



City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

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PLANNING BOARD MINUTES March 12th 2024 – 6:00 p.m. City Council Chambers, 60 Court Street

Dave Trask makes motion to cluster the Workshop items together this moving agenda items # 7 and 8 to follow item #4. Second by Tim DeRoche, Vote: 7-0-0. Motion Passes

- 1. ROLL CALL:** Bob Hayes (Associate Member), Riley Bergeron, Ryan Smith, Paul Jacques, Stacey LeBlanc, Dave Trask, Amanda Guerrette (Associate Member), Tim DeRoche, Darren Finnegan.
- 2. MINUTES:** Review February 13th, 2024, meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>. Dave Trask makes a motion to Approve. Second; Paul Jacques. Vote: 7-0-0. Motion Carries.
- 3. PLANNING BOARD POLICIES AND PROCEDURES:** Review and adopt amended policies and procedures.

Board and Staff discuss edits and Stacey LeBlanc expressed interest in wanting to see where the policies fall in relation to state law and whether these policies are in-line or stricter than state laws. The Board asked for a couple of edits and ask the staff to make the edits and bring the document back to the Planning Board at the next meeting.

Dave Trask makes a motion to table this document to the next meeting. Second: Ryan Smith

Riley Bergeron makes an amendment the motion to include a request for Legal Council to clarify which of the suggested opening remarks are legally required. Second; Ryan Smith. Vote: 7-0-0 Amendment Carries.

Vote: 7-0-0. Motion Carries.

- 4. WORKSHOP:** Ordinance Amendment Process and 30-day response after Public Hearing.

Staff Report by Eric Cousens. Planning Board expressed concerns that the ordinance provides 30-days to determine a recommendation, however, sometimes meetings can be more than 30-days from one another, and Planning Board is asking for Legal Counsel to advise on how to deal with this ordinance wording to allow for sufficient time to discuss agenda items in more than one meeting session if needed.

0:48:00

JUMP TO AGENDA ITEM NUMBER 7 AND 8

5. **PUBLIC HEARING (NEW INFORMATION)/TEXT AMENDMENT:** Consider adding Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. This text change set the General Business Zone effective date encompassing approximately 60 acres in parts of Parcel ID 289-001, 289-002, and 277-026 until July 1, 2024. The text amendment was initiated by City Council and is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

Staff Report by Eric Cousens.

Planning Board asked clarifying questions about what their options are and whether opening Public Comment at this point re-sets the 30-day response, or not. Staff clarified that the Public Comment for the new information does not re-set the 30-day response needed from the first public comment session.

Riley Bergeron makes a Motion to open public comment. Second; Tim DeRoche. Vote: 7-0-0. Motion carries.

Evan Cyr – Granite St - Points out that the Planning Board’s decision needs to be based on the Public Hearing from the February meeting, not the public hearing occurring now.

Dave Trask makes a motion to close public comment. Second; Darren Finnegan. Vote: 7-0-0

Board and Staff discuss procedural options. Several board members expressed concern over allowing exceptions or a delay in a zoning change to accommodate a developer.

Riley Bergeron makes a motion to recommend that the City Council adopt and implement an applicability date of July 1, 2024, per Sec. Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. To read as follows:

The zoning map amendment to this chapter evidenced by Ordinance #26-11202023 relating to the rezoning of approximately 60 acres in parts of City Assessor’s Parcel ID 289-001, 289-002, and 277-026 from the Agriculture and Resource Protection (AGRP) zoning district to the General Business (GB) zoning district became effective on December 9, 2023, pursuant to Section 2.6(C) of the City Charter. In order to allow time for residents and property owners to become familiar with this zoning map amendment and for the City Council to further study and determine whether any additional amendments to this chapter related thereto are necessary or desirable, Ordinance #26-11202023 shall not become applicable until July 1, 2024.

Second: Ryan Smith; Vote: 2-5-0; Motion does not carry.

Dave Trask makes a motion to not recommend that the City Council adopt and implement an applicability date of July 1, 2024, per Sec. Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023.

With the findings of working with property owners and developers is not within the purview of the Planning Board and the public has had numerous opportunities to participate in the public hearings in which the Planning Board has followed proper protocols. Furthermore, no further scientific findings have been presented to demonstrate that the initial zoning change needs to be re-examined.

Second: Paul Jacques; Vote: 5-2-0; Motion Carries

1:34:51

6. **FEEDBACK:** Capital Improvement Plan (Revised CIP in Packet) Provide comments for Staff.

Staff and Board review budget relating to CIP funds related to the Comprehensive Plan.

MOVE TO ITEM 9 – PUBLIC COMMENT

7. **WORKSHOP:** Brief on the City’s accomplishments and progress related to the 2010 Comprehensive Plan (Update in 2021).

Staff Report by Katherine Cook. Working on collecting responses and updates from various city departments.

8. **WORKSHOP:** Approval Expirations-consider extension of 1 and 2-year approvals for Development Projects (Solar and Other Projects)

Staff Report by Katherine Cook. Staff recommends that Planning Board and City Council consider extending the approval period longer than 1-year since these projects typically take longer than a year to get all of the approvals and contracts/financing, etc. Planning Board agreed that this is worth consideration and worth putting in front of Council to consider as well.

1:03:00

MOVE BACK TO AGENDA ITEM 5 AND 6

9. **PUBLIC COMMENT:**

Evan Cyr – 122 Granite St. Expressed confusion over procedural processes related to Item 5 in the agenda especially related to public comment.

10. **MISCELLANEOUS:**

- a. Upcoming Agenda Items
- b. Ad-Hoc Committee Meeting for LD2003 Tuesday, March 19, 2024, at 4:30pm City Hall

Stacey LeBlanc expressed concern about the legal opinion related to appointments of public for the LD2003 Ad-Hoc Committee appointments. Planning Board expresses interest in having community members being able to participate on boards and ad-hoc committees. Paul Jaques also mentions that these ad-hoc committee meetings are open to the public and are advertised in advance.

Stacey LeBlanc and Riley Bergeron are appointed as members of the ad-hoc Committee for LD 2003.

11. ADJOURNMENT

1:50:00

Auburn Planning Board meetings can be viewed live on the City of Auburn YouTube channel (<https://www.youtube.com/c/CityofAuburnMaine>), and on Great Falls Television (Spectrum Cable Channel 11).

Following live broadcasts, Planning Board meetings are *rebroadcast* at 7:00AM, noon, and 7:00PM on Tuesdays on GFTV and are available anytime on our YouTube channel.