



City of Auburn, Maine  
Planning & Permitting Department  
Eric Cousens, Director  
60 Court Street | Auburn, Maine 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

To: Auburn City Council

From: Auburn Planning Board

RE: Planning Board recommendation to City Council on AGRP Zone Proposals A and B.

Date: 06/06/2023

This is the report from the Planning Board regarding the attached text amendments pursuant to Section 60-1496 of the City of Auburn Ordinances. After notice and Public Hearings held on June 6, 2023, the Planning Board forwards this report to the City Council.

**Proposal:** City Council directed the Planning Board to make a recommendation on whether to eliminate the income standard in all areas outside the Lake Auburn watershed overlay district as an ordinance text amendment within Chapter 60, Article IV, Division 2-Agriculture and Resource Protection District. (It also affects Chapter 60, Article I-In General (Definitions)). This public hearing will consider two proposed sets of text amendments: “Proposal A”, the same proposal considered at the public hearing on May 9, 2023; and “Proposal B”, as the Planning Board directed staff to prepare at its May 9, 2023, meeting. The proposed text changes are available at <https://www.auburnmaine.gov/pages/government/planning-board-agendas> and in the Planning Department in City Hall. This item is pursuant to Chapter 60, Article XVII, Division 2-Amendment to the Zoning Ordinance, and Division 3-Public Hearing.

**MOTION:** Tim DeRoche makes a motion; Toni seconds.

“I make a motion to recommend amending Sec. 60-1 of Article I, In General, as shown in Proposal “B”, Sec. 60-145 and Sec. 60-146 of Article IV, District Regulations, Division 2, Agricultural and Resource Protection District as shown in Proposal “B”, and amend Sec. 60-952 of Article XII- Environmental Regulations, Divisions 4, Lake Auburn Watershed Overlay District, also as shown in “Proposal B.”

*The following motions are amendments to the main motion, above.*

*Motions 1-7 are directly from Evan Cyr’s proposed amendments to Proposal “B”, submitted 6/6/2023.*

*Motions 8-9 are from AGRP Zone Group public comment from Steve Beale dated 6/5/2023.*

**1. MOTION:** Riley Bergeron; Second: David Trask

Riley Bergeron suggests an amendment for “Sec. 60- 145 (a)(1)(a) to include the language 20% of 2 acres, which ever is less” in reference to lot size. Dave Trask seconds. **VOTE:** Amendment passes 7-0-0

**2. MOTION:** Riley Bergeron; Second: David Trask

Riley Bergeron offers another amendment that 60-145(a)(1)(b)(ii) should be amended to consider all permitted agricultural uses rather than just farming. Dave Trask Seconds. **VOTE:** Amendment passes 7-0-0

**3. MOTION:** Riley Bergeron; Second: Toni Ferraro

Riley Bergeron would also like to include an amendment for Section 60-145(a)(1)(b)(vii) to read not be sited in any portion of a parcel that has been classified as being: “a. Enrolled in the State of Maine Farmland Tax Program in the last five years, or” **VOTE:** Amendment passes 6-1-0

**4. MOTION:** Riley Bergeron; Second: Tim DeRoche

Riley Bergeron offers another amendment for section 60-145(a)(1)(c) which only references Section 60-145(a)(1)(a) but there are also requirements for a residence later in that section. This could be accomplished by reading, “No certificate of occupancy shall be issued for any such residence until satisfactory evidence that the requirements set forth in Section 60-145(a)(1)(a) and Section 60-145(a)(1)(b)(ii) have been presented” **VOTE:** Amendment passes 7-0-0.

**5. MOTION:** Riley Bergeron; Second: Toni Ferraro

Riley Bergeron also offers an amendment to Sec. 60-145 (a)(1)(d) for it to read: “which the lot upon which the residence is constructed fails to meet the requirements set forth in Sec. 60-145(a)(1)(a) or the residence fails to remain accessory to an approved plan in accordance with Section 60-145(a)(1)(b)(ii). **VOTE:** Amendment passes 6-1-0

**6. MOTION:** Riley Bergeron; Second: Tim DeRoche

Riley Bergeron offers another amendment for Section 60-146(1) to read, “and measuring less than 250 feet in width at the street frontage along a publicly accepted street,” **VOTE:** Amendment passes 4-3-0

**7. MOTION:** Riley Bergeron; Second: Toni Ferraro

Riley Bergeron offers an amendment on Section 60-146(3) to read a maximum depth of 30% or 400 feet, whichever is less.

Riley Bergeron clarifies that his amendment refers to where the house should be set on the lot, the same text provided as public comment. David Trask also seconds after this clarification. **VOTE:** Amendment passes 7-0-0

**8. MOTION:** Tim DeRoche; Second: Riley Bergeron

Tim DeRoche proposes an amendment found in Mr. Beale’s public comment in Section 145(a)(3) that ‘firewood processing and Christmas tree cultivation’ should follow the words maple sugaring.” **VOTE:** Amendment passes 7-0-0

**9. MOTION:** David Trask; Second: Toni Ferraro

David Trask offers an amendment that in Section 145(b)(8)(a) the words except for approved conservation cemeteries which shall be at least 10 acres in size” should be added. **VOTE:** Amendment passes 7-0-0

**10. MOTION:** David Trask; Second: Toni Ferraro

David Trask would like to amend where referenced the Lake Auburn watershed to include the Taylor Pond watershed as well. **VOTE:** Amendment passes 7-0-0

**MOTION:** Tim DeRoche; Second: David Trask

“I make a motion to approve the B option with said amendments (1-10)” **VOTE:** Motion passes 7-0-0.