

Auburn Planning Board Meeting Minutes June 11, 2019

ROLL CALL:

Regular Members present: Evan Cyr – Presiding, Dustin Boutin, Brian Carrier, and Samuel Scogin

Regular Members absent: Marc Tardif, Stephen Martelli and Nathan Hamlyn

Associate and other Members present: Katherine Boss and John Engler

Associate and other Members absent: None

Also present representing City staff: Audrey Knight, Auburn City Planner

Chairperson Cyr called the meeting to order at 6:00 pm and asked for a roll call.

MINUTES:

Action on the Minutes will be deferred until the end of the meeting

NEW BUSINESS and PUBLIC HEARING:

Proposed text amendment to Article XIII, Environmental Performance Standards, Section 60-1038. Odors.

Chairperson Cyr stated that several of the full voting members were absent so both Associate members, Katie Boss and John Engler would be acting as full members for this meeting. He stated for the record, that 2 members of the board, Nathan Hamlyn and Marc Tardif have chosen to resign because of conflict with other responsibilities.

Audrey went over the staff report and presented slides via PowerPoint.

(17:10 on Recording)

Board members asked Audrey questions regarding health and potential noxious odors, types of odor complaints the City has received in the past, violation fees, etc.

Joh Engler commented that this was a very well written ordinance and said that if it is enacted, he would like to see information come back to see how it is being used by the citizens and how it's affecting businesses.

(35:10 on Recording)

Open Public Input

A motion was made by Sam Scogin and seconded by Brian Carrier to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

A motion was made by Brian Carrier and seconded by John Engler to close the Public Input part of the hearing. After a vote of 6-0-0, the motion carried.

Brian Carrier commented that it is a well-crafted document and likened it to odors similar to farming and cigarette smoke.

Chairperson Cyr commented that this seems tailor made to a specific industry but is applied to every single zone and is worried that it's too specific. He gave the example of his neighbor owning horses and the implications of what this ordinance could bring. He spoke about how the right-to-farm should be written in this and also should include a certain provision which would acknowledge that specific uses generates specific smells so if you are in an area that is zoned for something as a regular use and you are next door to that, it is unreasonable for you to say that the odors coming from that use bothers you. He spoke about enforcement and the potential for leapfrogging and agreed with Mr. Engler that complaints should be tracked and made available to the public.

After a lengthy discussion, it was decided that more information was needed so the following motion was made:

(1:40:25 on Recording)

A motion was made by Katie Boss and seconded by Sam Scogin to table this hearing until the next Planning Board meeting. After a vote of 6-0-0, the motion carried.

OLD BUSINESS and MINUTES:

Review and approval of minutes from the May 14, 2019 meeting. Review and approval of draft letter of recommendations to City Council regarding proposed text amendments to the AGRP, Sections 60-2, 60-145, and 60-146. Discussion of status and next steps.

MINUTES:

May 14, 2019 Meeting Minutes Approval Request

A motion was made by Sam Scogin and seconded by Dustin Boutin to approve the May 14, 2019 meeting minutes as presented. After a vote of 6-0-0, the motion carried.

Approval of draft letter of recommendations to City Council regarding proposed text amendments to the AGRP, Sections 60-2, 60-145, and 60-146. Discussion of status and next steps.

Chairperson Cyr asked Board members for feedback on the draft letter that the Planning Board will be sending to the City Council.

Sam Scogin said the Planning Board should strongly encourage the City to take the legal advice provided by Bernstein Shur into serious consideration when considering any proposed changes to the AG Zone.

Katie Boss agreed and said that specifically looking at the recommendations and concerns that were brought up by BernSteinShur, twice they referenced the proposed changes to the AG Zone are

inconsistent to the Comprehensive Plan. She added that as a Planning Board, our job is to be reflecting what's in the Comprehensive Plan.

(1:46:00 on Recording)

A motion was made by Katie Boss and seconded by Brian Carrier to approve the draft letter to the City Council with the addition of recommendation #4 which states: The concerns by BernSteinShur (Memorandum dated June 10, 2019) should be of first consideration in proceeding with this amendment. After a vote of 6-0-0, the motion carried.

MISCELLANEOUS:

Staff updates on Marijuana Ordinances

Audrey updated Board members about the Home Occupation permits that current marijuana caregivers would need to apply for starting July 1st. She presented a couple of slides via PowerPoint and went over the ordinance amendments that had occurred since the Board last reviewed it.

ADJOURNMENT

A motion was made by Sam Scogin and seconded by Brian Carrier to adjourn. After a vote of 6-0-0, the motion carried.