



**City Council Workshop & Meeting
June 21, 2021
Agenda**

5:30 P.M. City Council Workshop

- A. Marijuana Business Update – Eric Cousens & Rosemary Mosher (20 minutes)
- B. Refer Shoreland Zone (Special Condition Overlay) to Planning Board – Eric Cousens (15 minutes)
- C. Zone Change Petition (41 Stevens Mill Road) – Eric Cousens (15 minutes)
- D. Low-Density Country Residential & Rural Residential Strip – Eric Cousens (15 minutes).
- E. CDBG and HOME Funds Presentation – Zachary Maher (20 minutes)

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

Pledge of Allegiance

- I. **Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
 - 1. **Order 64-06212021***
Confirming Chief Moen's appointment of Sadie Pinard as a Constable with firearm for the Auburn Police Department.
 - 2. **Order 65-06212021***
Authorizing the cancellation of the first regular City Council meeting in July (July 12, 2021).
 - 3. **Order 66-06212021***
Referring the Shoreland Zone (Special Condition Overlay) to the Planning Board.
 - 4. **Order 67-06212021***
Authorizing the City Manager to sign and submit the Certifications and Assurances by the Chief Executive of the Applicant Government for this grant solicitation.
- II. **Minutes** – June 7, 2021 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**
 - Proclamation – National Park's & Recreation Month
 - Energov Citizen Portal – Jill Cunningham

- Communication from Planning Board Chair, Mathieu Duvall
- Council Communications (about and to the community)

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

V. Unfinished Business - None

VI. New Business

- 1. Public hearing** – Community Development Block Grant and Home Funds Action Plans for 2021-2022
- 2. Order 68-06212021**
Approving the public art piece by artist Charles Hewitt, which will be located at Anniversary Park.
- 3. Order 69-06212021**
Approving the proposed amendments to the Board & Committee Appointment Policy.
- 4. Order 70-06212021**
Approving the proposed amendments to the Fund Balance Policy.
- 5. Order 71-06212021**
Approving the River Race Special Event application from the Lewiston Auburn Metro Chamber.
- 6. Ordinance 25-06212021**
Amending the Chapter 60, Article IV of the Auburn Code of Ordinances to strike Division 8. - Multifamily Urban Zoning District.
- 7. Ordinance 26-06212021**
Amending Chapter 60, Article IV, Division 13, Section 60-525(b) of the Auburn Code of Ordinances to add automobile and marine sales lots and sales and service agencies to the List of special exception uses in the Minot Avenue (GBII) zoning district. First reading.
- 8. Ordinance 27-06212021**
Amending Section 60-201(a) to allow two-family dwellings in the low-density country residential zoning district. First reading.
- 9. Ordinance 28-06212021**
Amending Chapter 60, Article V, Section 60-608 to remove minimum off-street parking requirements for all land uses (except residential). First reading.
- 10. Ordinance 29-06212021**
Amending Chapter 60, Article IV, Division 14, Section 60-554 to remove all parking requirements (except residential) in the form-based code zoning districts. First reading.
- 11. Ordinance 30-06212021**
Amending the Conservation/Open Space Form-Based Code District by adding a purpose statement. First reading.

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

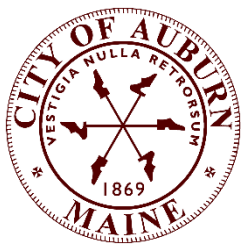
VIII. Reports (from sub-committees to Council)

- a. Mayor's Report
- b. City Councilors' Reports
- c. City Manager Report
- d. Jill Eastman, Finance Director – May 2021 Final Monthly Report

IX. Executive Session

- Poverty Abatement, pursuant to 36 M.R.S.A. §841 with possible action to follow.
- Economic Development pursuant to 1 M.R.S.A. §405(6) (C) with possible action to follow.

X. Adjournment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Author: Rosemary Mosher, Data, Analytics, and Visualization Specialist and Eric Cousens, Director of Planning and Permitting

Subject: Marijuana Business Update 2021

Information: On June 3, 2019, the city adopted most of the current marijuana related ordinances with some updates to address changing local circumstances and changes to State Laws. The initial ordinance attempted to allow marijuana businesses as part of an economic strategy but to minimize any impacts to the community. It has worked, with substantial taxable value being created annually, more than \$5,000,000 worth of marijuana related buildings currently under construction and more planned for this year. While we can't currently pull all taxable value related to marijuana businesses out of our assessing data, they are working on a way to make that easier in the future. License fees are near \$200,000 annually and still growing. The original Marijuana committee attempted to cap retail licenses at 25 stores and through the advice of our attorney we used setbacks between businesses to accomplish that cap. During review we found that a 1,000-foot setback seemed to meet that goal and was adopted as part of the ordinance for all districts where marijuana businesses were to be allowed except the Industrial (ID) district where there is no setback to encourage cultivation and manufacturing in the ID zone. The attached map shows that the setback has been very effective with 22 stores and little room for new ones along our arterials and commercial districts. In total we have over 100 marijuana businesses including cultivation manufacturing and retail. We will summarize additional information at the meeting. Some current issues/efforts include: 1. Manufacturing now includes kitchens-might consider allowing manufacturing in the General Business District; 2. Tracking and Mapping Updates; 3. Council Cultivation Facility Tour; 4. APD Suggested Ordinance Clarifications.

City Budgetary Impacts: Significant new assessed value/taxes and license fees and staff time demand for inspections.

Staff Recommended Action: Discussion and Update

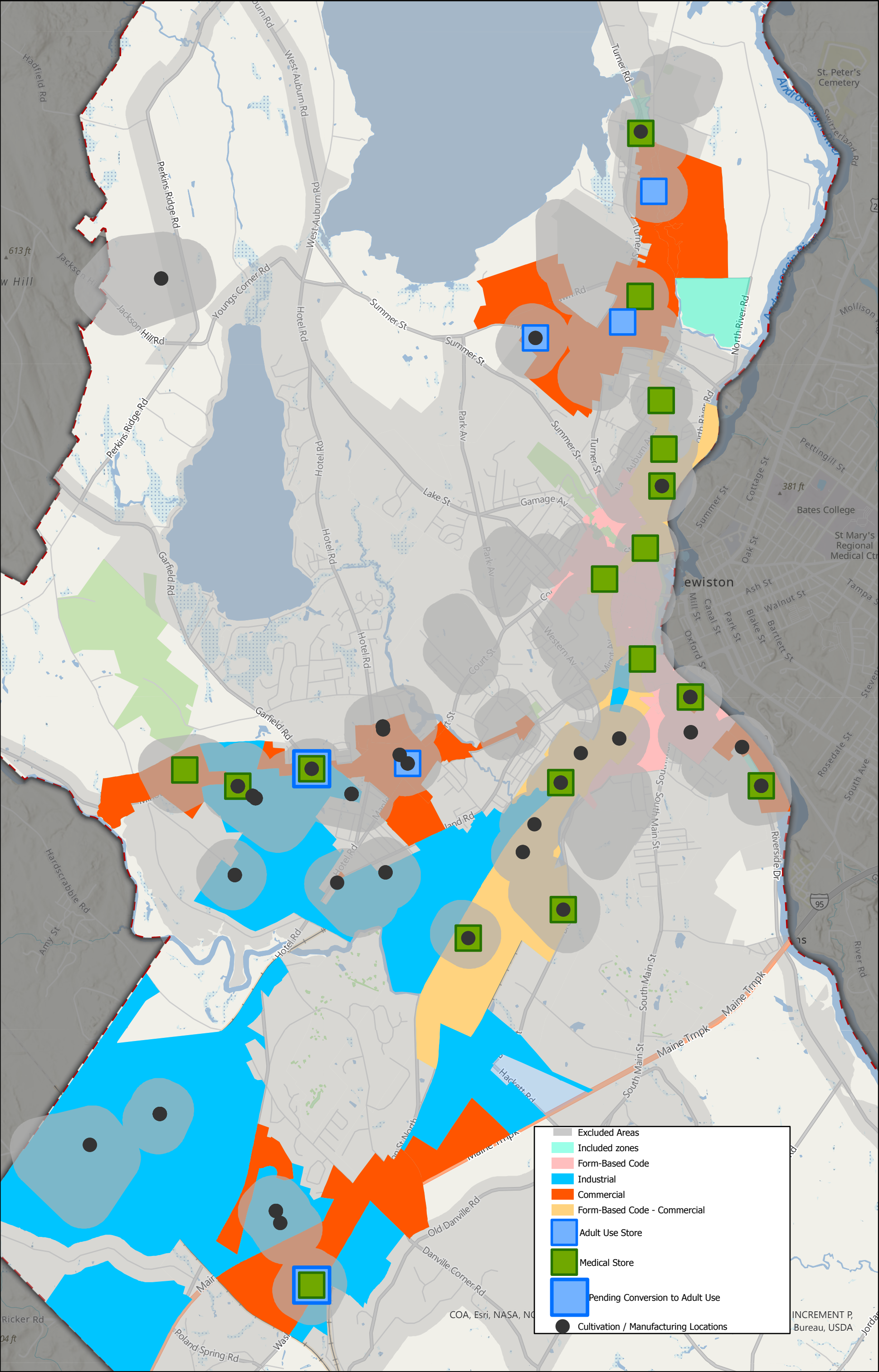
Previous Meetings and History: June 3, 2019 adoption, Dec. 7, 2020, Sept. 2020 North Auburn Mtg.

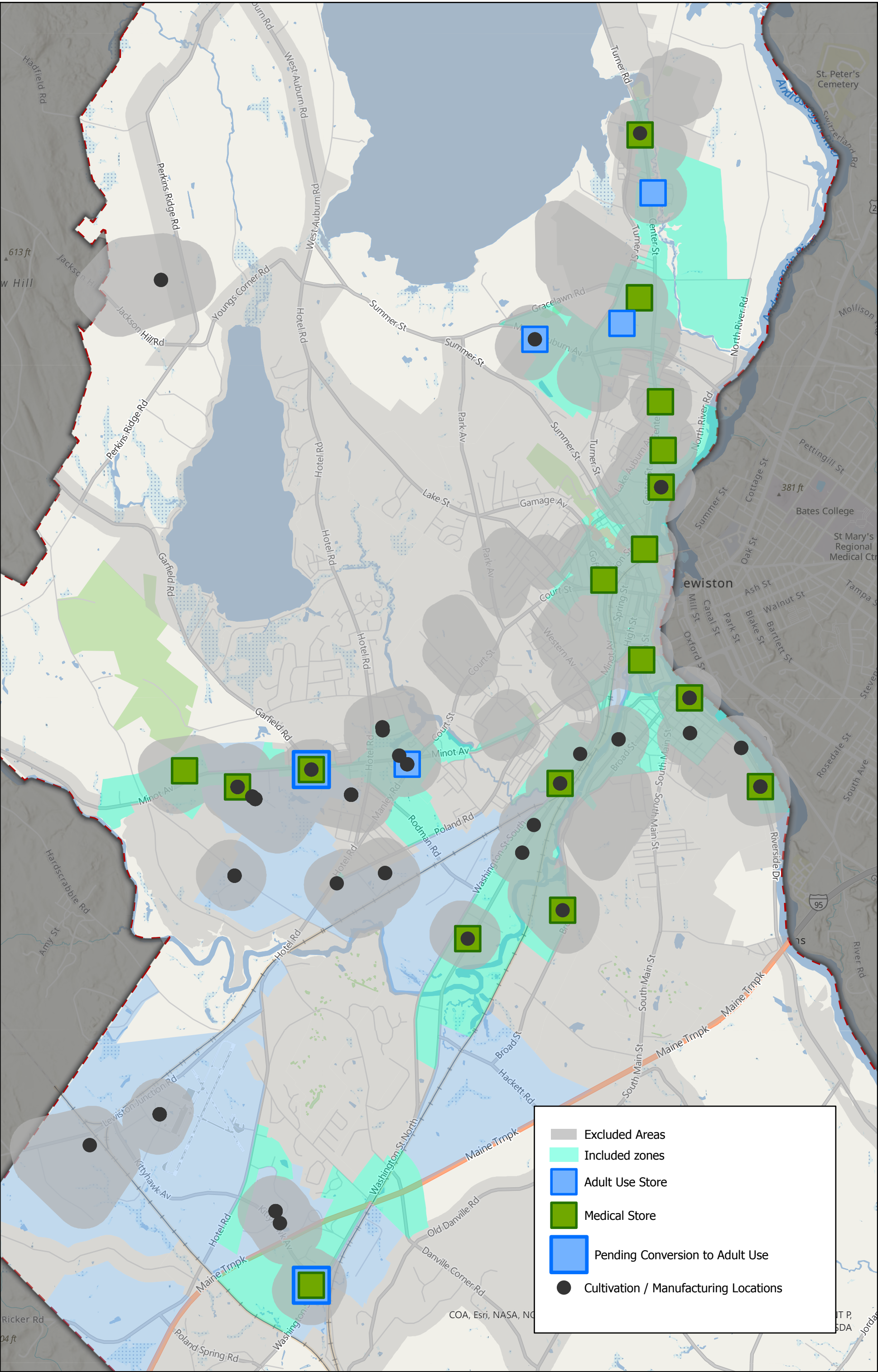
City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Licensed business Maps, APD Suggested Ordinance Clarifications and License Summary.





APD Suggested Ordinance Clarifications

1. SEC14-38: Add in #11 to read: The applicant knowingly or willingly omits criminal convictions.
2. SEC14-44: Add in Marijuana Business Licenses, Term of License=One Year, Expiration=Date of Issuance.
3. I would like to see a section added to address marijuana delivery services. It could be added to SEC. 14-659 (a) and read: No delivery services are allowed for adult use marijuana businesses unless they possess proper licensing from the State of Maine. Delivery services are allowed for medical marijuana if said business is properly licensed with the City of Auburn and State of Maine.
 - a. If the business is not located within the City of Auburn, I would like to propose a new license category subject to all the same background rules as existing marijuana business. I would like to propose a marijuana delivery license. This license would be required for any business not already in possession of a City of Auburn Marijuana business license. The applicant would be subject to the same \$500.00 application fee and the license fee would be \$500.00. This would prevent out of town business from coming into town unknown to the city and taking away from existing businesses.
4. SEC. 14-659 (b) I would like to see read as follows:

“Right of access/background check/inspection. Every marijuana business shall allow law enforcement officers and Code Enforcement Officer (“CEO”) to enter the premises during business hours, **Unannounced**, for the purpose of checking compliance with applicable State laws and this ordinance. Every owner and manager of a marijuana business shall contact the Auburn Police Department for the purposes of a criminal background check, and every premises manager for a marijuana business shall submit emergency contact information to the Lewiston-Auburn Communications Center.
5. I would like to see a section added that reads:

“The State of Maine and Office of Marijuana Policy rules governing medical and adult marijuana are continually being updated. The City of Auburn ordinances will parallel those changes and require compliance with any changes or updates.”
6. We need to better clarify when only a home occupation permit is required for marijuana cultivation. Marijuana cultivation generally requires additional or upgraded electrical service to be added to the home. Within our ordinance Sec. 60-737 states: “ The proposed home occupation will not create a fire/safety concern beyond what currently exists as determined by the fire department” It is my argument that having additional service installed creates a safety concern beyond what currently exists.

Additionally, a home occupation permit does not require the individual to be subjected to the same background requirements as a marijuana business license.

APD Suggested Ordinance Clarifications

7. In both medical and adult use, we need to add specific requirements for the fencing and enclosure the plants are being grown within. In all instance it could read:

“ Marijuana plants grown outdoors are considered to be in an enclosed, locked facility if they are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure and are grown within a stationary structure that is enclosed on all sides, except for the base and top by chain-link fencing, wooden slats, or a similar material at least 8 feet high, that prevents access by the general public and that is anchored, attached, or affixed to the ground”

Application Status	Business Name	Business Address
Issued	Cannabis Haven	1150 Center St
Received - In Progress	GD Caregivers, LLC	1315 Minot Av
Received - In Progress	Mt. Auburn Partners, LLC	154 Mt. Auburn Av
Issued	Herbal Remedies	197 Turner St
Issued	Cannabis Haven	20 Union St
Received - In Progress	Friend Jen & Co., LLC	23 Manley Rd
Issued	Lone Tree, LLC - Andrew Garcias	24 Brickyard Cir
Issued	Humble Family Farms Retail Group, LLC	245 Center St.
Issued	Maine Grown, LLC	301 Main St
Issued	Cure Cannabis Company, LLC	32 Riverside Dr
Issued	High Sail Voyages, LLC, DBA Above Board Cannabis	353 Riverside Dr
Issued	Fire Pharms, LLC	375 Center St
Issued	Christopher LeFevre DBA CJLE LLC	41 Mystique Way
Issued	Green Cures	550 Center St, Unit 1P
Received - In Progress	Aura Organic, LLC	61 North River Rd
Issued	Remedy Compassion Center	730 Center St
Issued	Remedy DBA Curealeaf	730 Center St
Received - In Progress	Green Future LLC	771 Broad St
Issued	Sinsemilla	791 Kittyhawk, Suite 6
Received - In Progress	Mainely Organics	823 Washington St. N
Issued	The Brass Bowl	968 Minot Av
Received - In Progress	Origins Sale ME LLC	999 Center St
Conversions Pending:		
Received - In Progress	The Brass Bowl	968 Minot Av
Approved	Sinsemilla	791 Kittyhawk, Suite 6

Company Name	Company	Business Address	License Type	License Status	License Year	License Issued Date	License	Expired
	Status						Expiration Date	
1150 Center St Auburn Maine CH LLC	Active	1150 CENTER ST Bldg #2 #	Adult Use Cultivation Facility	Pending	2020			
Coastal Calyx LLC DBA	Active	23 MANLEY RD #	Adult Use Cultivation Facility	Pending	2020			
Falling Leaf Farm	Pending	429 MAPLE HILL RD #	Adult Use Cultivation Facility	Pending	2021			
Falling Leaf Farm	Pending	429 MAPLE HILL RD #	Adult Use Cultivation Facility	Pending	2021			
Grass Roots Marijuana LLC- James Hamilton	Active	285 TRAPP RD #	Adult Use Cultivation Facility	Issued	2020	9/8/2020	9/30/2021	
GTC, LLC	Active	2767 TURNER RD #	Adult Use Cultivation Facility	Issued	2020	3/5/2021	3/4/2022	
Humble Family Farms Grows, LLC	Pending	271 Mill St	Adult Use Cultivation Facility	Pending	2020			
Letracal, LLC	Active	1591 HOTEL RD #	Adult Use Cultivation Facility	Issued	2021	4/13/2021	4/12/2022	
Mystique Operations LLC	Active	41 MYSTIQUE WAY #	Adult Use Cultivation Facility	Issued	2021	1/29/2021	1/29/2022	
Norman K Consulting - 145A Mystique Way	Active	145 MYSTIQUE WAY #	Adult Use Cultivation Facility	Pending	2020			
Norman K Consulting LLC - 131 Mystique	Active	131 Mystique way	Adult Use Cultivation Facility	Pending	2020			
Norman K Consulting LLC - 131 Mystique	Active	131 Mystique way	Adult Use Cultivation Facility	Issued	2020	11/2/2020	11/30/2021	
Norman K Consulting 145B Mystique Way	Active	145 MYSTIQUE WAY #	Adult Use Cultivation Facility	Pending	2020			
Norman K Consulting, LLC- 145 B Mystique Way	Active	145 MYSTIQUE WAY #	Adult Use Cultivation Facility	Pending	2020			
NPG, LLC DBA - Wellness Connection of Maine	Active	33 OMNI CIR #	Adult Use Cultivation Facility	Issued	2020	10/23/2020	10/23/2021	
Riverside Greenery	Active	217 RIVERSIDE DR #	Adult Use Cultivation Facility	Issued	2020	12/29/2020	12/29/2021	
Rugged Roots Inc.	Active	225 FIRST FLIGHT DR #	Adult Use Cultivation Facility	Issued	2020	11/25/2020	11/24/2021	
SeaSweets	Active	230 MERROW RD #	Adult Use Cultivation Facility	Issued	2021	9/14/2020	9/14/2021	
Trich Town LLC	Pending	185 North Auburn Rd	Adult Use Cultivation Facility	Pending	2021			
Coastal Calyx LLC DBA Friend Jen & Co LLC	Active	23 MANLEY RD #	Adult Use Marijuana Store	Pending	2020			
Green Cures	Active	550 CENTER ST # #1P	Adult Use Marijuana Store	Issued	2020	10/13/2020	10/31/2021	
Highly Cannaco Auburn Retail, LLC	Pending	648 TURNER ST #	Adult Use Marijuana Store	Pending	2020			
Origins Sale Me LLC	Active	999 CENTER ST #	Adult Use Marijuana Store	Pending	2020			
Sinsemilla	Active	791 KITTYHAWK AV #1	Adult Use Marijuana Store	Pending	2020			
Mystique Operations LLC	Active	41 MYSTIQUE WAY #	Adult Use Manufacturing Facility	Issued	2020	1/29/2021	1/29/2022	
NPG, LLC DBA - Wellness Connection of Maine	Active	33 OMNI CIR #	Adult Use Manufacturing Facility	Issued	2020	10/23/2020	10/23/2021	
Rugged Roots Inc.	Active	225 FIRST FLIGHT DR #	Adult Use Manufacturing Facility	Pending	2020			
SeaSmoke Extracts	Active	505 Hodsdon RD	Adult Use Manufacturing Facility	Issued	2021	9/14/2020	9/14/2021	
SJR Labs LLC -	Active	1591 HOTEL RD #	Adult Use Manufacturing Facility	Issued	2020	11/19/2020	11/18/2021	
1150 Center St Auburn Maine CH Bldg 2 LLC	Active	1150 CENTER ST #	Medical Marijuana Cultivation Facility	Pending	2020			
30 Riverside Cultivation LLC Chelsea Morrison	Active	30 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2021	4/12/2021	4/11/2022	
ASTI LLC	Active	234 FIRST FLIGHT DR #	Medical Marijuana Cultivation Facility	Issued	2020	5/20/2020	5/31/2021	
ASTI LLC	Active	234 FIRST FLIGHT DR #	Medical Marijuana Cultivation Facility	Issued	2021	5/31/2021	5/30/2022	
Best Buds	Active	1400 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2020	11/27/2019	11/30/2020	
Best Buds	Active	1400 HOTEL RD #	Medical Marijuana Cultivation Facility	Pending	2021	11/30/2020	11/29/2021	
Brady Plowman	Active	185 North River RD	Medical Marijuana Cultivation Facility	Issued	2020	7/20/2020	7/20/2021	
Brass Bowl, Inc.	Active	968 Minot Ave	Medical Marijuana Cultivation Facility	Issued	2020	9/9/2020	9/9/2021	
Brian Levesque	Active	185 North Auburn Plot 2 RD	Medical Marijuana Cultivation Facility	Issued	2020	7/20/2020	7/20/2021	
Caitlyn Miller & Garrett Durham	Active	145 Mystique Way Unit B	Medical Marijuana Cultivation Facility	Pending	2021	4/8/2021	4/7/2022	
Carl J. LeFevre	Closed	41 MYSTIQUE WAY #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020	
Carrabassett Cannabis Co. LLC	Active	767 Minot AV	Medical Marijuana Cultivation Facility	Issued	2021	10/4/2019	10/3/2020	
Carrabassett Cannabis Co. LLC	Active	767 Minot AV	Medical Marijuana Cultivation Facility	Issued	2021	10/4/2020	10/3/2021	
CJLE LLC	Active	41 MYSTIQUE WAY #	Medical Marijuana Cultivation Facility	Issued	2021	12/31/2020	12/31/2021	
CJLE LLC	Active	41 MYSTIQUE WAY #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020	

Clifford Miller & Jennifer Miller	Active	145B Mystique Way	Medical Marijuana Cultivation Facility	Issued	2020	3/4/2021	3/4/2022
Clifford Miller & Jennifer Miller	Active	145B Mystique Way	Medical Marijuana Cultivation Facility	Issued	2021	3/4/2021	3/4/2022
Coastal Calyx Medical LLC - Kelly Champlin	Active	23 MANLEY RD #	Medical Marijuana Cultivation Facility	Issued	2021	3/8/2021	3/7/2022
Cure Cannabis Company - 32 Riverside Dr	Active	32 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2020	10/16/2020	10/31/2021
Cure Cannabis Company - 32 Riverside Dr	Active	30 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2020	1/22/2020	1/31/2021
Evan Woods	Active	429 MAPLE HILL RD #	Medical Marijuana Cultivation Facility	Issued	2020	9/25/2020	9/30/2021
Even Keel Medicinals	Active	353 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2021	11/30/2020	11/30/2021
Even Keel Medicinals	Active	353 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2020	11/14/2019	11/30/2020
Falling Leaf Farm	Active	429 MAPLE HILL RD #	Medical Marijuana Cultivation Facility	Issued	2020	9/25/2020	9/30/2021
Garden of Weeden	Active	554 WASHINGTON ST N N #	Medical Marijuana Cultivation Facility	Pending	2020		
Garrett Durham & Caitlyn Miller	Active	131 MYSTIQUE WAY #	Medical Marijuana Cultivation Facility	Issued	2020	6/3/2020	6/3/2021
Golden Nugget LLC	Pending	726 POLAND RD #	Medical Marijuana Cultivation Facility	Issued	2021	6/4/2021	6/3/2022
Grass Roots Marijuana LLC - Jeffrey Nappi	Active	285 B Trapp Rd	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/4/2020
Grass Roots Marijuana LLC- James Hamilton	Closed	285B TRAPP RD #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020
Grass Roots Marijuana LLC- James Hamilton	Active	285 TRAPP RD #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020
Grass Roots Marijuana LLC- James Hamilton	Closed	285B TRAPP RD #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2020	12/31/2020
Grass Roots Marijuana LLC- Randall Whitney	Closed	285B TRAPP RD #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/4/2020
Great Falls Greenery	Active	1400 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2021	12/31/2020	12/31/2021
Great Falls Greenery	Active	1400 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2020	12/12/2019	12/31/2020
Green Thumb Pharm LLC	Active	767 Minot AV	Medical Marijuana Cultivation Facility	Issued	2021	10/4/2019	10/3/2020
Green Thumb Pharm LLC	Active	767 Minot AV	Medical Marijuana Cultivation Facility	Issued	2021	10/4/2020	10/3/2021
Green Tree Alternative, LLC	Active	1591 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2020	7/31/2020	7/31/2021
High Sail Voyages LLC	Active	353 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2021	11/30/2020	11/30/2021
High Sail Voyages LLC	Active	353 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2020	11/14/2019	11/30/2020
Highly Motivated Farms LLC	Active	2121 POWNAL RD #	Medical Marijuana Cultivation Facility	Issued	2021	6/3/2021	6/2/2022
Incrementum LLC	Active	53 Old Webster Rd #	Medical Marijuana Cultivation Facility	Issued	2020	7/31/2020	7/31/2021
Integrated Success Technologies LLC	Active	1591 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2020	7/31/2020	7/31/2021
J3 Cannabis LLC Jamie Pratt	Active	30 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2021	3/17/2021	3/16/2022
Jack Champlin DBA Coastal Calyx LLC	Active	23 MANLEY RD #	Medical Marijuana Cultivation Facility	Issued	2021	3/11/2021	3/10/2022
Jack Champlin DBA Coastal Calyx LLC	Active	23 MANLEY RD #	Medical Marijuana Cultivation Facility	Issued	2020	3/5/2020	3/5/2021
Jacob Levesque	Pending	185 North Auburn-plot 2 RD	Medical Marijuana Cultivation Facility	Issued	2020	7/20/2021	7/20/2021
James Erskine	Active	1591 Hotel RD	Medical Marijuana Cultivation Facility	Issued	2020	7/31/2020	7/31/2021
James Katz	Closed	23 MANLEY RD #	Medical Marijuana Cultivation Facility	Issued	2020	2/14/2020	2/28/2021
JM Cannabis LLC Brandon Boilard	Active	30 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2021	3/17/2021	3/16/2022
John Gary Howard	Pending	213 WASHINGTON ST S S #	Medical Marijuana Cultivation Facility	Issued	2021	1/25/2021	1/25/2022
Jon Provost	Active	61 NORTH RIVER RD #	Medical Marijuana Cultivation Facility	Issued	2020	9/23/2020	9/23/2021
Lemieux Services LLC	Active	1591 Hotel Rd RD	Medical Marijuana Cultivation Facility	Issued	2020	7/21/2020	7/21/2021
Leroy Kelli Walker	Pending	908 Sopers Mill Rd	Medical Marijuana Cultivation Facility	Pending	2020	12/22/2020	
Letracal, LLC	Active	1591 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2020	6/3/2020	6/30/2021
Little Guy LLC	Pending	PO Box 7444	Medical Marijuana Cultivation Facility	Issued	2020	6/3/2020	6/30/2021
Lone Tree LLC- Caitlin Carolan	Active	24 Brickyard Circle	Medical Marijuana Cultivation Facility	Issued	2020	6/11/2020	7/31/2021
Lone Tree LLC- Caitlin Carolan	Active	24 BRICKYARD CIR #	Medical Marijuana Cultivation Facility	Issued	2020	6/11/2020	6/30/2021
MaineCC LLC	Active	97 FOURTH ST #	Medical Marijuana Cultivation Facility	Issued	2020	1/31/2020	1/31/2021
Mainely Organics	Active	823 WASHINGTON ST N N #	Medical Marijuana Cultivation Facility	Pending	2020		
Mainely Rooted, LLC	Active	271 Mill ST	Medical Marijuana Cultivation Facility	Issued	2020	6/3/2020	6/30/2021
Martin Harper	Active	1591 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2020	6/3/2020	6/30/2021
Micah Emery	Active	429 MAPLE HILL RD #	Medical Marijuana Cultivation Facility	Issued	2020	9/24/2020	9/30/2021

Micah Emery	Active	429 MAPLE HILL RD #	Medical Marijuana Cultivation Facility	Issued	2020	9/25/2020	9/30/2021
Michael Goldstein	Active	61 NORTH RIVER RD #	Medical Marijuana Cultivation Facility	Issued	2020	9/23/2020	9/23/2021
Mori-Ann W. LeFevre	Closed	41 MYSTIQUE WAY #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020
New England Dabs	Closed	353 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2020	11/27/2019	11/30/2020
New Yankee Cannabis	Pending	353 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2021	1/28/2021	1/28/2022
NJS Enterprises	Active	71 Bretton Ave ST	Medical Marijuana Cultivation Facility	Issued	2021	3/31/2021	3/30/2022
NJS Enterprises	Active	71 Bretton Ave ST	Medical Marijuana Cultivation Facility	Issued	2020	3/23/2020	3/31/2021
Patricia C. LeFevre	Active	41 MYSTIQUE WAY #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020
Patricia C. LeFevre	Active	41 MYSTIQUE WAY #	Medical Marijuana Cultivation Facility	Issued	2021	12/31/2020	12/31/2021
Patrick Casagrande	Closed	2767 TURNER RD #	Medical Marijuana Cultivation Facility	Issued	2020	12/12/2019	12/31/2020
Pharm Guy LLC	Closed	459 WASHINGTON ST N N # #4	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020
Pharmguy LLC	Active	459 WASHINGTON ST N N #	Medical Marijuana Cultivation Facility	Issued	2021	1/1/2021	12/31/2021
Plant Parenthood	Closed	1400 HOTEL RD #	Medical Marijuana Cultivation Facility	Issued	2020	11/27/2019	11/30/2020
Remedy Compassion DBA Curaleaf- Cultivation	Pending	730 CENTER ST #	Medical Marijuana Cultivation Facility	Issued	2021	8/11/2020	8/10/2021
Riverside Greenery	Active	217 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2019	11/14/2019	11/30/2020
Robert Preston	Active	185 North Auburn Plot 1 RD	Medical Marijuana Cultivation Facility	Issued	2020	7/20/2020	7/20/2021
RRichards LLC	Closed	71 BRETTON AV #	Medical Marijuana Cultivation Facility	Void	2020	6/1/2020	6/30/2021
Russell Thompson	Pending	145 Mystique Way Unit A #	Medical Marijuana Cultivation Facility	Pending	2021	3/31/2021	3/30/2022
Russell Thompson	Pending	145 Mystique Way Unit A #	Medical Marijuana Cultivation Facility	Issued	2020	3/11/2020	3/31/2021
Ryan Richards, LLC	Active	225 FIRST FLIGHT DR #	Medical Marijuana Cultivation Facility	Issued	2020	7/8/2020	7/31/2021
Safe Alternatives	Active	586 LEWISTON JUNCTION RD #	Medical Marijuana Cultivation Facility	Issued	2021	1/7/2021	1/7/2022
Sean M Bowie	Active	225 first flight DR	Medical Marijuana Cultivation Facility	Issued	2020	8/28/2020	8/31/2021
Seasmoke Extracts	Active	230 MERROW RD #	Medical Marijuana Cultivation Facility	Issued	2020	11/27/2019	11/30/2020
Sunday Morning Farms- Derek Emery- Caregiver	Closed	429 Maple Hill Rd	Medical Marijuana Cultivation Facility	Pending	2020		
Theodore Cooper	Closed	2767 TURNER RD #	Medical Marijuana Cultivation Facility	Issued	2020	12/12/2019	12/31/2020
Thomas Wiley	Active	145 Mystique Way Unit A Way	Medical Marijuana Cultivation Facility	Pending	2021	3/31/2021	3/30/2022
Thomas Wiley	Active	145 Mystique Way Unit A Way	Medical Marijuana Cultivation Facility	Issued	2020	3/11/2020	3/31/2021
Tim Bowe, Caregiver	Active	217 RIVERSIDE DR #	Medical Marijuana Cultivation Facility	Issued	2020	12/4/2019	12/31/2020
Tim Millett	Active	61 NORTH RIVER RD #	Medical Marijuana Cultivation Facility	Issued	2020	9/23/2020	9/30/2021
Tim Richards LLC	Active	225 First Flight DR	Medical Marijuana Cultivation Facility	Issued	2020	8/28/2020	8/31/2021
W & K Pepin Properties	Active	217 Riverside Dr	Medical Marijuana Cultivation Facility	Issued	2020	11/14/2019	11/14/2020
Wellness Connection	Active	33 OMNI CIR #	Medical Marijuana Cultivation Facility	Issued	2021	8/11/2020	8/31/2021
WELLNESS CONNECTION OF MAINE	Active	33 OMNI CIR #	Medical Marijuana Cultivation Facility	Issued	2020	2/7/2020	2/28/2021
White Firs LLC- Marshall Cilley & Sierra Roberts	Pending	97 Fourth St	Medical Marijuana Cultivation Facility	Issued	2021	5/24/2021	5/23/2022
William Gayton III	Active	1591 Hotel Rd	Medical Marijuana Cultivation Facility	Issued	2020	6/3/2020	6/3/2021
CJLE LLC	Active	41 MYSTIQUE WAY #	Medical Marijuana Manufacturing Fac	Issued	2020	12/4/2019	12/31/2020
CJLE LLC	Active	41 MYSTIQUE WAY #	Medical Marijuana Manufacturing Fac	Issued	2021	12/31/2020	12/31/2021
Cure Cannabis Company - 32 Riverside Dr	Active	32 RIVERSIDE DR #	Medical Marijuana Manufacturing Fac	Issued	2021	3/17/2021	3/16/2022
NJS Enterprises	Active	71 Bretton Ave ST	Medical Marijuana Manufacturing Fac	Issued	2021	4/15/2021	4/14/2022
Safe Alternatives	Active	586 LEWISTON JUNCTION RD #	Medical Marijuana Manufacturing Fac	Issued	2020	1/7/2021	1/7/2022
Seasmoke Extracts	Active	230 MERROW RD #	Medical Marijuana Manufacturing Fac	Issued	2020	11/27/2019	11/30/2020
Seasmoke Extracts	Active	230 MERROW RD #	Medical Marijuana Manufacturing Fac	Issued	2021	11/30/2020	11/30/2021
SJR Labs LLC -	Active	1591 HOTEL RD #	Medical Marijuana Manufacturing Fac	Issued	2020	7/8/2020	7/6/2021
Wellness Connection	Active	33 OMNI CIR #	Medical Marijuana Manufacturing Fac	Issued	2020	8/11/2020	8/31/2021
WELLNESS CONNECTION OF MAINE	Active	33 OMNI CIR #	Medical Marijuana Manufacturing Fac	Issued	2020	3/5/2020	3/5/2021
1150 Center St Auburn Maine CH LLC	Active	1150 CENTER ST #	Medical Marijuana Store	Issued	2020	1/29/2021	1/29/2022
20 Union St Auburn Maine CH LLC	Active	20 UNION ST #	Medical Marijuana Store	Issued	2020	3/17/2021	3/16/2022

Brass Bowl, Inc.	Active	968 Minot Ave	Medical Marijuana Store	Issued	2020	9/9/2020	9/9/2021
CJLE LLC	Active	41 MYSTIQUE WAY #	Medical Marijuana Store	Issued	2020	12/31/2020	12/31/2020
CJLE LLC	Active	41 MYSTIQUE WAY #	Medical Marijuana Store	Issued	2021	12/31/2020	12/31/2021
Corner Stone Cannabis LLC	Pending	41 MILLETT DR #	Medical Marijuana Store	Pending	2020		
Cure Cannabis Company - 32 Riverside Dr	Active	32 RIVERSIDE DR #	Medical Marijuana Store	Issued	2020	10/16/2020	10/16/2021
Fire Pharms	Active	375 Center Street	Medical Marijuana Store	Issued	2020	10/23/2020	10/23/2021
Green Cures	Active	550 CENTER ST # #1P	Medical Marijuana Store	Issued	2020	11/27/2019	11/30/2020
Herbal Remedies	Pending	197 TURNER ST #	Medical Marijuana Store	Issued	2020	3/25/2020	3/31/2021
Herbal Remedy, LLC	Active	197 TURNER ST #	Medical Marijuana Store	Issued	2020	6/30/2021	6/30/2022
High Sail Voyages LLC	Active	353 RIVERSIDE DR #	Medical Marijuana Store	Issued	2020	1/14/2021	1/14/2022
Highly Cannaco	Active	648 Turner St Ste.1	Medical Marijuana Store	Issued	2020	5/29/2020	5/31/2021
Highly Cannaco	Active	648 Turner St Ste.1	Medical Marijuana Store	Pending	2021		
Humble Family Farms Retail Group LLC	Active	245 CENTER ST #	Medical Marijuana Store	Issued	2020	10/14/2020	10/31/2021
Lone Tree LLC- Caitlin Carolan	Active	24 Brickyard Circle	Medical Marijuana Store	Issued	2019	6/11/2020	6/30/2021
Maine Grown LLC	Active	301 Main St	Medical Marijuana Store	Issued	2020	1/17/2020	1/17/2021
Maine Grown LLC	Active	301 Main St	Medical Marijuana Store	Issued	2021	1/17/2021	1/17/2022
Mainely Organics	Pending	823 WASHINGTON ST N N #	Medical Marijuana Store	Pending	2020		
Remedy Compassion Center	Active	730 CENTER ST Suite 1 C	Medical Marijuana Store	Issued	2020	6/3/2020	6/30/2021
Sinsemilla	Active	791 KITTYHAWK AV #1	Medical Marijuana Store	Issued	2020	9/1/2020	9/1/2021
Sinsemilla	Active	791 KITTYHAWK AV #1	Medical Marijuana Store	Issued	2020	9/1/2020	9/1/2021

GIS Corrections

Green Thumb Pharm Medical Cultivation - Change classification
Remedy Compassion DBA Cural Medical Cultivation - Add

Expired Licenses

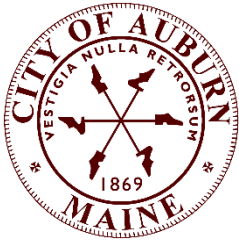
Best Buds	Medical Cultivation - 11/2020 license expired, 11/2021 Pending	
Russell Thompson	Medical Cultivation - 03/2021 license expired, 03/2022 Pending	
Thomas Wiley	Medical Cultivation - 03/2021 license expired, 03/2022 Pending	
Maine CC LLC	Medical Cultivation - Expired - still on tracking sheet as Issued	Remove from GIS?
Riverside Greenery	Medical Cultivation - Expired - still on tracking sheet as Issued	Remove from GIS?
Wellness Connection of Maine	Medical Cultivation - Expired - still on tracking sheet as issued. 2nd line for new license?	Remove from GIS?
Wellness Connection of Maine	Medical Manufacturing - Expired - still on tracking sheet as issued - 2nd line for new license?	Remove from GIS?
Herbal Remedies	Medical Store - Expired - still on tracking sheet as issued	Remove from GIS?
Highly Cannaco	Medical Store - Expired - still on tracking sheet as issued (Jan Martin)	Remove from GIS?

Other Questions

Evan Woods	Medical Cultivation - Issued, not on tracking sheet	
Falling Leaf Farm	Medical Cultivation - Not in tracking sheet (note under closed business that this was a new business) Note: Also has Adult Use license	
Highly Motivated Farms, LLC	Medical Cultivation - Issued, not on tracking sheet	
Jon Provost	Medical Cultivation - Listed as Prime Cannabis on tracking	
Lone Tree #2569-06-2020	Medical Cultivation - Shows Andrew Garcia on tracking sheet	
Michael Goldstein	Medical Cultivation - Shows Prime Cannabis on tracking	
Safe Alternatives	On tracking as manufacturing, licenses for manufacturing and cultivation	
Tim Millett	Medical Cultivation - Listed as Prime Cannabis on tracking	
White Firs, LLC	Medical Cultivation - 2 lines on tracking sheet, 1 license in Energov	
Lone Tree LLC - Caitlin Carolan	Medical Store - On tracking as Andrew Garcias	
Sinsemilla	Medical Store - 2 Licenses in Energov, 1 line in tracking but license number doesn't match	

License Type	License Number	Apply Date	Issue Date	Expire Date	Status	Company
Medical Marijuana Cultivation Facility	BL002828-01-2021	1/7/2021	3/8/2021	3/7/2022	Issued	Coastal Calyx Medical LLC - Kelly Champlin

ID	Application Status	Business Type	Marijuana License type	Application Date	Business Name	Business Address
105	Issued	Medical	Cultivation Facility	7/17/2020	Green Thumb Pharm LLC	767 Minot Ave



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 21, 2021

Author: John Blais, Urban Development Specialist

Subject: Special Local Condition Overlay to the Shoreland Zone

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

We are asking the Council to consider sending this issue to the Planning Board to consider:

1. Allow a Special Local Condition Overlay to the Shoreland Zone specifically along Main Street, Court Street and Great Falls Plaza to a building height of 50 feet.
2. If the proposed zone makes sense, could we allow same approach in other areas along the Androscoggin River and Little Androscoggin Rivers?
3. Should we retain the 35 feet height restriction as is?

City Budgetary Impacts: None Currently

Staff Recommended Action: Discuss, provide feedback and send to Planning Board as a Consent at this meeting.

Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Order sending request to Planning Board for a recommendation.

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

Footnotes:

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

Sec. 60-982. - Purposes.

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

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

Sec. 60-983. - Authority.

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

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

Sec. 60-984. - Applicability.

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

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

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

Sec. 60-985. - Effective date.

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

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

Sec. 60-986. - Severability.

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

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

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

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

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

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

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

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

Sec. 60-989. - Land use requirements.

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

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

Sec. 60-990. - Nonconformance.

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

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

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

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

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

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

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

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

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

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

(d) *Nonconforming uses.*

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

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

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

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

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

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

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

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

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

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

In addition:

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

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

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

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

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

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

Sec. 60-994. - Campgrounds.

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

- (1) Campgrounds shall contain a minimum of 5,000 square feet of land, not including roads and driveways, for each site. Land supporting wetland vegetation, and land below the normal high-water line of a water body shall not be included in calculating land area per site.
- (2) The areas intended for placement of a recreational vehicle, tent or shelter, and utility and service buildings shall be set back a minimum of 100 feet, horizontal distance, from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet,

horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

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

Sec. 60-995. - Individual private campsites.

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

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

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

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

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

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

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

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

Sec. 60-997. - Parking areas.

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

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

Sec. 60-998. - Roads and driveways.

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

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

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

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

- (2) Existing public roads may be expanded within the legal road right-of-way regardless of their setback from a water body, tributary stream or wetland.

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

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

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

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

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

Sec. 60-999. - Stormwater runoff.

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

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

Sec. 60-1000. - Septic waste disposal.

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

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

Sec. 60-1001. - Essential services.

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

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

Sec. 60-1002. - Agriculture.

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

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

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

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

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

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

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

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

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

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

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

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

The following shall govern in applying this point system:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 60-1006. - Soils.

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

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

Sec. 60-1007. - Water quality.

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

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

Sec. 60-1008. - Archaeological site.

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

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

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

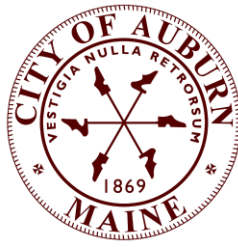
A public utility, water district, sanitary district or any utility company of any kind may not install services to any new structure located in the shoreland zone unless written authorization attesting to the validity and currency of all local permits required under this or any previous ordinance has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

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

City of Auburn Special Local condition to the SLZ

Address	Parcel ID	Building Height (FT)	
214 Main Street	231-021	42	
178 Main Street	231-019	42	
156 Main Street	241-024	56	
132 Main Street	241-023	42	
92 Main Street	241-020	45	
88 Main Street	241-019	45	
72 Main Street	241-017	45	
10 Great Falls	241-011	35	
14 Great Falls	241-009-001	84	
20 Great Falls	241-010	98	
		534	10
	Average Height:	53.4	



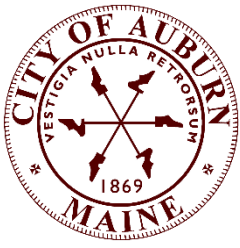


City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council request that the Planning Board consider allowing 50' building heights in the Special Local Conditions Overlay to the Shoreland Zone, specifically address the following questions as part of a recommendation to the Council:

1. Allow a Special Local Condition Overlay to the Shoreland Zone specifically along Main Street, Court Street and Great Falls Plaza to a building height of 50 feet.
2. If the proposed zone makes sense, could we allow same approach in other areas along the Androscoggin River and Little Androscoggin Rivers?
3. Should we retain the 35 feet height restriction as is?

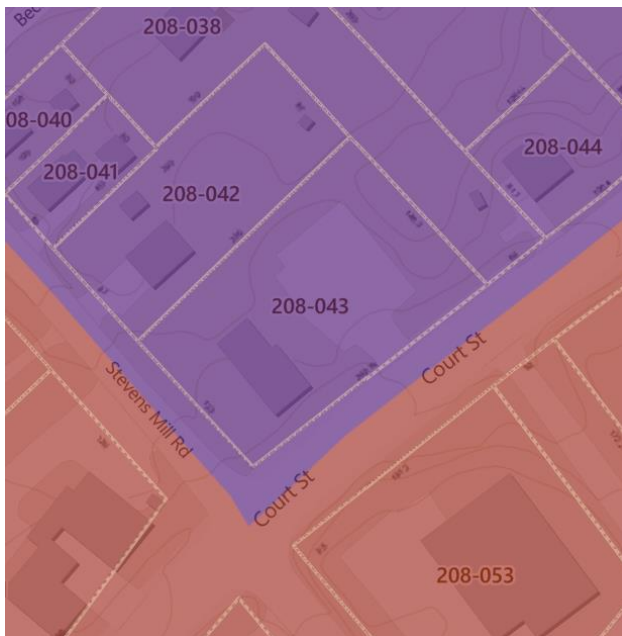


City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: June 21, 2021

Author: Megan Norwood, City Planner

Subject: Proposed Zone Change for 41 Steven's Mill Road from Suburban Residential to General Business II



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

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

A. Amendment to the Zoning Ordinance or Zoning Map

Sec. 60-1445. - Purpose.

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

The Owner of 41 Steven's Mill Road (located on the corner of Steven's Mill Road and Court Street) has submitted a petition signed by 25 registered voters of the City of Auburn to change the zoning of the property located at 41 Steven's Mill Road from Suburban Residential to General Business II. The purpose of the zone change is to build a Personal Training Studio on a parcel that housed a hair salon for over 30 years.

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

City Budgetary Impacts: None.

Staff Recommended Action: We recommend the City Council send this request to the Planning Board for a recommendation at their July 13, 2021 meeting and that the City Council schedule a first reading for July 19th and a second reading for August 2nd.

Previous Meetings and History: N/A

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in black ink that reads "Phillip Crowell Jr." in a cursive script.

Attachments: N/A

PETITION

Seeking permission from the City of Auburn to re-zone 41 Steven's Mill Road, Auburn from Suburban Residential to General Business or General Business II. The intent is to build a Personal Training Studio on an area that once housed a Hair Salon for 30+ years.

Signature	Printed Name	Residence (Street Address)	Date
	Camryn Dorke	118 Grandview Ave	6/3/21
	Toby Grandin	40 Leavitt St	6/3/21
	DARBY SHEA	750 COURT ST.	6/3/21
	Troy Barnies	53 Dennison St	6/3/21
	Stefanie Damien	703 S. Witham Rd	6/4/21
	Matt M'Drury	876 Johnson Rd.	6/4/21
	Jennifer McAuby	574 Johnson Rd.	6/4/21
	Tammie Fawcett	73 Olive St	6/4/21
	Mace Harve V	132 Third St	6/4/21
	Sharon Alexander	1420 Turner St	6-5-21
	James Alexander	1420 Turner St	6/5/21
	David Hurler	132 Third St	6/5/21
	Tracy Robbins	779 Pownal Rd	6.7.21
	Geoff Robbins	779 Pownal Rd	6.7.21
	Jennifer Monahan	17 Western Ave	6/7/21
	Heidi Bernier	34 Leavitt St	6/7/21
	SORLEY BERWILK	34 LEAVITT ST.	6/7/21
	Chris Gavrin	65 Garden Cir	6/7/21
	Mackenzie Gavin	65 Garden Circle	6/7/21
	Leonard Shaver	10 Nottingham	6/8/21
	Jennifer Dodge	96 Alderwood Rd	6/8/21
	Kristi Norcross	230 Valview Dr	6/8/21
	WOI Marien	204 Broadview Ave	6/8/21
	Jenna-Lae Brown	31 Jogglyn St	6/8/21
	Austin Colleton	14 Pine St	6/8/21

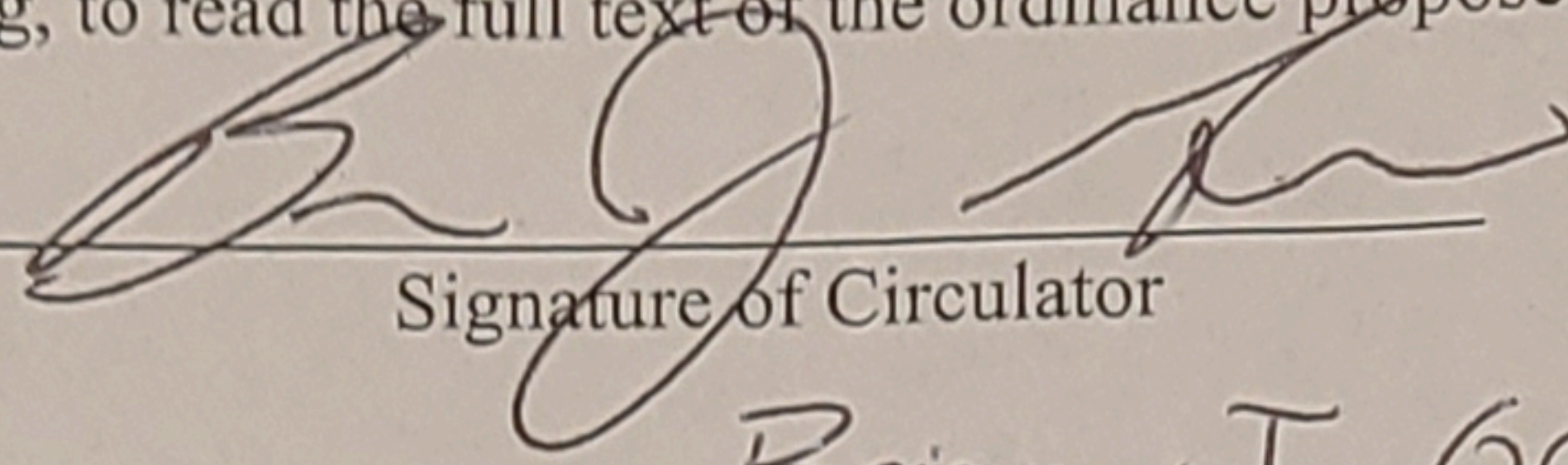
Kathy Whitney Kathy Whitney 596 Fletcher Rd 6/8/21

Debbie Bodwell Debbie Bodwell 115 Sunderland Dr. 6/8/21

BETH FAUREAU BETH FAUREAU 481 Park Ave. Auburn 6/8/21
Auburn, ME 04210

Circulator's Affidavit

I, **Brian (BJ) Grondin** of **40 Leavitt Street, Auburn, ME 04210**, hereby certify that I am a resident of the City of Auburn; that I personally circulated this paper and witnessed the signatures thereon; and, to the best of my knowledge and belief, each signature is that of the person it purports to be. Further, I certify that each signer had the opportunity, before signing, to read the full text of the ordinance proposed to be reconsidered.

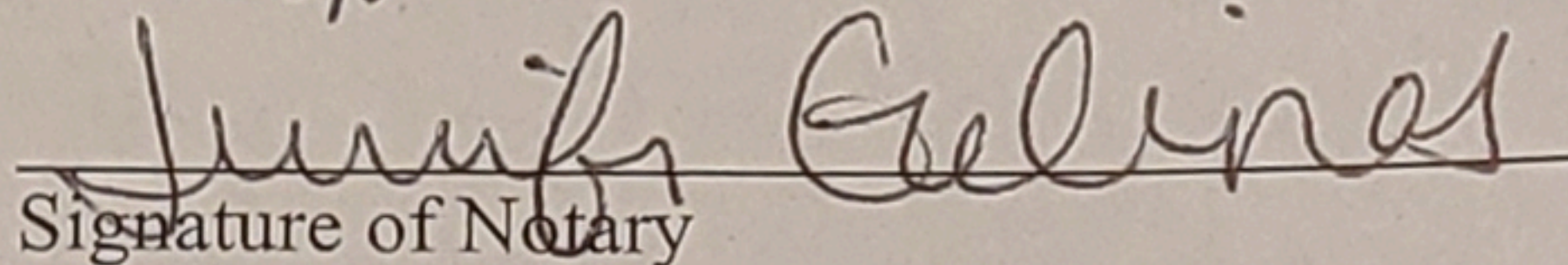


Signature of Circulator

Brian J. Grondin

Printed Name

Subscribed to and sworn before me on this date June 8, 2021 (Date must be completed by Notary)



Signature of Notary

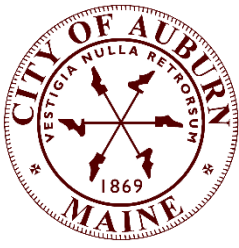
Jennifer Gelinas

Printed Name

Date my Notary Commission expires: August 20, 2026

Jennifer Gelinas
Notary Public, State of Maine
My Commission Expires August 20, 2026





City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: June 21, 2021

Author: Megan Norwood, City Planner

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

Information: At the May 17, 2021 meeting, the City Council voted as a consent item to request a recommendation from the Planning Board to increase the width of the residential strips abutting the Ag-Zone from 450-feet to 750-feet.

The Planning Board discussed and tabled this item with a vote of 6-1 pending answers to the following questions by the City Council:

- Why was a fixed width utilized instead of following the boundaries of lots that are not as deep as 750-feet and how was the depth of 750-feet identified?
- How does this zoning amendment fit with the stated vision in the Comprehensive Plan and in the Comprehensive Plan update to develop from the core out and in a village pattern?
- Why are we discussing this now given that we are going to be receiving a Comprehensive Plan review and corresponding zooming amendments that will address these items?

After the Planning Board meeting, Staff began researching the answers to some of these questions and found a recommendation in the 1995-2005 Comprehensive Plan that states the following:

“Low Density Residential “Bands” along Rural Roads.” Some of the “bands” or “strips” of low-density residential development along rural roads have been retained, while others are eliminated or extended. The intent is to reduce the depth of these bands from 1,500 feet to 800 feet to prevent “bubble” subdivisions throughout the rural area.

Amend the Zoning Ordinance by changing the depth of low-density residential district bands along rural roads from 1,500 feet to 800 feet (400 feet each side of the road), except as otherwise noted in specific areas of the Future Land Use Map.”

The 1995-2005 plan further goes on to describe specific neighborhoods within the City and how the “bands” should or should not be adjusted, for example:

“Danville Corner/Pownal Road/Harmons Corner Low Density Residential (South Auburn, Danville)

(Continue Low Density Residential designation with 400 feet of road; retail Agriculture/RP adjacent to Turnpike and in Woodbury Road/Woodbury Hill area; change land more than 400 feet from roads to AG/RP). There has

already been low density residential development in this area, including Joatmon Estates and Winchester Heights. It provides opportunities for rural living close to the City, although most future development is expected to be strip development. Water and sewer services are not available or anticipated for the foreseeable future. Development should not be encouraged in interior areas.”

This information (together with comments from the City Council) should help provide context to the Planning Board on why this change is recommended and how certain figures were determined.

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

Staff Recommended Action: Please provide a response to the questions asked by the Planning Board so they can make a decision at their July 13, 2021 meeting.

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

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: June 8, 2021 Planning Board Staff Report



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

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

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

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



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

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



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

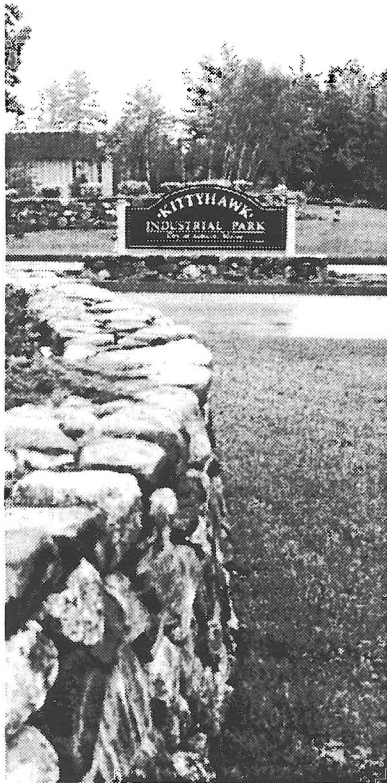
II. DEPARTMENT REVIEW:

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

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

POLICIES	STRATEGIES	RESPONSIBILITY/DATE
<p>4. <u>Unique Commercial Corridors</u>. A number of distinct and unique commercial corridors are established. In some cases, these are located in areas designated "cluster development" on the current zoning map. The purpose of these areas is to recognize the development that has occurred, and allow for limited types of development consistent with the uniqueness of each area. (These are now designated in more detail under paragraph B, below).</p>	<p>Amend the Zoning Ordinance to create distinct, separate commercial corridor districts, with a range of uses and limitations appropriate to each area (for example, allow a wide range of commercial activities on Center Street; prohibit automobile dealerships altogether on Minot Avenue, limit commercial growth on Washington Street to low impact, low density uses until public water and sewer are extended into the area). Address access, parking and screening from abutting uses.</p>	<p>Planning Board/City Council/1996</p>
<p>5. <u>Low Density Residential "Bands" along Rural Roads</u>. Some of the "bands" or "strips" of low density residential development along rural roads have been retained, while others are eliminated or extended. The intent is to reduce the depth of these bands from 1500 feet to 800 feet to prevent "bubble" subdivisions throughout the rural area.</p>	<p>Amend the Zoning Ordinance by changing the depth of low density residential district bands along rural roads from 1500 feet to 800 feet (400 feet each side of the road), except as otherwise noted in specific areas of the Future Land Use Map.</p>	<p>Planning Board/City Council/1996</p>
<p>6. <u>Industrial Zones</u>. A number of industrial zones have been created or expanded to meet the City's short and long-range needs for high quality, accessible industrial property and to recognize that through the City's efforts, Auburn is becoming one of the most important and successful industrial centers in Maine. The intent is that those areas which are fully served be developed more intensively than areas which are not or will not be similarly served.</p>	<p>Amend the Zoning Ordinance to create additional Industrial Districts to reflect the range of industrial opportunities, and the limitations of some industrial property shown on the Future Land Use Map.</p>	<p>Planning Board/City Council/1996</p>
	<p>Amend the Zoning Ordinance to reduce setbacks along active rail lines for all uses.</p>	<p>Planning Board/City Council/1996</p>
	<p>If a Turnpike exit and/or a connector road is developed, consider other areas for industrial/commercial development, which areas are currently beyond the planning horizon envisioned by the Future Land Use Map. These areas include the area south of the Turnpike and west of Riverside Drive where utilities can be expected to be extended.</p>	<p>Planning Board/City Council/As Needed</p>

FUTURE LAND USE MAP



7. Morin Brick Industrial Area (Danville)

(No change - retain existing Industrial). The Morin Brick plant is located in this area.

8. Danville Village Area (Danville)

(Change from Agricultural/RP and Rural Residential to Village). This area currently contains a wide range of uses and would be suitable for a village designation that would allow a continuation of those uses. Since the area is remote from other commercial centers and many residents travel to a convenience store in New Gloucester, it would be desirable to allow small convenience stores and similar commercial activities.

9. Exit 12 Danville Industrial Area (Danville)

(Change from General Business to Industrial and continue as Industrial). This area currently contains a number of industries including Allied Container, Gates Formed Fiber and the Kittyhawk Industrial Park. It is bounded on the south by the St. Lawrence and Atlantic Railroad, and is bisected by the Maine Central Railroad. The area has excellent transportation access including the Turnpike Interchange, Washington Street, and the Kittyhawk spur. It is near the Airport, and water and sewer services are available at the Kittyhawk boundary.

10. Airport Industrial (Christian Hill, Airport, Marston's Corner)

(Continue Industrial, change small CD area near Turnpike and AG area between Hardscrabble and Little Androscoggin to Industrial). This area already contains a fully developed industrial park, the Airport, the Intermodal Transfer Facility, VPS and P-Con. The topography is flat, there is a full range of transportation services, and sewer and water are available.

11. Exit 12 Commercial (Danville, South Auburn, Rowe's Corner, Marston's Corner)

(Continue Commercial designation; change CD to Commercial). This area already has a number of businesses including a TV station (Channel 8), the Auburn Inn, Mid State Business College, the Auburn Business Park (a 7-lot commercial park), Oxford Insurance and Harriman Associates. The area is near Exit 12 and would thus be ideal for transportation-related developments. It has a full range of utility services.

12. Danville Corner/Pownal Road/Harmons Corner Low Density Residential (South Auburn, Danville)

(Continue Low Density Residential designation within 400 feet of road; retain Agriculture/RP adjacent to Turnpike and in Woodbury Road/Woodbury Hill area; change land more than 400 feet from roads to AG/RP). There has already been low density residential development in this area, including Joatmon Estates and Winchester Heights. It provides opportunities for rural living close to the City, although most future development is expected to be strip development. Water and sewer services are not available or anticipated in the foreseeable future. Development should not be encouraged in interior areas.

13. South Auburn Agriculture/RP (South Auburn, Danville)

(Continue Agriculture/RP; reduce low density residential areas along Riverside Drive, Pownal Road and outer Trapp Road. This area is largely rural and undeveloped. The roads are in poor condition. Extensive lineal strip development along roadways would result in demands for costly road improvements and other City services. Future growth can easily be accommodated in other parts of the community. If a new Turnpike exit is established, the area adjacent to the Turnpike might be suitable for industrial use.

FUTURE LAND USE MAP



22. South Main Street Corridor High Density Single Family Residential (New Auburn, Rowe's Corner)

(No Change). This is a predominantly single family, fully serviced, stable neighborhood that is almost completely developed. There are a few businesses in this area that are located in a neighborhood business district, as well as Sherwood Heights School and the reservoir.

23. Broad Street/Vickory Road Low Density Residential (New Auburn, Rowe's Corner)

(No Change). This area is largely undeveloped, and consists of fairly rough topography (the area on the other side of Vickory Road was shown on the 1986 land use map as Agricultural). A portion of this area is adjacent to the golf course. Providing road access and services to this area would be costly and difficult. The best use of the area may include clustered pods of residential development. If a new Turnpike access is built, access to the area would be improved, and it would be suitable for higher density development.

24. Prospect Hill Golf Course Agriculture/RP (Rowe's Corner)

(Change from Low Density Residential to Agriculture/RP). Changing this area to Agriculture/RP is logical because golf courses are allowed in that zone and it would be adjacent to other agricultural areas.

25. Hackett Road/Witham Road Industrial (Rowe's Corner)

(Retain existing Industrial on one half, change the other half from Low Density Residential to Industrial.) Although there are a few homes in this area, as well as Agway and a metal fabricating plant, it is largely undeveloped and would be suitable for a second tier of industrial development after the land to the south has been developed. The Hackett Road area is generally quite flat, and the Witham Road area is gently rolling. Proposed water and sewer expansions would go down through the middle of this area. The Maine Central Railroad is accessible.

26. Beach Hill Road/Hardscrabble Road Medium to Low Density Residential (Beech Hill, Marston's Corner)

(No Change). This area, which is served by utilities, offers many opportunities for infill development. Most of the newer development in this area has been medium density development. The topography provides scenic vistas. This area is within a secondary Airport flight path.

27. Martindale Golf Course Agriculture/RP (Beech Hill)

(Continue Agriculture/RP, Change Low Density Residential to Agriculture/RP). This area consists of a flood plain and is thus not suited for more intensive development. A golf course is a permitted use in an Agriculture/RP zone.

28. Outer Minot Avenue Low Density Residential (Mt. Apatite)

(No Change but reduce depth of zone to 400 feet on either side of road). This area is a stable, low density residential area that has no services. It is bordered by the flood plain of the Little Androscoggin River and does not offer much opportunity for more intensive development.

FUTURE LAND USE MAP



43. Central Business District Commercial (Downtown, Uptown)

(No Change). This is a stable commercial area which is the heart of Auburn's downtown. There are several vacant parcels which could be used for additional growth, or an urban park for such activities as the balloon festival.

44. Hatch Road/Garfield Road Agriculture/RP (Mt. Apatite, Taylor Pond, Perkins Ridge)

(Change Jackson Hill Road from Low Density Residential to Agriculture/RP; reduce Low Density Residential District along Garfield Road to 400 feet each side of road). Mt. Apatite and the National Guard are located in this area. This is an environmentally sensitive area due to topography, shallow depth to ledge, extensive wetland areas, and the potential that any development would increase phosphorus concentrations in Taylor Pond and Lake Auburn. This area is also far from City services, and is thus not desirable as a growth area.

45. Perkins Ridge Agriculture/RP (Perkins Ridge, West Auburn)

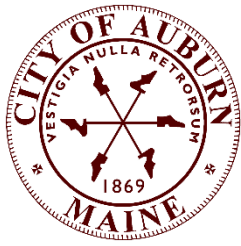
(Retain AG/RP; reduce bands of Low Density Residential to 400 feet each side of road except for the westerly side of the ridge occupied by the apple orchards). There are a number of orchards in this area that rely on potential residential opportunities to assure financial stability. Areas currently allowed for this potential under apple orchards should be retained. It is poorly suited to development due to the lack of sewer and water services, the poor condition of roads, the use of chemicals in spraying orchards, and the potential that any development would increase phosphorus concentrations in Taylor Pond and Lake Auburn. This area is also far from City services, and there is very little room for additional residential growth. The proposed designation will help Auburn retain its rural character, as well as important view corridors.

46. West Auburn Road Low Density Residential (West Auburn)

(No Change but reduce depth of Low Density Residential District to 400 feet each side of road.) This area already contains low density residential development. It is unlikely that this area will undergo much additional development, as many of the residences are located on large parcels (10 or more acres).

47. North Auburn/Lake Auburn Watershed Agriculture/RP (North Auburn, West Auburn)

(No Change, but reduce Low Density Residential District along North Auburn Road, and Skillings Corner Road to 400 feet each side of road. This area is within the Lake Auburn watershed. Rather than allow linear roadside development, which would channel runoff directly to the lake, it makes more sense to allow a small village area at the head of the lake (see #48). The Skillings Corner Road is unsuitable for development; land on both sides of the North Auburn Road is part of an active farming operation. Development of this area would be detrimental to water quality, as fields slope to the lake and there are no City services. This area is served by dirt roads which are not conducive to development. Maintaining an agriculture designation will also help preserve The Basin.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21st, 2021

Author: Zakk Maher

Subject: CDBG/HOME Action Plan for Program Year 2021

Information:

The CDBG/HOME Action Plan concluded its 30 day public comment period on June 15th. Public hearing notices and solicitation for input to be delivered via email were run in the Sun Journal, posted on the city website and posted numerous times on the city Facebook page. As of June 16 there was no public input provided for the Community Development staff to respond to.

City Budgetary Impacts:

\$2,855,098 in Federal Funding and anticipated Program Income.

Staff Recommended Action:

After the City Council holds the final public hearing staff recommends the City Manager approve the Action Plan for Program year 2021.

Previous Meetings and History:

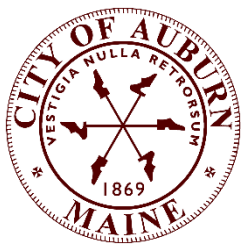
The release and first Public Hearing of the Action Plan was on May 17th. An additional Public Hearing was held by the City Council on June 7th. The final Public Hearing will be held on June 21st, after this workshop.

City Manager Comments:

I concur with the recommendation. Signature:



Attachments:



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Order: 64-06212021

Author: Jason D. Moen, Chief of Police

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

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

City Budgetary Impacts: N/A

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

Previous Meetings and History: None

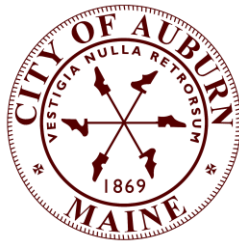
City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

N/A



ORDER 64-06212021

City Council Order

IN CITY COUNCIL

Ordered, that the City Council hereby confirms Chief Moen's appointment of Sadie Pinard as a Constable with firearm for the Auburn Police Department.

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Order: 65-06212021

Author: Sue Clements-Dallaire, City Clerk

Subject: Authorizing the cancellation of the July 12, 2021 regular City Council meeting.

Information: The City Council is scheduled to meet on July 12, 2021 and July 19, 2021 (for the month of July). Due to vacations and summer schedules, there has been discussion to cancel the first meeting of July.

City Budgetary Impacts: None

Staff Recommended Action: Consider cancelling the first regularly scheduled meeting in July (July 12, 2021).

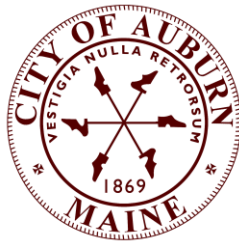
Previous Meetings and History: Council meets regularly on the first and third Monday of each month. The first Monday is a holiday so the meeting is scheduled for July 12, 2021.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:



ORDER 65-06212021

City Council Order

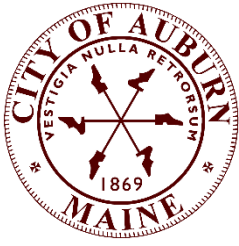
IN CITY COUNCIL

ORDERED, that the City Council hereby agree to cancel the July 12, 2021 regular City Council meeting.

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

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

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



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: June 21, 2021

Author: John Blais, Urban Development Specialist

Subject: Special Local Condition Overlay to the Shoreland Zone

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

We are asking the Council to consider sending this issue to the Planning Board to consider:

1. Allow a Special Local Condition Overlay to the Shoreland Zone specifically along Main Street, Court Street and Great Falls Plaza to a building height of 50 feet.
 2. If the proposed zone makes sense, could we allow same approach in other areas along the Androscoggin River and Little Androscoggin Rivers?
 3. Should we retain the 35 feet height restriction as is?
-

City Budgetary Impacts: None Currently

Staff Recommended Action: Discuss, provide feedback and send to Planning Board as a Consent at this meeting.

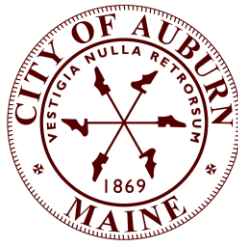
Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Order sending request to Planning Board for a recommendation.

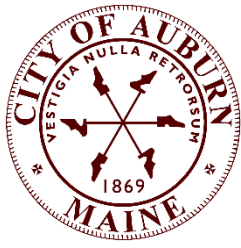


City Council Order

IN CITY COUNCIL

ORDERED, that the Auburn City Council request that the Planning Board consider allowing 50' building heights in the Special Local Conditions Overlay to the Shoreland Zone, specifically address the following questions as part of a recommendation to the Council:

1. Allow a Special Local Condition Overlay to the Shoreland Zone specifically along Main Street, Court Street and Great Falls Plaza to a building height of 50 feet.
2. If the proposed zone makes sense, could we allow same approach in other areas along the Androscoggin River and Little Androscoggin Rivers?
3. Should we retain the 35 feet height restriction as is?



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Order: 67-06212021

Author: Rita Beaudry, Grant Manager

Subject: 2021 Byrne Jag Grant – Auburn Police Department

Information: The Auburn Police Department has been awarded a 2021 \$15,696 Edward Byrne Justice Assistance Grant. The formula grant application will provide for the purchase of 12 active shooter ballistic shields. The grant requires Certifications and Assurances by the Chief Executive of the Applicant Government.

City Budgetary Impacts: None

Staff Recommended Action: Execute an order that provides for City Manager Phillip L. Crowell, Jr. to sign and submit the Certifications and Assurances by the Chief Executive of the Applicant Government for this grant solicitation.

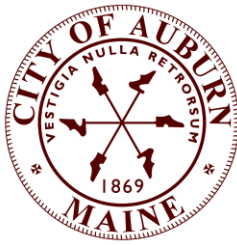
Previous Meetings and History: None

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:



ORDER 67-06212021

City Council Order

IN CITY COUNCIL

ORDERED, that City Manager Phillip L. Crowell, Jr., on behalf of the City of Auburn, execute the Edward Byrne Justice Assistance Grant Program FY 2021 Local Solicitation – Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the grant application.

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

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

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

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

Pledge of Allegiance

- I. Consent Items** - All items with an asterisk (*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
- 1. Order 64-06072021***
Appointing Wardens and Ward Clerks for the June 8, 2021 Election.
 - 2. Order 65-06072021***
Initiating a formal request to forward the draft Comprehensive Plan Recreation and Open Space Chapter to the Planning Board for a recommendation.
 - 3. Order 66-06072021***
Initiating a formal request to forward a proposed draft ordinance change allowing auto sales in the General Business II district to the Planning Board for a recommendation.
 - 1. Order 67-06072021***
Approving the Annual Reports to the Maine State Housing Authority for Tax Year April 1, 2020 – March 31, 2021, Affordable Housing Tax Increment Financing Districts, #16 (Webster School), #20 (62 Spring Street), #21 (477 Minot Ave) and #22 (48 Hampshire Street).

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage of the four consent items.

Passage 7-0.

II. Minutes – May 17, 2021 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Carrier to approve the minutes of the May 17, 2021 Regular City Council Meeting. 7-0.

IX. Communications, Presentations and Recognitions

- Summer Activities – Sabrina Best
- Covid Vaccinations Update – Chief Robert Chase
- Council Communications (about and to the community)

Mayor Levesque provided an update on the current legislative session and asked that Councilors reach out to either him, the City Manager, or the Assistant City Manager if there is any legislation that is concerning to them.

Brian Wood, Assistant City Manager provided an update on the cool down locations that are being set up in Auburn.

- X. **Open Session** – Mamie Anthoine Ney, Auburn Public Library Director, gave kudos to the Auburn Adventures, she thanked the City Council for the upcoming budget, and she announced an upcoming fundraiser at the Auburn Public Library called “Book around Town”.

XI. **Unfinished Business**

4. **Order 57-05172021**

Approving the Special Amusement Permit and Liquor License for The 1800 Club located at 34 Court Street.

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

Public comment – Lisa Cooper, owner of the 1800 Club spoke.

Passage 7-0.

XII. **New Business**

2. **Public hearing** – Community Development Block Grant and Home Funds Action Plans for 2021-2022.

No one from the public spoke.

XIII. **Open Session** - No one from the public spoke.

VIII. **Reports (from sub-committees to Council)**

Mayor Levesque congratulated the ELHS Class of 2021. Graduation was held Saturday evening at Walton Field. He reported on the regional summit that was held last week and hosted by himself and the City Manager.

Councilor Boss provided an update on the Auburn Public Library.

Councilor Lasagna encouraged everyone to vote tomorrow on the school budget.

Councilor Carrier noted that it was great graduation on Saturday, and the School Finance committee will meet on Thursday.

Phil Crowell, City Manager reminded residents of the election scheduled for tomorrow, polls are open from 7am to 8pm and he provided the voting locations by ward.

III. Executive Session – Economic development, pursuant to 1 M.R.S.A. Sec. 405 (6)(C).

Motion was made by Councilor Carrier and seconded by Councilor Walker to enter into executive session pursuant to 1 M.R.S.A. Sec. 405 (6)(C) to discuss an economic development matter.

Passage 7-0. Time 7:38 pm.

Council was declared out of executive session at 8:15 pm.

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

Passage 7-0. Time 8:15 pm.

Council was declared out of executive session at 8:26 pm.

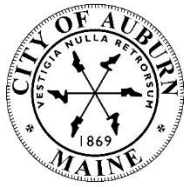
X. Adjournment

Motion was made by Councilor Gerry and seconded by Councilor Walker to adjourn. Unanimously approved, adjourned at 8:27 pm.

A TRUE COPY

ATTEST *Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk



Designation of July as Park and Recreation Month

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including Auburn; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

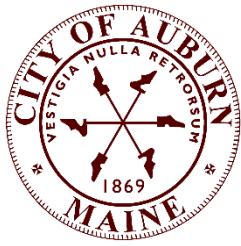
WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Auburn recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, I, Jason Levesque, Mayor of The City of Auburn, hereby declare that July is recognized as Park and Recreation Month in the City of Auburn.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the Seal of the
City of Auburn, Maine to be fixed this
21st day of June 2021.

Jason Levesque, Mayor



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Author: Mathieu Duvall, Planning Board Chair

Subject: Communication from the Planning Board: Comprehensive Plan Workflow Process

Information: After reviewing and making recommendations on several zoning ordinance amendments at the June 8, 2021 meeting, the Planning Board is seeking more information and context from the City Council regarding how the proposed ordinance changes relate back to the Comprehensive Plan update process that is currently underway.

Moving forward, it would help the Planning Board make informed decisions if the City Council could provide the following context for each of the items on which the Council has asked for recommendations:

- What are the reasons this item is being presented to the Planning Board for a recommendation now when the Comprehensive Plan update has not been finalized?
- If this item is anticipated to be included in the Comprehensive Plan update, why is it being prioritized for implementation now?

City Budgetary Impacts: N/A

Staff Recommended Action: Discussion and Council feedback on the concerns raised by the Planning Board.

Previous Meetings and History: June 8, 2021 Planning Board Meeting

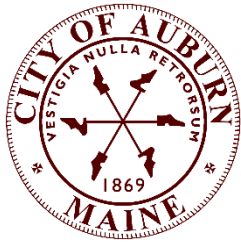
City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:

N/A



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

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

Subject: Public Hearing for CDBG/Home annual action plan

Information: We must hold two Public Hearings to receive comments on our proposed CDBG & HOME program annual action plan. We had one on May 17; however, as we made the plan publicly available on the same day, we understand holding an additional Public Hearing is in order. We will also be holding another on June 21, accompanied by an overview of the plan.

City Budgetary Impacts: None

Staff Recommended Action: Receive Public Comment

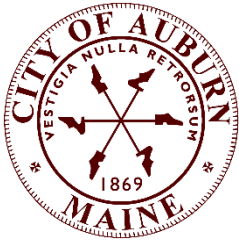
Previous Meetings and History: Staff presented the action plan at the meeting held on 5/17/21. A public hearing was held on 5/17/2021 and on 6/7/2021.

City Manager Comments:

I concur with the recommendation. Signature:



Attachments: None



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Order: 68-06212021

Author: Sabrina Best, Recreation Director & Rebecca Swanson Conrad, Public Art Workgroup

Subject: Public Art – French Beauty

Information: Charlie Hewitt has approached the City of Auburn and Public Art Workgroup about donating a piece called “French Beauty” to Anniversary Park. Mr. Hewitt would handle all aspects of design, creation, and installation of the piece with the assistance from NeoKraft Signs. The Public Art Workgroup is recommending the City approves this proposal. If approved installation and unveiling would occur by Fall 2021.

City Budgetary Impacts: Annual electricity bill (the piece would be luminated with LED lights).

Staff Recommended Action: Approve the proposal for “French Beauty” in Anniversary Park.

Previous Meetings and History: Presented at the 6/7/2021 Council workshop

City Manager Comments:



I concur with the recommendation. Signature:

Attachments:

Proposed design of the piece

Proposed Location in Anniversary Park



ALUMINUM CABINET AND 1 1/2" CUSTOM RETAINERS
PAINT BLACK, WHITE 'LED' ILLUM.,

WHITE ACRYLIC FACE WITH PRINTED 'ROSE' GRAPHIC

5" DEEP ALUMINUM 'SCROLL', 1 1/2" CUSTOM
RETAINERS, PAINT BLACK, WHITE 'LED' ILLUM.,

WHITE ACRYLIC FACE WITH MATTE BLACK VINYL
GRAPHICS AND SCROLL BORDERS AND FADED GRAY

POLE AS REQUIRED, PAINT BLACK, SET IN CONCRETE,

ELECTRICAL TO SIGN LOCATION BY OWNER

Distribution or exhibition of these plans to anyone other than employees of said client, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition or construction occurs, Neokraft expects to be reimbursed \$1500 in compensation for time and effort entailed in creating these plans.

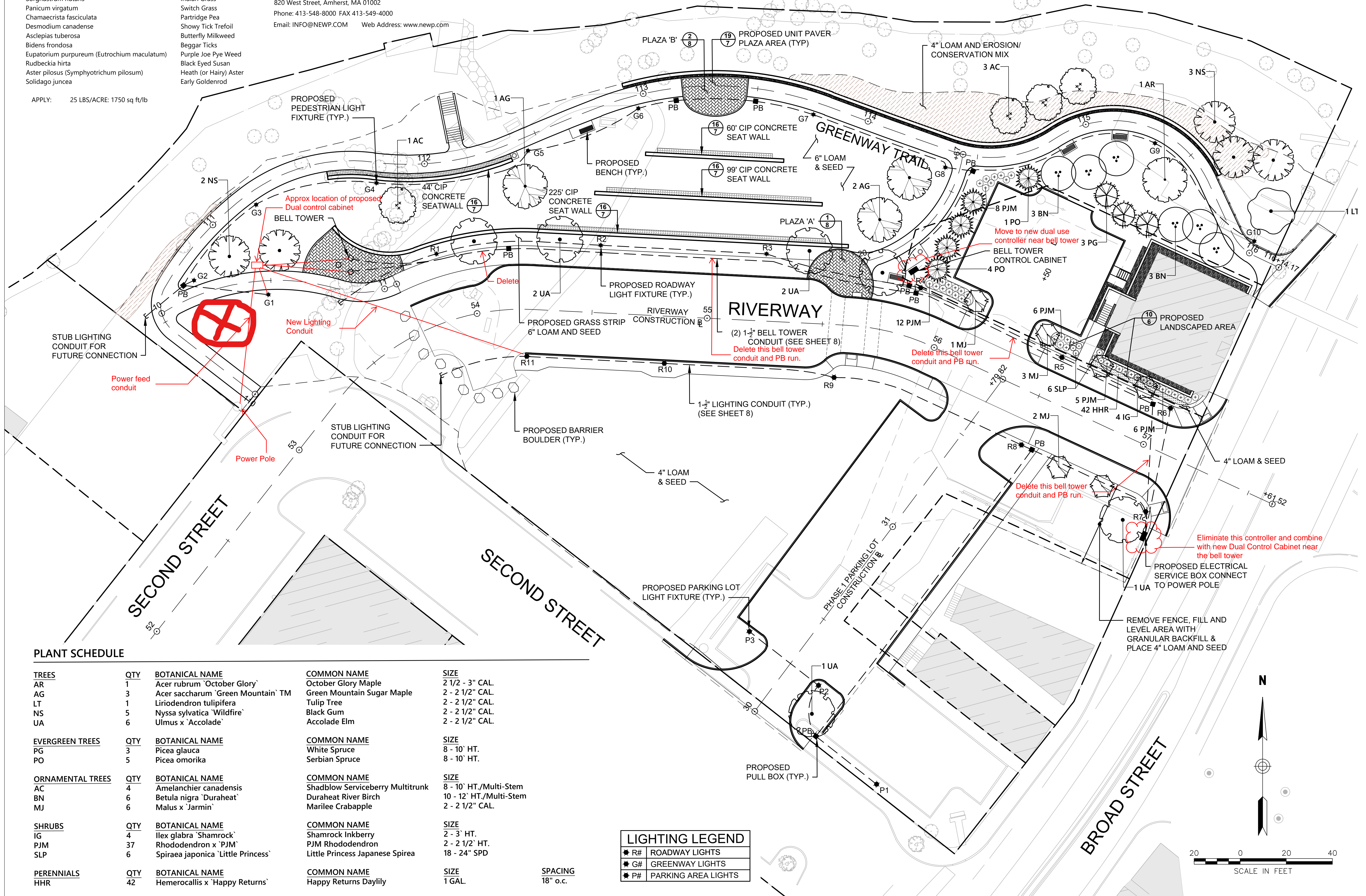
CHARLIE HEWITT
@9749

ACCT ID:	010832	
LOCATION:	61 PLEASANT STREET	
	PORTLAND, MAINE	
DRAWING NO:	1 OF 1	
DRAWN BY:	BK	REP.: MM
DATE:	05.19.2021	
QUOTE:	@9749	
GEN REF:		

Botanical Name	Common Name
<i>Elymus virginicus</i>	Virginia Wild Rye
<i>Schizachyrium scoparium</i>	Little Bluestem
<i>Andropogon gerardii</i>	Big Bluestem
<i>Festuca rubra</i>	Red Fescue
<i>Sorghastrum nutans</i>	Indian Grass
<i>Panicum virgatum</i>	Switch Grass
<i>Chamaecrista fasciculata</i>	Partridge Pea
<i>Desmodium canadense</i>	Showy Tick Trefoil
<i>Asclepias tuberosa</i>	Butterfly Milkweed
<i>Bidens frondosa</i>	Beggar Ticks
<i>Eupatorium purpureum</i> (<i>Eutrochium maculatum</i>)	Purple Joe Pye Weed
<i>Rudbeckia hirta</i>	Black Eyed Susan
<i>Aster pilosus</i> (<i>Symphyotrichum pilosum</i>)	Heath (or Hairy)
<i>Solidago juncea</i>	Early Goldenrod

The New England Conservation/Wildlife Mix shall provide a permanent cover of grasses, wildflowers, and legumes, suitable for both good erosion control and wildlife habitat value. The mix shall be designed to be a no maintenance seeding, and to be appropriate for cut and fill slopes, detention basin side slopes, and disturbed areas. Mix shall be as supplied by the following, or approved equal:

New England Wetland Plants, Inc
820 West Street, Amherst, MA 01002
Phone: 413-548-8000 FAX 413-549-4000
Email: INFO@NEWP.COM Web Address: www.newp.com



PLANT SCHEDULE

<u>TREES</u>	<u>QTY</u>	<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>SIZE</u>
AR	1	Acer rubrum 'October Glory'	October Glory Maple	2 1/2 - 3" CAL.
AG	3	Acer saccharum 'Green Mountain' TM	Green Mountain Sugar Maple	2 - 2 1/2" CAL.
LT	1	Liriodendron tulipifera	Tulip Tree	2 - 2 1/2" CAL.
NS	5	Nyssa sylvatica 'Wildfire'	Black Gum	2 - 2 1/2" CAL.
UA	6	Ulmus x 'Accolade'	Accolade Elm	2 - 2 1/2" CAL.
EVERGREEN TREES				
PG	3	Picea glauca	White Spruce	8 - 10' HT.
PO	5	Picea omorika	Serbian Spruce	8 - 10' HT.
ORNAMENTAL TREES				
AC	4	Amelanchier canadensis	Shadblow Serviceberry Multitrunk	8 - 10' HT./Multi-Stem
BN	6	Betula nigra 'Duraheat'	Duraheat River Birch	10 - 12' HT./Multi-Stem
MJ	6	Malus x 'Jarmín'	Marilee Crabapple	2 - 2 1/2" CAL.
SHRUBS				
IG	4	Ilex glabra 'Shamrock'	Shamrock Inkberry	2 - 3' HT.
PJM	37	Rhododendron x 'PJM'	PJM Rhododendron	2 - 2 1/2' HT.
SLP	6	Spiraea japonica 'Little Princess'	Little Princess Japanese Spirea	18 - 24" SPD
PERENNIALS				
HHR	42	Hemerocallis x 'Happy Returns'	Happy Returns Daylily	1 GAL.

LIGHTING LEGEND	
● R#	ROADWAY LIGHTS
● G#	GREENWAY LIGHTS
● P#	PARKING AREA LIGHTS

SPACING
18" o.c.

[illegible]



ORDER 68-06212021

City Council Order

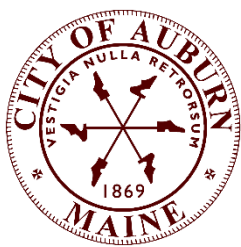
IN CITY COUNCIL

ORDERED, that the City Council hereby approves the public art piece titled 'French Beauty' by artist Charlie Hewitt to be located in Anniversary Park as recommended by the Public Art Working Group as outlined in the Public Art Plan.

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Order: 69-06212021

Author: Sue Clements-Dallaire, City Clerk

Subject: Proposed amendments to the Board & Committee Appointment Process

Information: Staff is recommending the following changes to the Board & Committee Appointment Process

Page 1, paragraph 3 – Incumbents will receive a letter notification from the Clerk notifying reminding them of the expiration of their term and letting them know they need to reapply.

If an email address is provided, it is quicker and more efficient to notify applicants and incumbents via email. If an email address is not provided, staff would send a letter.

Page 2, paragraph 2 – the proposed amendment is allowing the Clerk to notify nominees within two business days rather than the day following the Appointment Committee meeting. It also allows the Appointments to appear on the Consent Agenda instead of New Business. Any items that appear on the Consent Agenda may be removed and placed under New Business at the request of a Council member or a citizen.

Page 2, paragraph 5 – the proposed amendment is allowing the Clerk to notify Appointees within two business days rather than the day following the Council meeting, and, same as Page 1, paragraph 3 (above) which gives the Clerk the option to notify applicants via email rather than send a letter.

Page 7 – replaced the Board & Committee list with an updated list.

City Budgetary Impacts: Minor (paper, envelopes, postage, more efficient use of staff time) by removing the references to send a letter when notification can be sent via email instead.

Staff Recommended Action: Discussion

Previous Meetings and History: The last amendments made to this process were adopted in 2014. This was presented to the City Council at the 6/7/2021 Council workshop.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: Board & Committee Appointment Process with proposed amendments.

CITY OF AUBURN BOARD AND COMMITTEE APPOINTMENT ~~PROCESS~~POLICY

The Mayor shall appoint a three member committee hereinafter called the “Appointment Committee”. The Appointment Committee shall review all applications to boards or committees assigned per attachment “Committees of the City of Auburn”; the Committees may interview applicants, including incumbents, for vacancies on all City boards, commissions and committees.

The Appointment Committee may review term expirations and propose appointments as frequently as necessary. The Clerk shall notify the various boards, commissions, and committees, the Mayor, the City Manager and the City Council members of the upcoming expirations and any current vacancies periodically, but not less than once per year.

Incumbents will receive ~~a letter~~a notification from the Clerk ~~notifying-reminding~~ them of the expiration of their term and letting them know they need to reapply. Additionally the Clerk shall post on the City website a notice of vacancy for at least 30 days. However, if a term becomes vacant due to a resignation, death, residency, disqualification, or other sudden vacancy, the committee may shorten or eliminate the 30 day posting. The Clerk will also notify all alternate members so that they may apply for full membership, if interested.

A notice shall be placed on the City’s website. The Clerk may create an email group of neighborhood group contacts, Chamber, contacts and other interested individuals to which the advertisement may be sent.

Applications shall only be accepted during the posted period and must be postmarked no later than the deadline. Emails are acceptable and must be time stamped in advance of the deadline. Incumbents must reapply each time. All applicants are required to send a completed application form and it is recommended that they also send a resume and a cover letter to apply.

The Clerk shall notify the staff person to the board, commission, or committee in question, so that he/she can also have a conversation with any incumbents to let them know their term is expiring.

All boards, commissions, and committees will be provided with a brief description of that board’s duties and the qualifications for appointment will be in the header, notebooks containing the ordinances/by-laws pertaining to each board, commission, or committee, and a list of the incumbents on all boards.

The Appointment Committee meetings are considered a Public Meeting. The date and time of the meeting will be posted on the City website at least 2 days prior to the meeting. All City Councilors will receive copies of the applications to review at least one week prior to the Appointment Committee meeting. During the Appointment Committee meetings, the Committee may enter into Executive Session to review applications.

The Appointment Committee may vote by hand or by consensus on the nominee for each vacancy. If the Appointment Committee does not agree on a nominee, a vacancy may be re-advertised or presented to the City Council.

~~The day~~ Within two business days after the nominations are completed, the Clerk shall notify the employees who staff the boards, commission, or committees, to let them know who is being nominated or that a position is being re-advertised. Also on that day, ~~letters shall be sent to those~~ the Clerk shall notify applicants who are being nominated. Nominees shall be told when their appointment is going to the full Council agenda. Appointments will appear under New Business ~~the consent agenda and enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda under new business~~ -with possible Executive Session if needed. Nominees will be asked to attend the meeting.

Except for legal retention purposes, resumes will not be kept for future vacancies, once interviews have been held. The process shall start fresh each time, ensuring that resumes are current and received from applicants qualified to fill the positions.

The Clerk shall prepare the order for the Council meeting, noting the names, board to which members are being appointed and the term expiration date. At the meeting, the Mayor shall ask the new board members to stand and introduce themselves, once the order has passed.

~~The next day~~ Within two business days, after the Council appointments are passed, the Clerk shall ~~send a letter to~~ notify each new member, congratulating them, advising them of the expiration date of their term, telling them who the staff person is and letting them know they must be sworn in before their first meeting. A copy of ~~this letter~~ the notification shall be sent to the staff person for that committee along with the new member's resume.

The website shall provide a complete list of all the board and committee members currently serving, date of end of term, and date of original appointment.

All appointments in this policy are those subject to the approval of the City Council. Appointments of the Mayor as conferred in Charter are subject to this process or processes.

Alternate Member

An alternate member shall participate in all meetings with the same rights as a full member, except they shall not have the right to vote. The right to vote shall only be conferred by a vote of full members present to fill an absence, temporarily vacated seat, or to replace a member who has removed themselves due a conflict of interest. Alternate members shall be appointed to voting rights on a rotating basis, so as to preserve fairness. The purpose of alternate members is to sustain a full voting board and to educate new interested persons before becoming a full member. It is the intent but not mandate of the Council to promote Alternate Members to full membership before accepting new members to a board or committee.

Reports and Vacancies

A vacancy on any appointive board, commission, or committee of the city shall exist upon the occurrence of any of the following events:

- (a) Death of a member.
- (b) Resignation of a member.
- (c) Moving by a member of the member's place of residence from the City of Auburn. When a member moves from the City of Auburn, the vacancy shall occur immediately and the member shall not serve at any further meetings.
- (d) Failure of a member to attend more than three (3) consecutive meetings or absence from five (5) meetings during the preceding twelve-month period.

Reporting actions and vacancies.

The chairman of each board or commission of the city shall certify or cause the secretary of the board or commission to certify to the city council each month the actions of said board or commission, together with the record of absences of members. In such report, the chairman or secretary of each such board or commission shall notify the city council of any vacancy occurring on such board or commission. In the event that a vacancy occurs, the board or commission may, by majority vote of its membership, exclusive of the member affected, recommend to the city council that the attendance provision be waived for cause, in which case no vacancy shall exist until the city council disapproves the recommendation.

Removal from Office

An official or officials who are alleged to have caused grounds for removal from office are subject to the "Policy for Removal of Officials Appointed to Boards, Commissions and Committees" approved as part of this policy.

POLICY FOR REMOVAL OF OFFICIALS APPOINTED TO BOARDS, COMMISSIONS AND COMMITTEES

1. Purpose. The purpose of this policy is to have in place a process for the removal of officials appointed to boards, commissions and committees
2. Authority. The City Council exercises its authority to remove officials under Title 30-A, section 2601 which allows the removal for cause after notice and hearing.
3. Cause. All grounds constituting cause cannot be detailed. However, the following are examples of conduct which may result in removal for cause:
 - A. More than three consecutive absences or five absences within a calendar year, unexcused by the Board, Commission or Committee by majority vote. This subsection may not be used unless the records of the Board, Commission or Committee reflect the facts constituting grounds. Nothing in this subsection shall be interpreted to prevent an official from requesting a leave of absence from the Council for unusual circumstances. Unusual circumstances could include, but not be limited to, illness of the official or an immediate family member; temporary relocation for employment, military duty or educational reasons; and increased temporary child care responsibilities. In making the decision whether or not to grant a leave of absence, the Council shall balance the needs of the City and the Board, Commission or Committee with the needs of the official.
 - B. Inappropriate public conduct or conduct to other officials related to the office held. Examples include but are not limited to verbal abuse to other officials or members of the public, or obstruction of meetings of the Board, Commission or Committee.
 - C. Impairment by alcoholic beverages or drugs at Board, Commission or Committee functions.
 - D. Indictment or conviction (1) for a Class C or higher Crime, or (2) for a Class D or lower crime or a civil violation, directly or indirectly affecting the office held. Examples of Class D or lower crimes or civil violations affecting the office held would be shoplifting a compact disk where the office involved the handling of money; or violations of a protected resource where the Board, Commission or Committee deals with that resource. These provisions apply even when the conduct leading to the indictment or conviction has taken place outside the City of Auburn or State of Maine.
 - E. Other reasons related to the good of the Committee, the City or the office held.
1. Removal procedure.

- A. Separation of roles. While a City Councilor sitting in a removal proceeding may be aware of the facts and circumstances leading to the proceeding, the City Council recognizes that no individual Councilor may prejudge the proceedings. Therefore, in a proceeding to remove an appointed official, the facts and circumstances shall be investigated by the City Manager or the City Manager's designee (hereinafter "the City Manager"), rather than an individual Councilor. Should allegations be brought to an individual Councilor, which the individual Councilor believes may be cause for removal, the individual Councilor shall turn the facts and circumstances over to the City Manager, and refer further inquiries to the City Manager. Inquiries to other Councilors shall be turned over to the City Manager. No Councilor shall participate in any removal hearing if that Councilor has an interest, a conflict, or is disqualified, under the Rules of Order and Procedure for Auburn City Council.
- B. Investigation. The City Manager shall investigate the allegations as soon as reasonably possible. If the City Manager determines the allegations create probable grounds for removal, the City Manager shall notify the official in writing that the City Manager is contemplating a recommendation to the City Council that the official be removed, outlining the City Manager's reasons. The City Manager shall provide the official a reasonable amount of time to provide the official's position on the allegations, before the City Manager finalizes the recommendation to the City Council.
- C. Hearing. If the City Manager recommends removal, the City Council shall schedule a hearing on the official's removal. The hearing shall be scheduled at a time which will allow the City Manager and the official an adequate opportunity to prepare their presentations to the City Council. At the hearing, the City Manager shall present the City's case with the official's case following. The presentations may include witnesses and exhibits, including documents. The City Manager and the officials shall provide each other a list of witnesses and exhibits at least seven days before the hearing date unless another time is agreed upon. Each party shall be allowed to ask questions of the other party's witnesses. Evidence will be admissible if it is evidence which would be relied upon by persons in the conduct of serious affairs. This means, for example, that hearsay evidence will not be excluded, and that the procedure will be conducted according to the principles of fair play rather than of strict rules of evidence.
- D. Confidentiality. The hearing shall be conducted in open session unless the Council determines public discussion could reasonably be expected to cause damage to the official's reputation or the official's

right to privacy would be violated. If the Council makes that determination, all related materials will be confidential until a final, non-appealable decision. Regardless of the Council's decision on public discussion, the official may request in writing that the hearing be conducted in open session, and that all related materials be public.

Even if the hearing is conducted in open session, it is not a public hearing. Stated differently, the only persons presenting testimony or evidence will be those persons selected by the City Manager or official. The general public will not be invited to testify at the hearing.

- E. Decision. After the City Council hears the evidence, it shall issue a written decision of those present and voting. The written decision shall state the facts and conclusions upon which the City Council relies in making its decision. If the written decision removes the official from office, the written decision shall become public as soon as it is a final, non-appealable, decision. The vote on the written decision shall be by majority vote.

- 5. Resignation. If the official elects to resign at any stage of this process, the process shall terminate, and any pending investigation or hearing under this process shall cease.

[Boards & Committees of the City of Auburn – see Appendix](#)

COMMITTEES & BOARDS OF THE CITY OF AUBURN

Board Name

~~911~~

~~ABDC~~

~~* Airport — see notes~~

~~ATRC~~

~~Audit and Procurement~~

~~Bike-Ped Committee~~

~~*Board of Assessment Review~~

~~*Cable TV Advisory~~

~~CDBG Community Advisory~~

~~*CDBG Loan~~

~~Ethics Panel~~

~~*Auburn Housing~~

~~L-A Community Forest Program & Board~~

~~LA Public Health~~

~~LAEGC~~

~~*LATC~~

~~Library~~

~~MMWAC~~

~~Neighborhood Stabilization~~

~~New Auburn Master Plan Implementation~~

~~*Planning Board~~

~~Railroad~~

~~*Recreation & Special Events Advisory~~

~~School~~

~~*Sewerage District~~

~~*Water District~~

~~*Zoning Board of Appeals~~

~~*Council appointed~~

~~The Auburn-Lewiston Airport Board, one Auburn resident seat is Council appointed~~

|

APPENDIX

COMMITTEES & BOARDS OF THE CITY OF AUBURN

Board Name

911 Committee

Age-Friendly Community Committee

Agriculture Committee

Androscoggin County Budget Committee

Androscoggin Transportation Resource Center
(ATRC)

Androscoggin Valley Council of Governments
(AVCOG)

Appointment Committee

Auburn Business Development Corp (ABDC)

Auburn Housing Authority

Auburn & Lewiston Municipal Airport

Auburn Public Library Board of Trustees

Auburn Sewer District Board of Trustees

Auburn Water District Board of Trustees

Audit Committee

Cable TV Advisory Board

Citizen's Advisory Committee (CAC)

City Council

Community Development Block Grant (CDBG) Loan
Committee

Complete Streets Committee

Conservation Commission

- Community Forest Subcommittee
- Parks Subcommittee

Ethics Panel

Lewiston-Auburn Railroad Company (LARC)

L/A Transit Committee (LATC)

L/A Water pollution Control Authority

Maine Waste-to-Energy

Parks & Recreation Advisory Board

Planning Board

Registration Appeals Board

Regulatory Advisory Board

School Committee



ORDER 69-06212021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby adopts the Board and Committee Appointment Policy (attached) as amended.

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

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

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

ORDER: 69-06212021 (ATTACHEMENT)

**CITY OF AUBURN
BOARD AND COMMITTEE APPOINTMENT POLICY**

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The Appointment Committee may review term expirations and propose appointments as frequently as necessary. The Clerk shall notify the various boards, commissions, and committees, the Mayor, the City Manager and the City Council members of the upcoming expirations and any current vacancies periodically, but not less than once per year.

Incumbents will receive notification from the Clerk reminding them of the expiration of their term and letting them know they need to reapply. Additionally, the Clerk shall post on the City website a notice of vacancy for at least 30 days. However, if a term becomes vacant due to a resignation, death, residency, disqualification, or other sudden vacancy, the committee may shorten or eliminate the 30 day posting. The Clerk will also notify all alternate members so that they may apply for full membership, if interested.

A notice shall be placed on the City’s website. The Clerk may create an email group of neighborhood group contacts, Chamber, contacts and other interested individuals to which the advertisement may be sent.

Applications shall only be accepted during the posted period and must be postmarked no later than the deadline. Emails are acceptable and must be time stamped in advance of the deadline. Incumbents must reapply each time. All applicants are required to send a completed application form and it is recommended that they also send a resume and a cover letter to apply.

The Clerk shall notify the staff person to the board, commission, or committee in question, so that he/she can also have a conversation with any incumbents to let them know their term is expiring.

All boards, commissions, and committees will be provided with a brief description of that board’s duties and the qualifications for appointment will be in the header, notebooks containing the ordinances/by-laws pertaining to each board, commission, or committee, and a list of the incumbents on all boards.

The Appointment Committee meetings are considered a Public Meeting. The date and time of the meeting will be posted on the City website at least 2 days prior to the meeting. All City Councilors will receive copies of the applications to review at least one week prior to the Appointment Committee meeting. During the Appointment Committee meetings, the Committee may enter into Executive Session to review applications.

The Appointment Committee may vote by hand or by consensus on the nominee for each vacancy. If the Appointment Committee does not agree on a nominee, a vacancy may be re-advertised or presented to the City Council.

Within two business days after the nominations are completed, the Clerk shall notify the employees who staff the boards, commission, or committees, to let them know who is being nominated or that a position is being re-advertised. Also on that day, the Clerk shall notify applicants who are being nominated. Nominees shall be told when their appointment is going to the full Council agenda. Appointments will appear under the consent agenda and enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda under new business with possible Executive Session if needed. Nominees will be asked to attend the meeting.

Except for legal retention purposes, resumes will not be kept for future vacancies, once interviews have been held. The process shall start fresh each time, ensuring that resumes are current and received from applicants qualified to fill the positions.

The Clerk shall prepare the order for the Council meeting, noting the names, board to which members are being appointed and the term expiration date. At the meeting, the Mayor shall ask the new board members to stand and introduce themselves, once the order has passed.

Within two business days, after the Council appointments are passed, the Clerk shall notify each new member, congratulating them, advising them of the expiration date of their term, telling them who the staff person is and letting them know they must be sworn in before their first meeting. A copy of the notification shall be sent to the staff person for that committee along with the new member's resume.

The website shall provide a complete list of all the board and committee members currently serving, date of end of term, and date of original appointment.

All appointments in this policy are those subject to the approval of the City Council. Appointments of the Mayor as conferred in Charter are subject to this process or processes.

Alternate Member

An alternate member shall participate in all meetings with the same rights as a full member, except they shall not have the right to vote. The right to vote shall only be conferred by a vote of full members present to fill an absence, temporarily vacated seat, or to replace a member who has removed themselves due a conflict of interest. Alternate members shall be appointed to voting rights on a rotating basis, so as to preserve fairness. The purpose of alternate members is to sustain a full voting board and to educate new interested persons before becoming a full member. It is the intent but not mandate of the Council to promote Alternate Members to full membership before accepting new members to a board or committee.

Reports and Vacancies

A vacancy on any appointive board, commission, or committee of the city shall exist upon the occurrence of any of the following events:

- (a) Death of a member.
- (b) Resignation of a member.
- (c) Moving by a member of the member's place of residence from the City of Auburn. When a member moves from the City of Auburn, the vacancy shall occur immediately and the member shall not serve at any further meetings.
- (d) Failure of a member to attend more than three (3) consecutive meetings or absence from five (5) meetings during the preceding twelve-month period.

Reporting actions and vacancies.

The chairman of each board or commission of the city shall certify or cause the secretary of the board or commission to certify to the city council each month the actions of said board or commission, together with the record of absences of members. In such report, the chairman or secretary of each such board or commission shall notify the city council of any vacancy occurring on such board or commission. In the event that a vacancy occurs, the board or commission may, by majority vote of its membership, exclusive of the member affected, recommend to the city council that the attendance provision be waived for cause, in which case no vacancy shall exist until the city council disapproves the recommendation.

Removal from Office

An official or officials who are alleged to have caused grounds for removal from office are subject to the "Policy for Removal of Officials Appointed to Boards, Commissions and Committees" approved as part of this policy.

POLICY FOR REMOVAL OF OFFICIALS APPOINTED TO BOARDS, COMMISSIONS AND COMMITTEES

1. Purpose. The purpose of this policy is to have in place a process for the removal of officials appointed to boards, commissions and committees
2. Authority. The City Council exercises its authority to remove officials under Title 30-A, section 2601 which allows the removal for cause after notice and hearing.
3. Cause. All grounds constituting cause cannot be detailed. However, the following are examples of conduct which may result in removal for cause:
 - A. More than three consecutive absences or five absences within a calendar year, unexcused by the Board, Commission or Committee by majority vote. This subsection may not be used unless the records of the Board, Commission or Committee reflect the facts constituting grounds. Nothing in this subsection shall be interpreted to prevent an official from requesting a leave of absence from the Council for unusual circumstances. Unusual circumstances could include, but not be limited to, illness of the official or an immediate family member; temporary relocation for employment, military duty or educational reasons; and increased temporary child care responsibilities. In making the decision whether or not to grant a leave of absence, the Council shall balance the needs of the City and the Board, Commission or Committee with the needs of the official.
 - B. Inappropriate public conduct or conduct to other officials related to the office held. Examples include but are not limited to verbal abuse to other officials or members of the public, or obstruction of meetings of the Board, Commission or Committee.
 - C. Impairment by alcoholic beverages or drugs at Board, Commission or Committee functions.
 - D. Indictment or conviction (1) for a Class C or higher Crime, or (2) for a Class D or lower crime or a civil violation, directly or indirectly affecting the office held. Examples of Class D or lower crimes or civil violations affecting the office held would be shoplifting a compact disk where the office involved the handling of money; or violations of a protected resource where the Board, Commission or Committee deals with that resource. These provisions apply even when the conduct leading to the indictment or conviction has taken place outside the City of Auburn or State of Maine.
 - E. Other reasons related to the good of the Committee, the City or the office held.
1. Removal procedure.

- A. Separation of roles. While a City Councilor sitting in a removal proceeding may be aware of the facts and circumstances leading to the proceeding, the City Council recognizes that no individual Councilor may prejudge the proceedings. Therefore, in a proceeding to remove an appointed official, the facts and circumstances shall be investigated by the City Manager or the City Manager's designee (hereinafter "the City Manager"), rather than an individual Councilor. Should allegations be brought to an individual Councilor, which the individual Councilor believes may be cause for removal, the individual Councilor shall turn the facts and circumstances over to the City Manager, and refer further inquiries to the City Manager. Inquiries to other Councilors shall be turned over to the City Manager. No Councilor shall participate in any removal hearing if that Councilor has an interest, a conflict, or is disqualified, under the Rules of Order and Procedure for Auburn City Council.
- B. Investigation. The City Manager shall investigate the allegations as soon as reasonably possible. If the City Manager determines the allegations create probable grounds for removal, the City Manager shall notify the official in writing that the City Manager is contemplating a recommendation to the City Council that the official be removed, outlining the City Manager's reasons. The City Manager shall provide the official a reasonable amount of time to provide the official's position on the allegations, before the City Manager finalizes the recommendation to the City Council.
- C. Hearing. If the City Manager recommends removal, the City Council shall schedule a hearing on the official's removal. The hearing shall be scheduled at a time which will allow the City Manager and the official an adequate opportunity to prepare their presentations to the City Council. At the hearing, the City Manager shall present the City's case with the official's case following. The presentations may include witnesses and exhibits, including documents. The City Manager and the officials shall provide each other a list of witnesses and exhibits at least seven days before the hearing date unless another time is agreed upon. Each party shall be allowed to ask questions of the other party's witnesses. Evidence will be admissible if it is evidence which would be relied upon by persons in the conduct of serious affairs. This means, for example, that hearsay evidence will not be excluded, and that the procedure will be conducted according to the principles of fair play rather than of strict rules of evidence.
- D. Confidentiality. The hearing shall be conducted in open session unless the Council determines public discussion could reasonably be expected to cause damage to the official's reputation or the official's

right to privacy would be violated. If the Council makes that determination, all related materials will be confidential until a final, non-appealable decision. Regardless of the Council's decision on public discussion, the official may request in writing that the hearing be conducted in open session, and that all related materials be public.

Even if the hearing is conducted in open session, it is not a public hearing. Stated differently, the only persons presenting testimony or evidence will be those persons selected by the City Manager or official. The general public will not be invited to testify at the hearing.

- E. Decision. After the City Council hears the evidence, it shall issue a written decision of those present and voting. The written decision shall state the facts and conclusions upon which the City Council relies in making its decision. If the written decision removes the official from office, the written decision shall become public as soon as it is a final, non-appealable, decision. The vote on the written decision shall be by majority vote.

- 5. Resignation. If the official elects to resign at any stage of this process, the process shall terminate, and any pending investigation or hearing under this process shall cease.

Boards & Committees of the City of Auburn – see Appendix

COMMITTEES & BOARDS OF THE CITY OF AUBURN

APPENDIX

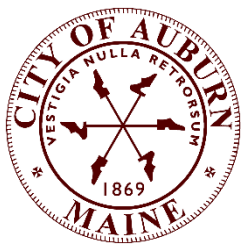
COMMITTEES & BOARDS OF THE CITY OF AUBURN

Board Name

911 Committee
Age-Friendly Community Committee
Agriculture Committee
Androscoggin County Budget Committee
Androscoggin Transportation Resource Center
(ATRC)
Androscoggin Valley Council of Governments
(AVCOG)
Appointment Committee
Auburn Business Development Corp (ABDC)
Auburn Housing Authority
Auburn & Lewiston Municipal Airport
Auburn Public Library Board of Trustees
Auburn Sewer District Board of Trustees
Auburn Water District Board of Trustees
Audit Committee
Cable TV Advisory Board
Citizen's Advisory Committee (CAC)
City Council
Community Development Block Grant (CDBG) Loan
Committee
Complete Streets Committee
Conservation Commission

- Community Forest Subcommittee
- Parks Subcommittee

Ethics Panel
Lewiston-Auburn Railroad Company (LARC)
L/A Transit Committee (LATC)
L/A Water pollution Control Authority
Maine Waste-to-Energy
Parks & Recreation Advisory Board
Planning Board
Registration Appeals Board
Regulatory Advisory Board
School Committee



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Order: 70-06212021

Author: Jill M. Eastman, Finance Director

Subject: Updated Fund Balance Policy for Adoption

Information: This is for you to adopt the updated Fund Balance Policy that I reviewed with you at the June 7, 2021 Workshop.

City Budgetary Impacts: No budgetary impacts.

Staff Recommended Action: Staff recommends passage of the updated policy.

Previous Meetings and History: The minor changes were reviewed during the City Council Workshop on June 7, 2021.

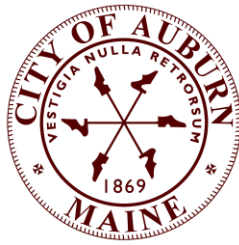
City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments:

Final Copy of the Update Fund Balance Policy with all changes incorporated.



ORDER 70-06212021

City Council Order

IN CITY COUNCIL

ORDERED, that the City Council hereby adopts the attached Fund Balance Policy.

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

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

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

General Fund - Fund Balance Policy (GASB 54)

As amended on June 7, 2021

Purpose of this Policy

The purpose of this policy is to establish a target level of fund balance for the general fund and to establish a process and criteria for the continued evaluation of that target level as conditions warrant. This policy shall also establish a process for reaching and maintaining the targeted level of unassigned fund balance, and the priority for the use of amounts in excess of the target. Finally, this policy shall provide a mechanism for monitoring and reporting the City's general fund balance. This policy applies only to the general fund.

Definitions and Classifications

Fund Balance is a term used to describe the net assets of governmental funds. It is calculated as the difference between the assets and liabilities reported in a government fund.

Governmental fund balance is reported in five classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The five classifications of fund balance for the General Fund are defined as follows.

- *Non-spendable* – resources which cannot be spent because they are either a) not in spendable form or; b) legally or contractually required to be maintained intact.
- *Restricted* – resources with constraints placed on the use of resources which are either a) externally imposed by creditors (such as through debt covenants), grantors contributors, or laws or regulations of other governments; or b) imposed by law through constitutional provisions or enabling legislation.
- *Committed* – resources which are subject to limitations the government imposes upon itself at its highest level of design making, and that remain binding unless removed in the same manner. This must be set in place prior to the end of the period.
- *Assigned* – resources neither restricted nor committed for which a government has a stated intended use as established by the City Council, or a body or official to which the City Council has delegated the authority to assign amounts for specific purposes.
- *Unassigned* – resources which cannot be properly classified in one of the other four categories. The General Fund should be the only fund that reports a positive unassigned fund balance amount.

The committed, assigned, and unassigned classifications are often referred to, in the aggregate, as the unrestricted fund balance.

GAAP means generally accepted accounting principles in the United States.

General Fund - Fund Balance Policy (GASB 54)

As amended on June 7, 2021

Background and Considerations

Fund balance is intended to serve as a measure of financial resources in a governmental fund. The City's management, credit rating services, and others monitor the levels of fund balance in the general fund as an important indicator of the City's economic condition.

In establishing an appropriate level of fund balance the City of Auburn has considered the following factors:

- *Property tax base.* The property tax is the largest revenue source of the City's general fund. The City receives payments twice a year.
- *Non-property tax revenues (examples Excise Tax, State Revenue Sharing and ect).* These resources must be considered in terms of the percentage each comprises of the total budget, as well as the reliability and stability of these resources.
- *Exposure to significant outlays.* The City shall consider its potential exposure to significant one-time outlays, either resulting from a disaster, immediate capital needs, state budget cuts or other events.
- *Debt.* It is essential that the City have sufficient capacity to make its debt service payments. Principal and Interest payments along with the second interest payment need to be maintained along with future debt services as developed in the City's capital improvement program.
- *Liquidity.* An adequate level of fund balance should be maintained to ensure sufficient liquidity. The potential drain on the general fund resources from other funds, as well as the availability of resources in other funds, should be considered.
- *Government Finance Officers Association Best Practice.* The GFOA has established a best practice that recommends, "... at a minimum, that general-purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditure." GFOA's best practice also states, "...governments may deem it appropriate to exclude from consideration resources that have been committed or assigned to some other purpose and focus on unassigned fund balance rather than unrestricted fund balance."

Policy

It is a policy of the City of Auburn to maintain unrestricted fund balance in the general fund no less than **10%** and no more than **14%** of general fund annual budget. In the event that the unassigned fund balance drops below this level, the City will develop a plan, implemented through the annual budgetary process, to bring the balance to the target level over a period of no more than three (3) years. Amounts in excess of the target shall be brought to the City Council in the form of a Council Order before use for City Council approval.

The Finance Director, in accordance with GAAP, shall report fund balance in the appropriate classifications and make the appropriate disclosures in the City's financial statements. Unless classified as restricted or committed, the following balances shall be classified as assigned per GAAP or as required by this policy.

General Fund - Fund Balance Policy (GASB 54)

As amended on June 7, 2021

Encumbrances. Amounts encumbered at year-end by purchase order or another means shall be classified as assigned.

Budget Appropriations. Amounts appropriated in the annual budget resolve, or in any supplemental budget resolves, for expenditures in the following fiscal year shall be classified as assigned.

Capital Budget. Amounts designated in the first year of the City's capital improvement program (CIP) as either appropriations or advances to other funds shall be classified as assigned.

Self Insurance. Amounts designated in the City's self insurance shall be classified as assigned.

Compensated Absences. These are not typically recorded as liabilities in the governmental funds, unless they are paid out immediately following the close of the fiscal year. However, the obligation for compensated absences can be significant. Therefore, the City will assign the amount equal to the estimated amount required at year end to pay the compensated absence obligation for those who meet the eligibility criteria for payment and can be expected to terminate employment with the City in the following fiscal year. This amount shall exclude any amount recorded as a liability.

Policy Administration

Annually the Finance Director shall report the City's fund balance and the classification of the various components in accordance with GAAP and this policy.

The Finance Director shall annually review this policy and the considerations used in establishing the unassigned fund balance target. The Finance Director shall report whether changes in those considerations or additional considerations have been identified that would change the recommended level of unassigned fund balance.

Should the City fall below the target level, the Finance Director shall prepare a plan to restore the unassigned fund balance to the target level within three years.

General Fund - Fund Balance Policy (GASB 54)

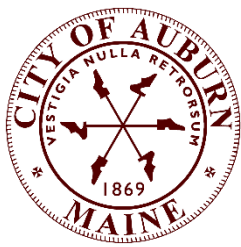
As amended on June 7, 2021

Appendix

General Fund - Fund Balance Policy

Fund Balance as % Expenditure - General Fund for the Fiscal Years Ended June 30					
	2016	2017	2018	2019	2020
<i>Unrestricted</i>					
General Fund Balance - Unassigned	\$ 5,897,974	\$ 7,113,261	\$ 7,780,670	\$ 8,065,076	\$ 9,862,432
General Fund Balance - Assigned	\$ 2,084,993	\$ 1,750,310	\$ 1,863,605	\$ 2,034,264	\$ 1,653,481
General Fund Balance - Committed	\$ -				
Total Unrestricted	\$ 7,982,967	\$ 8,863,571	\$ 9,644,275	\$ 10,099,340	\$ 11,515,913
Total Expenditures-General Fund	\$ 78,511,644	\$ 80,021,761	\$ 83,791,073	\$ 87,441,799	\$ 90,866,305
As a % of Expenditures	10.17%	11.08%	11.51%	11.55%	12.67%
<i>Unassigned</i>					
General Fund Balance - Unassigned	\$ 5,897,974	\$ 7,113,261	\$ 7,780,670	\$ 8,065,076	\$ 9,862,432
Total Expenditures-General Fund	\$ 78,511,644	\$ 80,021,761	\$ 83,791,073	\$ 87,441,799	\$ 90,866,305
As a % of Expenditures	7.51%	8.89%	9.29%	9.22%	10.85%

Fund Balance as % Budget - General Fund for the Fiscal Years Ended June 30					
	2016	2017	2018	2019	2020
<i>Unrestricted</i>					
General Fund Balance - Unassigned	\$ 5,897,974	\$ 7,113,261	\$ 7,780,670	\$ 8,065,076	\$ 9,862,432
General Fund Balance - Assigned	\$ 2,084,993	\$ 1,750,310	\$ 1,863,605	\$ 2,034,264	\$ 1,653,481
General Fund Balance - Committed	\$ -	\$ -	\$ -	\$ -	\$ -
Total Unrestricted	\$ 7,982,967	\$ 8,863,571	\$ 9,644,275	\$ 10,099,340	\$ 11,515,913
Total Budget	\$ 77,552,581	\$ 80,530,771	\$ 83,475,908	\$ 86,718,950	\$ 90,192,648
As a % of Budget	10.29%	11.01%	11.55%	11.65%	12.77%
<i>Unassigned</i>					
General Fund Balance - Unassigned	\$ 5,897,974	\$ 7,113,261	\$ 7,780,670	\$ 8,065,076	\$ 9,862,432
Total Budget	\$ 77,552,581	\$ 80,530,771	\$ 83,475,908	\$ 86,718,950	\$ 90,192,648
As a % of Budget	7.61%	8.83%	9.32%	9.30%	10.93%



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Order: 71-06212021

Author: Phil Crowell, City Manager

Subject: Special Event Approval

Information:

Lewiston Auburn Metro Chamber will be hosting the River Race (formerly hosted by Androscoggin Land Trust) on July 25, 2021. The Special Event application is attached. Due to time constraints, the city council will need to approve the event application in order for the State of Maine to approve the special liquor license request.

The police department has reviewed the application and has approved the event. The other departments will review the application and an update will be provided at the meeting.

City Budgetary Impacts:

None – any additional costs will be paid for by the Chamber.

Staff Recommended Action:

Approve

Previous Meetings and History:

None

City Manager Comments:

I concur with the recommendation. Signature:

Attachments:

Special Event Application

Date received: _____
Date approved: _____



CITY OF AUBURN SPECIAL EVENT/MASS GATHERING APPLICATION

For any Special Event on City property that will attract up to 1,000 people, or any outdoor event with continued attendance of 1,000 or more persons for 2 or more hours.

Applications must be submitted to the Clerk at least 45 days prior to the event if the gathering is expected to attract up to 5,000 people.

Application must be submitted at least 90 days prior to the event if the gathering is expected to attract more than 5,000 people.

Date of Application: 6/14/21

SPONSOR INFORMATION

Name of Sponsoring Organization: LANETRO chamber of Commerce

Name of Contact Person for Event: Shanna Cox

Title of Contact Person: CEO & President of Chamber

Mailing Address: 415 Lisbon St. Lewiston, ME 04240

Daytime Telephone: 207-783-2249 Cell Phone: 207-440-7899

Email Address: Shanna@lanetrochamber.com

Contact Name and Cell Phone Number DURING the Event: Shanna Cox 207-440-7899

Is your organization incorporated as a non-profit organization? Yes ☒ No ☐

Non-Profit Number: 01-0043285

EVENT INFORMATION

Name of Event: River Race

Type of Event (walk, festival, concert, etc.): Canoe + Kayak River Race

Date of Event: July 25, 21 Rain Date: N/A

Times of Event: Start Time including set-up: 6:45am Ending time including clean up: 6:00pm

Actual Event Start Time: 800 am Actual Event End Time: 500 pm

Estimated Attendance: 450 - including volunteers

Location of Event: Boat launch at Simard park, boat scavenger @

Have you held an event at this location within the last 12 months? Yes ☐ No ☒ Anniversary Park, celebration @ Festival Plaza

If the location is a city park, have you applied for use of the property with the Parks & Recreation Department and has your request been approved?

Yes ☐ No ☒ Pending ☐ Date submitted to the Recreation Department: _____

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Separate fee & application, conditions & restrictions may apply	Banner across Court Street Non-profit groups only, \$250 fee per week, 2 week maximum. First come first serve basis, proof of insurance required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit possible	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages: <u>Food trucks licensed</u> Note - A food service license may be required and must be submitted 14 days prior to the event. Other requirements and/or restrictions may apply.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items: <u>T-shirts - free</u> Note - A peddler permit may be required and must be submitted 14 days prior to the event.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: <u>Festival Plaza, Stringed + vocals</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit possible	ALCOHOL – Will alcoholic beverages be sold? <u>Beer Garden with licensed Breweries</u> Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application 14 days prior to the event.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	PARADE – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Separate permit	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

required		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Note - A permit from the Fire Department is required.			
N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: <i>pop up canopies 2-6 (weather dependent)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Separate fee and permit required	ELECTRICAL POWER/EQUIPMENT – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment? <i>Sand system</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc.? This is a mandatory requirement for this application and must be included.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? <i>Public Parking Street & municipal garage</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	TOILETS – Please list amount at event and/or nearest location: <i>2 porta potties - see map</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	WASTE DISPOSAL – Please list process and location: <i>trash bins - see map</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	POTABLE WATER – Please list amount at event and location: <i>see map</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	FIRST AID FACILITIES – Please list location at event: <i>see map</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$	TOTAL FEE AMOUNT INCLUDED – Checks payable to the City of Auburn			

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

For an event such as a walk-a-thon, race, festival, concert, etc. the City requires insurance coverage – general liability. The City of Auburn is to be named as additionally insured in regards to the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received at least 30 days before the event and before permits can be issued. Please have the **City of Auburn** listed as additional insured on the Certificate of Insurance (minimum coverage \$1,000,000 Bodily Injury or Death, per occurrence, and \$300,000 Property Damage, per occurrence). It should contain a clause providing that the policy may not be cancelled by either party except upon not less than 30 days written notice to the City. Please have your insurance company fax a copy to: City Clerk 207-333-6623.

DESCRIPTION OF EVENT – Please describe what will occur during your event

Please see enclosed Description of Event.

Event Description of Events

July 25th, 2021 – Start Time: 9:00 AM ABOUT THE RACE

The Androscoggin Land Trust (ALT) and the Lewiston Auburn Metropolitan Chamber of Commerce are proud to partner for this year's RiverRace as part of the 2021 RiverFest lineup of activities.

For prior participants, please note the changes to the race courses this year. These changes have enabled you to register for up to two races.

The RiverRace is an exciting, family oriented day celebrating the Androscoggin River, the Auburn and Lewiston Downtowns, and highlighting the contributions the river makes to outdoor recreation opportunities and the local economy. Observers, race team supporters, family and friends are welcome to participate in the festivities at no charge.

2021 Race Course Options:

Family Fun Paddle- An approximately 1.5 mile course, where racers put in at the docks in Simard Payne, line up under the pedestrian bridge, and compete to the finish line at the Lewiston boat launch on Lincoln Street.

Falls Run An approximately 2.25 mile length course, where racers put in at the docks in Simard Payne, line up at Pedestrian bridge, paddle upstream ½ of a mile, to the Great Falls and then race down to the Lewiston boat launch on Lincoln Street.

LA Scavenger An approximately 1 mile, fun and silly course, where racers put in at the docks in Simard Payne, paddle across to Auburn's Little Andy Park for a quick scavenger hunt for your team's marker, and resume back to the docks in Lewiston.

Signature of Applicant:

[Signature]

Printed Name:

Shanna Cox

Date Submitted:

6/14/21

Please note that you will be contacted by City Staff if you require additional permitting.

Please return this completed application with diagram and any applicable fee to:

MAIL: City Clerk's Office
60 Court Street, Suite 150
Auburn, ME 04210
FAX: 207-333-6623
EMAIL: sdallaire@auburnmaine.gov
PHONE: 207-333-6600

******FOR STAFF USE******

DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Sanitarian/Health Inspector				
Code Officer/Land Use & Zoning				
Fire Department				
Police Department				
Public Works Department				
Recreation Department				

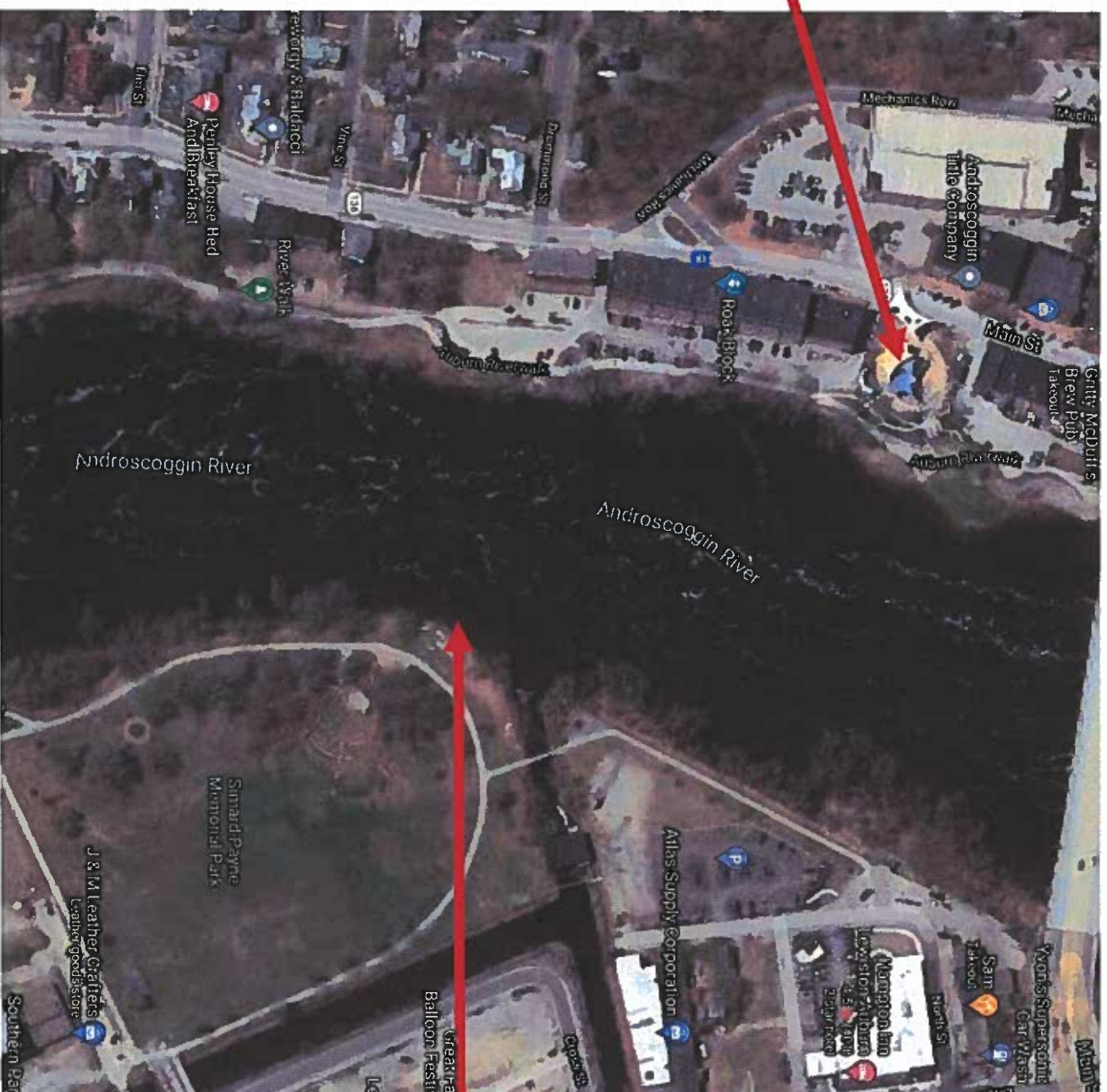
COMMENTS/CONDITIONS from any of the above departments:

City Council Public Hearing date, if applicable: _____

License Approved/Denied: _____ Date applicant notified: _____

LA River Race Overview

Midday Celebration
Location




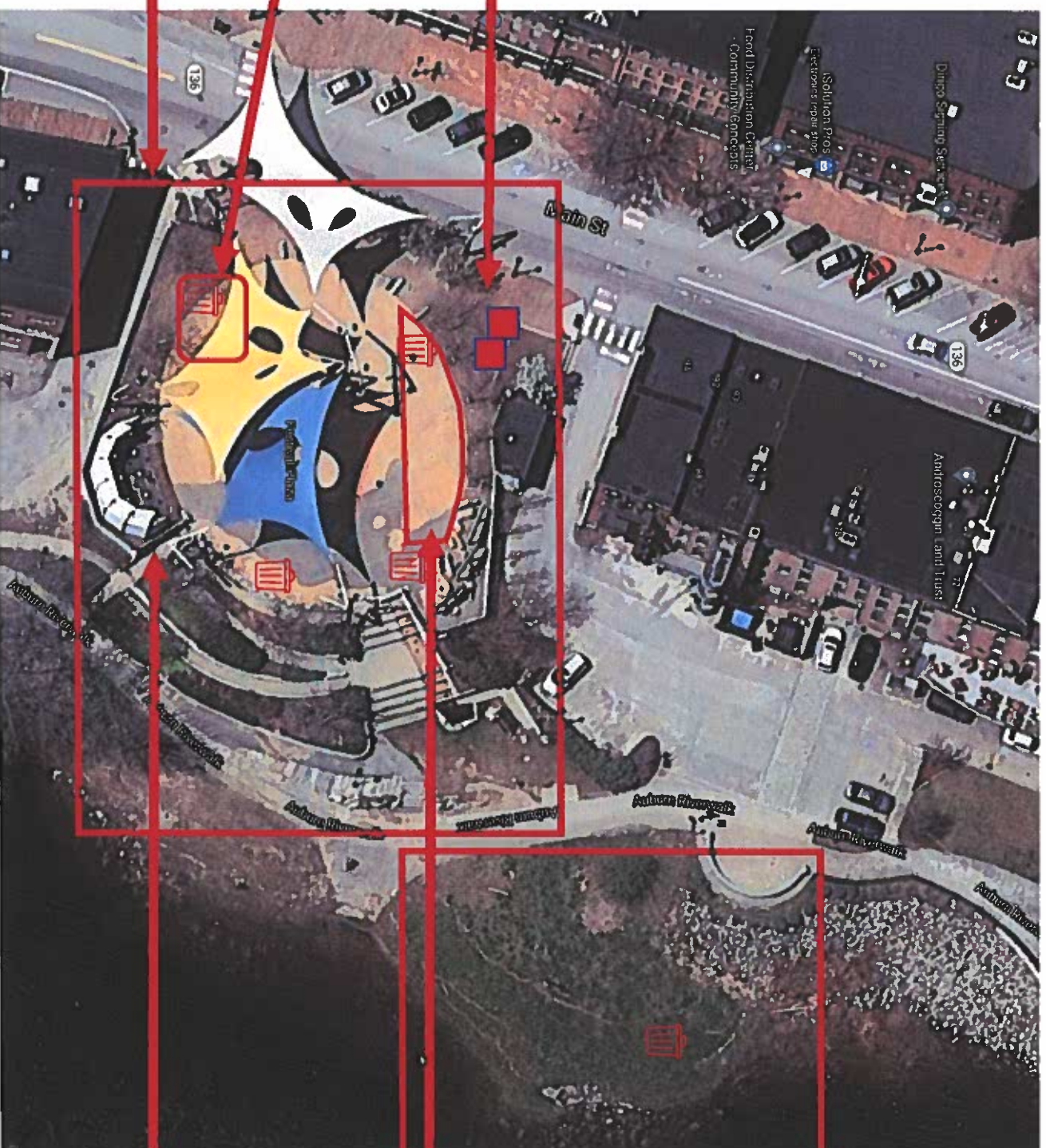
LA River Race Celebration and Viewing

Porta Potties

Water + First Aid

Midday Celebration
Location

 Trash Cans



LA River Race Scavenger Location

Boat "Parking" for
scavenger hunt



Area
Team



ORDER 71-06212021

City Council Order

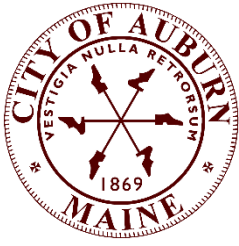
IN CITY COUNCIL

ORDERED, that the City Council hereby approves the River Race Special Event application from the Lewiston Auburn Metro Chamber.

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Ordinance: 25-06212021

Author: Megan Norwood, City Planner

Subject: Proposed Amendment to Remove Division 8 of Chapter 60, Multifamily Urban District

Information: With the current Form-Based Code zone changes, the Multifamily Urban Zoning District no longer exists. It should be stricken from the ordinance with the division left as "reserved."

This zone change was initiated by the Planning Board as a workshop item at their May 11, 2021 meeting. A favorable recommendation to the City Council with a unanimous vote of 6-0 was made at their June 8, 2021 meeting to strike Division 8 of Article IV, Chapter 60 from the Auburn Code of Ordinances as the district no longer exists.

City Budgetary Impacts: None.

Staff Recommended Action: Consider Planning Board recommendation to remove the Multifamily Urban District as discussed above.

Previous Meetings and History: June 8, 2021 Planning Board Meeting

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: June 8, 2021 Planning Board Staff Report



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to Remove Division 8 of Chapter 60, Multifamily Urban
Date: June 08, 2021

I. PROPOSAL: With the current Form-Based Code zone changes, the Multifamily Urban zoning district no longer exists on the zoning map. Staff recommends striking Division 8 of Article IV, Chapter 60 from the ordinance and leaving the division as “reserved.” The Planning Board initiated this zoning amendment at the May 11th meeting.

II. DEPARTMENT REVIEW:

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

II. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a favorable recommendation to City Council to remove Division 8 of Article IV, Chapter 60 from the ordinance as the zoning district no longer exists on the zoning map.



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV of the Auburn Code of Ordinances to strike Division 8. – Multifamily Urban District:

~~Sec. 60-333. Purpose.~~

~~This district is intended to stabilize and protect high density residential areas by providing for a varied, denser, urban pattern made suitable to the built-up portions of the city. This multifamily zone has a maximum density of 26 dwelling units per net acre, yet retains the open character of residential areas by requiring 50 percent green space. It is intended that this district will provide the maximum possible freedom in the design of structures and their grouping and will encourage flexible and imaginative layouts and designs.~~

~~(Ord. of 9-21-2009, § 3.44A)~~

~~Sec. 60-334. Use regulations.~~

~~(a) — Permitted uses. All uses permitted in the Multifamily Suburban (MFS) District except section 60-306(a)(5).~~

~~(b) — Special exception uses. The following uses are permitted special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:~~

~~(1) — All uses permitted by special exception in the Multifamily Suburban (MFS) District (division 7 of article IV of this chapter).~~

~~(2) — Medical and dental clinics, provided that:~~

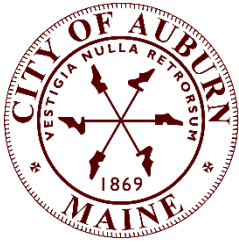
~~a. — Shall be in buildings which are listed on the state resource list and/or federal historic register.~~

~~b. — All renovations to the building either internally or externally or both to accommodate the office use shall be accomplished in conformance with the accepted historic preservation and rehabilitation guidelines.~~

~~c. — A single sign to identify the building and its uses, conforming to the requirements contained in article VI of this chapter. Signs shall not be lighted.~~

~~(3) — Adaptive reuse of structures of community significance.~~

~~(Ord. of 9-21-2009, § 3.45B; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 11-03012021, § 25, 3-15-2021)~~



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Ordinance: 26-06212021

Author: Megan Norwood, City Planner

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

Information: At the June 7th meeting, the City Council requested a recommendation from the Planning Board on expanding the list of uses allowed by Special Exception in the Minot Avenue (GBII) Zoning District to include Automobile and Marine Sales Lots and Sales and Service Agencies.

At their June 8, 2021 meeting, the Planning Board voted unanimously (6-0) to recommend the City Council add Automobile and Marine Sales Lots and Sales and Service Agencies to the list of uses allowed by Special Exception in the GBII Zoning District.

As part of their discussion, the Planning Board thought the City Council should put more thought into why this one land use change was selected as opposed to rezoning the General Business II Zoning District in its entirety to become General Business (which also aligns with the Comprehensive Plan update that is currently underway).

Proposed ordinance amendment:

Sec. 60-525. Use regulation.

- (b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:
- (1) Commercial parks.
 - (2) Automobile repair and service stations.
 - (3) Hospitals, care homes, boarding houses and lodging houses.
 - (4) Research or philanthropic institutions.
 - (5) Outdoor theaters.
 - (6) Drive-in or carry-out restaurants.
 - (7) Sales, rental and service agencies for farm equipment, trucks and trailers, and construction equipment.

- (8) Light industrial plants which support a retail store selling goods made on the premises and will not create a nuisance by noise, vibration, smoke, odor, or appearance.
- (9) Convenience stores.
- (10) Research, experimental and testing laboratories.
- (11) Landscape services and lawn maintenance services.
- (12) Halls, private clubs, and lodges.
- (13) Outpatient addiction treatment clinics.
- (14) Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under section 60-499(a) which will occupy an area of 5,000 square feet or more.
- (15) Adaptive reuse of structures of community significance.
- (16) Automobile and marine sales lots and sales and service agencies.

(Ord. of 9-21-2009, § 3.63B; Ord. No. 11-11072016, 11-21-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-05202019, 6-3-2019; Ord. No. 11-03012021, §§ 33, 34, 3-15-2021)

City Budgetary Impacts: None immediately but creates potential for future tax revenues with more allowable uses.

Staff Recommended Action: Consider Planning Board recommendation and allow auto and marine sales and service agencies in the General Business II zoning district. The City Council should also consider rezoning the General Business II District to General Business.

Previous Meetings and History: June 7, 2021 City Council Meeting, June 8, 2021 Planning Board Meeting.

City Manager Comments:



I concur with the recommendation. Signature:

Attachments: June 8, 2021 Planning Board Staff Report



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to Chapter 60, Article IV, Division 13, Section 60-525(b) of the Auburn Code of Ordinances to add Automobile and Marine Sales Lots and Sales and Service Agencies to the List of Allowed Uses in the Minot Avenue (GBII) Zoning district.
Date: June 08, 2021

I. PROPOSAL: At their June 7, 2021 meeting, the City Council is expected to request a recommendation from the Planning Board on expanding the list of uses allowed by Special Exception in the Minot Avenue (GBII) Zoning District to include Automobile and Marine Sales Lots and Sales and Service Agencies. The City has two commercial zoning districts – the General Business and the General Business II. When the General Business II was created, its primary purpose was to avoid Minot Avenue becoming another Center Street lined with automobile dealerships.

The City Council would like to revisit this discussion again and see if it makes sense to allow Automobile and Marine Sales Lots and Service Agencies in the GBII. While the districts are similar in terms of permitted/special exception uses – there are some additional differences between the districts. Below is a list comparing the uses between the two districts.

Permitted Uses in General Business/General Business II:

Residential dwellings allowed in MFS	Municipal, civic or public service bldgs. and other utility facilities
Grocery stores and supermarkets	Animal hospitals and pet shops, but no kennels
Clothing stores	Business equipment repair and business services
Furniture stores	Radio and television studios
Department stores	Printing shops, but not publishing plants
Specialty shops	Carwashes
Hotels & motels	Accessory uses, building and structures
Funeral homes and mortuaries	Shelters for abused persons
Child day care centers	Churches and temples
Medical and dental clinics	Adult use and medical marijuana stores
Banks, business and professional offices	Marijuana cultivation accessory to licensed retail store on same property
Public transportation passenger offices	
Government offices	

Permitted Uses in General Business/General Business II (with small differences):

General Business	General Business II
Wholesale Bakeries	Retail Bakeries
Retail laundries and dry cleaners, <i>but not plants</i>	Retail laundries and dry cleaners
Restaurants, <i>bars</i> , dining rooms or lunch rooms, <i>but not to include drive-in and carry-out restaurants</i>	Restaurants, dining rooms or lunchrooms
Halls, private clubs and lodges, bowling alleys, ice and roller skating rinks, and similar places of indoor amusement or recreation	Bowling alleys, ice and roller skating rinks, and similar places of indoor amusement or recreation (NOTE: Halls, private clubs and lodges are a SE)

Greenhouses <i>and lawn maintenance services</i>	Greenhouses (NOTE: Lawn maintenance services are a SE)
Temporary outdoor places of amusement	Seasonal outdoor places of amusement

Uses Permitted in General Business but NOT General Business II:

- Warehouses, wholesale offices, salesrooms and showrooms
- Retail, service, office and commercial uses similar to the foregoing

Special Exception Uses in General Business/General Business II:

Automobile repair and service stations
Hospitals, care homes, boardinghouses and lodginghouses
Research or philanthropic institutions
Outdoor theaters
Drive-in or carry-out restaurants
Commercial parks

Convenience stores
Research, experimental and testing laboratories
Any new building >5,000SF...
Outpatient addiction treatment clinics
Adaptive reuse of structures of community significance

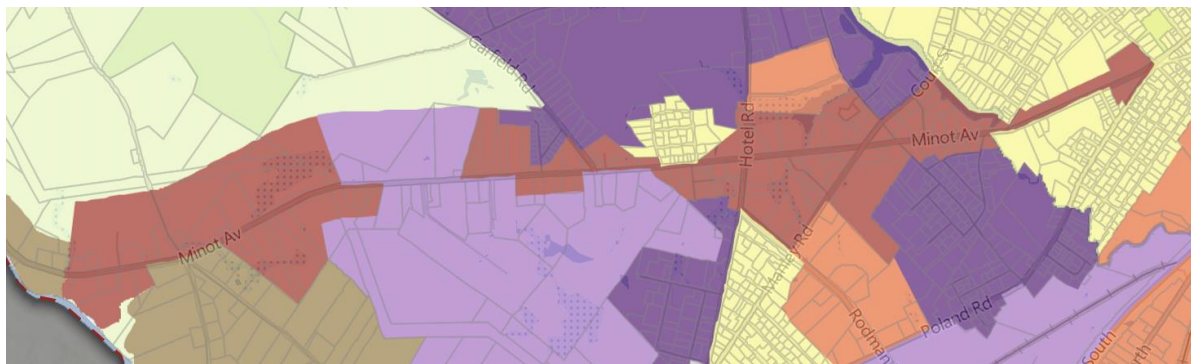
Special Exception Uses in General Business/General Business II (with small differences):

General Business	General Business II
Sales, rental and service agencies for <i>mobile homes</i> , farm equipment, trucks and trailers <i>and machine equipment</i>	Sales, rental and service agencies for farm equipment, trucks and trailers <i>and construction equipment</i>
Light industrial plants which will not create a nuisance...	Light industrial plants which <i>support a retail store selling goods made on the premises</i> and will not create a nuisance...
Landscape services	Landscape services <i>and lawn maintenance services</i>

Special Exception Uses in General Business but NOT General Business II:

- Automobile filling stations
- Automobile and marine sales lots and sales and service agencies
- Automobile and marine paint and body repair shops
- Off-street parking as commercial or municipal use...
- Trucking terminals and similar nonprocessing storage and distribution uses...
- Major retail development...

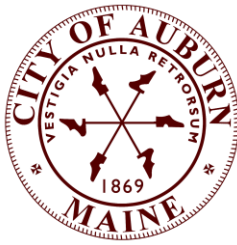
As you can see from the list, there are some subtle and some more intentional use allowance differences between the districts that try to keep the more impactful uses out of the General Business II Zoning District (the dark red area shown on the map below is the GBII).



II. DEPARTMENT REVIEW:

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

III. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board consider the differences between the General Business and General Business II Zoning Districts and the history surrounding the creation of the separate district for Minot Avenue and make a recommendation to the City Council on whether to add automobile and marine sales lots and sales and service agencies to the list of Special Exception uses.



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 13, Section 60-525(b) of the Auburn Code of Ordinances to add Automobile and Marine Sales and Service Lots to the list of uses allowed by Special Exception:

Sec. 60-525. Use regulation.

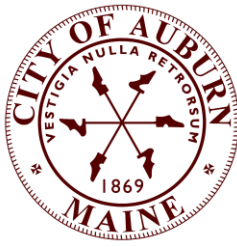
(a) *Permitted uses.* The following uses are permitted:

- (1) Residential dwelling uses permitted in the Multifamily Suburban District (MFS) (division 7 of article IV of this chapter).
- (2) Grocery stores and supermarkets.
- (3) Clothing stores.
- (4) Furniture stores.
- (5) Department stores.
- (6) Specialty shops.
- (7) Hotels and motels.
- (8) Funeral homes and mortuaries.
- (9) Child day care centers.
- (10) Medical and dental clinics.
- (11) Retail bakeries.
- (12) Retail laundries and dry cleaners.
- (13) Banks, business and professional offices.
- (14) Public transportation passenger offices.
- (15) Governmental offices.
- (16) Municipal, civic or public service buildings and other utility facilities.
- (17) Restaurants, dining rooms or lunchrooms.
- (18) Bowling alleys, ice and roller skating rinks, indoor theaters and similar places of indoor amusement or recreation.
- (19) Animal hospitals and pet shops, but not kennels.
- (20) Business equipment repair and business services.
- (21) Radio and television studios.
- (22) Printing shops, but not publishing plants.

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

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

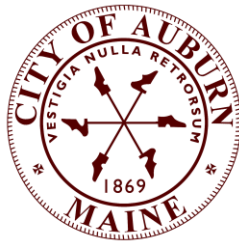
Stephen G. Milks, Ward Three
Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



City Council Ordinance

- (23) Carwashes.
- (24) Accessory uses, buildings and structures.
- (25) Greenhouses.
- (26) Seasonal outdoor places of amusement.
- (27) Churches and temples.
- (28) Shelters for abused persons.
- (29) Adult use and medical marijuana stores subject to the requirements of chapter 14, article XVIII of the City of Auburn Ordinances.
- (30) Marijuana cultivation accessory to a licensed retail store on the same property.
- (b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:
 - (1) Commercial parks.
 - (2) Automobile repair and service stations.
 - (3) Hospitals, care homes, boardinghouses and lodginghouses.
 - (4) Research or philanthropic institutions.
 - (5) Outdoor theaters.
 - (6) Drive-in or carry-out restaurants.
 - (7) Sales, rental and service agencies for farm equipment, trucks and trailers, and construction equipment.
 - (8) Light industrial plants which support a retail store selling goods made on the premises and will not create a nuisance by noise, vibration, smoke, odor or appearance.
 - (9) Convenience stores.
 - (10) Research, experimental and testing laboratories.
 - (11) Landscape services and lawn maintenance services.
 - (12) Halls, private clubs and lodges.
 - (13) Outpatient addiction treatment clinics.
 - (14) Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under section 60-499(a) which will occupy an area of 5,000 square feet or more.
 - (15) Adaptive reuse of structures of community significance.
 - (16) Automobile and marine sales lots and sales and service agencies.

(Ord. of 9-21-2009, § 3.63B; Ord. No. 11-11072016, 11-21-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-05202019, 6-3-2019; Ord. No. 11-03012021, §§ 33, 34, 3-15-2021)



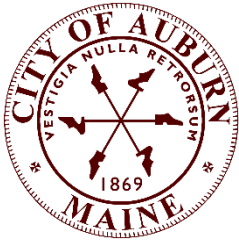
ORDINANCE 26-06212021

City Council Ordinance

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

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

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Ordinance: 27-06212021

Author: Megan Norwood, City Planner

Subject: Proposed amendment to Section 60-201(a) to allow two-family dwellings in the Low-Density Country Residential Zoning District.

Information: At the March 25, 2021 meeting, the Planning Board made a favorable recommendation to the City Council to amend the buildings per lot provision under Section 60-34 of the ordinance to allow an additional one-family detached dwelling in a zoning district where two-families are permitted and a single-family dwelling unit currently exists on the lot. The City Council move forward and approved the ordinance amendment at the May 17, 2021 meeting. As part of the ordinance amendment approval, the Council requested the Planning Board provide a recommendation on allowing two-family dwellings in the Low-Density Country Residential (LDCR) Zoning District, which is the only residential zoning district that does not currently permit two-families.

At their June 8, 2021 meeting, the Planning Board voted unanimously (7-0) to recommend the City Council allow two-family dwellings in the Low-Density Country Residential Zoning District.

Proposed ordinance amendment:

Sec. 60-201. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-145(a)(8), (9), (14) and (15).
- (2) One-family detached dwellings.
- (3) Two-family dwellings.
- ~~(3)~~ (4) Lawn maintenance services.

City Budgetary Impacts: None immediately but creates potential for future tax revenues with additional units.

Staff Recommended Action: Consider Planning Board recommendation and allow two-family dwellings in the Low-Density Country Residential Zoning District.

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

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: June 8, 2021 Planning Board Staff Report



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to Section 60-201(a) to allow two-family dwellings in the Low-Density Country Residential Zoning District
Date: June 08, 2021

I. PROPOSAL: At the March 25, 2021 meeting, the Planning Board made a favorable recommendation to the City Council to amend the buildings per lot provision under Sec. 60-34 of the ordinance to allow an additional one-family detached dwelling in a zoning district where two-families are permitted and a single-family dwelling unit currently exists on the lot. The City Council moved forward and approved the ordinance amendment at their May 17, 2021 meeting.

At their meeting, the Council requested the Planning Board to also provide a recommendation on allowing two-family dwellings in the Low Density Country Residential (LDCR) Zoning District – the only residential zoning district that does not currently permit two-families. As discussed prior, Staff agrees that it seems logical to allow two-family dwellings in all residential zoning districts, including the LDCR. The LDCR Zoning District is shown on the map in dark green. Under the map is a link to the zoning viewer.

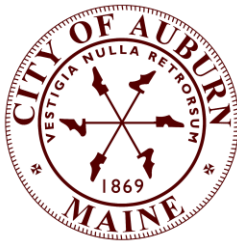


II. DEPARTMENT REVIEW:

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

II. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board make a favorable recommendation to City Council to amend Chapter 60, Article IV, Division 3, Section 60-201(a) to add two-family dwellings to the list of permitted uses.

<https://auburnme.maps.arcgis.com/apps/webappviewer/index.html?id=27c0920863174d74813240046905c655>



City Council Ordinance

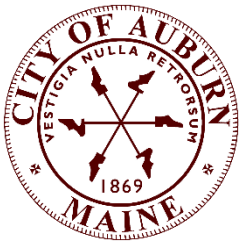
IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 3, Section 60-201(a) of the Auburn Code of Ordinances to add two-family dwellings to the list of permitted uses:

Sec. 60-201. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- 1) All uses permitted in the Agriculture and Resource Protection District, except uses allowed by section 60-145(a)(8), (9), (14) and (15).
- 2) One-family detached dwellings.
- 3) **Two-family dwellings.**
- 4) Lawn maintenance services.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Ordinance: 28-06212021

Author: Megan Norwood, City Planner

Subject: Proposed Amendment to Chapter 60, Article V, Section 60-608 to remove minimum off-street parking requirements for all land uses (except residential).

Information: At the May 17, 2021 meeting, the City Council voted as a consent item to request a recommendation from the Planning Board on removing all parking requirements, City-wide. The ordinance has two sections pertaining to parking – one for all land uses in all zoning districts and one geared specifically towards the Form-Based Code transects. To make the recommendation as clear as possible, the Planning Board took these two ordinance sections up as separate agenda items at their June 8, 2021 meeting.

This first item under consideration was to remove the minimum off-street parking requirements for all land uses. The Planning Board talked at length about the potential benefits and unintended consequences of making this change and after a failed (2-4) vote, ultimately voted unanimously (6-0) to make a favorable recommendation to the City Council to remove the minimum off-street parking requirements for all land uses (*except for residential uses*).

City Budgetary Impacts: None.

Staff Recommended Action: Consider Planning Board recommendation to remove the parking requirements listed under Sec. 60-608 of the ordinance (except those that pertain to residential uses).

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

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: June 8, 2021 Planning Board Staff Report



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to Chapter 60, Article V, Section 60-608 to Remove Minimum Off-Street Parking Requirements for all Land Uses
Date: June 08, 2021

I. PROPOSAL: At their June 7, 2021 meeting, the City Council is expected to request a recommendation from the Planning Board on removing minimum off-street parking requirements for all land uses. Currently, our ordinance under Chapter 60, Article V has a list of the minimum number of off-street parking spaces for each permitted use (some uses are not listed in the table, so Staff uses discretion to find a similar use and apply that standard). NOTE: This section applies to *all* uses in *all* districts with the exception of the Form Based Code Districts that have their own set of parking minimums (see subsequent Staff Report).

Off-Street Land Use	Minimum Number of Parking Spaces
Residential	
Single-family; farm	Two per each dwelling unit
Multifamily; two-family	1½ per dwelling unit
Elderly**	One-half per dwelling unit
Commercial	
Retail, business or institution	One per 300 square feet of gross floor area
Office, business, medical or dental	One per 200 square feet of gross floor area plus one per each doctor
Wholesale, warehouse	One per 1,200 square feet of storage gross floor area
Industrial or Manufacturing	One-half per employee for combined employment of the two largest overlapping shifts.
Hotel, motel, boarding and lodging and lodgings, tourist homes	One per guestroom plus one-half per employee
Places of assembly	

Restaurants	One per each three seats or equivalent bench seating capacity
Stadiums, outdoor amphitheaters	One per each four seats or equivalent bench seating capacity
Churches, temples, synagogues	One per each five seats or equivalent bench seating capacity
Indoor theaters	One per each five seats
Auditoriums	One per each ten seats
Meeting halls, convention exhibition halls	One per 100 square feet of floor area and floor area used for assembly
Hospitals	One per bed
Nursing homes	One-half per bed
Educational institutions	
Elementary/middle	One per classroom
High school	Four per classroom
College, business, vocational schools	One per 200 gross square feet of classroom area
Dormitories	One-third per bed
Home Occupation	One per 50 square feet of gross floor area used for home occupation
Recreational Uses	
Golf course	Six per green
Tennis court	Three per court
Swimming pool	One per 100 square feet of gross area per facility
Skating rink	One per 100 square feet of gross area of facility
Ranges (golf, skeet)	1½
Campgrounds	1½ per campsite

Ski areas	50 percent of the lift capacity
Shopping centers	4½ per 1,000 square feet of gross leasable floor area
Mixed uses	Sum of various uses computed separately unless it can be demonstrated to the planning board's satisfaction that the need for parking by each occurs at different times.
Uses not listed or	The required number of similar to those parking spaces shall be noted above determined by the municipal officer charged with enforcement and shall conform to the number of spaces for similar uses as listed in the latest planning publication on file in the office of community development and planning.
**Applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly persons.	

Our parking requirements oftentimes dictate the square footage of allowable uses and/or the number of units. If the parking requirements cannot be met, the size of the proposed land use will have to be adjusted to be able to provide the required amount of parking.

As part of the Comprehensive Plan update process, the Committee received recommendations from the Mercatus Center at the George Mason University. One of those recommendations was thought to be something that the City could benefit from currently as the market should be able to dictate what is needed for parking without the City having to provide minimums.

The parking minimums is a section of our ordinance that is oftentimes not revisited once it is created. It is assumed that 1.5 spaces per dwelling unit is what should be required for multifamily developments. Similarly, the standards are vague in the sense that a certain square footage of retail/warehouse space should require a certain number of parking spaces, regardless of the actual business proposed and demand for parking. The argument for removing parking minimums is that they create several empty spaces that do not add value to the City or property, they push homes and businesses further apart, impede the walkability of neighborhoods, raise the cost of housing and place an especially costly burden on small, local entrepreneurs. Removing the minimum parking requirements is not thought to remove parking entirely but will allow Property Owners to decide how much parking their proposed use will actually need, rather than being forced to add unproductive, empty parking spaces to their site.

On the contrary, comments from Department Heads speak to some of the unintended consequences this could cause such as increased on-street parking, issues with snow-bans/plowing, additional units created beyond what the site could reasonably accommodate to make installing a sprinkler system cost effective, etc.

As part of the Planning Boards recommendation to City Council, we suggest weighing the benefits and unintended consequences of scrapping the parking requirements entirely. Perhaps it is the direction the City wants to go in to spur affordable housing development or perhaps the City wants to ease into something like this by applying it only to developments less than a certain square footage, only in certain areas of the City, only for affordable housing projects or housing projects near transit.

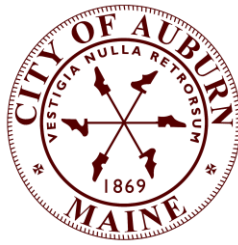
II. DEPARTMENT REVIEW:

- Police – From the Police Department’s perspective, parking in the downtown and in congested residential areas is already challenging. Many multifamily properties do not have adequate parking and rely heavily on street parking. Allowing new units to be built specifically in these areas with no parking space requirements will magnify the problem. Parking during snow emergencies and for snow removal after storms is a shared concern we have with Public Works. The city has limited residential parking options with the exceptions of properties located

close by the city's parking garage and the few winter reliefs lots that currently exist. These lots are very limited in their size and availability. If the single parking space per unit requirement for multi-unit buildings is removed, we feel that the residential parking challenges may only get worse.

- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – The only thing that comes to mind is that the fire department needs to be able to access buildings in case of an emergency or fire. If there was congested parking lots, or roadways, it may present difficulties in our response to a scene. Also, see discussion above regarding problems that will be difficult to resolve later pertaining to sprinkler system cost effectiveness.
- Engineering – No Comments
- Public Services – I agree with PD on this especially the concerns during Winter Storms. We don't call Parking Bans for anything less than 3 inches usually, but we still have to plow the streets. It is difficult getting by these cars and it usually leaves piles of snow that freeze, and it is difficult to remove after that.
- Airport – No Comments
- 911 - No Comments

III. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board think about the benefits and potential unintended consequences of removing all parking minimums in the City and make a recommendation to the City Council.



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article V, Section 60-608 of the Auburn Code of Ordinances to remove the minimum number of off-street parking requirements for all land uses except for residential uses:

Sec. 60-608. Parking requirements.

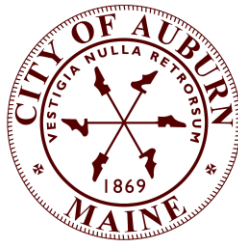
A minimum number of off-street parking spaces shall be provided with each **residential** use permitted, erected, altered or changed, in accordance with the following standards:

Off-Street Land Use	Minimum Number of Parking Spaces
Residential	
Single-family; farm	Two per each dwelling unit
Multifamily; two-family	1½ per dwelling unit
Elderly**	One-half per dwelling unit
Commercial	
Retail, business or institution	One per 300 square feet of gross floor area
Office, business, medical or dental	One per 200 square feet of gross floor area plus one per each doctor
Wholesale, warehouse	One per 1,200 square feet of storage gross floor area
Industrial or Manufacturing	One-half per employee for combined employment of the two largest overlapping shifts.
Hotel, motel, boarding and lodging and lodginghouses, tourist homes	One per guestroom plus one-half per employee
Places of assembly	
Restaurants	One per each three seats or equivalent bench seating capacity
Stadiums, outdoor amphitheaters	One per each four seats or equivalent bench seating capacity
Churches, temples, synagogues	One per each five seats or equivalent bench seating capacity
Indoor theaters	One per each five seats
Auditoriums	One per each ten seats
Meeting halls, convention exhibition halls	One per 100 square feet of floor area and floor area used for assembly
Hospitals	One per bed
Nursing homes	One-half per bed
Educational institutions	
Elementary/middle	One per classroom

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Belinda A. Gerry, At Large

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



City Council Ordinance

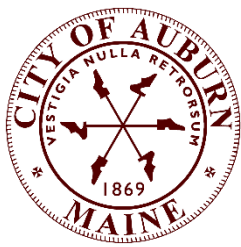
	High school	Four per classroom
	College, business, vocational schools	One per 200 gross square feet of classroom area
	Dormitories	One third per bed
	Home Occupation	One per 50 square feet of gross floor area used for home occupation
	Recreational Uses	
	Golf course	Six per green
	Tennis court	Three per court
	Swimming pool	One per 100 square feet of gross area per facility
	Skating rink	One per 100 square feet of gross area of facility
	Ranges (golf, skeet)	1½
	Campgrounds	1½ per campsite
	Ski areas	50 percent of the lift capacity
	Shopping centers	4½ per 1,000 square feet of gross leasable floor area
	Mixed uses	Sum of various uses computed separately unless it can be demonstrated to the planning board's satisfaction that the need for parking by each occurs at different times.
	Uses not listed or	The required number of similar to those parking spaces shall be noted above determined by the municipal officer charged with enforcement and shall conform to the number of spaces for similar uses as listed in the latest planning publication on file in the office of community development and planning.
**Applies to elderly housing as constructed under special local, state or federal guidelines restricting occupancy to elderly persons.		

(Ord. of 9-21-2009, § 4.1B)

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



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Ordinance: 29-06212021

Author: Megan Norwood, City Planner

Subject: Proposed Amendment to Chapter 60, Article IV, Division 14, Section 60-554 to remove all parking requirements (except residential) in the form-based code zoning districts.

Information: At the May 17, 2021 meeting, the City Council voted as a consent item to request a recommendation from the Planning Board on removing all parking requirements, City-wide. The ordinance has two sections pertaining to parking – one for all land uses in all zoning districts and one geared specifically towards the Form-Based Code transects. To make the recommendation as clear as possible, the Planning Board took these two ordinance sections up as separate agenda items at their June 8, 2021 meeting.

This second item under consideration was to remove the minimum off-street parking requirements for all land uses in the Form-Based Code Districts. The Planning Board talked at length about the potential benefits and unintended consequences of making this change voted unanimously (6-0) to make a favorable recommendation to the City Council to remove the minimum off-street parking requirements for all land uses in the Form-Based Code Zoning Districts (*except for residential uses*).

City Budgetary Impacts: None.

Staff Recommended Action: Consider Planning Board recommendation to remove the parking requirements listed under Sec. 60-554 of the ordinance (except those that pertain to residential uses).

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

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: June 8, 2021 Planning Board Staff Report



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to Chapter 60, Article IV, Division 14, Section 60-554 to Remove all Parking Requirements in the Form-Based Code Zoning Districts.
Date: June 08, 2021

- I. PROPOSAL:** At their June 7, 2021 meeting, the City Council is expected to request a recommendation from the Planning Board on removing all of the parking requirements for uses in the Form-Based Code Districts. Note: A lot of the content in this Staff Report is similar to the prior Staff Report regarding removing parking requirements for all land uses in all zoning districts. However, the Form-Based Code is unique in that it regulates the size and placement of building as opposed to the uses (provided they are compatible uses with residential areas). The only restrictions on uses (# of units, having a retail store downstairs with apartments upstairs, size of a restaurant, etc.) is being able to provide the required number parking spaces for the proposed use. Most of the properties in our Form-Based Code Districts (especially those that were just pulled in to the T-4.2 Form-Based Code from the Multifamily Urban) do not have a large amount of space to be able to provide parking for a large apartment building or restaurant – by removing the parking requirements in the Form-Based Code Districts, it would essentially open the door for existing/new buildings to be used at a greater capacity than they are currently.

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	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users

Home Occupation	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
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	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
Restaurant up to 30 seats w/16 outdoor	X	S	P	P	P	1 sp/4 seats
Restaurant over 30 seats w/16 outdoor		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

Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	To be determined by the planning board depending on use(s)
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As part of the Comprehensive Plan update process, the Committee received recommendations from the Mercatus Center at the George Mason University. One of those recommendations was thought to be something that the City could benefit from currently as the market should be able to dictate what is needed for parking without the City having to provide minimums.

The argument for removing parking minimums is that they create several empty spaces that do not add value to the City or property, they push homes and businesses further apart, impede the walkability of neighborhoods, raise the cost of housing and place an especially costly burden on small, local entrepreneurs. Removing the minimum parking requirements is not thought to remove parking entirely but will allow Property Owners to decide how much parking their proposed use will actually need, rather than being forced to add unproductive, empty parking spaces to their site.

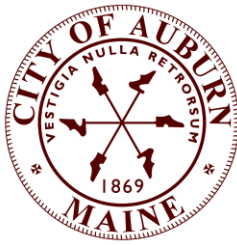
On the contrary, comments from Department Heads speak to some of the unintended consequences this could cause such as increased on-street parking, issues with snow-bans/plowing, additional units created beyond what the site could reasonably accommodate to make installing a sprinkler system cost effective, etc.

As part of the Planning Boards recommendation to City Council, we suggest weighing the benefits and unintended consequences of scrapping the parking requirements entirely. Perhaps it is the direction the City wants to go in to spur affordable housing development or perhaps the City wants to ease into something like this by applying it only to developments less than a certain square footage, only in certain areas of the City, only for affordable housing projects or housing projects near transit.

II. DEPARTMENT REVIEW:

- Police – From the Police Department’s perspective, parking in the downtown and in congested residential areas is already challenging. Many multifamily properties do not have adequate parking and rely heavily on street parking. Allowing new units to be built specifically in these areas with no parking space requirements will magnify the problem. Parking during snow emergencies and for snow removal after storms is a shared concern we have with Public Works. The city has limited residential parking options with the exceptions of properties located close by the city’s parking garage and the few winter reliefs lots that currently exist. These lots are very limited in their size and availability. If the single parking space per unit requirement for multi-unit buildings is removed, we feel that the residential parking challenges may only get worse.
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – The only thing that comes to mind is that the fire department needs to be able to access buildings in case of an emergency or fire. If there was congested parking lots, or roadways, it may present difficulties in our response to a scene. Also, see discussion above regarding problems that will be difficult to resolve later pertaining to sprinkler system cost effectiveness.
- Engineering – No Comments
- Public Services – I agree with PD on this especially the concerns during Winter Storms. We don’t call Parking Bans for anything less than 3 inches usually, but we still have to plow the streets. It is difficult getting by these cars and it usually leaves piles of snow that freeze, and it is difficult to remove after that.
- Airport – No Comments
- 911 - No Comments

III. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board think about the benefits and potential unintended consequences of removing all parking minimums from the Form-Based Code Districts and make a recommendation to the City Council.



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 14, Section 60-554 of the Auburn Code of Ordinances to remove the minimum number of off-street parking requirements for all land uses except for residential uses:

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

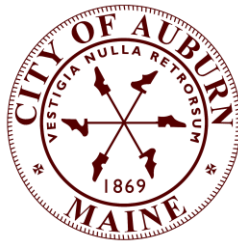
Key:	
S =	Special exception
P =	Permitted
X =	Prohibited
sp =	Parking space
sf =	Square foot of gross floor space
DU	Dwelling unit
=	

USE(1)	T-4.1	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	½ sp/employee plus 1 sp/room
Elderly/Child Care Facility	S	S	S	S	P	½ sp/employee plus 1 sp/ 8 users
Home Occupation	P	P	P	P	P	Based on Use Type (Ch. 60, Art. IX)
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

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Leroy G. Walker, Ward Five
Jason J. Levesque, Mayor

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



City Council Ordinance

Personal Services	S		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
Restaurant up to 30 seats w/16 outdoor	X	S	P	P	P	1 sp/4 seats
Restaurant over 30 seats w/16 outdoor		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
Adaptive Reuse of Structures of Community Significance	S	S	S	S	S	To be determined by the planning board depending on use(s)

Notes:

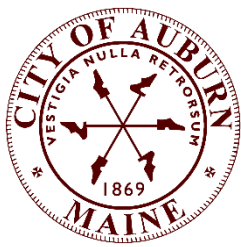
- (1) Uses not listed are considered prohibited unless deemed similar by the director of planning or by the planning board through a special exception approval.
- (2) ~~*Parking requirements in T-5.1, T-5.2 and T-6 may be provided by the municipality or private parking resources within 1,000 feet of the principal building, subject to planning board approval.~~
- (3) ~~Where more than 50 percent of floor space is devoted to age restricted goods. This may include licensed adult use or medical marijuana stores.~~

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

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Katherine E. Boss, At Large
Phillip L. Crowell, Jr., City Manager



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: June 21, 2021

Ordinance: 30-06212021

Author: John Blais, Urban Development Specialist

Subject: Proposed Amendment to Explain the Purpose of the Conservation/Open Space FBC District

Information: The City has five “transects” under the Form-Based Code, all of which have intent/purpose and space/bulk requirements except for Transect 6 which is the Conservation/Open Space FBC District. This area of the City is primarily the riverwalk (see map in attached Staff Report). Staff recently had a CMP proposal to replace some infrastructure in the Conservation/Open Space FBC District and realized we do not have a purpose or intent statement to use to make permitting decisions.

At their special meeting on March 25th, the Planning Board made a favorable recommendation with a unanimous vote of 6-0 to the City Council to adopt the following amendment to amend the ordinance language:

Section 60-553 (Currently Reserved -> Intent/Purpose)

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

City Budgetary Impacts: None.

Staff Recommended Action: Consider Planning Board recommendation add a purpose/intent statement for the Conservation/Open Space Form-Based Code with Conservation Commission and AG committee input: Add language to allow underground utilities and limit structural development and impervious surfaces. AG & Forestry uses remain.

Previous Meetings and History: March 25, 2021 Planning Board Meeting; Conservation Commission and AG Committee review through June 11, 2021.

City Manager Comments:

Phillip Crowell Jr.

I concur with the recommendation. Signature:

Attachments: March 25, 2021 Planning Board Staff Report



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

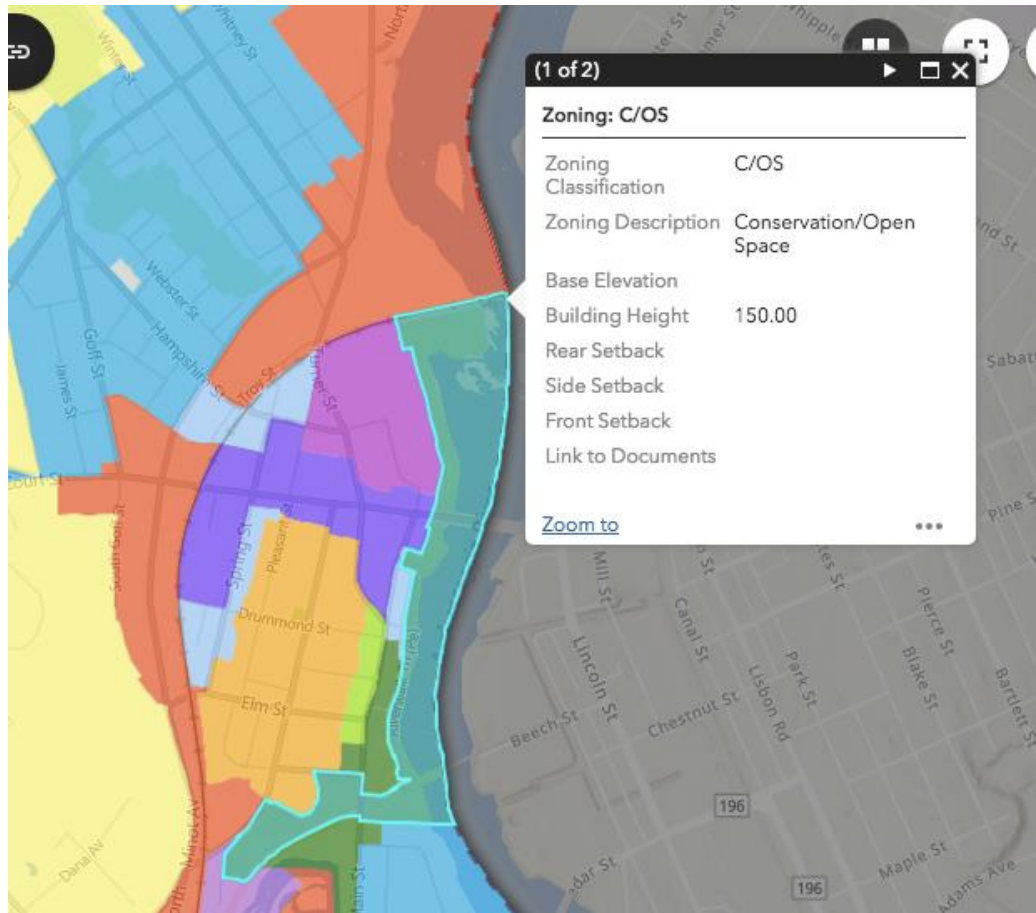
To: Sam Boss (Conservation Commission) and Katie Boss (Agriculture Committee)
From: Megan Norwood, City Planner
Re: Proposed Language to Explain the Purpose of the Conservation/Open Space FBC District
Date: May 7, 2021

The City has five “transects” under the Form-Based Code, all of which have intent/purpose and space/bulk requirements except for Transect 6, which is the Conservation/Open Space FBC District. This area of the City is primarily the riverwalk (see map below). We recently had a CMP proposal to replace some infrastructure in that area and realized we do not have anything explained in the ordinance about what this transect is supposed to be. **We brought the suggested language below before the City Council at their May 3, 2021 meeting; however, they wanted feedback on the language from the Conservation Commission and Agriculture Committee.** The language was derived from the existing 2010

Comprehensive Plan on Page 108:

Section 60-553 (Currently Reserved -> Intent/Purpose)

The Conservation/Open Space District is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses.



It is a simple addition to the ordinance with the intent of providing Staff with guidance as to the purpose of the zoning district should any proposals come up in that area of the City (such as the CMP substation).

Pg. 108 of the 2010 Comprehensive Plan:

DESIGNATION: OPEN SPACE/CONSERVATION

Resource Protection District (RP) Objective – Retain areas with significant natural resource value in an undeveloped, natural state (see Figure 2.3). This includes undeveloped 100-year floodplains adjacent to the rivers and significant streams and areas around freshwater wetlands that are moderate-high value habitat.

Allowed Uses – Within the Resource Protection District, allowed uses should be limited to natural resource and open space uses including agriculture and forestry, low-intensity recreation, facilities that provide water access, and similar low impact uses. Uses that involve significant structural development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no alternative appropriate location.

Development Standards – All new structural development and paved surfaces except for roads, trails, and facilities for access to the water, should be set back from the water body or wetland and a green buffer maintained along the edge of the resource. In general, all activities within the district are also subject to the Shoreland Zoning performance standards.



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

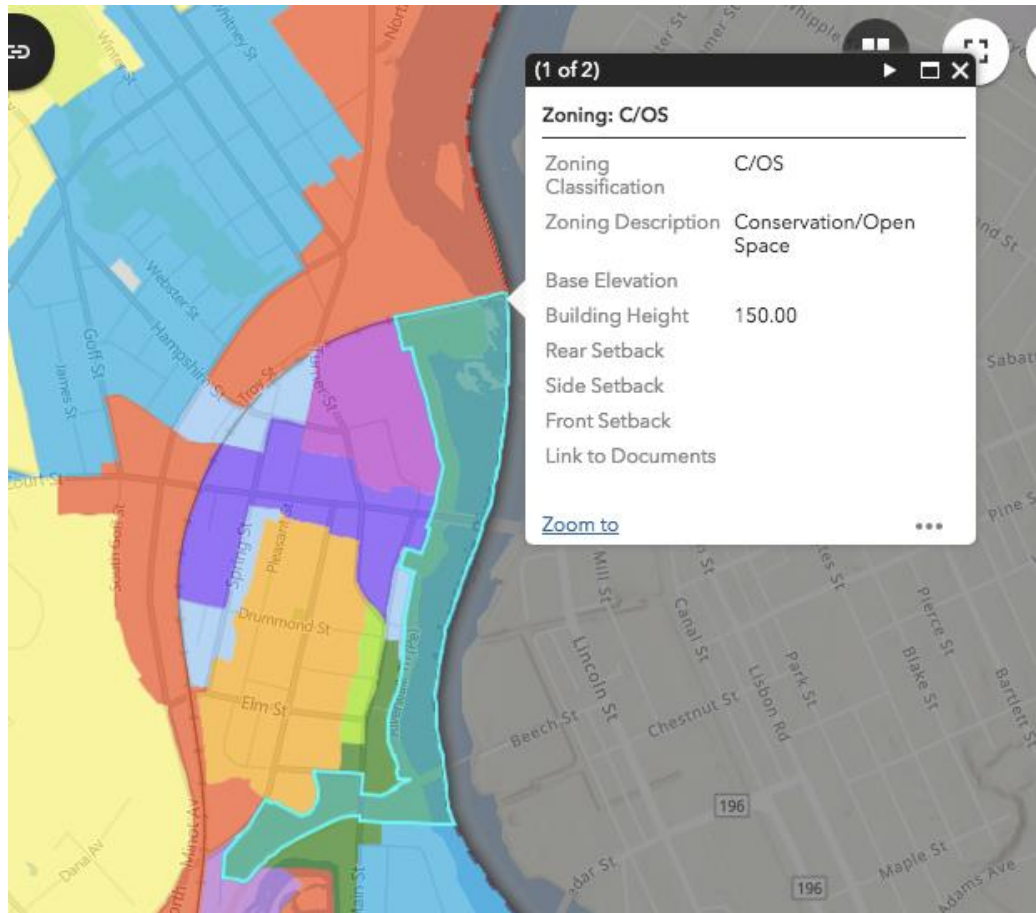
www.auburnmaine.gov | 207.333.6601

To: Auburn Planning Board
From: Megan Norwood, City Planner
Re: Proposed Amendment to Explain the Purpose of the Conservation/Open Space FBC District
Date: March 25, 2021

I. PROPOSAL: The City has five “transects” under the Form-Based Code, all of which have intent/purpose and space/bulk requirements except for Transect 6 which is the Conservation/Open Space FBC District. This area of the City is primarily the riverwalk (see map below). We recently had a CMP proposal to replace some infrastructure in that area and realized we do not have anything explained in the ordinance about what this transect is supposed to be. Staff suggests the following purpose statement:

Section 60-553 (Currently Reserved -> Intent/Purpose)

The Conservation/Open Space District is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses.



II. DEPARTMENT REVIEW:

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments

- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

II. PLANNING BOARD ACTION/STAFF SUGGESTIONS: Staff suggests the Planning Board offer a recommendation to the City Council to amend the ordinance language as follows:

Section 60-553 (Intent/Purpose)

The Conservation/Open Space District is reserved for natural resource and compatible open space uses such as agriculture and forestry, low-intensity recreation, facilities that provide water access and similar low impact uses.

June 16, 2021

City Council, Mayor, City Manager and Staff,

During our meeting on Tuesday, May 18, the Conservation Commission discussed the proposed amendment to Chapter 60, Article IV, Division 14, Section 60-553 of the Auburn Code of Ordinances, which would add language explaining the purpose and intent of the Conservation/Open Space FBC District. At the request of the City Council, we carefully reviewed materials sent to us by Director of Planning and Permitting Eric Cousens and City Planner Megan Norwood, including a map of the Conservation/Open Space FBC District; a memo explaining the context of CMP's proposal to replace infrastructure in this zone; excerpts from the 2010 Comprehensive plan explaining the creation of the zone; and the amendment language being proposed to the Council. Our discussion raised a number of questions and resulted in several recommendations for clarifying the language of the ordinance and upholding the objectives for the zone as outlined in the 2010 Comprehensive Plan.

1. Add language to the purpose statement about infrastructure upgrades

The language from Pg. 108 of the 2010 Comprehensive Plan states that: "allowed uses for the Zone include agriculture and forestry, low-intensity recreation, facilities that provide water access, and similar low impact uses. *Uses that involve significant structural development or impervious surfaces should not be allowed in this district. Uses such as utility lines and roads may be located within the district if there is no alternative appropriate location?*" Given that the context for the amendment is a proposal to upgrade utility lines by CMP, the Commission recommends that the language about siting utility lines and other infrastructure upgrades be included in the statement about the purpose of the zone.

2. Statement of purpose should acknowledge historic/visual significance of the area

The Conservation /Open Space FBC District covers an area along the Androscoggin River of great historical significance for the Wabanaki people and the early settlement of Auburn. The Commission recommends that the statement of purpose include language that promotes the preservation and protection of any historically/archaeologically significant assets, as well as scenic views.

3. Clarify process for determining whether alternative locations exist for upgrades

The Commission also asked for more information about who makes the assessment that there is "no alternative appropriate location" for placing utility lines and other infrastructure, and how such a determination is made. The group recommended that there be a formal process in place for the Conservation Commission and Agriculture Committee to provide input on substantive modifications to the Conservation/Open Space FBC District.

Thank you for soliciting our feedback about the language of the Conservation/Open Space FBC District. We hope to continue to consult with staff and the City Council as discussions about this zone move forward.

Sincerely,

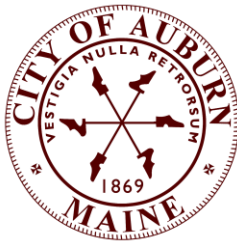


Sam Boss,
Chair, Auburn Conservation Commission

Ag. Committee Feedback on Conservation/Open Space Zone

Conservation/Open Space Form-Based Code: request from City Council to review draft language

- a. Language to be applied to a mapped zone largely adjacent to the Riverwalk was reviewed and discussed.
- b. The Committee had a number of questions and concerns.
 - i. Why is the mapped area defined as “Open Space”, rather than recreation, etc.?
 - ii. Why does the designated area not extend to the Little Androscoggin River and include the new Anniversary Park?
 - iii. The Committee does not favor removal of the agriculture and forestry language.
 - iv. The Committee is concerned that the current language gives CMP final word about potential projects within the mapped area.
 - v. The Committee is concerned that language applied to the mapped area could set a precedent for other parts of the city which could be rezoned in the future. Other potential Open Space areas may need different language developed by more discussion and review.



City Council Ordinance

IN CITY COUNCIL

Be it ordained, that the City Council amend Chapter 60, Article IV, Division 14, Section 60-553 of the Auburn Code of Ordinances to add the following Intent/Purpose Statement for the Conservation/Open Space Form-Based Code:

Section 60-553 (Currently Reserved -> Intent/Purpose)

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

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services



TO: Phillip Crowell, City Manager

FROM: Jill Eastman, Finance Director

REF: May 2021 Financial Report

DATE: June 21, 2021

The following is a discussion regarding the significant variances found in the City's May financial report. Please note that although the monthly financial report contains amounts reported by the School Department, this discussion is limited to the City's financial results and does not attempt to explain any variances for the School Department.

The City has completed its eleventh month of the current fiscal year. As a guideline for tracking purposes, revenues and expenditures should amount to approximately 91.7% of the annual budget. However, not all costs and revenues are distributed evenly throughout the year; individual line items can vary based upon cyclical activity.

Revenues

- A. Revenues collected through May 31st, including the school department were \$86,750,809, or 94.57%, of the budget. The municipal revenues including property taxes were \$62,025,516 or 97.17% of the budget which is more than the same period last year by 2.78% or \$2,794,425. The accounts listed below are noteworthy.
- B. The current year tax revenue is at 97.88% as compared to 99.16% last year. The 30 day notice of liens were sent out in May and tax liens will be filed at the end of June on any properties that have unpaid taxes.
- C. Excise tax for the month of May is at 108.91%. This is a \$979,790 increase from FY 20. Our excise revenues for FY21 are 17.2% above projections as of May 31, 2021.
- D. State Revenue Sharing for the month of May is 119.55% or \$723,830 more than last year in May.

Expenditures

City expenditures through May 2021 were \$41,002,491 or 89.27%, of the budget. This is 0.62% higher than May of last year.

Noteworthy variances are:

- A. The operating departments are in line with this time last year. The accounts that are higher than last year is because they had budget increases.

Investments

This section contains an investment schedule as of May 31st. Currently the City's funds are earning an average interest rate of 0.35%.

Respectfully submitted,

A handwritten signature in black ink that reads "Jill M Eastman". The signature is written in a cursive, flowing style.

Jill M. Eastman
Finance Director

CITY OF AUBURN, MAINE
BALANCE SHEET - CITY GENERAL FUND AND WORKERS COMP FUND
AS of May 2021, April 2021, and June 2020

	UNAUDITED May 31 2021	UNAUDITED April 30 2021	Increase (Decrease)	AUDITED JUNE 30 2020
ASSETS				
CASH	\$ 88,192,808	\$ 23,319,241	\$ 64,873,567	\$ 14,712,549
RECEIVABLES			-	
ACCOUNTS RECEIVABLES	981,143	1,160,194	(179,051)	1,845,860
TAXES RECEIVABLE-CURRENT	947,723	1,443,404	(495,680)	185,234
DELINQUENT TAXES	809,353	809,846	(493)	746,904
TAX LIENS	467,473	496,419	(28,947)	1,487,686
PREPAID EXPENSES				753,070
NET DUE TO/FROM OTHER FUNDS	(63,158,750)	2,542,304	(65,701,054)	2,575,964
TOTAL ASSETS	\$ 28,239,750	\$ 29,771,409	\$ (1,531,658)	\$ 22,307,267
LIABILITIES & FUND BALANCES				
ACCOUNTS PAYABLE	\$ (124,363)	\$ (303,643)	\$ 179,279	\$ (936,432)
PAYROLL LIABILITIES	(955,508)	(219,532)	(735,976)	(253,541)
ACCRUED PAYROLL	(19)	(19)	-	(4,485,020)
PREPAID TAXES				(258,316)
STATE FEES PAYABLE	(62,797)	(87,892)	25,096	-
ESCROWED AMOUNTS	(31,137)	(31,130)	(8)	-
DEFERRED REVENUE	(2,123,525)	(2,648,645)	525,120	(2,060,409)
TOTAL LIABILITIES	\$ (3,297,349)	\$ (3,290,861)	\$ (6,488)	\$ (7,993,718)
FUND BALANCE - UNASSIGNED/ASSIGNED	\$ (22,144,765)	\$ (23,682,912)	\$ 1,538,146.58	\$ (11,515,913)
FUND BALANCE - RESTRICTED	(1,364,114)	(1,364,114)	-	(1,364,114)
FUND BALANCE - NON SPENDABLE	(1,433,522)	(1,433,522)	-	(1,433,522)
TOTAL FUND BALANCE	\$ (24,942,401)	\$ (26,480,548)	\$ 1,538,147	\$ (14,313,549)
TOTAL LIABILITIES AND FUND BALANCE	\$ (28,239,750)	\$ (29,771,409)	\$ 1,531,658	\$ (22,307,267)

**CITY OF AUBURN, MAINE
REVENUES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2021 VS May 31, 2020**

REVENUE SOURCE	FY 2021 BUDGET	ACTUAL REVENUES THRU MAY 2021	% OF BUDGET	FY 2020 BUDGET	ACTUAL REVENUES THRU MAY 2020	% OF BUDGET	VARIANCE
TAXES							
PROPERTY TAX REVENUE-	\$ 49,655,498	\$ 48,604,180	97.88%	\$ 49,295,498	\$ 48,881,320	99.16%	\$ (277,139)
PRIOR YEAR TAX REVENUE	\$ -	\$ 869,987		\$ -	\$ 352,803		\$ 517,184
HOMESTEAD EXEMPTION REIMBURSEMENT	\$ 1,420,000	\$ 1,405,540	98.98%	\$ 1,250,000	\$ 994,116	79.53%	\$ 411,424
EXCISE	\$ 4,112,861	\$ 4,479,126	108.91%	\$ 3,910,000	\$ 3,499,336	89.50%	\$ 979,790
PENALTIES & INTEREST	\$ 150,000	\$ 154,646	103.10%	\$ 150,000	\$ 136,532	91.02%	\$ 18,114
TOTAL TAXES	\$ 55,338,359	\$ 55,513,479	100.32%	\$ 54,605,498	\$ 53,864,106	98.64%	\$ 1,649,373
LICENSES AND PERMITS							
BUSINESS	\$ 166,000	\$ 238,687	143.79%	\$ 169,000	\$ 166,783	98.69%	\$ 71,903
NON-BUSINESS	\$ 392,400	\$ 400,823	102.15%	\$ 409,000	\$ 329,755	80.62%	\$ 71,068
TOTAL LICENSES	\$ 558,400	\$ 639,509	114.53%	\$ 578,000	\$ 496,538	85.91%	\$ 142,971
INTERGOVERNMENTAL ASSISTANCE							
STATE-LOCAL ROAD ASSISTANCE	\$ 400,000	\$ 390,976	97.74%	\$ 400,000	\$ 417,352	104.34%	\$ (26,376)
STATE REVENUE SHARING	\$ 2,708,312	\$ 3,237,685	119.55%	\$ 2,389,669	\$ 2,513,855	105.20%	\$ 723,830
WELFARE REIMBURSEMENT	\$ 90,656	\$ 46,420	51.20%	\$ 94,122	\$ 38,091	40.47%	\$ 8,329
OTHER STATE AID	\$ 32,000	\$ 13,573	42.41%	\$ 32,000	\$ 14,495	45.30%	\$ (923)
CITY OF LEWISTON	\$ 228,384	\$ 285,250	124.90%	\$ 228,384	\$ -	0.00%	\$ 285,250
TOTAL INTERGOVERNMENTAL ASSISTANCE	\$ 3,459,352	\$ 3,973,904	114.87%	\$ 3,144,175	\$ 2,983,793	94.90%	\$ 990,111
CHARGE FOR SERVICES							
GENERAL GOVERNMENT	\$ 198,440	\$ 135,206	68.13%	\$ 148,440	\$ 113,963	76.77%	\$ 21,244
PUBLIC SAFETY	\$ 181,600	\$ 155,049	85.38%	\$ 215,600	\$ 128,141	59.43%	\$ 26,908
EMS TRANSPORT	\$ 1,200,000	\$ 1,037,823	86.49%	\$ 1,200,000	\$ 1,070,316	89.19%	\$ (32,494)
TOTAL CHARGE FOR SERVICES	\$ 1,580,040	\$ 1,328,078	84.05%	\$ 1,564,040	\$ 1,312,420	83.91%	\$ 15,658
FINES							
PARKING TICKETS & MISC FINES	\$ 55,000	\$ 25,747	46.81%	\$ 55,000	\$ 37,653	68.46%	\$ (11,906)
MISCELLANEOUS							
INVESTMENT INCOME	\$ 80,000	\$ 47,234	59.04%	\$ 70,000	\$ 120,630	172.33%	\$ (73,397)
RENTS	\$ 35,000	\$ 36,405	104.01%	\$ 35,000	\$ 25,216	72.04%	\$ 11,189
UNCLASSIFIED	\$ 10,000	\$ 125,574	1255.74%	\$ 10,000	\$ 48,369	483.69%	\$ 77,206
COMMERCIAL SOLID WASTE FEES	\$ -	\$ 46,773		\$ -	\$ 48,772		\$ (1,999)
SALE OF PROPERTY	\$ 25,000	\$ 78,514	314.05%	\$ 20,000	\$ 65,539	327.70%	\$ 12,974
RECREATION PROGRAMS/ARENA							\$ -
MMWAC HOST FEES	\$ 230,000	\$ 194,628	84.62%	\$ 225,000	\$ 211,091	93.82%	\$ (16,463)
TRANSFER IN: TIF	\$ 1,117,818	\$ -	0.00%	\$ 1,117,818	\$ -	0.00%	\$ -
TRANSFER IN: Other Funds	\$ 578,925	\$ -	0.00%	\$ 566,011	\$ -	0.00%	\$ -
ENERGY EFFICIENCY							\$ -
CDBG	\$ 214,430	\$ -	0.00%	\$ 214,430	\$ -	0.00%	\$ -
UTILITY REIMBURSEMENT	\$ 20,000	\$ 15,671	78.36%	\$ 20,000	\$ 16,964	84.82%	\$ (1,293)
CITY FUND BALANCE CONTRIBUTION	\$ 527,500	\$ -	0.00%	\$ 527,500	\$ -	0.00%	\$ -
TOTAL MISCELLANEOUS	\$ 2,838,673	\$ 544,798	19.19%	\$ 2,805,759	\$ 536,581	19.12%	\$ 8,218
TOTAL GENERAL FUND REVENUES	\$ 63,829,824	\$ 62,025,516	97.17%	\$ 62,752,472	\$ 59,231,091	94.39%	\$ 2,794,425
SCHOOL REVENUES							
EDUCATION SUBSIDY	\$ 26,217,074	\$ 24,306,518	92.71%	\$ 25,851,656	\$ 23,966,866	92.71%	\$ 339,651
EDUCATION	\$ 717,415	\$ 418,775	58.37%	\$ 711,224	\$ 534,390	75.14%	\$ (115,615)
SCHOOL FUND BALANCE CONTRIBUTION	\$ 970,862	\$ -	0.00%	\$ 877,296	\$ -	0.00%	\$ -
TOTAL SCHOOL	\$ 27,905,351	\$ 24,725,293	88.60%	\$ 27,440,176	\$ 24,501,256	89.29%	\$ 224,037
GRAND TOTAL REVENUES	\$ 91,735,175	\$ 86,750,809	94.57%	\$ 90,192,648	\$ 83,732,347	92.84%	\$ 3,018,462

CITY OF AUBURN, MAINE
EXPENDITURES - GENERAL FUND COMPARATIVE
THROUGH May 31, 2021 VS May 31, 2020

DEPARTMENT	FY 2021 BUDGET	Unaudited EXP THRU MAY 2021	% OF BUDGET	FY 2020 BUDGET	Unaudited EXP THRU MAY 2020	% OF BUDGET	VARIANCE
ADMINISTRATION							
MAYOR AND COUNCIL	\$ 99,000	\$ 65,964	66.63%	\$ 123,137	\$ 96,667	78.50%	\$ (30,703)
CITY MANAGER	\$ 776,095	\$ 628,715	81.01%	\$ 582,119	\$ 512,297	88.01%	\$ 116,418
CITY CLERK	\$ 216,946	\$ 198,221	91.37%	\$ 207,139	\$ 164,809	79.56%	\$ 33,412
FINANCIAL SERVICES	\$ 751,849	\$ 664,034	88.32%	\$ 734,597	\$ 661,926	90.11%	\$ 2,108
HUMAN RESOURCES	\$ 157,057	\$ 135,730	86.42%	\$ 153,182	\$ 132,148	86.27%	\$ 3,582
INFORMATION TECHNOLOGY	\$ 609,260	\$ 616,518	101.19%	\$ 713,729	\$ 713,750	100.00%	\$ (97,232)
TOTAL ADMINISTRATION	\$ 2,610,207	\$ 2,309,182	88.47%	\$ 2,513,903	\$ 2,281,597	90.76%	\$ 27,585
COMMUNITY SERVICES							
ECONOMIC & COMMUNITY DEVELOPMENT	\$ 1,339,047	\$ 899,876	67.20%	\$ 1,333,724	\$ 913,195	68.47%	\$ (13,319)
HEALTH & SOCIAL SERVICES	\$ 199,282	\$ 124,041	62.24%	\$ 211,371	\$ 134,138	63.46%	\$ (10,097)
RECREATION & SPORTS TOURISM	\$ 520,474	\$ 527,226	101.30%	\$ 448,575	\$ 486,306	108.41%	\$ 40,920
PUBLIC LIBRARY	\$ 1,031,533	\$ 945,572	91.67%	\$ 1,006,217	\$ 932,792	92.70%	\$ 12,780
TOTAL COMMUNITY SERVICES	\$ 3,090,336	\$ 2,496,715	80.79%	\$ 2,999,887	\$ 2,466,431	82.22%	\$ 30,284
FISCAL SERVICES							
DEBT SERVICE	\$ 7,577,735	\$ 7,615,817	100.50%	\$ 7,334,690	\$ 6,977,495	95.13%	\$ 638,322
FACILITIES	\$ 667,494	\$ 547,886	82.08%	\$ 667,128	\$ 609,831	91.41%	\$ (61,945)
WORKERS COMPENSATION	\$ 641,910	\$ 641,910	100.00%	\$ 637,910	\$ 637,910	100.00%	\$ 4,000
WAGES & BENEFITS	\$ 6,840,635	\$ 5,794,032	84.70%	\$ 6,797,826	\$ 5,707,907	83.97%	\$ 86,125
EMERGENCY RESERVE (10108062-670000)	\$ 461,230	\$ (5,000)	-1.08%	\$ 445,802	\$ 37,500	8.41%	\$ (42,500)
TOTAL FISCAL SERVICES	\$ 16,189,004	\$ 14,594,645	90.15%	\$ 15,883,356	\$ 13,970,643	87.96%	\$ 624,002
PUBLIC SAFETY							
FIRE & EMS DEPARTMENT	\$ 5,302,131	\$ 4,945,374	93.27%	\$ 5,211,262	\$ 4,501,220	86.37%	\$ 444,154
POLICE DEPARTMENT	\$ 4,332,339	\$ 3,876,054	89.47%	\$ 4,275,323	\$ 3,803,515	88.96%	\$ 72,539
TOTAL PUBLIC SAFETY	\$ 9,634,470	\$ 8,821,428	91.56%	\$ 9,486,585	\$ 8,304,735	87.54%	\$ 516,693
PUBLIC WORKS							
PUBLIC WORKS DEPARTMENT	\$ 4,979,329	\$ 4,079,698	81.93%	\$ 4,836,798	\$ 4,174,534	86.31%	\$ (94,836)
SOLID WASTE DISPOSAL*	\$ 1,051,318	\$ 901,439	85.74%	\$ 1,030,500	\$ 843,950	81.90%	\$ 57,489
WATER AND SEWER	\$ 792,716	\$ 781,203	98.55%	\$ 645,216	\$ 669,837	103.82%	\$ 111,366
TOTAL PUBLIC WORKS	\$ 6,823,363	\$ 5,762,340	84.45%	\$ 6,512,514	\$ 5,688,321	87.34%	\$ 74,019
INTERGOVERNMENTAL PROGRAMS							
AUBURN-LEWISTON AIRPORT	\$ 170,000	\$ 167,110	98.30%	\$ 191,000	\$ 189,747	99.34%	\$ (22,637)
E911 COMMUNICATION CENTER	\$ 1,134,304	\$ 1,134,784	100.04%	\$ 1,134,304	\$ 1,123,877	99.08%	\$ 10,907
LATC-PUBLIC TRANSIT	\$ 331,138	\$ -	0.00%	\$ 331,138	\$ 331,138	100.00%	\$ (331,138)
ARTS & CULTURE AUBURN	\$ 10,000	\$ 10,000					\$ 10,000
TAX SHARING	\$ 260,000	\$ 230,726	88.74%	\$ 270,000	\$ 5,398	2.00%	\$ 225,328
TOTAL INTERGOVERNMENTAL	\$ 1,905,442	\$ 1,542,620	80.96%	\$ 1,926,442	\$ 1,650,160	85.66%	\$ (107,540)
COUNTY TAX	\$ 2,629,938	\$ 2,629,938	100.00%	\$ 2,482,721	\$ 2,482,721	100.00%	\$ 147,217
TIF (10108058-580000)	\$ 3,049,803	\$ 2,845,623	93.31%	\$ 3,049,803	\$ 2,918,285	95.69%	\$ (72,662)
OVERLAY	\$ -	\$ -		\$ -	\$ -		\$ -
TOTAL CITY DEPARTMENTS	\$ 45,932,563	\$ 41,002,491	89.27%	\$ 44,855,211	\$ 39,762,893	88.65%	\$ 1,239,598
EDUCATION DEPARTMENT	\$ 45,802,612	\$ 35,416,288	77.32%	\$ 45,337,437	\$ 36,316,949	80.10%	\$ (900,661)
TOTAL GENERAL FUND EXPENDITURES	\$ 91,735,175	\$ 76,418,779	83.30%	\$ 90,192,648	\$ 76,079,842	84.35%	\$ 338,937

**CITY OF AUBURN, MAINE
INVESTMENT SCHEDULE
AS OF May 31, 2021**

INVESTMENT		FUND	BALANCE May 31, 2021	BALANCE April 30, 2021	INTEREST RATE
ANDROSCOGGIN BANK	449	CAPITAL PROJECTS	\$ 3,835,365.56	\$ 3,834,225.77	0.35%
ANDROSCOGGIN BANK	502	SR-TIF	\$ 1,049,369.08	\$ 1,049,057.24	0.35%
ANDROSCOGGIN BANK	836	GENERAL FUND	\$ 6,028,133.52	\$ 3,471,283.62	0.35%
ANDROSCOGGIN BANK	801	WORKERS COMP	\$ 52,422.61	\$ 52,407.03	0.35%
ANDROSCOGGIN BANK	684	EMS CAPITAL RESERVE	\$ 338,946.66	\$ 338,845.95	0.35%
ANDROSCOGGIN BANK	414	INGERSOLL TURF FACILITY	\$ 226,316.92	\$ 226,249.70	0.35%
ANDROSCOGGIN BANK	0888	ELHS FUNDRAISING	\$ 62,023.06	\$ 62,004.64	0.35%
ANDROSCOGGIN BANK		ELHS CONSTRUCTION BAN	\$ 1,719,034.01	\$ 4,274,444.30	0.35%
ANDROSCOGGIN BANK	0627	ST LOUIS BELLS FUNDRAISING	\$ 15,338.85	\$ 15,334.30	0.35%
GRAND TOTAL			\$ 13,326,950.27	\$ 13,323,852.55	0.35%

EMS BILLING
SUMMARY OF ACTIVITY
July 1, 2020 - June 30, 2021
Report as of May 31, 2021

	Beginning Balance 5/1/2021	May 2021				Write-Offs	Ending Balance 5/31/2021
		New Charges	Payments	Refunds	Adjustments		
Bluecross	\$ 10,030.44	\$ 7,762.02	\$ (1,459.96)		\$ (1,892.71)		\$ 14,439.79
Intercept	\$ 100.00		\$ (100.00)				\$ -
Medicare	\$ 61,409.33	\$ 129,419.68	\$ (37,555.26)		\$ (37,328.84)		\$ 115,944.91
Medicaid	\$ 15,190.41	\$ 37,823.60	\$ (16,108.69)		\$ (2,964.68)		\$ 33,940.64
Other/Commercial	\$ 137,187.53	\$ 20,289.80	\$ (25,491.08)		\$ (37,264.92)	\$ (16,766.05)	\$ 77,955.28
Patient	\$ 113,170.85	\$ 22,458.10	\$ (9,100.71)		\$ (5,959.68)		\$ 120,568.56
Worker's Comp							\$ -
TOTAL	\$ 337,088.56	\$ 217,753.20	\$ (89,815.70)	\$ -	\$ (85,410.83)	\$ (16,766.05)	\$ 362,849.18

EMS BILLING
BREAKDOWN -TOTAL CHARGES
July 1, 2020 - June 30, 2021
Report as of May 31, 2021

	July 2020	August 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021	May 2021	Totals	% of Total
Bluecross	\$ 6,396.80	\$ 3,992.80	\$ 5,651.00	\$ 3,597.40	\$ 17,449.80	\$ 9,165.80	\$ 9,291.15	\$ 2,999.80	\$ 14,184.65	\$ 13,469.14	\$ 7,762.02	\$ 93,960.36	4.19%
Intercept	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ 200.00	\$ 300.00	\$ 100.00	\$ 100.00	\$ -	\$ 900.00	0.04%
Medicare	\$ 169,046.60	\$ 95,829.00	\$ 88,468.00	\$ 60,559.60	\$ 157,436.80	\$ 117,985.60	\$ 110,482.60	\$ 90,381.00	\$ 147,075.30	\$ 162,686.33	\$ 129,419.68	\$ 1,329,370.51	59.30%
Medicaid	\$ 61,560.60	\$ 40,418.20	\$ 40,041.00	\$ 30,492.60	\$ 55,812.80	\$ 49,679.00	\$ 56,621.80	\$ 29,848.00	\$ 44,545.07	\$ 39,349.78	\$ 37,823.60	\$ 486,192.45	21.69%
Other/Commercial	\$ 22,412.60	\$ 12,639.40	\$ 14,347.20	\$ 9,246.40	\$ 25,139.00	\$ 20,045.00	\$ 16,984.00	\$ 19,771.40	\$ 25,009.94	\$ 31,323.07	\$ 20,289.80	\$ 217,207.81	9.69%
Patient	\$ 8,521.20	\$ 10,114.80	\$ 4,012.40	\$ 8,058.40	\$ 9,160.00	\$ 5,688.80	\$ 9,705.60	\$ 8,925.60	\$ 10,148.27	\$ 10,729.83	\$ 22,458.10	\$ 107,523.00	4.80%
Worker's Comp	\$ -		\$ 882.20	\$ 1,542.00	\$ 717.20	\$ 920.00		\$ 1,027.00		\$ 1,633.20	\$ -	\$ 6,721.60	0.30%
TOTAL	\$ 267,937.80	\$ 162,994.20	\$ 153,401.80	\$ 113,496.40	\$ 265,715.60	\$ 203,684.20	\$ 203,285.15	\$ 153,252.80	\$ 241,063.23	\$ 259,291.35	\$ 217,753.20	\$ 2,241,875.73	100.00%

EMS BILLING
BREAKDOWN -TOTAL COUNT
July 1, 2020 - June 30, 2021
Report as of May 31, 2021

	July 2020	August 2020	Sept 2020	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021	May 2021	Totals	% of Total
Bluecross	7	5	7	4	21	11	15	3	15	78	21	187	6.17%
Intercept	0	0	0	0	0	2	2	3	1	1	0	9	0.30%
Medicare	215	144	113	77	245	162	138	105	172	196	154	1721	56.82%
Medicaid	81	63	52	39	73	65	64	32	54	43	42	608	20.07%
Other/Commercial	33	23	20	12	37	26	21	21	92	56	23	364	12.02%
Patient	11	15	5	10	12	7	10	10	13	12	28	133	4.39%
Worker's Comp	0		1	2	1	1		1		1		7	0.23%
TOTAL	347	250	198	144	389	274	250	175	347	387	268	3029	100.00%

**EMS BILLING
AGING REPORT
July 1, 2020 to June 30, 2021
Report as of May 31, 2021**

	Current		31-60		61-90		91-120		121+ days		Totals							
Bluecross	\$	9,126.71	63%	\$	1,276.19	9%	\$	3,821.30	26%	\$	198.73	1%	\$	16.86	0%	\$	14,439.79	3.98%
Intercept																\$	-	0.00%
Medicare	\$	73,260.43	63%	\$	21,955.87	19%	\$	9,545.40	8%	\$	5,501.93	5%	\$	5,681.28	5%	\$	115,944.91	31.95%
Medicaid	\$	25,829.89	76%	\$	1,931.08	6%	\$	2,710.34	8%	\$	2,154.61	6%	\$	1,314.72	4%	\$	33,940.64	9.35%
Other/Commercial	\$	22,342.52	29%	\$	9,905.94	13%	\$	17,845.93	23%	\$	9,341.86	12%	\$	18,519.03	24%	\$	77,955.28	21.48%
Patient	\$	52,786.56	44%	\$	18,432.84	15%	\$	26,025.49	22%	\$	16,898.28	14%	\$	6,425.39	5%	\$	120,568.56	33.23%
Worker's Comp	\$	-		\$	-		\$	-		\$	-		\$	-		\$	-	0.00%
TOTAL	\$	183,346.11		\$	53,501.92		\$	59,948.46		\$	34,095.41		\$	31,957.28		\$	362,849.18	
		51%			15%			17%			9%			9%			100%	100.00%

CITY OF AUBURN
SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURES
As of May 31, 2021

	1902	1905	1910	1913	1914	1915	1917	1926	1928	1929	1930	1931	2003		
	Riverwatch	Winter Festival	Community Service	Police Fitness Equipment	Oak Hill Cemeteries	Fire Training Building	Wellness Grant	Healthy Androscoggin	Vending	Fire Prevention	211 Fairview	Donations	Byrne JAG		
Fund Balance 7/1/20	\$ 762,516.19	\$ (15,099.19)	\$ 5,928.63	\$ 4,769.53	\$ 33,010.94	\$ (20,657.32)	\$ 3,460.06	\$ 5,362.37	\$ (312.70)	\$ 4,791.12	\$ (566,303.71)	\$ 501.65	\$ 2,808.57		
Revenues FY21		\$ 15,099.19	\$ 879.00		\$ 1,570.51	\$ 21,879.00	\$ 3,800.00		\$ 436.00	\$ 2,500.00			\$ 12,042.24		
Expenditures FY21	\$ 163,311.00		\$ 339.67	\$ 4,769.53	\$ 30.00		\$ 3,674.68	\$ 5,362.37	\$ 1,080.16	\$ 2,495.09		\$ 208.25	\$ 15,142.01		
Fund Balance 05/31/2021	\$ 599,205.19	\$ -	\$ 6,467.96	\$ -	\$ 34,551.45	\$ 1,221.68	\$ 3,585.38	\$ -	\$ (956.86)	\$ 4,796.03	\$ (566,303.71)	\$ 293.40	\$ (291.20)		
	2005	2006	2008	2010	2013	2014	2019	2020	2025	2030	2034	2037	2038	2040	2041
	MDOT	PEACE	Homeland Security	State Drug Money	OUI Grant	Speed Grant	Law Enforcement Training	CDBG	Community Cords	Parking	EDUL Underage Drink	Bulletproof Vests	Community Action Team	Great Falls TV	Blanche Stevens
Fund Balance 7/1/20	\$ 126,190.87	\$ 1,550.98	\$ (112,903.52)	\$ 1,681.39	\$ 3,066.05	\$ 2,752.59	\$ (10,738.25)	\$ 1,973,266.67	\$ 37,353.66	\$ (2,005.87)	\$ (2,685.00)	\$ 9,659.79	\$ 180.00	\$ 20,536.23	\$ 27,840.99
Revenues FY21	\$ 854,766.79		\$ 67,284.85	\$ 12,600.10	\$ 4,055.27	\$ 8,504.10	\$ 1,850.00	\$ 979,861.22	\$ 2,783.13	\$ 136,881.00	\$ 6,495.00				\$ 1,965.00
Expenditures FY21	\$ 897,479.97	\$ 1,550.98	\$ 67,126.81	\$ 6,024.57	\$ 3,704.45	\$ 9,379.09	\$ 600.00	\$ 1,092,574.81	\$ 10,234.90	\$ 119,250.32	\$ 2,750.00	\$ 8,880.56			\$ 3,308.95
Fund Balance 05/31/2021	\$ 83,477.69	\$ -	\$ (112,745.48)	\$ 8,256.92	\$ 3,416.87	\$ 1,877.60	\$ (9,488.25)	\$ 1,860,553.08	\$ 29,901.89	\$ 15,624.81	\$ 1,060.00	\$ 779.23	\$ 180.00	\$ 20,536.23	\$ 26,497.04
	2043	2044	2045	2047	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2061
	DOJ Covid 19 Preventative	Federal Drug Money	Forest Management	American Firefighter Grant	Project Lifesaver	Project Canopy	Nature Conservancy	St Louis Bells	EMS Transport Capital Reserve	Work4ME-PAL	Lake Auburn Neighborhood	ASPCA Grant	Barker Mills Greenway	Distracted Driving	150th Celebration
Fund Balance 7/1/20	\$ -	\$ 170,777.82	\$ 4,345.34	\$ -	\$ 189.35	\$ -	\$ 975.05	\$ 20,984.31	\$ 187,456.89	\$ (13,339.97)	\$ 125.00	\$ 800.00	\$ (2,597.43)	\$ 829.00	\$ 1,893.81
Revenues FY21	\$ -	\$ 5,586.50						\$ 8,258.59	\$ 151,389.12	\$ 17,701.00			\$ 2,597.43		\$ -
Expenditures FY21	\$ 7,227.18	\$ 88,859.88		\$ 51,104.79		\$ 9,522.60		\$ 762.28	\$ 113,949.40	\$ 15,930.79					\$ 1,893.81
Fund Balance 05/31/2021	\$ (7,227.18)	\$ 87,504.44	\$ 4,345.34	\$ (51,104.79)	\$ 189.35	\$ (9,522.60)	\$ 975.05	\$ 28,480.62	\$ 224,896.61	\$ (11,569.76)	\$ 125.00	\$ 800.00	\$ -	\$ 829.00	\$ -
	2062	2063	2064	2065	2067	2068	2070	2075	2076	2077	2100	2201	2500		
	Employee Store	COPS Stop School Violence	MDOT Sopers Mill Culvert	State Bi-Centenial Parade	Hometown Heros Banners	Northern Borders Grant	Leadercast	Keeps Maine Healthy	Keeps Maine Healthy II	CTCI Gramt	ELHS Fundraising	EDI Grant	Parks & Recreation		
Fund Balance 7/1/20	\$ 132.69	\$ -	\$ (26,094.03)	\$ (1,124.00)	\$ 209.00	\$ 210,601.70	\$ (3,500.00)	\$ -	\$ -	\$ -	\$ -	\$ (1,484,407.18)	\$ 70,269.17		
Revenues FY21		\$ 376,481.00	\$ -	\$ -		\$ 11,084.30	\$ -	\$ 332,886.62	\$ 157,475.89	\$ 262,512.00	\$ 139.25		\$ 797,889.72		
Expenditures FY21		\$ 376,481.00	\$ 19,778.50	\$ 462.17	\$ -	\$ 20,314.29		\$ 126,243.86	\$ 173,032.44	\$ 199,572.11			\$ 704,795.49		
Fund Balance 05/31/2021	\$ 132.69	\$ -	\$ (45,872.53)	\$ (1,586.17)	\$ 209.00	\$ 201,371.71	\$ (3,500.00)	\$ 206,642.76	\$ (15,556.55)	\$ 62,939.89	\$ 139.25	\$ (1,484,407.18)	\$ 163,363.40		
	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	Total
	Tambrands II TIF 6	Mall TIF 9	Downtown TIF 10	Auburn Industrial TIF 12	Auburn Plaza TIF 13	Auburn Plaza II TIF 14	Webster School TIF 16	Hartt Transport TIF 19	62 Spring St TIF 20	Minot Ave TIF 21	48 Hampshire St TIF 22	Memory Care Facility TIF 23	Millbran TIF 24	\$ 2,600.00 Futurguard TIF 25	Special Revenues
Fund Balance 7/1/20	\$ (161,839.95)	\$ 192,297.32	\$ (477,918.13)	\$ (388,767.54)	\$ 411,537.25	\$ (763,270.82)	\$ (0.01)	\$ 29,915.23	\$ 1,120.90	\$ 194.75	\$ -	\$ 147.27	\$ -	\$ -	\$ 278,465.51
Revenues FY21	\$ 201,360.86	\$ 456,315.88	\$ 837,349.00	\$ 172,809.75	\$ 319,924.38	\$ 465,987.95	\$ 30,435.15	\$ 32,531.42	\$ 58,978.38	\$ 49,606.63	\$ 83,937.25	\$ 118,292.78	\$ 190,093.65	\$ -	\$ 7,276,876.90
Expenditures FY21	\$ 80,544.34		\$ 640,683.15	\$ 238,142.00	\$ 150,364.46	\$ 455,208.00	\$ 30,435.16	\$ 65,110.34	\$ 58,978.38	\$ 24,803.32	\$ 20,984.31	\$ 20,701.24	\$ 178,965.20	\$ 65,504.60	\$ 6,359,633.26
Fund Balance 05/31/2021	\$ (41,023.43)	\$ 648,613.20	\$ (281,252.28)	\$ (454,099.79)	\$ 581,097.17	\$ (752,490.87)	\$ (0.02)	\$ (2,663.69)	\$ 1,120.90	\$ 24,998.06	\$ 62,952.94	\$ 97,738.81	\$ 11,128.45	\$ (65,504.60)	\$ 1,195,709.15

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Financial Reports for May 31, 2021

Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Ingersoll Turf Facility for revenue and expenditures as of May 31, 2021.

INGERSOLL TURF FACILITY

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets as of May 31, 2021.

Current Assets:

As of the end of May 2021 the total current assets of Ingersoll Turf Facility were \$226,250. This consisted of cash and cash equivalents of \$226,250.

Noncurrent Assets:

Ingersoll's noncurrent assets are the building and equipment that was purchased, less depreciation. The total value of the noncurrent assets as of May 31, 2021, was \$117,249.

Liabilities:

Ingersoll had accounts payable of \$210, as of May 31, 2021.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Ingersoll Turf Facility through May 2021 are \$127,352. This revenue comes from the sponsorships, programs, rental income and batting cages.

The operating expenses for Ingersoll Turf Facility through May 2021 were \$160,145. These expenses include personnel costs, supplies, utilities, repairs, capital purchases and maintenance.

As of May 2021, Ingersoll has an operating loss of \$32,793.

As of May 31, 2021, Ingersoll has a decrease in net assets of \$32,793.

The budget to actual reports for revenue and expenditures, show that the revenue for FY21 compared to FY 20.

Statement of Net Assets
Ingersoll Turf Facility
May 31, 2021
Business-type Activities - Enterprise Fund

	May 31, 2021	April 30, 2021	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 226,250	\$ 226,185	\$ 65
Interfund receivables/payables		\$ -	-
Accounts receivable	-	-	-
Total current assets	226,250	226,185	65
Noncurrent assets:			
Capital assets:			
Buildings	672,279	672,279	-
Equipment	119,673	119,673	-
Land improvements	18,584	18,584	-
Less accumulated depreciation	(693,287)	(693,287)	-
Total noncurrent assets	117,249	117,249	-
Total assets	343,499	343,434	65
LIABILITIES			
Accounts payable	\$ 210	\$ 962	(752)
Interfund payable	\$ 39,179	\$ 29,092	10,087
Total liabilities	39,389	30,054	9,335
NET ASSETS			
Invested in capital assets	\$ 117,249	\$ 117,249	\$ -
Unrestricted	\$ 186,861	\$ 196,131	\$ (9,270)
Total net assets	\$ 304,110	\$ 313,380	\$ (9,270)

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Ingersoll Turf Facility
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2021

	Ingersoll Turf Facility
Operating revenues:	
Charges for services	\$ 127,352
Operating expenses:	
Personnel	128,564
Supplies	5,468
Utilities	19,329
Repairs and maintenance	3,084
Rent	-
Depreciation	-
Capital expenses	-
Other expenses	3,700
Total operating expenses	160,145
Operating gain (loss)	(32,793)
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	-
Total nonoperating expense	-
Gain (Loss) before transfer	(32,793)
Transfers out	-
Change in net assets	(32,793)
Total net assets, July 1	336,903
Total net assets, May 31, 2021	\$ 304,110

CITY OF AUBURN, MAINE
REVENUES - INGERSOLL TURF FACILITY
Through May 31, 2021 compared to May 31, 2020

REVENUE SOURCE	FY 2021 BUDGET	ACTUAL REVENUES THRU MAY 2021	% OF BUDGET	FY 2020 BUDGET	ACTUAL REVENUES THRU MAY 2020	% OF BUDGET
CHARGE FOR SERVICES						
Sponsorship	\$ 25,000	\$ 11,525	46.10%	\$ 25,000	\$ 12,925	51.70%
Batting Cages	\$ 13,000	\$ 18,310	140.85%	\$ 13,000	\$ 14,250	109.62%
Programs	\$ 90,000	\$ 16,587	18.43%	\$ 90,000	\$ 75,171	83.52%
Rental Income	\$ 102,000	\$ 79,773	78.21%	\$ 102,000	\$ 75,845	74.36%
TOTAL CHARGE FOR SERVICES	\$ 230,000	\$ 126,195	54.87%	\$ 230,000	\$ 178,191	77.47%
INTEREST ON INVESTMENTS	\$ -	\$ 1,157		\$ -	\$ 1,606	
GRAND TOTAL REVENUES	\$ 230,000	\$ 127,352	55.37%	\$ 230,000	\$ 179,797	78.17%

CITY OF AUBURN, MAINE
EXPENDITURES - INGERSOLL TURF FACILITY
Through May 31, 2021 compared to May 31, 2020

DESCRIPTION	ACTUAL				ACTUAL			
	FY 2021 BUDGET	EXPENDITURES THRU MAY 2021	% OF BUDGET	FY 2020 BUDGET	EXPENDITURES THRU MAY 2020	% OF BUDGET	Difference	
Salaries & Benefits	\$ 187,546	\$ 128,564	68.55%	\$ 149,331	\$ 73,655	49.32%	\$	54,909
Purchased Services	\$ 14,700	\$ 6,784	46.15%	\$ 18,160	\$ 5,852	32.22%	\$	932
Programs	\$ 18,500	\$ -	0.00%	\$ 17,000	\$ 19,526	114.86%	\$	(19,526)
Supplies	\$ 3,750	\$ 5,468	145.81%	\$ 4,900	\$ 2,473	50.47%	\$	2,995
Utilities	\$ 25,650	\$ 19,329	75.36%	\$ 25,100	\$ 16,583	66.07%	\$	2,746
Insurance Premiums	\$ -	\$ -		\$ -	\$ -		\$	-
Capital Outlay	\$ -	\$ -		\$ 11,000	\$ -	0.00%	\$	-
	\$ 250,146	\$ 160,145	64.02%	\$ 225,491	\$ 118,089	52.37%	\$	42,056
GRAND TOTAL EXPENDITURES	\$ 250,146	\$ 160,145	64.02%	\$ 225,491	\$ 118,089	52.37%	\$	42,056

City of Auburn, Maine

"Maine's City of Opportunity"

Financial Services

To: Phillip Crowell, City Manager
From: Jill Eastman, Finance Director
Re: Arena Financial Reports for May 31, 2021



Attached you will find a Statement of Net Assets and a Statement of Activities and budget to actual reports for Norway Savings Bank Arena for revenue and expenditures as of May 31, 2021.

NORWAY SAVINGS BANK ARENA

Statement of Net Assets:

The Statement of Net Assets lists current assets, noncurrent assets, liabilities and net assets and shows a comparison to the previous month, in this case, April 30, 2021.

Current Assets:

As of the end of May 2021 the total current assets of Norway Savings Bank Arena were (\$1,381,647). These consisted of cash and cash equivalents of \$253,226, accounts receivable of \$61,544, and an interfund payable of \$1,696,417.

Noncurrent Assets:

Norway's noncurrent assets are equipment that was purchased, less depreciation (depreciation is posted at year end). The total value of the noncurrent assets as of May 31, 2021, was \$244,326.

Liabilities:

Norway Arena had accounts payable of \$2,207 as of May 31, 2021.

Statement of Activities:

The statement of activities shows the current operating revenue collected for the fiscal year and the operating expenses as well as any nonoperating revenue and expenses.

The operating revenues for Norway Arena through May 2021 are \$743,077. This revenue comes from the concessions, sign advertisements, pro shop lease, youth programming, shinny hockey, public skating, and ice rentals.

The operating expenses for Norway Arena through May 2021 were \$610,887. These expenses include personnel costs, supplies, utilities, repairs, rent, capital purchases and maintenance.

At the end of May 2021, there was an operating gain of \$132,190.

As of May 31, 2021, Norway Arena has a increase in net assets of \$132,190.

CITY OF AUBURN, MAINE
Statement of Net Assets
Norway Savings Bank Arena
May 31, 2021
Business-type Activities - Enterprise Fund

	May 31, 2021	April 30, 2021	Increase/ (Decrease)
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 253,226	\$ 253,226	\$ -
Interfund receivables	\$ (1,696,417)	\$ (1,755,231)	\$ 58,814
Prepaid Rent			\$ -
Accounts receivable	61,544	97,149	\$ (35,605)
Total current assets	(1,381,647)	(1,404,856)	23,209
Noncurrent assets:			
Capital assets:			
Buildings	58,223	58,223	-
Equipment	514,999	514,999	-
Land improvements	-	-	-
Less accumulated depreciation	(328,896)	(328,896)	-
Total noncurrent assets	244,326	244,326	-
Total assets	(1,137,321)	(1,160,530)	23,209
LIABILITIES			
Accounts payable	\$ 2,207	\$ 1,969	\$ 238
Net OPEB liability	\$ 44,026	\$ 44,026	\$ -
Net pension liability	60,901	60,901	-
Total liabilities	107,134	106,896	238
NET ASSETS			
Invested in capital assets	\$ 244,326	\$ 244,326	\$ -
Unrestricted	\$ (1,488,781)	\$ (1,488,781)	\$ -
Total net assets	\$ (1,244,455)	\$ (1,244,455)	\$ -

CITY OF AUBURN, MAINE
Statement of Revenues, Expenses and Changes in Net Assets
Norway Savings Bank Arena
Business-type Activities - Enterprise Funds
Statement of Activities
May 31, 2021

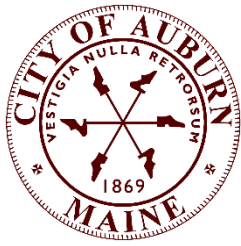
	Norway Savings Arena
Operating revenues:	
Charges for services	\$ 743,077
Operating expenses:	
Personnel	250,197
Supplies	52,121
Utilities	209,303
Repairs and maintenance	38,360
Insurance Premium	25,820
Depreciation	
Capital expenses	-
Other expenses	35,086
Total operating expenses	610,887
Operating gain (loss)	132,190
Nonoperating revenue (expense):	
Interest income	-
Interest expense (debt service)	
Total nonoperating expense	-
Gain (Loss) before transfer	132,190
Transfers out	-
Change in net assets	132,190
Total net assets, July 1	(1,376,645)
Total net assets, May 31, 2021	\$ (1,244,455)

CITY OF AUBURN, MAINE
REVENUES - NORWAY SAVINGS BANK ARENA
Through May 31, 2021 compared to May 31, 2020

REVENUE SOURCE	FY 2021 BUDGET	ACTUAL REVENUES THRU MAY 2021	% OF BUDGET	FY 2020 BUDGET	ACTUAL REVENUES THRU MAY 2020	% OF BUDGET	VARIANCE
CHARGE FOR SERVICES							
Concessions	\$ 16,500	\$ -	0.00%	\$ 16,500	\$ 12,000	72.73%	\$ (12,000)
Skate Rentals	\$ 7,500	\$ -	0.00%	\$ 7,500	\$ -	0.00%	\$ -
Pepsi Vending Machines	\$ 3,000	\$ -	0.00%	\$ 3,000	\$ 844	28.13%	\$ (844)
Games Vending Machines	\$ 3,000	\$ -	0.00%	\$ 3,000	\$ 1,561	52.03%	\$ (1,561)
Vending Food	\$ 3,000	\$ 85	2.83%	\$ 3,000	\$ 475	15.83%	\$ (390)
Sponsorships	\$ 230,000	\$ 156,983	68.25%	\$ 230,000	\$ 181,000	78.70%	\$ (24,017)
Pro Shop	\$ 7,000	\$ 1,459	20.84%	\$ 7,000	\$ 4,792	68.46%	\$ (3,333)
Programs	\$ 20,000		0.00%	\$ 27,500	\$ -	0.00%	\$ -
Rental Income	\$ 727,850	\$ 542,950	74.60%	\$ 744,000	\$ 563,500	75.74%	\$ (20,550)
Camps/Clinics	\$ 50,000	\$ 41,600	83.20%	\$ 50,000	\$ 9,830		\$ 31,770
Tournaments	\$ 55,000		0.00%	\$ 55,000	\$ 14,175	25.77%	\$ (14,175)
TOTAL CHARGE FOR SERVICES	\$ 1,122,850	\$ 743,077	66.18%	\$ 1,146,500	\$ 788,177	68.75%	\$ (45,100)

CITY OF AUBURN, MAINE
EXPENDITURES - NORWAY SAVINGS BANK ARENA
Through May 31, 2021 compared to May 31, 2020

DESCRIPTION	ACTUAL			ACTUAL			VARIANCE
	FY 2021 BUDGET	EXPENDITURES THRU MAY 2021	% OF BUDGET	FY 2020 BUDGET	EXPENDITURES THRU MAY 2020	% OF BUDGET	
Salaries & Benefits	\$ 380,990	\$ 250,197	65.67%	\$ 347,736	\$ 272,416	78.34%	\$ (22,219)
Purchased Services	\$ 145,000	\$ 99,266	68.46%	\$ 49,500	\$ 44,942	90.79%	\$ 54,324
Supplies	\$ 77,000	\$ 52,121	67.69%	\$ 68,150	\$ 78,914	115.79%	\$ (26,793)
Utilities	\$ 244,650	\$ 209,303	85.55%	\$ 238,000	\$ 221,260	92.97%	\$ (11,957)
Capital Outlay	\$ 50,000	\$ -	0.00%	\$ 15,000	\$ 2,000	13.33%	\$ (2,000)
Rent	\$ -	\$ -		\$ -	\$ -		\$ -
	\$ 897,640	\$ 610,887	68.05%	\$ 718,386	\$ 619,532	86.24%	\$ (8,645)
GRAND TOTAL EXPENDITURES	\$ 897,640	\$ 610,887	68.05%	\$ 718,386	\$ 619,532	86.24%	\$ (8,645)



**City of Auburn
City Council Information Sheet**

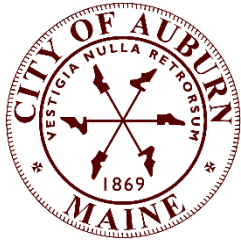
Council Workshop or Meeting Date: June 21st, 2021

Author: Jeff Tardif, General Assistance manager

Subject: Executive Session to discuss a Poverty Abatement, case # 2021- 001, pursuant to 36 M.R.S.A. Section 841 with possible action to follow.

Information:

Discussion on a poverty abatement case # 2021-001 pursuant to (36 M.R.S.A § 841). A hearing and written notice needs to be provided within 30 days.



City of Auburn City Council Information Sheet

Council Workshop or Meeting Date: June 21, 2021

Subject: Executive Session

Information: Economic Development, pursuant to 1 M.R.S.A. Section 405(6) (C).

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.