

**Auburn Planning Board Meeting Minutes  
October 12, 2021**

**1. ROLL CALL:**

**Regular Members present:** Evan Cyr, Darren Finnegan, Dana Staples, Acting Chair Riley Bergeron, Stacey LeBlanc and Stephen Martelli,

**Regular Members absent:** Mathieu Duvall

**Associate and other Members present:** Joseph Morin and Brian DuBois

**Associate and other Members absent:** None

**Also present representing City staff:** Eric Cousens, Director of Planning & Permitting

Chairperson Bergeron called the meeting to order at 6:00 pm and asked for a roll call. After roll call Chairperson Bergeron stated Brian DuBois would be acting as a full member for this meeting.

**2. MINUTES: Approval request of the September 14, 2021 meeting minutes.**

A motion was made by Evan Cyr and seconded to approve the September 14, 2021, meeting minutes as presented. After a vote of 7-0-0, the motion passed.

**3. PUBLIC HEARING/SPECIAL EXCEPTION: Proposed 128-unit multifamily project located on Mt. Auburn Avenue (PID 279-004,006-001 & 007) in the General Business Zoning District. The project will consist of two, 4-story apartment buildings connected by a clubhouse complete with leasing office, gym, pool, and parking. Each building includes 64 units with a mix of one and two-bedroom units.**

Eric Cousens reviewed the Staff Report

Steve Martelli asked the applicant if bus services would be permitted within the property. Applicant indicated while there was clearance for Emergency vehicles and a bus could fit, it was not common for bus services to enter the property. Applicant did express possibility of a bus stop at the entrance of the property.

Brian Dubois questioned the back portion and having access to Summer St. Eric Cousens confirmed there would be no throughway to Summer St.

Applicant Jason Kambitsis highlighted their company keeps these buildings in their portfolio after they build them, they have been around for 50 + years.

Motion to open Public Comment

**No public comment.**

Motion to close public comment.

A motion was made by Evan Cyr and seconded by Dana Staples to Approve. After a vote of 7-0-0, the motion passed with the following exceptions and conditions.

Special Exception, Section 60-1336:

1. That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.
2. That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.
3. That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.
4. That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.
5. That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.
6. That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.
7. That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.

This approval is granted with the following **Waivers**:

This approval is granted based on the following **Conditions** being met:

- a. *No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.*
- b. *Minimum of 720' of sidewalk tie-in to Sam's Club entrance while adhering to the cities current sidewalk standard detail.*
- c. *Updated site plan to include a right turn in and right turn out on the eastern entrance to the development.*
- d. *Adjust gate valve's locations to sidewalk to meet Auburn Water District request for ease in locating in the wintertime.*
- e. *No development activity until NRPA permit is issued by the State of Maine.*

**4. PUBLIC HEARING/SPECIAL EXCEPTION: Proposed and equestrian training area located 616 West Auburn Road (PID 341-056) in the Rural Residential (RR) and Agriculture and Resource Protection (AG) Zoning Districts. The applicant is submitting a development review application to be reviewed under special exception and the site plan review process for a recreation use project under SEC 60-145 (b) (5) of the AG/RP & RR zoning ordinance.**

Eric Cousens reviewed the Staff Report

Evan Cyr disclosed he lives close by and asked for board approval to participate in this discussion. No objections, approved.

Evan Cyr with questions about parking spots and if there would be a turnaround anywhere on the property.

Stacey LeBlanc seeks clarification as to what the applicant means by “expand over time” when talking about her business.

Clarification that this facility will be using Day Camp standards therefore will meet ADA requirements.

Applicant: Michelle Whitmore shares she has 20 yrs experience with horses. Her hopes are to have a summer program as well as after school program that is affordable for the community.

**Motion to open public comment**

**Open Public Comment:**

Ben Lounsbury of 505 W Auburn Rd. states he wonders how the manure will be monitored, does not believe there will be zero runoff. He referenced a Facebook statement allegedly made by the Applicant about “miles of trails available” for the horses to use, he is asking if the Applicant has permission from the landowners to utilize those trails.

John & Amy Mileikis of 598 W Auburn Rd. is concerned about privacy as there has been clear cutting. Will there be a fence or more trees planted? He is also concerned about his pond being contaminated from run off from the manure.

Wayne Moody of 48 Waylon Dr. lives across the street from proposed horse farm. He is also concerned for privacy and pond contamination. Mr. Moody also shares concern for manure pick up and parking issues.

Sophie Norton of 616 W Auburn Rd. Stepdaughter of applicant. Supports the horse farm and riding lessons. Shares her love for horses.

Cynthia Alexander of 582 W Auburn Rd. states she has zero privacy and feels like the clear cutting wasn't publicized and she found out after the fact. Concerned about manure, flies and odor from the horses.

Ashley Favereau of 51 Weymouth St. Brunswick, ME states she has known the applicant for years and compliments her meticulous care for horse and the facilities she has worked in before. Ms. Favereau also states she trusts the applicant with care of her own horses. She also added that fly management will take some time.

AJ Hungerford Applicant's Attorney indicates his client will maintain a clean facility because "if it looks bad people won't go there". Also indicated there are several horse farms in the area.

John Ouellette of 640 W Auburn Rd is also concerned about privacy and wastewater from students attending this facility. He is concerned about traffic and who is going to police the max students allowed on site. Mr. Ouellette feels that once approved, this facility will change the neighborhood.

Deasy Edwards, Contractor acknowledged the clear cutting but did note the applicant is taking care of stump grinding and planting new grass. (other comments garbled)

Joe Stevenson, Environmental Wetland Scientist, explained the drainage will be the same flow as it has been for 150+ years

Scott Alexander of 582 W Auburn Rd. indicates the Attorney misspoke when he mentioned other horse farms in the area. Mr. Alexander states this is unusual to see in the neighborhood.

Roger Gauthier of 276 Penley Corner Rd. In support of horse manure, good for crops and has experienced very little run off.

David Wolf of 621 W Auburn Rd reports his driveway is directly across from the access road to the horse farm. Mr. Wolf shares concern that the applicant is creating a business at the expense of the neighborhood. Feeling blindsided with the work that has already been done. Since the clear cutting has been done, he can now hear the tractors from Wallingford's spraying apples and even hear the dirt bikes from Hemmond's motocross in Minot. He is disappointed and concerned about wind and snow.

Contractor spoke again – unable to hear, looking at map.

Michelle Whitmore, Applicant states there will not be a flock of people at a time, possibly 2 students and staff. She did explain the fly predators she was not near a microphone, unable to hear.

A motion to close public comment

Board members discussed some of the public questions openly. Dana mentioned the manure contract says that it will be removed every 3-6 months.

8:37pm Evan Cyr motion to approve site plan

This approval is granted based on the following **Conditions** being met:

- a. 150 feet of privacy fencing 6 feet high with staggered row 6' (six) foot evergreen 6'-8' apart planting along the property line of 598 & 616 West Auburn Road.
- b. Stormwater inspection and maintenance log provided yearly to Auburn Water District and City Staff.
- c. Limit operations to 8 PM year-round.
- d. 25' single row 6 feet tall evergreen at North end along property line.
- e. Disposal of manure be scheduled frequently enough to not to not overflow the covered shed

**5. PUBLIC HEARING/SPECIAL EXCEPTION: Proposed 6,600 square foot Olive Garden to Replace the Existing Ruby Tuesday at 649 Turner Street (PID 280-013-000-001) in the General Business Zoning District.**

Eric Cousens reviewed the Staff Report

Brian Dubois has questions regarding signage.

Applicant David Latham – described the plan to increase the size of the current building.

A motion to open public comment.

**No Public Comment.**

A motion to close public comment.

A motion was made by Evan Cyr and seconded by Dana Staples to grant waiver for sign. After a vote of 7-0-0, the motion passed.

A motion was made by Evan Cyr and seconded to approve site plan. With the following conditions:

This approval is granted based on the following **Conditions** being met:

- a. No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.
- b. An amended plan shall be recorded changing note #12 on the previously approved plan: Subdivision Plan of Mount Auburn Plaza, dated August 2, 2018, to allow the maximum building to be 6,600 square feet.

- c. Approved side setback down to 8' planning board votes 7-0 in favor of allowance.
- d. Approved sign waiver is allowed due to special case w/no access allowed on Mt. Auburn Avenue.
- e. Please note assigned address is 10 Subaru Drive

After a vote the motion was passed.

**6. PUBLIC HEARING/SPECIAL EXCEPTION: Proposed 20 acre, 2.5MW solar array at 100 Penley Corner Road (PID: 139-012), Auburn Renewables 2, LLC on a parcel located in the Agriculture and Resource Protection Zoning District.**

Eric Cousens reviewed the Staff Report

Applicant: Gave introduction, explains this project is similar to the project from last year roughly ½ the size.

Heather (Last name inaudible) Wetland Scientist states they have been able to avoid clearing. This project will contribute to new jobs and energy for 400 homes.

A motion to open public comment.

**Open Public Comment:**

Barry Skilling, abutter to property states he did not get notification due to clerical error and his son was sent the letter. Mr. Skilling states these solar panels are not made for Ag Zone and there should be no commercial businesses.

Robert Parent of 1313 Riverside Drive is concerned this will decrease property value for those living near the solar array. Concerned about privacy and having to look at the panels when the trees are bare. Will there be a privacy screen? Suggested these solar panels should be built on top of flat roofing within the community, not in the Ag Zone.

Carl & Alyssa Skilling of 1425 Riverside Drive state nobody knew about this happening, when he asked fellow neighbors and community members, they wondered when exception was made to the Ag Zone rules. This area has prime soil and spoke of a local farmer who will now have to move from this location if these solar panels are approved. States the farmer can grow a sustainable amount of corn with no irrigation due to the rich soils. Mr. Skilling strongly believe these solar panels should be placed elsewhere and not in the Ag Zone, also adds concern for the cost of removing these years down the road and who is responsible to pay for it.

Kathy Shaw of 1200 Sopers Mill Rd states it is the landowner's right to make this business transaction

\_\_\_\_\_ Wayne of \_\_\_\_\_ inaudible

Barry Skilling spoke again pointing out the landowner is poor therefor he is making this choice.

9:39pm A motion to close public comment.

Meets criteria

Special exemption

Evan points out applicant meets current requirements, A motion to approve seconded.

Motion passes

This approval is granted based on the following Conditions being met: 1. All bonding and inspection fees shall be paid and a notice to proceed issued by the Engineering Department before the start of construction.

- 7. **TABLED DISCUSSION FUTURE LAND USE MAP:** Planning Board to remove this item from the table and retable to a date certain (Staff suggests a special Planning Board meeting 10/26/2021).
- 8. **TABLED DISCUSSION STRIP ZONES:** Planning Board to remove this item from the table and retable to a date certain (Staff suggests the November Planning Board meeting).

**9. PUBLIC COMMENT**

**10. PLANNING BOARD ITEMS FOR DISCUSSION**

**11. MISCELLANEOUS:**

- a. Upcoming items for November

**12. ADJOURNMENT:**

Next Planning Board Meeting is on November 09, 2021