.
Front Facade Wall:	Blank lengths of wall exceeding 10 linear feet are prohibited.

Front Yard Fence: (Residential)	<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.
Street Wall/Wall Opening:	A vehicle entry way, as part of a street wall, shall be a maximum width of 20 feet (residential) and 24 feet (commercial); 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.
Stoop Encroachments:	Stoops may encroach upon the front setback line by the following distances but not encroach in the street right of way.
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 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.

Sec. 60-554 FORM BASED CODE USE and PARKING MATRIX

* * * (2)

USE (1)	T-4.1	T-4.2	T 5.1	T-5.2	T-6	PARKING REQUIREMENTS (2)
Residential Type Use						
Single Family	P	P	P			1 sp/DU
Duplex	P	P	P	P	P	1 sp/DU
Townhouse	P	P	P	P	P	1 sp/DU
Multi-Family	P	P	P	P	P	1 sp/DU plus 1 guest space/4 DU
Bed & Breakfast < 4 Rooms	S	P	P	P	P	1 sp/employee plus 1 sp/guest
Bed & Breakfast > 4 Rooms	S	S	P	P	P	1 sp/employee plus 1 sp/guest
Hotel	X	X	S	S	P	1/2 sp /employee plus 1 sp /room
Elderly/Child Care Facility	S	S	S	S	P	1/2 sp /employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	Based on Use Type (Sec. 60-673-10)
Community Based Residential Facilities	P	P	P	P	P	1 sp/employee plus 1 sp/client
Boarding House/Lodginghouse	P	P	P	S	X	1 sp/guestroom plus 1 sp/employee
Office/Service Type Use						
Professional Offices	S	S	P	P	P	1 sp/400 sf
Medical and Dental Clinics	S	S	P	P	P	1 sp./400 sf
Personal Services	S	P	P	P	P	1 sp./400 sf
Retail Type Use						
General Retail	S	S	P	P	P	1 sp/400 sf
Age Restricted Retail (3)	S	S	S	S	S	1 sp/400 sf
Specialty Shops	S	P	P	P	P	1 sp/400 sf
Restaurant up to 30 seats w/16 outdoor	X	S	P	P	P	1 sp/4 seats
Restaurant over 30 seats w/16 outdoor	X	S	S	P	P	1 sp/4 seats
Halls, Private Clubs, Indoor Amusement	S	S	S	P	P	1 sp/400 sf
Artist Studios, Performing Art Center	S	S	P	P	P	1 sp/400 sf
Civic						
Church or Places of Worship	S	S	P	P	P	1 sp/5 seats
Government Offices	X	X	P	P	P	1 sp/400 sf
Art Galleries	S	P	P	P	P	1 sp/400 sf
Transportation Facilities	X	X	S	S	S	1 sp/400 sf

Notes:

- Uses not listed are considered prohibited unless deemed similar by the Director of Planning or by the Planning Board through a special exception approval.
- Parking requirements in 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.
- Where more than 50% of floor space is devoted to Age Restricted Goods

S = Special Exception
sp = parking space

P = Permitted
sf = square foot of gross floor space

X-Prohibited
DU = Dwelling Unit

Attachment 5

Photos of the proposed Troy Street area zone change from GB to T-5.1



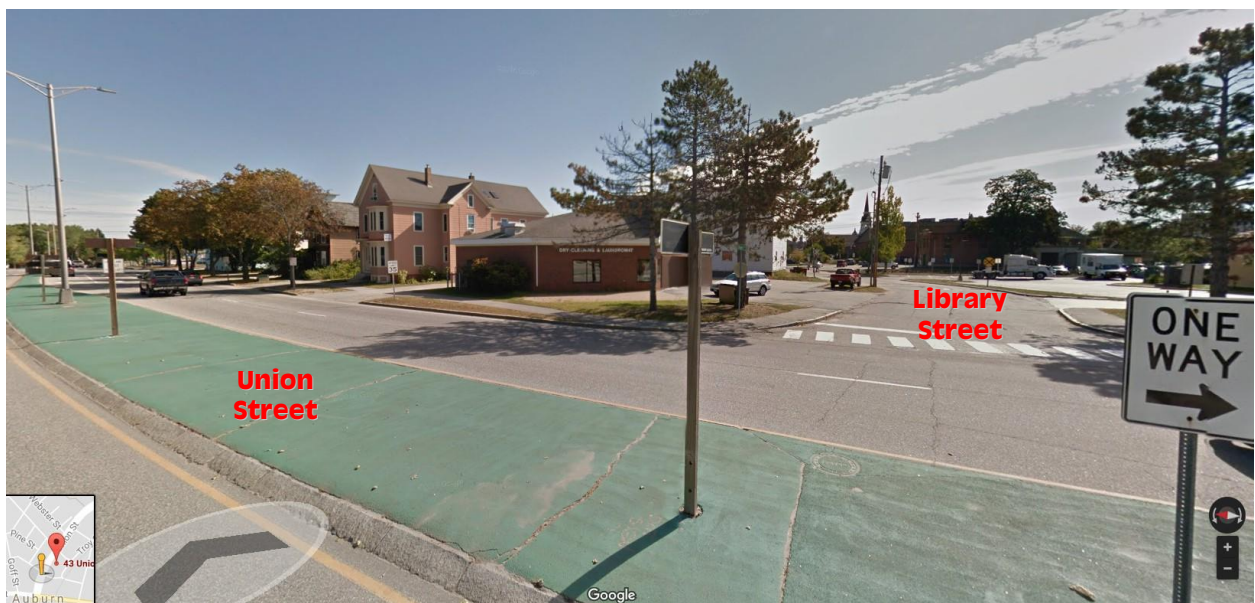
Looking at the block from Union Street



Looking at potential redevelopment area from Hampshire Street



View from the corner of Library Street and Troy Street



View from Union Street median looking down Library Street.

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 09-08212017

BE IT ORDAINED, that the City Council hereby amends the Auburn Zoning Map from General Business (GB) to Traditional Downtown Center (T-5.1) for the following properties: 52 Hampshire St., (PID 249-211); 50 Hampshire St., (PID 240-210); 43 Union St., (PID 240-213); (39 Union St., (PID 240-214); 31 Library St., (PID 240-201); 29 Library St., (PID 240-202); Troy Street (PID 240-212); and 35 Union St. (PID 240-215).



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 11, 2017

Author: Kelsey L. Earle, License Specialist

Subject: Board and Committee Appointments

The Appointment Committee met on August 21, 2017 to review applications and make their nominations for boards and committees of the City as follows:

Gilda Berube - Auburn Housing Authority, term expiration 10/01/2022 (re-appointment).

Danelle Martel - Auburn Housing Authority, term expiration 10/1/2022 (re-appointment).

Levi Gervais - Board of Assessment, term expiration 10/01/2022 (re-appointment).

Dana Bonenfant - Community Development Block Grant (CDBG) Loan Committee, term expiration 10/1/2020 (re-appointment).

Christopher Brann - Community Development Block Grant (CDBG) Loan Committee, term expiration 10/1/2020 (re-appointment).

Maurice Keene - Conservation Commission, term expiration 6/1/2020 (re-appointment).

Timothy Cogle - Parks and Recreation Advisory Board, term expiration 10/1/2019 (new appointment).

Howard Fogle - Parks and Recreation Advisory Board, term expiration 10/1/2019 (re-appointment).

Belinda Gerry - Parks and Recreation Advisory Board, term expiration 10/1/2019 (re-appointment).

Council may enter into executive session pursuant to 1 MRSA Sec. 406(6) (A) to review applications or for further discussion before making appointments.

Advantages: Fills the vacant positions.

Disadvantages: No apparent disadvantages.

City Budgetary Impacts: None

Staff Recommended Action: Consider appointing members as nominated, to fill the vacancies.

Previous Meetings and History: The Appointment Committee met on August 21, 2017 to make their nominations.

Attachments:

List of nominees

List of vacancies

Applications

CURRENT VACANCIES

The City of Auburn has several boards and committees that citizens can volunteer to be a member of. Our current Board and Committee vacancies are listed below:

Auburn Housing Authority (2 vacancies with 10/1/2022 term expirations)

Board of Assessment Review (6 vacancies - 3 full member positions. One with a term expiration of 10/01/2020, and two with term expirations of 10/01/2022. Three alternate positions. One with a term expiration of 10/1/2020, and two with term expirations of 10/1/2022)

Cable TV Advisory Committee (1 vacancy with a term expiration of 6/1/2019)

Citizens Advisory Committee (7-10 vacancies, all with 6/30/2019 term expirations)

Community Development Block Grant (CDBG) Loan Committee (2 vacancies with 10/01/2020 term expirations)

Conservation Commission (2 vacancies with 6/1/2020 term expirations)

Parks and Recreation Advisory Board (4 vacancies - one with a term expiration of 10/01/2018, and three with term expirations of 10/01/2019)

St. Louis Bells Project Committee - Seeking 9 volunteers



CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 7-18-12

Last name: CHRISTAKIS First name: SHEILA Middle initial: J

Residence address: 143 MILL ST AUBURN Ward: 5

City: AUBURN State: MAINE Zip code: 04210

Home phone: _____ Work phone: _____ Cell phone: 520-1937

Email address: J. CHRISTAKIS @ HOT MAIL . COM

Current occupation: RETIRED - CURRENTLY WORKING 18 HOURS A WEEK FOR A4TD

Previous occupation (if retired or no longer working): BANKING

Educational and/or experience (or attach your resume): H.S. DIP - RESUME ATTACHED

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

☐ 9-1-1 Committee

☒ Auburn Housing Authority

☐ Board of Assessment Review

☐ CDBG Loan Committee

☐ Complete Streets Committee

☐ Ethics Panel

☐ L/A Transit Committee

☐ Planning Board

☐ St. Louis Bells Committee

☐ Zoning Board of Appeals

☐ Airport Board

☐ Audit & Procurement Committee

☐ Cable TV Advisory Board

☐ Community Forest Board

☐ Conservation Commission

☐ Finance Committee

☐ Parks & Recreation Advisory Board

☐ Sewer District

☐ Water District

Is this application for a X new appointment or ___ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). I FEEL Living in sub housing might be of use

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). To provide positive input that would benefit the City of Auburn

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

Dates served (if known)? _____

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

Dates served (if known)? _____

How did you learn of this vacancy? City Web Site

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Shirley J. Christakis Date: 7-18-17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 7/18/17
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Sheila Christakis

143 Mill Street Apt 225 Auburn Maine 04210 * 207-520-1937 * s.christakis@hotmail.com

Very dependable and excellent work ethics having spent 40 years of banking and customer service.

AC Moore of South Portland 2006-2009

Originally this was a seasonal position but ended staying 2 years.

Duties included cashiering, stocking shelves, assisting customers answering questions

Anthem Blue Cross 2001-2006

Various data entry positions

Scanning documents

Key Bank 1964-2001

Mail clerk, bookkeeper, computer sorter, instalment loan operations, accounting

Department, audit department, Assistant Vice President of Branch Operations, manager of cash vault

Various other seasonal positions:

Hannaford in Yarmouth Maine

Roy's Golf and Hamburgers in Turner

Downeast Motel in Yarmouth

Able Network 4-2015 – 3-2017

Goodwill of Maine 3-2015 – 3-2016

City of Auburn 3-2016 – 3-2017

A4TD 3-2017 Present

City of Auburn 3-2017 - Present

Volunteer Work

Mercy Hospital (knifty knitter)

Central Maine Medical Center (Out Patient Surgery Dept.)

Animal Refuge League (donated handmade items for them to sell)

Qualifications:

Good work ethic

Dependable

Prompt

Experience with most office equipment

CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 7/18/17

Last name: Robert First name: Cheryl Middle initial: A

Residence address: 27 Laurel Avenue Apt 2 Ward: 4

City: Auburn State: Maine Zip code: 04210

Home phone: 207-754-4602 Work phone: 207-754-4602 Cell phone: 207-754-4602

Email address: carlongley@gmail.com

Current occupation: Property Manager

Previous occupation (if retired or no longer working): Special Education Teacher

Educational and/or experience (or attach your resume): Bachelors Degree Social Science and Behavioral Science, 40 yrs experience

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- | | |
|--|---|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Airport Board |
| <input checked="" type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> Audit & Procurement Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board |
| <input type="checkbox"/> CDBG Loan Committee | <input type="checkbox"/> Community Forest Board |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Ethics Panel |
| <input type="checkbox"/> Finance Committee | <input type="checkbox"/> L/A Transit Committee |
| <input type="checkbox"/> Parks & Recreation Advisory Board | <input type="checkbox"/> Poland-Auburn Economic Development Committee |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Sewer District |
| <input type="checkbox"/> Water District | <input type="checkbox"/> Zoning Board of Appeals |



CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 7-31-17

Last name: MARTEL First name: DANELLE Middle initial: R.

Residence address: 143 MILL ST. APT 413 Ward: 5

City: AUBURN State: ME Zip code: 04210

Home phone: 333-0101 Work phone: - Cell phone: -

Email address: momsporets40@yahoo.com

Current occupation: CMPA @ A4TB

Previous occupation (if retired or no longer working): _____

Educational and/or experience (or attach your resume): _____

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- | | |
|--|--|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Airport Board |
| <input checked="" type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> Audit & Procurement Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board |
| <input type="checkbox"/> CDBG Loan Committee | <input type="checkbox"/> Community Forest Board |
| <input type="checkbox"/> Complete Streets Committee | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Ethics Panel | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> L/A Transit Committee | <input type="checkbox"/> Parks & Recreation Advisory Board |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Sewer District |
| <input type="checkbox"/> St. Louis Bells Committee | <input type="checkbox"/> Water District |
| <input type="checkbox"/> Zoning Board of Appeals | |

Is this application for a ___ new appointment or ✓ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). TO CONTINUE to be OF SERVICE IN SENIOR HOUSING developments

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). TO CONTINUE to be AN ASSET to THE BOARD in FUTURE VISIONS & developments

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? Currently Auburn Housing Commission

Dates served (if known)? _____

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

Dates served (if known)? _____

How did you learn of this vacancy? _____

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Chelle R. Martel Date: 7-31-17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 7/31/17
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: _____

Last name: BERUBE First name: Gilda Middle initial: G

Residence address: 20 GREAT Falls Plaza Apt 412 Ward: 4

City: AUBURN State: ME Zip code: 04210

Home phone: 207 986 0368 Work phone: N/A Cell phone: N/A

Email address: N/A

Current occupation: Retired

Previous occupation (if retired or no longer working): _____

Educational and/or experience (or attach your resume): 8th grade

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- | | |
|--|--|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Airport Board |
| <input checked="" type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> Audit & Procurement Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board |
| <input type="checkbox"/> CDBG Loan Committee | <input type="checkbox"/> Community Forest Board |
| <input type="checkbox"/> Complete Streets Committee | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Ethics Panel | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> L/A Transit Committee | <input type="checkbox"/> Parks & Recreation Advisory Board |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Sewer District |
| <input type="checkbox"/> St. Louis Bells Committee | <input type="checkbox"/> Water District |
| <input type="checkbox"/> Zoning Board of Appeals | |

Is this application for a ___ new appointment or X reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed).

Interest in AHA and Section 8 & HUD recommendations

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed).

Help Senior Citizens

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

AHA

Dates served (if known)?

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

Dates served (if known)?

How did you learn of this vacancy? AHA

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Gordon G. Bower Date: 8/3/17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210

207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: _____
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 83-09112017

ORDERED, that the City Council hereby appoints the following board and committee members as nominated by the Appointment Committee;

Board or Committee	Term Exp. Date	Name
Auburn Housing Authority	10/01/2022 10/01/2022	Gilda Berube Danelle Martell (Re-appointments)



CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 9 Aug 2017

Last name: GEARVAIS First name: LEVI Middle initial: G

Residence address: 370 Stevens Mill Rd Ward: _____

City: Auburn State: ME Zip code: 04210

Home phone: _____ Work phone: _____ Cell phone: 2078919298

Email address: LEVI.GEARVAIS@GMAIL.COM

Current occupation: circulation and delivery

Previous occupation (if retired or no longer working): _____

Educational and/or experience (or attach your resume): Concert Board Member (Secretary)

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- ☐ 9-1-1 Committee
- ☐ Auburn Housing Authority
- ☒ Board of Assessment Review
- ☐ CDBG Loan Committee
- ☐ Complete Streets Committee
- ☐ Ethics Panel
- ☐ L/A Transit Committee
- ☐ Planning Board
- ☐ St. Louis Bells Committee
- ☐ Zoning Board of Appeals

- ☐ Airport Board
- ☐ Audit & Procurement Committee
- ☐ Cable TV Advisory Board
- ☐ Community Forest Board
- ☐ Conservation Commission
- ☐ Finance Committee
- ☐ Parks & Recreation Advisory Board
- ☐ Sewer District
- ☐ Water District

Is this application for a ___ new appointment or ☒ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed).

Have served on team, started as
an alternate and now am acting secretary.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed).

Continue to provide an indiscriminate way
for taxpayers and citizens sides to be heard

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

Board of Assessment Review

Dates served (if known)? 2013 - current

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

BAR (same)

Dates served (if known)? same

How did you learn of this vacancy? email / BAR member

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: [Signature] Date: 9 Aug 2017

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210

207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 11-10-17
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 84-09112017

ORDERED, that the City Council hereby appoints the following board and committee member as nominated by the Appointment Committee;

Board or Committee	Term Exp. Date	Name
Board of Assessment	10/01/2022	Levi Gervais (Re-appointment)



CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 7/28/17
Last name: BRANN First name: CHRISTOPHER Middle initial: A
Residence address: 128 COVE RD Ward: _____
City: AUBURN State: MAINE Zip code: 04210
Home phone: N/A Work phone: 207 333 4593 Cell phone: (207) 838-5954
Email address: cbrann@mechanicssavings.com
Current occupation: BANKER
Previous occupation (if retired or no longer working): N/A
Educational and/or experience (or attach your resume): _____

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- | | |
|--|---|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Airport Board |
| <input type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> Audit & Procurement Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board |
| <input checked="" type="checkbox"/> CDBG Loan Committee | <input type="checkbox"/> Community Forest Board |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Ethics Panel |
| <input type="checkbox"/> Finance Committee | <input type="checkbox"/> L/A Transit Committee |
| <input type="checkbox"/> Parks & Recreation Advisory Board | <input type="checkbox"/> Poland-Auburn Economic Development Committee |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Sewer District |
| <input type="checkbox"/> Water District | <input type="checkbox"/> Zoning Board of Appeals |

Is this application for a ___ new appointment or ☒ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). COMMUNITY INVOLVEMENT

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). CONTINUE TO SHARE MY BANKING, CREDIT AND RISK MANAGEMENT KNOWLEDGE AND SKILLS WITH THE COMMITTEE AND STAFF.

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

Dates served (if known)? PRESENT

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

N/A

Dates served (if known)? N/A

How did you learn of this vacancy? N/A

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: [Signature] Date: 7/28/17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY	
DATE APPLICATION RECEIVED:	<u>7-28-17</u>
APPOINTMENT DATE:	_____
TERM EXPIRATION DATE:	_____
OATH DATE:	_____



CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 8/2/17
Last name: Bonenfant First name: Dane Middle initial: L.
Residence address: 25 Andrea Lane Ward: 1
City: Auburn State: ME Zip code: 04210
Home phone: 777-6448 Work phone: N/A Cell phone: 312-0930
Email address: dlbonenfant@gmail.com
Current occupation: disabled
Previous occupation (if retired or no longer working): State of Maine
Educational and/or experience (or attach your resume): see resume

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- | | |
|--|---|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Airport Board |
| <input type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> Audit & Procurement Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board |
| <input checked="" type="checkbox"/> CDBG Loan Committee | <input type="checkbox"/> Community Forest Board |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Ethics Panel |
| <input type="checkbox"/> Finance Committee | <input type="checkbox"/> L/A Transit Committee |
| <input type="checkbox"/> Parks & Recreation Advisory Board | <input type="checkbox"/> Poland-Auburn Economic Development Committee |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Sewer District |
| <input type="checkbox"/> Water District | <input type="checkbox"/> Zoning Board of Appeals |

Is this application for a ___ new appointment or ☒ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed).

I enjoyed serving both times before.
I was unable to get my paperwork submitted in October 2016.
I have a Finance background for 40 yrs.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed).

I hope to continue learning about what
CTBG does totally. (I'm sure I still have a lot to learn.
I like continuing education

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

yes
CTBG

Dates served (if known)?

2/17 - 10/17 ??

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

yes
CTBG

Dates served (if known)?

2/14 - 10/16

How did you learn of this vacancy?

while speaking to Yvette Boutten of

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: L. Bonen Date: 8/2/17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210

207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: 8/4/2017
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Mr. Dana L. Bonenfant
25 Andrea Lane
Auburn, ME 04210
(207)777-6448 (Home)
(207)312-0930 (Cell)
Email dlbonenfant@gmail.com

SUMMARY OF EXPERIENCE

Thirty + years experience in various analyst positions. Skills are: problem solving/decision making, planning and organizing, managing work flow, written and oral communication, budgeting and forecasting, cash management, internal reporting, corporate accounts payable manager and asset management.

Proficient and experienced in Microsoft Office Suite, Essbase, Netscape, IBM mail, Lotus Notes, Outlook Express and PeopleSoft, Advantage, InfoAdvantage.

EMPLOYMENT EXPERIENCE

STATE OF MAINE, AUGUSTA, ME 04333 **MARCH 2010 – JUNE 2012**

Senior Staff Accountant, March 2010 – August 2012

Supervise 1 Staff Accountant, 1 Accounting Technician and 1 Office Assistant. Duties included but not limited to writing job expectations, writing and delivering annual performance reviews, write and deliver bad performance write-ups, approve weekly timesheets in the timecard system, review and approve federal grant reconciliations, review and submit final federal grant reconciliations in the federal grant system, request new balance sheet accounts from the Controller's Office for Lottery, Governor's Office, Dirigo Health, and the Buildings agencies.

STATE OF MAINE, AUGUSTA, ME 04333, **APRIL 2008 – MARCH 2010**

Senior Staff Accountant, APRIL 2008 – MARCH 2010

Supervise 2 Accounting Technician's, 1 Staff Accountant and 1 Accounting Associate. Duties included but not limited to writing job expectations, writing and delivering annual performance reviews, write and deliver bad performance write-ups, approve weekly timesheets in timecard system, review and approve federal account reconciliations, review and submit final federal grant reconciliations in the federal grant system, request new balance sheet accounts from the Controller's Office for the Mental Health, Mental Retardation and Quality agencies, and review and approve balance sheet account reconciliations. Complete yearly SEFA reporting.

STATE OF MAINE, AUGUSTA, ME 04333 **APRIL 2007 – OCTOBER 2007**

Accounting Technician, April 2007 – October 2007

Review, enter vendor number account code invoices for processing by the Accounts Payable group. Process special check request(s) for processing by the Accounts Payable group. Review the accounting system to ensure there were sufficient funding remaining on the contracts to process the invoices against. If there were issues, I worked with the Contract Administrator to have funds added to the contract or process against a different contract per the Administrator. Write and submit weekly activities report to Manager.

FAIRCHILD SEMICONDUCTOR, SOUTH PORTLAND, ME 04106 **1996 - 2006**

Corporate IT Controller, April 2004 – February 1, 2006

Provided financial leadership to the CIO and his staff. Developed, managed and reported on annual operating plans and quarterly forecast(s) of \$40M+ a year. Responsible for all monthly

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 85-09112017

ORDERED, that the City Council hereby appoints the following board and committee members as nominated by the Appointment Committee;

Board or Committee	Term Exp. Date	Name
Community Development	10/01/2020	Dana Bonenfant
Block Grant (CDBG) Loan	10/01/2020	Christopher Brann
Committee		(re-appointments)



CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

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Date: 7-18-2017

Last name: Heene First name: Maurice Middle initial: R

Residence address: 775 Nath Rm's Road Ward: 1

City: Auburn State: Maine Zip code: 04218

Home phone: 282-1334 Work phone: same Cell phone: none

Email address: MRKIN983@yahoo.com

Current occupation: Semi retired farmer

Previous occupation (if retired or no longer working): dairy Farmer

Educational and/or experience (or attach your resume): U of ME BS 1952

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- | | |
|---|---|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Airport Board |
| <input type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> Audit & Procurement Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board |
| <input type="checkbox"/> CDBG Loan Committee | <input type="checkbox"/> Community Forest Board |
| <input checked="" type="checkbox"/> Conservation Commission | <input type="checkbox"/> Ethics Panel |
| <input type="checkbox"/> Finance Committee | <input type="checkbox"/> L/A Transit Committee |
| <input type="checkbox"/> Parks & Recreation Advisory Board | <input type="checkbox"/> Poland-Auburn Economic Development Committee |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Sewer District |
| <input type="checkbox"/> Water District | <input type="checkbox"/> Zoning Board of Appeals |

Is this application for a ___ new appointment or ☒ reappointment or ___ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). continue my service to

the Conservation Commission

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). Continue my efforts to contribute to the

quality dialogues to the goals of the Commission

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

Dates served (if known)? June 2015 - current

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

Auburn Planning Bd 1960 - 1972 and Conservation Com 2015 - current

Dates served (if known)? 91

How did you learn of this vacancy? rec'd my appt.

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: M. Adams Date: 7-18-2017

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210

207-333-6601, extension 1126 sdallaire@auburnmaine.gov

JUL 21 2017

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: _____
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 86-09112017

ORDERED, that the City Council hereby appoints the following board and committee member as nominated by the Appointment Committee;

Board or Committee	Term Exp. Date	Name
Conservation Commission	06/01/2020	Maurice Keene (re-appointment)

CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION

Is this application for a ____ new appointment or X reappointment or ____ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). I love what the Parks & Recreation is doing in the community and would love to continue helping to improve and make Auburn Parks and Recreation the best in the state.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). Help move along some of the projects that are currently in process as well as work on the future of Auburn Parks and Recreation.

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? _____
Parks & Recreation Advisor Board. _____

Dates served (if known)? Current year _____

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

Dates served (if known)? _____

How did you learn of this vacancy? _____

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: Howard W. Fagle Date: 7/13/17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: JUL 13 2017
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____



CITY OF AUBURN BOARD & COMMITTEE APPOINTMENT APPLICATION

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 8-8-17

Last name: Coughle First name: Tim Middle initial: A

Residence address: 368 North Auburn Rd Ward: 1

City: Auburn State: ME Zip code: 04210

Home phone: 207 777 5248 Work phone: 333 6650 Cell phone: 577 2185

Email address: TCoughle@Auburnmaine.gov

Current occupation: Police officer

Previous occupation (if retired or no longer working): —

Educational and/or experience (or attach your resume): Coached youth sports for several years

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

- | | |
|---|---|
| <input type="checkbox"/> 9-1-1 Committee | <input type="checkbox"/> Airport Board |
| <input type="checkbox"/> Auburn Housing Authority | <input type="checkbox"/> Audit & Procurement Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Cable TV Advisory Board |
| <input type="checkbox"/> CDBG Loan Committee | <input type="checkbox"/> Community Forest Board |
| <input type="checkbox"/> Complete Streets Committee | <input type="checkbox"/> Conservation Commission |
| <input type="checkbox"/> Ethics Panel | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> L/A Transit Committee | <input checked="" type="checkbox"/> Parks & Recreation Advisory Board |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Sewer District |
| <input type="checkbox"/> St. Louis Bells Committee | <input type="checkbox"/> Water District |
| <input type="checkbox"/> Zoning Board of Appeals | |

Is this application for a ☒ new appointment or ☐ reappointment or ☐ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed). see attached

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed). see attached

Are you presently serving on a City or Community Board or Committee? If so, which one(s)? yes
-PAL Board of directors

Dates served (if known)? 2014 - current

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

Dates served (if known)? _____

How did you learn of this vacancy? website

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.

Signature: [Signature] Date: 8-8-17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
207-333-6601, extension 1126 sdallaire@auburnmaine.gov

FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED: AUG 07 2017
APPOINTMENT DATE: _____
TERM EXPIRATION DATE: _____
OATH DATE: _____

Briefly describe why you want to serve on this committee (please limit to 150 words or less. Please attach additional sheet if needed).

I have served as a baseball and basketball coach through both the Auburn Suburban Baseball program and the YMCA basketball program. I have grown up in this community and have seen what a top notch recreation department can mean for the youth and ageing populations of our community. I believe that our city has made tremendous advancements in the modernization and development of our recreations department over the past several years but more is needed. I would like to be a part of seeing our Rec Department move to the next level.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed)?

I believe Auburn over the next several years will need to expand access to recreation facilities in our community. We have a solid foundation to build around with the recent renovations to Hasty, Ingersoll and the building of the Norway Savings Arena. I want to assist and be part of the next phase of new and improved recreation facilities in the city of Auburn. I want to see our community continue to look for innovative ways to leverage our current and future facilities to be used for multi-purpose events, generating revenue that will keep these facilities sustainable with minimal burden to our property tax payers.

Tim

Timothy A. Cogle



**CITY OF AUBURN
BOARD & COMMITTEE
APPOINTMENT APPLICATION**

AUG 11 2017

Please complete this application for consideration to serve on a board or committee of the City of Auburn. Submission of an application does not imply or guarantee an appointment to any board or committee. The City reserves the right to appoint board and committee members as vacancies arise and to perform background checks or any other necessary investigations on applicants. Incomplete applications and those which list more than one committee will not be considered.

Date: 08/11/17

Last name: Gerry **First name:** Belinda **Middle initial:** A.

Residence address: 143 Mill St., Apt. 100 **Ward:** 5

City: Auburn **State:** Maine **Zip code:** 04210

Home phone: 207-784-8458 **Work phone:** _____ **Cell phone:** 207-689-4316

Email address: PoliticsME@aol.com

Current occupation: retired, Notary Public

Previous occupation (if retired or no longer working): former Auburn State Representative and Auburn City Councilor, Political event planner/food prep (Volunteer)

Educational and/or experience (or attach your resume): I am a life long resident of Auburn, attended Auburn Schools, and earned my GED. Most of my work experience was learned on the job and I have taken a few non credit local classes when needed to fulfill my responsibilities. For over 15 years when the need came up, I have helped planned various Political events and can set up rooms, prepare appropriate menu options to fit the event, organize volunteers and prepare handout materials, design posters/flyers. For several years I was a Tenant Association President at Barker Mill Arms here in Auburn. It was my job to develop and lead activities that were geared towards Seniors and disabled individuals. The Apt. complex contains 123 units of at least 140 people. I have also taken part in various city activities or events through out the years I had served on the city council as well as neighborhood events.

I was also privileged to serve on various city committees and have had to work on and help prepare their budgets, keep up with all material we were given and complete individual assignments dealing with whatever necessary to keep us on tract and prepared for future needs. I am also known for good committee attendance, to put in the time needed and to work long hours to get the work done. I work well with fellow committee members and with the general public. I am adaptable when plans need to change, can work as part of a team or independently on projects when asked or they come up

Please check which Board or Committee you are interested in serving on. Individual applications are required if you wish to apply for more than one Board or Committee.

☐ 9-1-1 Committee
☐ Auburn Housing Authority
☐ Board of Assessment Review
☐ CDBG Loan Committee
☐ Conservation Commission
☐ L/A Transit Committee
☒ Recreation & Special Events
☐ Water District

☐ Airport Board
☐ Audit & Procurement Committee
☐ Cable TV Advisory Board
☐ Community Forest Board
☐ Ethics Panel
☐ Planning Board
☐ Sewer District
☐ Zoning Board of Appeals

Is this application for a ☐ new appointment or ☒ reappointment or ☐ desire to move from an alternate/associate to full member?

Briefly describe why you want to serve on this committee (please limit to 150 words or less.

Please attach additional sheet if needed).

I was privileged to be appointed by the current City Council to serve on this committee for 1 year and have enjoyed my work and now would like to be reappointed to serve on this Rec. Advisory Board for another term.

Since most of the members of this board (and The Rec. Director) were fairly new we have just started to learn all that goes on in this department, how it runs and what it entails, its good points, what needs to be improved and the direction and vision the Director and our community would like to see us to accomplish.

I want to continue to be on this board because I know I can complement and fill in the gaps not filled by fellow committee members and have found where I fit in.

Even though I don't physically take part in most sporting events I enjoy watching various sports, playing games and attending community events.

I would like to continue being part of this team that will help and advise our Rec. Director to plan events and run programs that will be inviting to all of our Auburn residents that they will want to participate in and that will also attract visitors to our city and have them wanting to come back to our city year after year.

I also have all the time necessary to devote to this committee as well as being an active member willing to do whatever asked and am willing to volunteer where and when needed.

What do you hope to accomplish (please limit to 150 words or less. Please attach additional sheet if needed).

This year we have accomplished our 1st responsibility to hold regular monthly meetings.

I'd our Rec. Advisory board to continue to make sure all our Rec buildings, playing fields and properties are of good repair, that all the programs we offer have what they need, to plan future events that don't break the bank and that all Auburn residents can take part in.

I want us to do to more to find and fill our nitch in the State's and City's schedule of yearly events that people can plan on and look forward to attending year after year.

I also want to help make sure the Rec. Dept. has a budget that addresses their needs or concerns and ours while recognizing the fact that with the City's financial obligations we may not get everything we all want at once but within a reasonable time table according to future plans.

Auburn is rich with recreational opportunities and resources. We have a good Recreation staff but they need our support and direction to make them even better and to give our Auburn residents the best experience we can achieve.

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

I am a member of the CDBG, Citizen Advisory Committee and also serve on the Good Food Council of Lewiston and Auburn.

Dates served (if known)? I have served on these two committee for the past 6 years and am starting my 2nd year of five on the CAC committee and finishing the last few months left of my term on the Good Food Council of Lewiston Auburn. (They have term limits.)

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

2000 to present year. - I have served on LATC for 13 years (accumulative) as a city Councilor representative, The New Auburn Master Plan, resident (18 month).

2000 to 2015 Auburn Housing Authority Board, mayor appointed 12 years, CDBG Citizen Advisory Committee.

Dates served (if known)?


How did you learn of this vacancy?

Our City Clerk reminded us that some of our Board members terms were going to expire shortly and asked us if we would like to be reappointed.

The City Council strives to promote membership and by practice will attempt to limit the number of boards or committees any one person will serve. The city Council also strives to maintain balance of ward distribution on all boards, commissions, or committees.

Thank you for your interest and willingness to serve our community. The giving of your time is commendable and appreciated. Without people like you coming forward, our community would not be as strong, as vibrant, or as great as it is. On behalf of all of us at the City of Auburn, we hope your volunteer experience is rewarding and we thank you for being an outstanding citizen!

I certify that this information is true to the best of my knowledge and agree to the terms and conditions set forth above.



Signature: _____ Date: 08-11-17

Please submit your application to;
Susan Clements-Dallaire, City Clerk
60 Court Street, Auburn, ME 04210
sdallaire@auburnmaine.gov
207-333-6601, extension 1126
FOR OFFICE USE ONLY

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 87-09112017

ORDERED, that the City Council hereby appoints the following board and committee members as nominated by the Appointment Committee;

Board or Committee	Term Exp. Date	Name
Parks and Recreation Advisory Board	10/01/2019	Timothy Cogle (new appointment)
	10/01/2019	Howard Fogle (re-appointment)
	10/01/2019	Belinda Gerry (re-appointment)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: 09-11-2017 **Order:** 88-09112017

Author: Denise M. Clavette, Assistant City Manager
Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Auburn City Council Approval of 20-year Extension / Rights to Paper Streets

Information: Eric Cousens and Gary Johnson presented information regarding extension of rights to certain paper streets at a Workshop held August 21, 2017 at the Auburn City Council. Included in this packet are the memo and information provided at that workshop. A team of City staff evaluated the list of paper streets and the public right reservations made in 1997 as required by the law to preserve public rights at that time and has determined that there are 15 plans with paper streets that meet one of the following criteria:

1. The paper street provides or could provide access to a public property or natural resource.
2. Retaining public rights could help accommodate a current or future economic development project.
3. Additional research is needed to determine if public rights are beneficial.

Much of the research to prepare this action was completed by Assistant City Engineer Gary Johnson over the past 20 years with higher priority being placed on crafting a final recommendation in the latter part of that period. Staff recommends that we retain the public rights in paper streets that meet one or more of the above criteria. We also recommend letting the public rights expire in the remaining paper streets to allow the 150+ year "clean-up" of title in paper streets, which was the goal of the 1987 law, to take place in Auburn.

The list of Paper Streets, as highlighted in Exhibit A represents the remaining paper streets that City Staff recommends to extend rights for an additional 20 years, from date of approval, and to be recorded in Androscoggin County Registry of Deeds prior to September 29, 2017.

Advantages: Retains public rights where needed and frees up land for private development where existing rights are not needed for a public purpose.

Disadvantages: None known.

City Budgetary Impacts: None immediately, but could allow for future increased investment and valuation.

Staff Recommended Action: Recommend approval by Auburn City Council vote on September 11th.

Previous Meetings and History: September 1997 Council meetings.

Attachments: Paper Streets Memo, dated August 16, 2017; Council Order for Approval of Extension of Rights to Paper Streets, including Exhibit A; 23 M.R.S.A. Section 3032.



City of Auburn, Maine

Economic & Community Development

Michael Chammings, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Date: August 16, 2017

To: Mayor LaBonte and Auburn City Council

From: Eric Cousens, Deputy Director of Economic and Community Development and Gary Johnson, Consultant and former Assistant City Engineer

Re: Retaining public rights in certain paper streets

A paper street, referred to in State Law as a “proposed, unaccepted way” is a road shown on the face of a subdivision plan recorded at the registry of deeds, but which has never actually been constructed on the face of the earth. The number of subdivisions in Auburn with proposed streets grew substantially between 1861 and 1987. The State Legislature, in an attempt to clarify title to land underlying paper streets by eliminating the possibility of ancient claims, passed several laws regarding paper streets that went into effect on September 29, 1987. Those laws established the title, as well as, the nature and duration of public and private rights in paper streets.

From the date of recording of a subdivision plan in the registry of deeds, the public acquires rights of incipient dedication to public use of the ways laid out on the plan. On plans recorded after September 29, 1987, those rights terminate 20 years from the date of recording if the proposed way is not accepted by the municipality. On plans recorded prior to September 29, 1987, any paper streets were to be deemed vacated by the later of 15 years after the date of the recording of the plan or September 29, 1997 unless a municipality excepts a paper street from the time limitations for 20 years by filing a notice in the registry of deeds prior to the September 29, 1997 date. Research in 1997 indicated that Auburn had almost 100 subdivision plans with paper streets on them recorded at the registry of deeds prior to September 29, 1987. Due to the enormity of the task to review each street, and the limited time available, the city filed the attached notice on September 22, 1997, excepting the paper streets on 95 recorded plans from the time limitations in the law for 20 years.

Over the past 20 years, it has become evident that retaining public rights in many of the paper streets on these plans is not necessary. Many have been previously vacated by the City and many have never been built and accepted due to steepness of grade and wetlands; others have restricted development potential by clouding title to otherwise developable land. The attached “2017-Subdivisions w/Paper Street to Extend” is a list of the plans with paper streets that could potentially be needed in the future.

Maine Revised Statutes
Title 23: TRANSPORTATION

Chapter 304: ACQUISITION OF PROPERTY FOR HIGHWAY PURPOSES

§3032. PROPOSED, UNACCEPTED WAYS DEEMED VACATED

1. Deemed vacation.

[1997, c. 386, §1 (RP) .]

1-A. Deemed vacation. A proposed, unaccepted way or portion of a proposed, unaccepted way laid out on a subdivision plan recorded in the registry of deeds prior to September 29, 1987 is deemed to have been subject to an order of vacation under section 3027 if, by the later of 15 years after the date of the recording of the subdivision plan laying out the way or portion of the way or September 29, 1997, both of the following conditions have been met:

A. The way or portion of the way has not been constructed or used as a way; and [1997, c. 386, §2 (NEW) .]

B. The way or portion of the way has not been accepted as a town, county or state way or highway or as a public, utility or recreational easement. [1997, c. 386, §2 (NEW) .]

A way or portion of a way considered vacated under this subsection is subject to section 3033.

[1997, c. 386, §2 (NEW) .]

2. Extensions. The municipal officers of the affected municipality may except a proposed, unaccepted way or portion of a proposed, unaccepted way described in subsection 1-A from the operation of the time limitations of that subsection by filing, in the registry of deeds where the subdivision plan is recorded, a notice stating that the way or portion of the way is excepted from the operation of subsection 1-A for a period of 20 years from the filing of the notice. To be effective, this exception must be filed prior to the expiration of the time limitations of subsection 1-A. An extension accomplished under this subsection may be extended by the municipal officers for a subsequent 20-year period by the filing of a new notice within the preceding 20-year extension period.

[1997, c. 683, Pt. B, §10 (AMD); 1997, c. 683, Pt. B, §11 (AFF) .]

SECTION HISTORY

1987, c. 385, §2 (NEW). 1997, c. 386, §§1,2 (AMD). 1997, c. 683, §B10 (AMD). 1997, c. 683, §B11 (AFF).

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change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
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EXHIBIT A: SUBDIVISIONS with PAPER STREETS TO EXTEND

Plan Title	Date	Vol	Book	Page	No	Registry Website
Colonial Heights No. 2	4/23/1958	3	13	680		Book 13, Page 680
Emerson, Charles S. - Plan of Land in Auburn	1/1/1871	1	2	45	50	Book 2, Page 45
Eveleth Park Subdivision	7/28/1971		21	23		Book 21, Page 23
Eveleth Residential Park		2	4	170		Book 4, Page 170
Fairview Park	1/1/1888	1	3	65	70	Book 3, Page 65 a & b
Fairview Hills Inc - Amended Plan	5/6/1960	3	14	710		Book 14, Page 710-B
Foss Farm - Revised Plan	6/1/1924	2	7	372		Book 7, Page 372
Glendale - Amended	7/1/1924	3	10	519		Book 10, Page 519
Goff, James Esq. - Plan of Land		1	1	20	24	Book 1, Page 20
Green Acres Development	5/28/1975		27	70		Book 27, Page 70
Haskell, I. Estate Lying West of County Road	9/12/1890	1	3	68	74	Book 3, Page 68
Haskell, W - Plan of Land	7/1/1874	1	2	35	40	Book 2, Page 35
Huston, N. A. - Seventh Street Lots of	9/1/1950	3	9	480		Book 9, Page 480
Huston, N. A. - Plan of Land of	5/11/1950	3	9	471		Book 9, Page 471
Interurban Heights Plan		2	4	161		Book 4, Page 161
Lafayette Park		2	5	176		Book 5, Page 176
Lakeshore - Morrill Farm	1/1/1924	2	5	177		Book 5, Page 177
Lakewold		2	2	48	39	Book 2, Page 2
Lincoln Park	1/1/1898	2	1	14	12	Book 1, Page 14
Maple Point Annex	5/1/1922	2	4	145		Book 4, Page 145
Maple Point Plat	5/6/1921	2	4	136		Book 4, Page 136
Mountain Park - Plan of	1/1/1899	2	1	22	14	Book 1, Page 22
New Auburndale	5/1/1922	2	4	144		Book 4, Page 144
Oak Lawn - Map of	6/1/1873	1	1	32	37	Book 1, Page 32
Oakes Farm, Dr. S - Plan of Lots (portion)	5/15/1897	2	1	10		Book 1, Page 10
Pinecrest Development II	5/7/1975		27	65		Book 27, Page 65
Pleasant View Park	10/1/1927	2	5	213		Book 5, Page 213
Reynolds, Harriet A. - Plan of Lands	8/1/1875	1	2	41	46	Book 2, Page 41
Riverton, Sections A thru G	5/1/1920	2	4	118		Book 4, Page 118
Sherwood Heights - Final Plan	7/1/1961		15	45		Book 15, Page 45
Smith, H. R. & Pettingill, D. - Plan of Land	1/1/1888	1	3	71	77	Book 3, Page 71
Sunrise Camping Ground	9/24/1979		29	24		Book 29, Page 24
Symmes, J. C. - Plan of Lots Owned by	1/1/1896	2	1	4	4	Book 1, Page 4
Taylor Pond Park Addition	7/1/1922	2	7	369		Book 7, Page 369
Taylor Pond Park	1/1/1921	2	4	146		Book 4, Page 146

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDER 88-09112017

City of Auburn

NOTICE TO EXTEND DEADLINE OF AUTOMATIC VACATION OF PROPOSED, UNACCEPTED WAYS ("PAPER STREETS") FROM OPERATION OF 23 M.R.S.A. Section 3032

WHEREAS, on September 22, 1997, pursuant to 23 M.R.S.A. Section 3032, the Municipal Officers of the City of Auburn voted to extend for a period of twenty (20) years the proposed but unaccepted ways identified in the written notice recorded in the Androscoggin County Registry of Deeds on September 23, 1997 at Book3852, Pages 85 through 88; and

WHEREAS, pursuant to 23 M.R.S.A. Section 3032(2), the Municipal Officers may extend for a subsequent twenty (20) year period by the filing of a new notice within the preceding 20-year extension period.

WHEREFORE, the Auburn City Council, pursuant to 23 M.R.S.A. Section 3032(2) hereby gives notice that the ways identified on Exhibit A attached hereto, which have not been accepted as town ways or constructed or used as ways (commonly referred to as "paper streets and ways"), are excepted from the operation of 23 M.R.S.A. Section 3032 (1-A) for a period of twenty (20) years from the date of filing of this notice.

ATTEST:

Susan Clements-Dallaire
City Clerk, City of Auburn, Maine

STATE OF MAINE
Androscoggin County, ss

_____ (date)

Personally appeared before me the above-named Susan Clements-Dallaire, being duly authorized City Clerk of the City of Auburn, Maine, and made oath that the foregoing is a true act and deed of the Auburn City Council

Notary Public



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: September 11, 2017 **Ordinance:** 10-09112017

Author: Doug Greene, Department of Economic and Community Development

Subject: Text Amendment Allowing Kennels as a Special Exception in the
Agricultural and Resource Protection District (AGRP)

Information: Based on a citizen's request, the Auburn Planning Board agreed to initiate a zoning text amendment to allow Kennels as a Special Exception in the Agricultural and Resource Protection (AGRP) District. The Staff supported the text amendment as only one zoning district clearly allowed Kennels, that being the Low Density Rural Residential (LDRR) district. The Staff also felt the low density, rural nature of the AGRP was an appropriate setting and that a special exception review by the Planning Board would allow for a site plan review and notice to surrounding property owners. Another aspect of the Planning Board's deliberation was to determine that a Kennel would not be considered an agricultural use, nor would new residences be allowed as an accessory use to a Kennel. Kennels in the AGRP district would be for overnight stays and not for daytime only doggy daycare type use. In addition, Kennels as a special exception would be allowed in the Low Density Country Residential (LDCR) district and continue in the LDRR district provided the applicant had a minimum lot size of three (3) acres.

Advantages: Allowing Kennels in the AGRP zone would provide an additional source of income and be compatible in the more open rural areas of Auburn. A required special exception process will ensure compatibility to the surrounding area.

Disadvantages: Minimal provided adequate Planning Board review of the special exception application.

City Budgetary Impacts: None

Staff Recommended Action: Staff recommends the City Council positively support the text amendment and move it to a first reading and public hearing at their next meeting.

Previous Meetings and History: Planning Board initiates text amendment (May 9, 2017) and discussed the proposal on June 13 (public hearing) and July 11th. The text amendment was presented to the City Council at the August 21, 2017 workshop.

Attachments:

1. Staff memo to Planning Board (May 9)
2. Staff Reports to Planning Board (June 13 and July 11)
3. Planning Board report to the City Council (July 17, 2017)
4. Draft text amendment



Attachment 1 City of Auburn, Maine

Office of Economic and Community Development
60 Court Street, Auburn, Maine 04210
www.auburnmaine.gov 207.333.6601

To: Planning Board, City of Auburn

From: Zach Mosher, City Planner

Date: May 9, 2017

RE: Planning Board Discussion on Dog Kennels

The Planning Staff has been approached with a request to consider allowing Dog Kennels in the Agricultural and Resource Protection District. The Staff would like to present background information to help with the discussion at your May 9, 2017 meeting.

A. Existing Definitions in Zoning Ordinance - Section 60-2

1. *Kennel* means any business or establishment other than a veterinary hospital, whether operated separately or in connection with another business or establishment, that keeps, boards or trains dogs or cats or other animals, which may legally be present in such facilities, for profit. *Kennels* must be established, maintained and operated in compliance with all applicable zoning and land use regulations of the city and all state statutes and regulations of the state.
2. *Livestock* means, but may not be limited to, any horses, mules, donkeys, cattle, goats, sheep or swine.
3. *Farm, animal*, means any parcel of land that contains at least the following land area used for the keeping of horses, mules, cows, goats, sheep, hogs and similar sized animals for the domestic use of the residents of the lot, provided that adequate land area is provided for each animal unit, excluding water bodies of one-quarter acre surface area or larger:
 - Cattle: One bovine animal unit per acre of cleared hay-pasture land.
 - Horse: 1.5 animal units per acre of cleared hay/pasture land.
 - Sheep: Three animal units per acre of cleared hay/pasture land.
 - Swine: Two animal units per acre of cleared land.
 - Other animal farms: The required lot size shall be determined by municipal officer charged with enforcement and shall conform to the lot size for similar sized animals.
4. *Pet* means any animal which may be legally owned in accordance with the provisions of this chapter, normally kept for pleasure rather than utility, excluding *livestock*, is in the owner's possession and for which it can be reasonably demonstrated that the care of said pet is the responsibility of a given individual.

B. How Zoning Districts Treat Kennels as a Land Use

1. Agricultural and Resource Protection District (AGRP) does not specifically mention kennels as a permitted or special exception use. A liberal interpretation might allow kennels as part of a farm operation if dogs are defined as livestock or farm animals.
2. Low Density Country Rural Residential District (LDCR) does not specifically mention kennels as a permitted or special exception use.
3. Low Density Rural Residential District (LDRR) allows kennels as a special exception use #7: *“Licensed kennels provided that there shall be available land area of at least three acres.”*
4. The Suburban Residential district lists under permitted uses
#(8) **Animal farms** provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2 and:
 - a. A site plan be submitted to the municipal officer charged with enforcement that contains the information required by section 60-1301.
 - b. Upon request, the municipal officer charged with enforcement may waive the necessity of providing any of the foregoing information which is not relevant to the proposed development.
 - c. In judging whether or not a permit to operate an animal farm will be issued, the municipal officer charged with enforcement shall review and make a decision consistent with the finding requirements of section 60-1304.

The Suburban Residential (SR) District, as a special exception, allows uses under LDRR so that in the Suburban Residential district: *All uses permitted by special exception in the Rural Residence (RR) District, except those uses allowed by [section 60-229\(b\)\(3\), \(9\), \(11\) and \(12\)](#).* This might imply that Kennels as a special exception would carry over to the Suburban Residential District.

5. Urban Residential (UR) District- In the Urban Residential District, the permitted use of Animal Farms (found in Suburban Residential) is gone. However, there is room to interpret kennels might be allowed since special exception #7 from the LDRR district is a possible special exception use carrying into the Urban Residential District.
6. The Multi-Family Suburban District (MFSD) allows special exception uses from the Urban Residential District to be carried into the MFSD district; therefore special exception use #7 from LDRR could be allowed.
7. The Multi-Family Urban District (MFUD) allows special exception uses from the Urban Residential District to be permissible in the MFUD district; therefore special exception use #7 from LDRR could be allowed.
8. In the General Business (GB) District, Kennels are not specifically mentioned, except in special exception use #20: *“Animal hospitals and pet shops, but no kennels.”*
9. In the General Business II (GBII), Kennels are not specifically mentioned except, in special exception use #20: *“Animal hospitals and pet shops, but no kennels.”*
10. In the Industrial District (ID), there is no mention of kennels.

Terry M Dailey
1054 North River Road
Auburn, Maine 04210
Phone 207 514-3030
Email: terry.dailey@icloud.com

April 20, 2017

Eric J. Cousens
Deputy Director of Planning and Development
Office of Planning and Development
City of Auburn
60 Court Street STE 104
Auburn, Maine 04210

Eric,

I would like to formally inquire about the permitted use in the Agricultural and Resource Protection (AGRP) Zone. Per our previous conversation, I would like to build a dog kennel for the purpose of temporarily boarding dogs overnight. The facility would be designed with 12 individual kennels, 2 grooming stations, an entrance/office/waiting area and bathroom. It will also include 2 fenced-in pasture areas. This will not be a doggy day care.

In reading thru the zoning use regulations, it appears that this usage is a permitted use in the AGRP Zone. As discussed, it may be best to ask the Planning Board for their concurrence. If necessary, they may want to modify some of the permitted uses write-up.

If you will let me know, I would be glad to attend the Planning Board meeting to answer any questions.

V/r
Terry M. Dailey



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Zach Mosher, City Planner

Re: Text Amendment to allow Dog Kennels in the Agricultural and Resource Protection district.

Date: June 13, 2017

- I. PROPOSAL- The Planning Board initiated a text amendment at its May 9, 2017 meeting. The initiation for the text amendment came as a result of a letter from a local citizen who is interested in constructing a dog kennel on his property in the Agricultural and Resource Protection (AGRP) district for the purpose of temporarily boarding dogs overnight.

Dog kennels are not currently allowed in the AGRP district. The text amendment would allow dog kennels in the AGRP district as special exception. Dog kennels are first mentioned in the Low Density Rural Residential district (LDRR). The LDRR district allows kennels as a special exception use #7: *"Licensed kennels provided that there shall be available land area of at least three acres."*

The proposed text amendment allowing dog kennels in the AGRP district as a special exception. The staff also recommends the special exception to carry-over into the Low Density Country Residential District (LDCR). As mentioned, kennels are currently permitted as a special exception use in the LDRR district. The special exception use of dog kennels is then allowed to carry over into every other higher density residential district provided the three acre minimum lot size is intact. However, staff would like to discuss whether to continue to allow the special exception use of dog kennels in all residential districts or whether to exclude its use in the smaller lot districts.

- II. DEPARTMENT REVIEW- The Plan Review Committee met and reviewed this proposal at its May 17, 2017 meeting. The group discussed the general impact of the text amendment and had little concerns about the text amendment itself. There was some discussion and agreement over prohibiting dwelling units as an accessory to the use of dog kennels in the AGRP district. Kennels do not require the substantial investment and commitment to a long term natural resource based

industry as other agricultural uses do and the potential for using a kennel for the purpose of establishing a residence exists.

- a. Police – No comments
- b. Auburn Water and Sewer – No comments
- c. Fire Department – No Comments
- d. Engineering – No Comments.
- e. Public Services – No comments.
- f. Economic and Community Development- No comments.

III. **PLANNING BOARD ACTION** – The Planning Board is being asked to send a recommendation on the text amendment to the City Council. The draft text amendment is attached with this report and consists of two conditions, 1) the minimum lot size of the zoning district or three acres, whichever is greater and 2) new residential dwelling units shall not be permitted as an accessory to the dog kennel.

IV. **STAFF RECOMMENDATION** – The staff considered the impacts of allowing dog kennels in the AGRP district. Dog kennels can create negative impacts of noise to adjacent neighbors. Kennels as a special exception in the AGRP, LDCR and LDRR districts will allow the Planning Board to provide public notice and evaluate impacts to the surrounding area, using the special exception and site plan review criteria. Staff also recommends keeping the three acre minimum lot size or the lot size required by the zoning district, whichever is greater. Staff further recommends adding a clause specifying residential dwellings are not permitted in the AGRP district as an accessory to the special exception use of dog kennels.

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council for the text amendment with the following findings:

- 1) Kennels in the AGRP district is a reasonable special exception use given its low-density, rural nature.
- 2) Allowing kennels as a special exception in the AGRP district will allow adequate protection to surrounding areas from adverse impacts
- 3) The City of Auburn's Comprehensive Plan supports "...a broader range of rural uses" (Chapter 2, p. 108).



Zach Mosher
City Planner



City of Auburn, Maine

Office of Economic and Community Development
60 Court Street, Auburn, Maine 04210
www.auburnmaine.gov 207.333.6601

To: Planning Board, City of Auburn

From: Zach Mosher, City Planner

Date: July 11, 2017

RE: Continued Discussion of a Dog Kennel Text Amendment

At the June 13th Planning Board meeting, a text amendment to allow dog kennels in the Agricultural and Resource Protection (AGRP) was postponed. Staff wanted to re-convene and clarify a couple aspects of the text amendment and bring it back to the Planning Board in July.

Staff Comments:

- 1) Licensed dog kennels are a sensible and reasonable Special Exception use in the Auburn's more rural residential districts. Staff recommends limiting the use of dog kennels to the following 4 districts: Agricultural & Resource Protection District (AGRP), Low Density Country Residential District (LDCR), the Low Density Rural Residential district and Suburban Residential (SR). Staff also recommends continuing to require the minimum lot size of three acres or the zoning district minimum, whichever is greater.
- 2) The use of dog kennels does not constitute an agricultural use, that is, dog kennels do not require a long-term investment/use of Auburn's open agricultural land or natural resources.
- 3) Because dog kennels are not considered an agricultural use, staff recommends prohibiting the construction of any residential units accessory to a kennel in the AGRP district.
- 4) The larger issue of residential uses in the AGRP District will be given careful consideration as part of the Ag Study that will start this year and should not be modified at this time with the limited public input to date.

Staff Recommendation:

The Staff recommends APPROVAL of the text amendment with the following findings and conditions:

- 1) Allowing Dog Kennels in the AGRP district is a reasonable special exception use given its low-density, rural nature.
- 2) The review of Dog Kennels as a special exception in the AGRP district will allow adequate protection to surrounding areas from adverse impacts
- 3) The City of Auburn's Comprehensive Plan supports "...a broader range of rural uses" (Chapter 2, p. 108).

Conditions:

- a. Minimum lot size of the zoning district or three acres, whichever is greater
- b. No residential dwelling unit will be allowed as an accessory to the dog kennels use.



Attachment 3

City of Auburn, Maine

Office of Economic & Community Development
www.auburnmaine.gov | 60 Court Street
Auburn, Maine 04210
207.333.6601

PLANNING BOARD REPORT to the CITY COUNCIL

To: Mayor LaBonte and Honorable Members of the Auburn City Council

From: Daniel Philbrick, Chairman, Auburn Planning Board

Re: Text Amendment to allow Dog Kennels in the Agricultural and Resource Protection district

Date: July 17, 2017

SUMMARY - On July 11, 2017, the Auburn Planning Board held a public hearing and made a recommendation on a Zoning Ordinance Text Amendment to allow Dog Kennels in the Agricultural and Resource Protection district. The meeting consisted of a staff presentation, discussion by the Planning Board, public comment from 1 person during the public hearing, and then discussion. After the discussion, the Planning Board voted 5-2-0 in favor (motion by Cyr, seconded by Scoggins) to send a recommendation of APPROVAL for the Text Amendment on to the City Council for final action.

PROPOSAL - Dog kennels are not currently allowed in the AGRP district. The text amendment would allow dog kennels in the AGRP district as a special exception use. Dog kennels are only mentioned in the Low Density Rural Residential district (LDRR) in Auburn's residential zoning districts. The LDRR district allows kennels as a special exception use #7: "Licensed kennels provided that there shall be available land area of at least three acres." The use also carries over into smaller lot residential districts if the 3 acre minimum lot size is met.

By allowing dog kennels in the AGRP district, they would also be allowed to carry over into the Low Density Country Residential (LDCR) district as a special exception. These two districts are the only districts affected by the recommended change.

Staff recommended to the Planning Board that dog kennels are a reasonable and sensible use in Auburn's AGRP district as well as noting The City of Auburn's Comprehensive Plan supports "...a broader range of rural uses" (Chapter 2, p. 108). Staff also provided the interpretation that dog kennels do not constitute an agricultural use or farm as currently defined and therefore building an accessory dwelling unit should not be permitted even if the income requirement is met for the AGRP district.

PLANNING BOARD MEETING - The Staff presented a report at the Planning Board's June & July meetings that included a draft text amendment. The amendment would consist of two conditions, 1) the minimum lot size of the zoning district or three acres, whichever is greater

and 2) new residential dwelling units shall not be permitted as an accessory to the dog kennel use.

PUBLIC HEARING – Resident Terry Dailey, who brought the idea before Staff and the Planning Board, spoke against condition 2, prohibiting residential dwelling units accessory to the dog kennel use.

PLANNING BOARD DELIBERATION AND RECOMMENDATION - The Planning Board discussed whether dog kennels constitute an agricultural or farm use. A straw poll was taken by Planning Board Chair Philbrick asking whether kennels constitute a farming operation and it was voted 0-7 against. There was also Planning Board agreement to add condition 3 to the text amendment, specifying that licensed kennels operate for the purpose of overnight care or long-term care and not for daycare.

Planning Board member Cyr made a motion, seconded by Scoggins to forward a recommendation of Approval to the City Council to amend the Auburn Code of Ordinances by permitting licensed kennels in the AGRP under Chapter 60, sec. 60-145 subject to the following 3 conditions:

1. Minimum lot size of the zoning district or three acres, whichever is greater.
2. Residential dwelling unit(s) shall not be allowed as an accessory to a kennel.
3. The licensed kennel operates for the purpose of overnight care or long-term care and not for daycare.

The Planning Board voted 5-2-0 in favor (motion by Cyr, seconded by Scoggins, Bowyer, Hamlyn, Philbrick) to send this recommendation to the City Council for final action.



Dan Philbrick
Planning Board Chair

Cc: Dan Philbrick, Chair Auburn Planning Board
File

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, accessory to farming operations subject to the following restrictions:
 - a. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are substantially completed.
 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
- (3) Forest products raised for harvest.
- (4) Field crop farms.
- (5) Row crop farms.
- (6) Orchard farms.

- (7) Truck gardens.
 - (8) Plant and tree nurseries.
 - (9) Greenhouses.
 - (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
 - (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
 - (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
 - (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
 - (5) Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
 - (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
 - a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.

- b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
 - a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
 - a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.

- d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.

(16) Licensed kennels subject to the following conditions:

- a. Minimum lot size of the zoning district or three acres, whichever is greater.**
- b. Residential dwelling unit(s) shall not be allowed as an accessory to a kennel.**
- c. The licensed kennel operates for the purpose of overnight care or long-term care and not for daycare.**

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011)

James Pross, Ward One
Robert Stone, Ward Two
Andy Titus, Ward Three
Adam R. Lee, Ward Four



Leroy Walker, Ward Five
Grady R. Burns, At Large
David C. Young, At Large

Jonathan P. LaBonte, Mayor

IN CITY COUNCIL

ORDINANCE 10-09112017

BE IT ORDAINED, that the City Council hereby adopts a zoning ordinance text amendment to Article IV District Regulations, Division 2. Agriculture and Resource Protection District, Section 6-145 Use Regulations, (b) Special Exceptions (16), to allow Kennels as a Special Exception in the Agricultural and Resource Protection Zone.

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

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 - b. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - c. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or

reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.

- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
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