

# **Auburn Planning Board Meeting Minutes January 12, 2021 (Virtual Meeting)**

## **1. ROLL CALL:**

**Regular Members present:** Mathieu Duvall – Presiding, Evan Cyr, Dana Staples, Dan Carroll, Stacey LeBlanc and Stephen Martelli

**Regular Members absent:** Darren Finnegan

**Associate and other Members present:** Riley Bergeron

**Associate and other Members absent:** Vacancy

**Also present representing City staff:** Megan Norwood, City Planner II and Eric Cousens, Director of Planning & Permitting

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call. After roll call, Chairperson Duvall stated that Riley Bergeron’s Board member status would be elevated to full membership status for the remainder of this meeting.

## **2. MINUTES: Approval request of the December 8, 2020 meeting minutes.**

A motion was made by Evan Cyr and seconded by Dana Staples to approve the December 8, 2020 meeting minutes as presented. Chairperson Duvall said his last name was misspelled on the last page of the minutes. After a vote of 7-0-0, the motion passed as amended.

**(2:45 on YouTube Recording)**

## **3. PRESENTATION: 5-Year Capital Improvement Plan (Phil Crowell)**

### **a) Planning Board to Provide Feedback at February Meeting**

Phil Crowell, Auburn City Manager went over some of the Economic Development CIP items that were adopted this year, specifically, Dangerous Buildings, Comprehensive Plan Property Acquisition Plan and the Downtown Parking and Walkability. He also went over the 5-year plan and asked that the Board members discuss the proposed CIP and provide feedback before March 1<sup>st</sup>. Mr. Crowell and Eric Cousens answered questions from the Board members.

**(46:45 on YouTube Recording)**

**4. ORDINANCE/MAP AMENDMENT/PUBLIC HEARING: Proposed expansion of the form-based code zoning district T-4.2 Traditional Downtown Neighborhood, to replace the current zoning in the Multi-Family Urban district in the New Auburn neighborhood consisting of the streets from Riverside Drive to Ninth St. and portions of Broad and South Main St., pursuant to Chapter 60, Article XVII Amendments, of the City of Auburn Ordinances.**

Megan went over the staff report and she and Eric answered questions from the Board members.

(55:50 on YouTube Recording)

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Dan Carroll to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Walter Reed of 173 Third Street said he had serious concerns regarding this zone change. He spoke about the risk of losing more green space in the neighborhood, labeling his property as being downtown, loss of parking spaces and the narrowing of streets. He said this felt like the Government stepping in and doing unfair regulations. He suggested that the City fix the bad regulations instead of changing the zoning and allow the process for appealing to happen if needed.

Peter Cyr of Sixth Street agreed with what Mr. Reed said. He was curious about the intent of this rezoning and asked why they would be doing it so far up the New Auburn Hill. He said the density does not need to be more than it already is. He challenged the Board to explain the true intent as to why this is necessary and why so far up the hill.

Suzette Cyr of 121 Sixth Street said this community is built on a hill and having to rebuild her home 5 feet from the property line would be impossible because the house is on a knoll. She said she was concerned about having a zoning law that asks that houses be moved so close to the sidewalk. This she said, loses the residential neighborhood feeling that they have.

### **Close Public Input**

A motion was made by Dan Carroll and seconded by Evan Cyr to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

Evan Cyr clarified that the Ordinance does not say that you must build your house 5 feet from the road. It says you cannot build closer than 5 feet. He said that the proposed zoning better matches the existing character in that area.

Eric put up the GIS mapping of the Sixth Street area and measured the distance between some of the houses and the street. A discussion ensued between Board members and staff.

(1:27:25 on YouTube Recording)

A motion was made by Evan Cyr and seconded by Dan Carroll to forward a favorable recommendation to the City Council with regards to the Proposed expansion of the form-based code zoning district T-4.2 Traditional Downtown Neighborhood, to replace the current zoning in the Multi-Family Urban district in the New Auburn neighborhood consisting of the streets from Riverside Drive to Ninth St. and portions of Broad and South Main St., pursuant to Chapter 60, Article XVII Amendments, of the City of Auburn Ordinances. After a vote of 7-0-0, the motion carried.

## **5. ORDINANCE/MAP AMENDMENT/PUBLIC HEARING: Proposed creation of a transition zone shown on the referenced map for adjacent parcels on the border of two form-based code**

**zoning districts which would allow property owners to select one of the two districts to apply to their property in the area adjacent to Academy, Elm, Maple, Pleasant, High, Drummond and a portion of Spring Street and the Laurel Avenue and Newbury Street neighborhood pursuant to Chapter 60, Article XVIII Amendments, of the City of Auburn Ordinances.**

Megan went over the staff report and presented maps on the screen. She and Eric Cousens answered questions from Board members.

(1:41:25 on YouTube Recording)

**Open Public Input**

A motion was made by Dan Carroll and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Nickolaus Charneski, representative of the Auburn Housing Authority asked if they could potentially change the zones in the 2 lots they own, 65 Pleasant Street and 154 Court Street because of their locations in the T-4.2 & T-5.2 zones and Megan said as long as they were located in the hatch marked areas of the map.

**Close Public Input**

A motion was made by Dan Carroll and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A lengthy discussion ensued amongst Board members and staff.

(2:13:50 on YouTube Recording)

A motion was made by Dan Carroll and seconded by Stephen Martelli to table the proposed creation of the transition zone shown on the referenced map for adjacent parcels on the border of two form-based code zoning districts which would allow property owners to select one of the two districts to apply to their property in the area adjacent to Academy, Elm, Maple, Pleasant, High, Drummond and a portion of Spring Street and the Laurel Avenue and Newbury Street neighborhood pursuant to Chapter 60, Article XVIII Amendments, of the City of Auburn Ordinances. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dan Carroll to send a recommendation to the City Council to review their motion regarding the rezoning of 186 Main Street. After a vote of 7-0-0, the motion carried.

- 6. REVIEW/DISCUSSION: Planning Board Policies and Procedures**
  - a. Adopt Revised Attendance Policy**
  - b. Adopt New Section Pertaining to Findings**
  - c. Discussion on Codifying Motions in the Policies & Procedures**

Chairperson Duvall suggested they take each item up individually and decide how they wanted to move forward with each.

**a. Adopt Revised Attendance Policy**

Megan gave a brief update and after a short discussion the following motion was made:

**(2:22:30 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Dana Staples to adopt the revised attendance policy to include the revision provided by Board member Mrs. LeBlanc who stated that it should read: The executive session to address attendance. After a vote of 7-0-0, the motion carried.

Dan Carroll asked if Item #6 on the Agenda was a spot for the Board to come up with parameters as to what is going to determine moving forward for a live in-person meeting versus on Zoom. Chairperson Duvall replied that we are currently living through exceptional circumstances and codifying the ordinance or policy's specific rules around these circumstances is not necessary. The Board's decision to meet via Zoom is driven by the City and said he understands the frustration but to make a rule change is over-kill in his opinion.

**b. Adopt New Section Pertaining to Findings**

There was no discussion amongst the Board members.

A motion was made by Dana Staples and seconded by Dan Carroll to adopt the new section pertaining to Findings. After a vote of 7-0-0, the motion carried.

**c. Discussion on Codifying Motions in the Policies & Procedures**

A discussion ensued amongst Board members and staff regarding the language for motions and whether to incorporate some of the Robert's Rules language. It was decided to leave the process as they have been doing it but will strike Roberts Rules and replace with applicable sections in the Policies & Procedures.

**7. PUBLIC COMMENT:** No members of the public spoke.

**8. PLANNING BOARD ITEMS FOR DISCUSSION:** Chairperson Duvall mentioned that the February meeting is when the Board elects its Chair. Megan gave an update of the Comp Plan meeting.

**9. MISCELLANEOUS: Upcoming Items for February:** Megan mentioned additional FBC changes would be coming again in February and Eric stated there would be a Public Hearing on a rezoning for a portion of Trapp Road. Chairperson Duvall said they would be going over Procedures and the CIP.

**10. ADJOURNMENT:**

**(2:56:17 on YouTube Recording)**

A motion was made by Stephen Martelli and seconded by Evan Cyr to adjourn. After a vote of 7-0-0, the motion passed.

# **Auburn Planning Board Meeting Minutes February 9, 2021 (Virtual Meeting)**

## **1. ROLL CALL:**

**Regular Members present:** Mathieu Duvall – Presiding, Evan Cyr, Dana Staples, Darren Finnegan, Stacey LeBlanc and Stephen Martelli

**Regular Members absent:** Dan Carroll

**Associate and other Members present:** Riley Bergeron

**Associate and other Members absent:** Vacancy

**Also present representing City staff:** Megan Norwood, City Planner II and Eric Cousens, Director of Planning & Permitting

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call. After roll call, Chairperson Duvall stated that Riley Bergeron’s Board member status would be elevated to full membership status for the remainder of this meeting.

## **2. MINUTES: Approval request of the January 12, 2021 meeting minutes.**

A motion was made by Dana Staples and seconded by Stephen Martelli to approve the January 12, 2021 meeting minutes as presented. Chairperson Duvall said his last name was misspelled on the last page of the minutes. After a vote of 7-0-0, the motion passed as amended.

Chairperson Duvall stated that item #3 on the agenda would be moved to after item #10.

## **4. FEEDBACK: 5-Year Capital Improvement Plan**

Chairperson Duvall reminded Board members that the City Manager had asked for any feedback before March 1<sup>st</sup>. Evan Cyr suggested that the City Manager place language where he thought appropriate, to use some of the CIP funds to help implement the recommendations from the Comprehensive Plan Committee. Dana Staples suggested using some of the funds towards Covid plan recovery. Chairperson Duvall restated that the Board had until March 1<sup>st</sup> so members could send additional suggestions to Eric or Megan before then.

**(8:00 on YouTube Recording)**

## **5. ZONING MAP AMENDMENT/PUBLIC HEARING: Proposed re-zoning of a portion of the following parcels on Trapp Road: PID 057-003, PID 057-003-001, 057-002, and 057-001 from Rural Residential to Agriculture/Resource Protection, pursuant to Chapter 60, Article XVII Amendments, of the City of Auburn Ordinances.**

Megan went over the staff report and she and Eric answered questions from the Board members.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No Comments

### **Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

**(55:00 on YouTube Recording)**

After a lengthy discussion, the following motion was made:

A motion was made by Dana Staples and seconded by Riley Bergeron to recommend to City Council to rezone portions of the following parcels on Trapp Road from Rural Residential to Agriculture/Resource Protection, pursuant to Chapter 60, Article XVII Amendments, of the City of Auburn Ordinances: PID 057-003, PID 057-003-001, PID 057-002, and PID 057-001.

Evan Cyr said he will reluctantly vote in favor of this and commented that this is a bigger issue that needs to be rectified. Several Board members agreed with Mr. Cyr. Chairperson Duvall said he was not in favor of approving this because of the point that the Board is just identifying who wins versus who does not.

After a vote of 6-1-0, the motion carried. Chairperson Duvall voted against the motion.

Chairperson Duvall said he wanted to initiate a brief discussion about how to best notify the City Council about the issues with item #5 on the agenda. Evan Cyr said he would be in favor of sending the findings of fact and explaining that the discussion was not an easy one and that several Board members felt there was a different solution that would be better, and our intent is to look into that.

- 6. ZONING MAP AMENDMENT/PUBLIC HEARING: Proposed expansion of the form-based code zoning district T-4.2 Traditional Downtown Neighborhood, to replace the current zoning in a small portion of the Urban Residential district in the Court/Lake Street neighborhood and the Multifamily Urban/Neighborhood Business District in the area encompassing Lake Auburn Ave to Union Street and Lake Street to Whitney Street as shown on the referenced map, pursuant to Chapter 60, Article XVII Amendments, of the City of Auburn Ordinances**

Megan presented the staff report and answered questions from Board members.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

**(1:15:15 on YouTube Recording)**

Heidi and Evan Peer, owners of 358 Court Street stated that this would help them a lot because without the proposed change, they could only build an 18 ft wide home on their lot.

Maureen O'Brien of 42 Winter Street said she had quite a few concerns. Her biggest fear is the speed that this might proceed. She is worried that the timeline of when this goes to the City Council for consideration won't give the residents in this neighborhood enough time to understand what some of these the changes are and how it's going to affect this neighborhood potentially. She would like to see more community input and involvement before it proceeds.

### **Close Public Input**

A motion was made by Dana Staples and seconded by Stephen Martelli to close the Public Input part of the hearing. After a vote of 7-0-0, the motion carried.

Evan Cyr asked Eric and Megan if either could explain the process and list the opportunities the public had to learn information about this project and what opportunity they had to provide their input to the City Council.

Megan explained that the City Council recommended that the Planning Board review this. This is the 2<sup>nd</sup> step where the Planning board reviews and makes a recommendation, either in favor of the proposed zone change or not in favor. Either way a recommendation goes to the City Council. The City Council will have a workshop, a first hearing and a 2<sup>nd</sup> hearing, all are at 3 separate meetings. Usually, the 2<sup>nd</sup> reading is when they will hold the public hearing, and this is when the abutter notices will be mailed out again and a legal notice will be posted in the Sun-Journal. Residents can write to their City Councilor to voice their opinions at any time in this process.

**(1:38:20 on YouTube Recording)**

After a lengthy discussion, the following motion was made:

A motion was made by Evan Cyr and seconded by Dana Staples to forward a positive recommendation to the City Council to expand the form-based code zoning district T-4.2 Traditional Downtown Neighborhood, to replace the current zoning in a small portion of the Urban Residential district in the Court/Lake Street neighborhood and the Multifamily Urban/Neighborhood Business District in the area encompassing Lake Auburn Ave to Union Street and Lake Street to Whitney Street as shown on the referenced map, pursuant to Chapter 60, Article XVII Amendments, of the City of Auburn Ordinances. After a vote of 7-0-0, the motion carried.

## **7. WORKSHOP: Discuss Amending Section 60-34 of the Auburn Code of Ordinances, Buildings per Lot to allow secondary dwelling units where two-family homes are permitted.**

Megan explained the proposal and answered multiple questions from the Board. She said she would provide a map showing where these secondary dwelling units would be allowed in the City

(1:54:30 on YouTube Recording)

**8. WORKSHOP: Discuss the Following Ordinance Amendments**

- a) **Discuss Correction of Improperly Referenced Ordinance Items, Spelling, Capitalization and Word Placement Errors and Consider Revising Ordinance Provisions Discussed during Project Reviews.**

Megan gave examples of areas that needed to be corrected in the Ordinance. She explained that any correction in Chapter 60 must go before the Planning Board for approval before the change can be made.

- b) **Discuss Amending Section 60-607(15) of the Auburn Code of Ordinances, Required Curb-Cut Widths Based on Number of Driveways.**

Megan explained the workshop item and asked Board members if they wanted to add some language which would direct them to specifically look at and review this or if they prefer to continue to grant waivers for these and just leave it as is. She answered questions from Board members and after a discussion, said she would bring examples of projects that the Board had heard at previous meetings and had granted waivers for curb cuts.

(2:24:30 on YouTube Recording)

**9. REVIEW/DISCUSSION: Planning Board Policies and Procedures**

- a) **Roberts Rules of Order: Codifying Motions in the Policies & Procedures**

Chairperson Duvall thanked Evan Cyr for producing a “cheat-sheet” which listed the types of motions the Board may make and when they should be made. He asked Board members for their feedback and asked if they wanted to adopt the document. Board members said they found the document very informative and a suggestion was made that this be reviewed by a municipal attorney before it was adopted.

**10. PUBLIC COMMENT:** No members of the public spoke.

**3. Elect Chair/Vice Chair (This item was moved to this spot on the Agenda)**

Chairperson Duvall asked Board members for nominations and after hearing none, he offered to serve as Chair for another year. All members voted to accept Chairperson Duvall as Chairperson for another year.

Chairperson asked Board members for nominations or self-nominations for Vice Chair.

Evan Cyr nominated Stacey LeBlanc as Vice Chair and she declined the nomination.



Evan Cyr nominated Riley Bergeron as Vice Chair. Mr. Bergeron stated he was an associate member but has acted as a full member since he has been on the Board. After a brief discussion, Mr. Bergeron accepted the nomination and all members, except Mr. Bergeron, voted to accept him as Vice Chair.

(2:36:00 on YouTube Recording)

## **11. PLANNING BOARD ITEMS FOR DISCUSSION:**

### **a) Comprehensive Plan Update:**

Dana Staples gave a brief update of what had transpired at the Comp Plan meetings and what they would be going over at their next scheduled meeting.

Evan Cyr asked what constitutes zoning amendment requests from the City Council? He asked because he was concerned about possible future litigation if the Board did not follow the process correctly. He said he would like to see a clear vote taken from City Council members which states whether or not they want to send a certain request to the Planning Board. Chairperson Duvall agreed that a vote from the City Council would be great and should be detailed in the staff report when it comes to the Planning Board.

Chairperson Duvall mentioned that at their last meeting, they went over attendance rules for Board members and said he wanted clarification as to when the clock started to count Board member absences. Riley Bergeron said he feels the clock starting should line up with when the Board made the decision for that to be the rule. Several Board members agreed with Mr. Bergeron.

Board members also discussed the process of how and when to notify the Board member with the attendance issue.

## **12. MISCELLANEOUS: Upcoming Items for March:**

Megan mentioned there was a solar project 1054 North River Road coming before the Board in March and a building renovation to create 5 additional apartment units at 386 Minot Avenue also coming before the Board.

(2:59:30 on YouTube Recording)

## **13. ADJOURNMENT:**

A motion was made by Evan Cyr and seconded by Stephen Martelli to adjourn. After a vote of 7-0-0, the motion passed.

# **Auburn Planning Board Meeting Minutes March 9, 2021**

## **1. ROLL CALL:**

**Regular Members present:** Mathieu Duvall – Presiding, Evan Cyr, Dana Staples, Darren Finnegan, Stacey LeBlanc, Riley Bergeron and Stephen Martelli

**Regular Members absent:** None

**Associate and other Members present:** Brian Dubois

**Associate and other Members absent:** Vacancy

**Also present representing City staff:** Megan Norwood, City Planner and Eric Cousens, Director of Planning & Permitting

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call. After roll call, Chairperson Duvall welcomed Riley Bergeron as a new Full Member and Brian DuBois as a new Associate member

## **2. MINUTES: Approval request of the February 9, 2021 meeting minutes.**

Evan Cyr stated that on line 29 of the 2<sup>nd</sup> page of the February 9 draft minutes, a minor edit was required. The word “send” should be replaced with the word “said”.

A motion was made by Dana Staples and seconded by Riley Bergeron to approve the February 9, 2021 meeting minutes as amended. After a vote of 7-0-0, the motion passed.

## **3. FEEDBACK: 5-Year Capital Improvement Plan**

Chairperson Duvall asked if any members of the Board had any feedback for the City on the Capital Improvement Plan. Hearing none, he said we would move on to Item #4.

## **4. PUBLIC HEARING/SITE PLAN/SPECIAL EXCEPTION: Proposed 18 acre, 4MW solar array at 1054 North River Road (PIDs: 325-030, 326-001 and 326-001-001), Auburn Solar, LLC on a parcel located in the Agriculture and Resource Protection Zoning District.**

Megan went over the staff report and presented slides on the projector. She answered questions from Board members.

(18:22 on YouTube Recording)

Scott Remer, Senior Development Manager of Hexagon Energy added to the presentation and answered several questions from Board members.

**(35:00 on YouTube Recording)**

**Open Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Robert Spencer asked who is going to own the land after the decommissioning of the project. He also asked if the project owners bought the land or if a lease was signed. Mr. Remer replied that they are leasing the land.

Evan Cyr apologized that he had to interject but stated that it is not normal for public comment to be a discussion. He explained that during the public comment period, the public can ask questions, but the applicant should not be answering until if and when Board members ask them, which happens after the public comment period is closed. He said he would prefer that we follow the by-laws of the Planning Board in the City of Auburn.

Chairperson Duvall asked Mr. Spenser to continue asking his questions. He said the Board would not provide answers immediately but would allow other members of the public to also ask their questions.

Mr. Spenser said the Mayor, sitting in this very room has shut him off after 3 minutes so he said he just wanted the Board to know that, because there are alternatives that could happen.

Terry Dailey of 1054 North River Road said he was proud to be part of the project and listed reasons why.

**Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

**(48:20 on YouTube Recording)**

Evan Cyr asked how much of the 18 acres would be used for the project and Mr. Remer said all 18 acres would be used for the solar panels which includes the required spacing around them. Mr. Cyr asked staff if the applicant wanted to expand in the future, would they have to come back to the Planning Board for approval and Megan answered yes, they would as a Special Exception.

After a lengthy discussion amongst Board members, staff and the applicant, the following motion was made:

**(1:04:20 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Riley Bergeron to approve the Site Plan/Special Exception by Auburn Solar, LLC to construct an 18 acre, 4MW solar array at 1054 North River Road

(PIDs: 325-030, 326-001 and 326-001-001) on a parcel located in the Agriculture and Resource Protection Zoning District, with the following conditions:

1. All bonding and inspection fees shall be paid and a notice to proceed issued by the Engineering Department before the start of construction.
2. An Addressing Plan shall be provided for the area of the property that will be used for the solar project.
3. The removal of all subterranean and ground cable shall be added to the decommissioning plan.
4. The access road width shown on the site plan may be reduced to 15-feet upon written recommendation by the Auburn Fire Department.
5. No blasting shall be used to remove material or disturb areas of the site.

**5. PUBLIC HEARING/SITE PLAN/SUBDIVISION: Proposed building renovation and creation of 5 apartment units with associated parking at 386 Minot Avenue (PID: 209-061), Terrace Apartments located in the General Business II Zoning District.**

Megan went over the staff report and provided slides on the projector. She answered several questions from Board members specifically regarding green space and parking.

**(1:29:30 on YouTube Recording)**

Travis Nadeau of Platz Associates Architects and Cheryl Roberts, Norman Roberts' daughter, spoke about the project and answered several questions from Board members.

**(1:46:40 on YouTube Recording)**

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Mark Fantozzi of 40 Poland Road said he had signatures from 5 other residents that stated they did not want any other apartment buildings in that area. He said it was a bad idea.

**Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

After a lengthy discussion, the applicant asked to comment on the discussion, so the following motion was made:

A motion was made by Evan Cyr and seconded by Dana Staples to suspend the rules to allow the applicant to speak. After a vote of 7-0-0, the motion carried.

Mr. Nadeau said his client was in agreement to strike the additional spaces that were problematic in the north east part of the site and reduce the curb cuts to agreeable lengths as required by the Engineering Department.

Evan Cyr said he appreciates the applicant's willingness to compromise but his personal preference would be to table this to allow the applicant the ability to address the Board's concerns.

**(1:59:35 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Dana Staples to table this public hearing until such a time that the applicant is able to provide a site plan that addresses the concerns raised by the Board. After a vote of 7-0-0, the motion carried.

**6. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Section 60-34, Buildings per Lot of the Auburn Code of Ordinances to allow secondary dwelling units where two-family homes are permitted.**

Megan presented the staff report and answered questions from Board members. After some discussion, Chairperson Duvall suggested that the Planning Board send a letter to the City Council stating that any recommendations the City Council has for the Board to consider, should be executed by the action of a vote. He asked for a vote from the Board members as to whether they were in favor of sending a letter to the City Council. All Board members were in favor of sending a letter to the City Council. 7-0-0.

The discussion continued amongst Board members and staff.

**(2:27:25 on YouTube Recording)**

**Open Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A lengthy discussion ensued regarding the language for the proposed amendment.

**(2:54:50 on YouTube Recording)**

A motion was made by Dana Staples and seconded by Stephen Martelli to table until the next meeting when the Board has a reworded section to consider. After a vote of 7-0-0, the motion carried.

**7. PUBLIC HEARING: Correction of improperly referenced ordinance items, specifically spelling, capitalization and word placement errors in Chapter 60.**

**Open Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No Comments

### **Close Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to forward a favorable recommendation to the City Council the corrections of the improperly referenced ordinance items, specifically spelling, capitalization and word placement errors in Chapter 60 as presented by staff in the report dated March 9, 2021. After a vote of 7-0-0, the motion carried.

Chairperson Duvall requested under unanimous consent from the Board members to move to Item 10 on the Agenda, Public Comment. Hearing no objections, Chairman Duvall invited anyone from the public to come forward.

**10. PUBLIC COMMENT:** No members of the public spoke.

### **8. WORKSHOP: Review the following five ordinance amendments:**

- a. **Lot Depth/Density Changes for Multifamily Suburban and Multifamily Urban Zoning Districts**
- b. **Remove Downtown Enterprise District, fix General Business II reference and add language under Sec. 60-553 explaining the purpose of the Conservation/Open Space Form-Based Code District.**
- c. **Amend Section 60-668(b)(1) to match current FEMA regulations and discuss amending Sec. 60-992 lot depth for Shoreland Zone.**
- d. **Amend the ordinance provisions under Subdivision that pertain to Mylars and required number of submission copies and correct Staff Member references throughout ordinance to state Director of Planning and Permitting or their Designee.**
- e. **Discuss amending Sec. 60-1367: Recreation/Open Space Standards to specify that it applies only to single-family residential subdivisions.**

A motion was made by Evan Cyr and seconded by Dana Staples that the Planning Board initiate a zoning change for items described under workshop items A thru E to be discussed at a Public Hearing at a later date. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to remove workshop items A thru E from the current agenda discussion tonight. After a vote of 7-0-0, the motion carried.

### **9. REVIEW/DISCUSSION: Planning Board Policies and Procedures**

Megan said the City Attorney stated that the Planning Board, as part of the motion to approve the Policies and Procedures, make certain to clarify that Robert's Rules are not adopted in their entirety.

**(3:03:45 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Stephen Martelli to adopt City of Auburn Planning Board Policies and Procedures with a revised date of March 9, 2021 with the understanding that Robert's Rules of Order are not adopted in their entirety. After a vote of 7-0-0, the motion carried.

## **11. PLANNING BOARD ITEMS FOR DISCUSSION:**

### **a) Comprehensive Plan Update:**

Dana Staples gave a brief update of the Comprehensive Plan Committee meetings and stated the committee is meeting as the following 3 subgroups: Recreation & Ag, Housing & Zoning, and Turnpike & Washington Street.

Chairperson Duvall stated it was after 9:00 PM and asked for a motion to extend the meeting.

A motion was made by Evan Cyr and seconded by Dana Staples to skip Item 11.B and continue with items 12 and 13 on the agenda. After a vote of 7-0-0, the motion carried.

## **12. MISCELLANEOUS:**

### **a) Upcoming items for April**

Megan went over items coming before the Board in April.

**(3:10:26 on YouTube Recording)**

## **13. ADJOURNMENT:**

A motion was made by Dana Staples and seconded by Stephen Martelli to adjourn. After a vote of 7-0-0, the motion passed.

# **Auburn Planning Board Meeting Minutes**

## **March 25, 2021**

### **1. ROLL CALL:**

**Regular Members present:** Mathieu Duvall – Presiding, Evan Cyr, Dana Staples, Riley Bergeron and Stephen Martelli

**Regular Members absent:** Darren Finnegan and Stacey LeBlanc

**Associate and other Members present:** Brian Dubois

**Associate and other Members absent:** Vacancy

**Also present representing City staff:** Megan Norwood, City Planner

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call. After roll call, Chairperson Duvall stated that due to absences of full members this evening, Brian DuBois would be acting as a Full member for this meeting.

### **2. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article II, Section 60-34, Buildings per Lot of the Auburn Code of Ordinances to allow secondary dwelling units where two-family homes are permitted.**

Megan presented the staff report and suggested that the Board take this up in 3 parts. The first is allowing an additional dwelling unit, the second would be allowing 2-family in the Low-Density Country and the 3<sup>rd</sup> would be the Ag Zone component of it.

#### **Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

#### **Close Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

**(09:55 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Stephen Martelli to forward a positive recommendation to the City Council the language as presented in blue in the staff report dated March 25, 2021 with the amendment that the last sentence refer to a pre-existing dwelling instead of a primary dwelling for those zones in which a second unit is already allowed.



Chairperson Duvall read the following from the staff report: The Mayor and Council also requested that the Planning Board consider adding the Two-Family use allowance to two additional zones, the Low-Density Country Residential and Agriculture and Resource Protection Zones for existing nonconforming homes.

Megan explained the request from the City Council and answered questions from Board members.

After a lengthy discussion, Evan suggested that they suspend the rules and allow comment periods in each section of this Public Hearing.

(28:40 on YouTube Recording)

### **Open Public Input**

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

Brad Kowalski of 41 Hersey Hill Rd spoke at length about the situation he and his family are dealing with at his property and said he cannot find any reason why the town would not allow a second home on a property as long as they met the requirements.

### **Close Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

After a lengthy discussion, the following motion was made:

(50:40 on YouTube Recording)

A motion was made by Dana Staples and seconded by Riley Bergeron to table this pending Council guidance. Board members discussed the motion and after a vote of 1-4-1, the motion failed.

A motion was made by Evan Cyr and seconded by Brian DuBois to forward a favorable recommendation to implement the language outlined in blue in the staff report dated March 25, 2021 with the edit described in the previous motion subject to ordinance change by the council to allow for a 2<sup>nd</sup> dwelling unit within the Low-Density Country Residential zone. After a vote of 6-0-0, the motion carried.

Chairperson Duvall stated that they would next be considering the Ag and Resource Protection Zone and consideration of 2 Family Use allowance for that zone.

Megan clarified that it would not be allowing 2-family dwellings in that zone, instead would be allowing a second principal structure on a lot that already had a single-family building on the lot. She explained that staff was not in favor of this as it would go against the direction of the Comp Plan and she then answered questions from Board members.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

**(1:12:05 on YouTube Recording)**

A motion was made by Dana Staples and seconded by Evan Cyr that the City Council not include the Ag Zone in the two-family dwelling unit ordinance.

Evan Cyr asked to amend the motion to include findings stating that at this time, such a change is not permissible under ordinance due to its incongruent with the Comp Plan. This change would necessitate a change with the Comprehensive Plan. Stephen Martelli seconded the amendment. After a vote of 6-0-0, the motion to amend the motion carried.

Chairperson Duvall clarified that the original motion was for the City Council not to pursue 2 dwellings in the Ag District and the main reason being that the Planning Board is not able to proceed forward because that is not allowed by the Comprehensive Plan. After a vote of 6-0-0, the motion carried.

**3. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article IV, Division 7 and 8, Sections 60-307(1)(2) and 60-335(1)(2) Dimensional Regulations, Multifamily Suburban District and Multifamily Urban District of the Auburn Code of Ordinances to Change Lot Depth/Density Requirements.**

Megan explained the proposal.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

**(1:17:35 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Dana Staples to forward a positive recommendation to the City Council to amend the following section as followed: Sec. 60-307(1)(2). - Dimensional regulations for Multifamily Suburban, remove references to three and four families, amend the lot depth for multifamily to be 100 feet to match the other requirements of the district.

Sec. 60-335(1)(2) – Dimensional regulations for Multifamily Urban, remove references to three and four families. After a vote of 6-0-0, the motion carried.

**4. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article IV, Division 10, to remove the Downtown Enterprise Zone from the Auburn Code of Ordinances.**

Megan explained the proposal.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Stephen Martelli to forward a positive recommendation to the City Council to remove Division 10 of Article IV, Chapter 60 from the ordinance as the zoning district no longer exists. After a vote of 6-0-0, the motion carried.

**5. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article IV, Division 12, General Business II, Section 60-525(b)(14) of the Auburn code of Ordinances to Fix the Improper Reference from Section 60-499(a) to Section 60-525(a).**

Megan explained the proposal.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

**(1:22:42 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Dana Staples to forward a positive recommendation to the City Council to amend Chapter 60, Article IV, Division 12, Section 60-524(b)(14) to remove reference to section 60-499(a) and replace it with section 60-525(a). After a vote of 6-0-0, the motion

carried.

**6. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment Chapter 60, Division 14, Section 60-553 of the Auburn Code of Ordinances to Explain the Purpose of the Conservation/Open Space Form-Based Code District.**

Megan explained the proposal.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to forward a positive recommendation to the City Council to amend the ordinance language as follows: Section 60-553 (Intent/Purpose) to read:

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. After a vote of 6-0-0, the motion carried.

**7. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article XII, Division 2, Section 60-668(b)(1) of the Auburn Code of Ordinances to Match the Elevation Requirement to Current FEMA Regulations.**

Megan explained the proposal and answered questions from the Board.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

**(1:28:50 on YouTube Recording)**

A motion was made by Dana Staples and seconded by Riley Bergeron to forward a positive recommendation to the City Council to amend the ordinance language as follows:

Chapter 60, Article XII, Division 2, Section 60-668(b)(1):

(b) Mobile homes shall be elevated as follows:

- (1) General requirements that the lowest floor of the mobile home be elevated to one foot above the base flood elevation

After a vote of 6-0-0, the motion carried.

**8. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article XII, Division 5, Section 60-992 of the Auburn Code of Ordinances to Amend the Lot Depth Requirement for Nonconforming Lots in the Shoreland Zone.**

Megan explained the proposal and answered questions from the Board.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to forward a positive recommendation to the City Council to begin the process of coordinating with DEP to increase the lot depth for nonconforming lots from 120 feet to 150 feet within the shoreland zone. After a vote of 6-0-0, the motion carried.

**9. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article XVI, Division 4, Subdivision of the Auburn Code of Ordinances to Remove the Mylar Requirement, Reduce the Required Number of Copies for Submissions to 15 and Consistently Reference Staff Members as the Director of Planning and Permitting or their Designee.**

Megan explained the proposal.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

(1:41:07 on YouTube Recording)

A motion was made by Dana Staples and seconded by Riley Bergeron to forward a positive recommendation to the City Council to amend the number of required submission copies for Site Plan/Special Exception/Subdivision Review to 15 copies, remove all references to Mylars and consistently reference “Planning Staff” as the Director of Planning and Permitting or their Designee” throughout the ordinance. After a vote of 6-0-0, the motion carried.

**10. PUBLIC HEARING/ORDINANCE AMENDMENT: Proposed amendment of Chapter 60, Article XVI, Division 4, Section 60-1367 Recreation/Open Space Standards of the Auburn Code of Ordinances to specify that it only applies to Single-Family Residential Subdivisions.**

Megan explained the proposal and answered questions from the Board.

**Open Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

(2:10:25 on YouTube Recording)

A motion was made by Evan Cyr and seconded by Dana Staples that the Planning Board make a recommendation to the City Council not to amend the Recreation & Open Space language to clarify that it only applies to single family residential subdivision. After a vote of 6-0-0, the motion carried.

A motion was made by Evan Cyr that the Planning Board initiate a zoning amendment process of Chapter 60, Article XVI, Division 4 Section 60-1367 Recreation/Open Space Standards to discuss possible alternatives that meet the goal of maintaining open space. The motion was seconded by Riley Bergeron.

A motion was made by Dana Staples to amend the motion on the floor to have staff come back to the Board with a few different options to accomplish the task. Stephen Martelli seconded the motion. After a vote of 6-0-0, the motion to amend the motion carried.

Chairperson Duvall clarified that on the floor was a motion for the Board to have a future discussion about the value of open space and to have staff bring options for how that might be accomplished in the future. After a vote of 6-0-0, the motion carried.

**11. ADJOURNMENT:**

A motion was made by Dana Staples and seconded by Stephen Martelli to adjourn. After a vote of 6-0-0, the motion passed.

# Auburn Planning Board Meeting Minutes April 13, 2021

## 1. ROLL CALL:

**Regular Members present:** Mathieu Duvall – Presiding, Evan Cyr, Dana Staples, Riley Bergeron, Stephen Martelli, Darren Finnegan, and Stacey LeBlanc

**Regular Members absent:** None

**Associate and other Members present:** None

**Associate and other Members absent:** Brian Dubois & Vacancy

**Also present representing City staff:** Eric Cousens, Director of Planning & Permitting and John Blais, Urban Development Specialist

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

## 2. MINUTES: Approval request of the March 9, 2021 and March 25, 2021 meeting minutes.

A motion was made by Dana Staples and seconded by Evan Cyr to approve the March 9, 2021 and March 25, 2021 meeting minutes as presented. After a vote of 7-0-0, the motion passed.

## 3. **PUBLIC HEARING/SUBDIVISION: Proposed Commercial Subdivision (Auburn Commerce Center) consisting of 3 Lots Totaling Approximately 30 Acres and a 750-Foot Street from Harriman Drive into the Parcel Located on Kittyhawk Avenue (PID: 108-001) in the General Business Zoning District.**

Eric read the staff report and presented slides of the property. He then answered questions from Board members.

**(14:40 on YouTube Recording)**

Mike Gotto, Project Representative from Stoneybrook Land Use, Inc. representing Kittyhawk Property Development, LLC added to the presentation and answered questions from Board members.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No Comments

### **Close Public Input**



A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to approve the proposed commercial Subdivision (Auburn Commerce Center) consisting of 3 Lots Totaling Approximately 30 Acres and a 680-Foot Road from Harriman Drive into the Parcel Located on Kittyhawk Avenue (PID: 108-001) in the General Business Zoning District with the following conditions:

1. The Applicant shall obtain all applicable State and Local permits before the issuance of a building permit;
2. Bonding and inspection fees must be approved and paid and a notice to proceed obtained from the City Engineer;
3. The Addressing Plan shall be approved by the Addressing Officer before the issuance of a building permit;
4. Once documentation is finalized at DOT to move the Control of Access serving the property from its current location to align with the existing location of Harriman Drive, it shall be submitted to the City to be included in the file.
5. Once uses have been identified for the proposed lots, peak hour trip generation shall be monitored, if it exceeds 100 peak hour trips, a Traffic Movement Permit shall be secured.
6. As each lot is developed, the perspective applicant shall be required to conduct a left-turn lane warrant assessment to determine if predicted traffic conditions warrant the construction of a dedicated left-turn lane on the westbound Kittyhawk Avenue approach.

Also, in accordance with the Findings as outlined in Section III of the Staff Report dated April 13, 2021 and to include the subject to the Site Plan presented at this meeting dated April 12, 2021. After a vote of 7-0-0, the motion carried.

**4. TABLED PUBLIC HEARING/SITE PLAN/SUBDIVISION: Proposed building renovation and creation of 5 apartment units with associated parking at 386 Minot Avenue (PID: 209-061), Terrace Apartments located in the General Business II Zoning District (Tabled at 3/9/21 Meeting).**

A motion was made by Evan Cyr and seconded by Dana Staples to remove this item from the table. After a vote of 7-0-0, the motion carried.

Eric went over the staff report and answered questions from Board members.

Travis Nadeau of Platz Associates Architect representing the applicants, Norman and Cheryl Roberts, spoke about the project and answered questions from Board members.

**(46:20 on YouTube Recording)**

After some discussion. Chairperson Duvall asked if the Board members were in favor to proceed with this project as a Site Plan Review as opposed to a Subdivision Review. All Board members were in favor of proceeding with this project as a Site Plan review.

**Open Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No Comments

### **Close Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Dana Staples and seconded by Riley Bergeron to approve the Site Plan for the proposed building renovations and creation of 5 apartment units with associated parking at 386 Minot Avenue (PID: 209-061), Terrace Apartments located in the General Business II Zoning District with the following condition:

- An addressing plan shall be provided to the Addressing Officer before the issuance of a building permit.

A motion was made by Evan Cyr and seconded by Dana Staples to amend the motion to include the granting of the 2 waiver requests:

1. Article V, Section 60-607(15): Lots with one curb-cut may not exceed 32 feet in width, lots with two curb-cuts may not exceed 20 feet in width to allow for two 44-foot curb-cuts on the Minot Avenue side of the property.
2. Article V, Section 60-607(12): A substantial bumper or curbing shall be provided at parking spaces that abut buildings, lot lines, sidewalks, and landscape areas to waive said requirement for the parking spaces that abut a wide (over 20-foot) landscaped area. After a vote of 7-0-0, the motion to amend the original motion carried.

After a vote of 7-0-0, the motion carried.

### **5. PUBLIC HEARING/SITE PLAN/SPECIAL EXCEPTION: Proposed 116,000 Square Foot Expansion of Tambrands, Inc. (Procter & Gamble) Facility with Associated Paved Drives, Pads and Truck Maneuvering Areas and State Delegated Review for Site Location of Development, Located at 2879 Hotel Road (PID: 119-002 and 120-001) in the Industrial Zoning District.**

Eric presented the staff report and answered question from Board members.

**(1:01:20 on YouTube Recording)**

Frank Crabtree, of Harriman Associates, on behalf of Tambrands, Inc. explained the proposal and answered questions from Board members.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to approve the Site Plan for a 116,000 Square Foot Expansion of Tambrands, Inc. (Procter & Gamble) Facility with Associated Paved Drives, Pads and Truck Maneuvering Areas and State Delegated Review for Site Location of Development, Located at 2879 Hotel Road (PID: 119-002 and 120-001) in the Industrial Zoning District with the condition that no development activity until any bonding or inspection fees is determined by the Auburn Engineering Department. After a vote of 7-0-0, the motion carried.

**6. PUBLIC HEARING/SPECIAL EXCEPTION AMENDMENT: Amendment to the Approval of BD Solar Auburn, LLC Granted on March 10, 2020 to Split the Approved Project into Two Projects with Two Ground Leases for State Regulatory Purposes and to Amend the Port of Auburn Planned Unit Development to Add Additional Land to Unit 4 at the Parcel Located on Lewiston Junction Road (PID: 142-007) in the Industrial Zoning District.**

Eric presented the staff report and answered questions from Board members.

Michael Hill, representing BD Solar Auburn, LLC explained the amendment proposal and answered questions from Board members.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No Comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to approve an amendment to the BD Solar Auburn, LLC solar project granted on March 10, 2020 to split the approved project into two projects with two ground leases for State regulatory purposes and to amend the Port of Auburn Planned Unit Development to add additional land to Unit 4 at the parcel located on Lewiston Junction Road (PID: 142-007) in the Industrial Zoning District with the following conditions:

- All conditions from the original BD Solar Auburn, LLC plan granted on March 10, 2020 shall be addressed as part of this approval.
- Should the leases constitute any changes to the Site Plan approved by the Planning Board, those changes shall be identified and brought to Staff for a determination as to whether they can be approved at a staff level or require Planning Board approval.

A motion was made by Chairperson Duvall and seconded by Riley Bergeron to amend the motion to include a 12-month extension to the approval. After a vote of 7-0-0, the motion to amend the original motion carried.

After a vote of 7-0-0, the motion carried.

(1:21:50 on YouTube Recording)

**7. PUBLIC HEARING/SPECIAL EXCEPTION: Proposed 5,100 Square Foot Building and 139 Space Parking Expansion for Passenger and Fleet Vehicles at the Western Maine Transportation Services Facility Located at 76 Merrow Road (PID: 178-017) in the Industrial and Rural Residential Zoning Districts.**

Eric went over the staff report and answered questions from Board members. He said there was no applicant present at this time.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Mr. Wall of 87 Fletcher Road said they noticed there was no sound or noise control depicted on the plan. He said it is quite noisy with busses coming and going and is concerned that their property value will be going down because of the parking lot being built next his house. Another possible concern he has is the lighting of the parking which will be lit around the clock because of the maintenance being done on the buses during night shift.

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

After a lengthy discussion, the following motion was made:

(1:55:00 on YouTube Recording)

A motion was made by Evan Cyr and seconded by Dana Staples to table this public hearing until such a time as the Applicant and Staff are able to address the Planning Board concerns regarding noise buffering as well as clarifying justification for extending the parking into rural residential zones or amending the plan to omit that section and have additional parking entirely in the Industrial Zone. After a vote of 6-0-1, the motion carried. (Stephen Martelli abstained)

Chairperson Duvall called for a 5-minute recess and after 5 minutes, the meeting was called back in session.

**8. WORKSHOP: Planning Board Initiated Zoning Amendment to Section 60-1367: Recreation/Open Space Standards for Subdivisions to Discuss Alternatives that Meet the Goal of Open Space.**

Eric explained the proposal and after much discussion between staff and the Board members, Chairperson Duvall summarized the discussion with the following;

- Board still wants open space standards for other places
- Clean up some of the language in 60-1367A

**(2:55:50 on YouTube Recording)**

**9. PUBLIC COMMENT:**

No public in attendance

**10. PLANNING BOARD ITEMS FOR DISCUSSION**

**a) Comprehensive Plan Update**

Dana Staples gave a brief update.

**b) Discuss Permitted Zones for Marijuana & Agricultural Crop Definition**

Eric explained the proposal and Chairperson Duvall said they would put this on a future workshop.

**11. MISCELLANEOUS:**

**Upcoming items for May.**

Eric said at this time, there was not anything new on the schedule for the May meeting.

**12. ADJOURNMENT:**

A motion was made by Evan Cyr and seconded by Stephen Martelli to adjourn. After a vote of 7-0-0, the motion passed.

# **Auburn Planning Board Meeting Minutes May 11, 2021**

## **1. ROLL CALL:**

**Regular Members present:** Mathieu Duvall – Presiding, Evan Cyr, Dana Staples, Riley Bergeron, Stephen Martelli, and Darren Finnegan,

**Regular Members absent:** Stacey LeBlanc

**Associate and other Members present:** Joseph Morin and Brian DuBois who arrived late

**Associate and other Members absent:** None

**Also present representing City staff:** Megan Norcross, Auburn City Planner

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

## **2. MINUTES: Approval request of the April 13, 2021 meeting minutes.**

Evan Cyr stated that Eric’s name was misspelled on page 4, under Item #6 of the minutes.

A motion was made by Evan Cyr and seconded by Dana Staples to approve the April 13, 2021 meeting minutes as amended. After a vote of 7-0-0, the motion passed.

## **3. TABLED PUBLIC HEARING/SPECIAL EXCEPTION: Proposed 5,100 Square Foot Building and 139 Space Parking Expansion for Passenger and Fleet Vehicles at the Western Maine Transportation Services Facility Located at 76 Merrow Road (PID: 178-017) in the Industrial and Rural Residential Zoning Districts.**

A motion was made by Evan Cyr and seconded by Dana Staples to remove this item from the table. After a vote of 7-0-0, the motion passed.

Chairperson Duvall stated that because a Regular member was absent, Joseph Morin’s status would be elevated from Associate to Regular membership for tonight’s meeting.

Megan went over the staff report.

Mike Gotto of Stoneybrook Land Use, Inc. and member of the Western Maine Transportation Services Committee said he would be representing them as a consultant for this project. He said they met with the neighbors and heard their concerns and made some substantial changes to the plan because of those concerns. He summarized the changes for the Board.

(13:25 on YouTube Recording)

### **Open Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Eric Cousens, City of Auburn Director of Planning & Permitting, and member of the Androscoggin Transportation Resource Center Policies Committee highlighted why this project is important to the City of Auburn and the region.

### **Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Evan Cyr said he was happy to see the applicant back because this is an important service that is provided by this facility but was dismayed to see a project that was essentially the same as the project that the Board had tabled. Several other Board members added to the discussion.

(24:30 on YouTube Recording)

A motion was made by Evan Cyr and seconded by Riley Bergeron to suspend the rules and allow Mr. Gotto to speak. After a vote of 7-0-0, the motion carried.

Mike Gotto explained they were trying to get this parking lot approved as is but said they have a grant that is tied to federal funds and that funding will be lost if this is not approved.

A discussion ensued amongst Board members. Megan presented plans showing the reduced parking and answered questions from Board members.

(37:45 on YouTube Recording)

A motion was made by Dana Staples and seconded by Stephen Martelli to suspend the rules and allow Mr. Gotto to speak. After a vote of 7-0-0, the motion carried.

Mike Gotto continued presenting his case and said they had talked to DOT about the possibility that they may need to cut this back.

Board members continued deliberations after which the following motion was made:

(44:40 on YouTube Recording)

A motion was made by Evan Cyr and seconded by Dana Staples to grant the following 2 waiver requests: 1) A waiver from Sec. 60-607; On lots where one entrance and exit driveway or curb-cut is constructed, the curb-cut shall not exceed 32 feet in width to allow for two 30-foot curb-cuts. 2) A waiver from Sec. 60-8012; No medium or high-volume traffic generator shall have more than one two-way access or two one-way accesses in total onto a single roadway to allow for the two proposed 30-foot curb-cuts. The motion also includes approving the site plan as amended and identified during the meeting as the red-line plan dated 5/11/2021 for the construction of the 5,100 sq ft building addition and parking expansion

for a total number of parking spaces as identified on the red-line plan at the 76 Merrow Road Western Main Transportation Services Building Parcel ID# 178-017 with the following conditions:

1. No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.
2. The Auburn Airport shall be notified a minimum of five days in advance of any crane higher than 75-feet in height used on-site: 1-207-786-0631.
3. Any expansion of vehicle parking to allow commercial parking to the Rural Residential portion of the property shall be reviewed and approved by the Planning Board.

After a vote of 6-0-1, the motion carried. (Stephen Martelli abstained.)

**4. PUBLIC HEARING/ADDRESSING: Assign Street Name per Sec. 46-182(6)(c)(1)(i) to Flower Lane, located off of Mystique Way.**

Megan went over the staff report.

**Open Public Input**

A motion was made by Dana Staples and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments.

**Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to assign the street name Flower Lane to a street segment branching off of Mystique Way. After a vote of 7-0-0, the motion carried.

Chairperson Duvall asked Brian DuBois to state his name for the record.

**5. WORKSHOP: Request Feedback from the Agriculture Committee on Including Marijuana in the Agricultural Crop definition for the Rural Residential and Low Density Country Residential Zoning Districts.**

Megan went over the staff report. A discussion ensued regarding among other things, requesting the Ag Committee's opinion on marijuana as an agricultural crop.

**(1:04:20 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Riley Bergeron to request feedback from the Agricultural Committee, specifically defining marijuana an agricultural crop definition and determining whether marijuana should be defined as an agricultural crop and to include findings for doing so after



viewing context provided by City staff and within the Findings to also include our discussion of state standards regarding marijuana as a crop. After a vote of 7-0-0, the motion carried.

**6. WORKSHOP: Initiate a Planning Board recommended Amendment to Chapter 60, Article IV, Division 8, Multifamily Urban to Remove the Multifamily Urban Zoning District from the Auburn Code of Ordinances as it no longer exists.**

Megan explained the proposal.

A motion was made by Evan Cyr and seconded by Dana Staples to initiate the Planning Board amendment process to amend Chapter 60, Article IV, Division 8, Multifamily Urban to remove the Multifamily Urban Zoning District from the Auburn Code of Ordinances. After a vote of 7-0-0, the motion carried.

**7. PUBLIC COMMENT:**

No public in attendance

**8. PLANNING BOARD ITEMS FOR DISCUSSION**

**a) Comprehensive Plan Update**

Dana Staples gave a brief update of the last couple of Comp Plan meetings.

**9. MISCELLANEOUS:**

**a) Upcoming items for June.**

Megan said the June agenda appears to be a light one at this point. She spoke about the City Council possibly requesting action on the GBII Zoning District and an access road expansion project at 2890 Hotel Road. She also stated that the June 8 meeting is on the same night as the election so the Council Chambers would not be available for the Planning Board meeting. She suggested that the Board meet via Zoom for that night.

A motion was made by Evan Cyr and seconded by Riley Bergeron to conduct the next Planning Board meeting on June 8, 2021 at 6:00 PM via Zoom. After a vote of 7-0-0, the motion carried.

(1:15:15 on YouTube Recording)

**10. ADJOURNMENT:**

A motion was made by Evan Cyr and seconded by Riley Bergeron to adjourn. After a vote of 7-0-0, the motion passed.

# **Auburn Planning Board Meeting Minutes June 8, 2021 – Virtual Meeting**

## **1. ROLL CALL:**

**Regular Members present:** Mathieu Duvall – Presiding, Evan Cyr, Dana Staples, Riley Bergeron, Stephen Martelli, and Stacey LeBlanc

**Regular Members absent:** Darren Finnegan

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

**Associate and other Members absent:** Brian DuBois

**Also present representing City staff:** Megan Norwood, Auburn City Planner

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call. He then stated that because a Regular member was absent, Joseph Morin’s status would be elevated from Associate to Regular membership for tonight’s meeting.

## **2. MINUTES: Approval request of the May 11, 2021 meeting minutes.**

A motion was made by Dana Staples and seconded by Stephen Martelli to approve the May 11, 2021 meeting minutes as presented. After a vote of 4-0-1, the motion passed. (Stacey LeBlanc abstained)

## **3. PUBLIC HEARING/SPECIAL EXCEPTION: Proposed storage site expansion to include a 2.4 acre grassy lay down area for material storage, a .53 acre, 30 foot wide gravel access road and associated stormwater infrastructure and State Delegated Review for Site Location of Development, located at 2898 Hotel Road (PIDs: 120-021, 120-022, 107-021 and 120-024) in the General Business Zoning District.**

Evan Cyr joined the meeting.

Megan went over the staff report and answered questions from the Board members.

Riley Bergeron joined the meeting. Chairperson Duvall stated that since we were in the middle of this item, Mr. Bergeron will abstain from voting but will continue as normal afterward.

**(16:00 on YouTube Recording)**

The applicant, Evan Jones of Jones Associates and representing Cote Crane added to the presentation and answered questions from the Board.

## **Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. (No vote was taken)

No comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

After a brief discussion, the following motion was made:

A motion was made by Dana Staples and seconded by Stephen Martelli to approve the Site Plan for a proposed 2.4 acre grassy lay down storage site expansion at the Cote Crane Property with a 30-foot gravel access road and State Delegated Review for Site Location of Development, located at 2898 Hotel Road (PIDs: 120-021, 120-022, 107-021 and 120-024) in the General Business Zoning District with the following conditions:

- a. No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.
- b. Once construction of the grassy laydown area is completed, the Applicant shall obtain a letter from the City Assessor combining the two parcels located at 2910 Hotel Road and 2898 Hotel Road.
- c. All necessary stormwater improvements shall be shown on the plan to the satisfaction of the City Engineer prior to the issuance of building permits.

After a vote of 6-0-0, the motion carried.

**4. PUBLIC HEARING/ZONING ORDINANCE AMENDMENT: Proposed Amendment to Chapter 60, Article IV, Division 8, Multifamily Urban to Remove the Multifamily Urban Zoning District from the Auburn Code of Ordinances as the District no longer exists on the Zoning map.**

Chairperson Duvall asked Riley Bergeron to state his name for the record. He was now a participating member for the remainder of this meeting.

Megan gave a brief overview of the proposal.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to 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. After a vote of 7-0-0, the motion carried.

**5. PUBLIC HEARING/ZONING ORDINANCE AMENDMENT: Proposed Amendment to Section 60-201(a) to allow two-family dwellings in the Low-Density Country Residential Zoning District.**

Megan explained the proposal and showed site maps on the screen.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to 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. After a vote of 7-0-0, the motion carried.

(42:30 on YouTube Recording)

**6. PUBLIC HEARING ZONING MAP AMENDMENT: 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 center line of roadways.**

Megan explained the proposal and showed site maps on the screen. She then answered questions from Board members.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Riley Bergeron and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

After a lengthy discussion amongst Board members and staff, the following motion was made:

**(1:16:08 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Dana Staples to table this item until such a time as the Board can receive information from the City Council regarding as to why a 750 ft width strip was utilized, why a fixed width was utilized instead of following the boundaries of lots that are not as deep as 750 feet, and why are we doing this now given that the Board will be receiving a Comp Plan review that will discuss these items.

Chairperson Duvall amended the motion to add the question of how this zoning amendment fits with the stated vision in the Comp Plan and also in the Comp Plan update which is coming to develop from the core out and to also develop in a village pattern. Evan Cyr accepted the amendment and after a vote of 7-0-0, the motion to amend the original motion carried.

After a vote of 6-1-0, the motion carried. (Evan Cyr was not in favor of the motion)

Chairperson Duvall called for a 5-minute recess and after 5 minutes, the meeting was called back to order. Stephen Martelli had left the meeting during the break.

**7. PUBLIC HEARING/ZONING ORDINANCE AMENDMENT: 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.**

Megan went over the staff report and answered questions from Board members.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

After a lengthy discussion, the following motion was made:

**(1:41:15 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Dana Staples to recommend to the City Council that automobile and marine sales lots and sales and service agencies be added to the list of Special Exception uses under the General Business II District and that thought be given to what the possible implications would be to rezone General Business II as to be simply General Business.

Chairperson Duvall expressed it would be cleaner to split the motion into 2 motions. Evan amended the motion to split the recommendation regarding automobile marine sales being added as a Special exception use and the suggestion that City Council consider the implications of rezoning General Business II to simply General Business be split into 2 motions. Dana Staples seconded the amendment and after a vote of 6-0-0, the motion to amend the motion to leave out the 2<sup>nd</sup> half of the original motion carried.

Evan Cyr requested that the Board ask staff to let the City Council know that part of the Board's discussion was whether it might just be best to rezone as General Business zone.

**8. PUBLIC HEARING/ZONING ORDINANCE AMENDMENT: Proposed Amendment to Chapter 60, Article V, Section 60-608 to Remove Minimum Off-Street Parking Requirements for all Land Uses.**

Megan went over the staff report and answered questions from Board members.

**Open Public Input**

A motion was made by Dana Staples and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

After a lengthy discussion amongst Board members and staff, the following motion was made:

**(2:18:30 on YouTube Recording)**

A motion was made by Dana Staples and seconded by Joseph Morin to recommend to the City Council that we remove all parking minimums in the city.

Dana Staples amended the motion to say, with the exception of areas covered by Form Based Code. The amendment was seconded by Evan Cyr. After a vote of 4-2-0, the motion on the amendment carried. (Stacey LeBlanc and Riley Bergeron were not in favor of the motion)

After a vote of 2-4-0, the original motion failed. (Stacey LeBlanc, Evan Cyr, Chairperson Duvall and Riley Bergeron were not in favor of the motion)

**9. PUBLIC HEARING/ZONING ORDINANCE AMENDMENT: Proposed Amendment to Chapter 60, Article IV, Division 14, Section 60-554 to Remove all Parking Requirements in the Form-Based Code Zoning Districts.**

Megan went over the staff report and answered questions from Board members.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 6-0-0, the motion carried.

No comments

### **Close Public Input**

A motion was made by Dana Staples and seconded by Evan Cyr to close the public input part of the hearing. After a vote of 6-0-0, the motion carried.

**(2:27:05 on YouTube Recording)**

A motion was made by Dana Staples and seconded by Joseph Morin to make a favorable recommendation to the City Council to remove all parking minimums from the Form Based Code Districts.

A motion was made by Evan Cyr to amend the original motion to exclude residential uses such as single family, duplex, townhouse, and multi-family properties. Riley Bergeron seconded the amendment. After a vote of 5-1-0, the motion to amend carried. (Dana Staples was not in favor of the amendment).

After a vote of 6-0-0, the original motion carried.

A motion was made by Evan Cyr to reconsider the motion made on Item #8 on the agenda. Dana Staples seconded the motion. After a vote of 6-0-0, the motion carried.

A motion was made by Evan Cyr to amend the reconsidered motion to except residential uses. He explained that the original motion was to remove all parking outside of the Form Based Code so this amendment is to remove all parking outside of the Form Based Code with the exception of parking for residential uses. Riley Bergeron seconded the motion. After a vote of 6-0-0, the motion to amend carried.

Chairperson Duvall explained that Item #8 motion has been amended to remove minimum off-street parking requirements in all land uses excepting residential and those uses in Form Based Code. After a vote of 6-0-0, the motion carried.

## **10. WORKSHOP: First Review of Revised Recreation/Open Space Chapter**

Megan explained the item and answered questions. Several Board members chimed in with suggestions and thanked Megan for all her hard work for the Comp Plan Committee.

**(2:42:30 on YouTube Recording)**

## **11. PUBLIC COMMENT:**

No comment.

## **12. PLANNING BOARD ITEMS FOR DISCUSSION**

### a. Comprehensive Plan Update

Evan Cyr said he would like the Planning Board to convey to the City Council that the way things are sent to the Planning Board has sort of disrupted our workflow because we're unsure whether or not these were coming from the upcoming Comprehensive Plan review or whether the Council intended to send these to us as part of the implementation of the anticipated plan. He added that it would help us to know their intention when we are having those discussions. Chairperson Duvall agreed and said it would be nice to know the reasons things are moving towards us. He said he would connect with Megan to draft up language for the City Council.

## **13. MISCELLANEOUS:**

### a. Upcoming items for July

Megan stated there were at least 3 Comp Plan categories coming in July, FW Webb, some zoning map amendments to the Manley Road / Rodman Road area and the Court Street / Stevens Mill Road area. She predicts that August will also be a very busy meeting as well.

## **14. ADJOURNMENT:**

A motion was made by Evan Cyr and seconded by Riley Bergeron to adjourn. After a vote of 6-0-0, the motion passed.



# **Auburn Planning Board Meeting Minutes July 13, 2021**

## **1. ROLL CALL:**

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

**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 and John Blais, Urban Development Specialist

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

## **2. MINUTES: Approval request of the June 8, 2021 meeting minutes.**

Evan Cyr stated that on page 6 of 7, line 18, the word accept should have been except.

A motion was made by Dana Staples and seconded by Evan Cyr to approve the June 8, 2021 meeting minutes as amended. After a vote of 7-0-0, the motion passed.

## **3. PUBLIC HEARING/ZONING MAP AMENDMENT: Proposed rezoning of a 0.56 acre parcel of land at 41 Stevens Mill Road (PID: 208-043), from Suburban Residential to General Business II.**

Vice Chairperson Bergeron appointed Joseph Morin as a Full acting member of the Planning Board for this meeting as there is a Full member absent. He then asked if any Board member had a potential conflict with this agenda item.

Brian Dubois said he did and would recuse himself for this item. He left the bench to sit in the audience.

Eric went over the staff report and answered questions from the Board members.

BJ Grondin, owner of 41 Stevens Mill Road explained the proposal and answered questions from Board members.

**(11:00 on YouTube Recording)**

## **Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Evan Cyr stated for the record that he had received correspondence from someone that is in the proximity of Stevens Mill Road regarding their concern about the traffic on that road. He said what is being proposed would be a better fit for the traffic instead of traffic coming and going for a retail store.

A motion was made by Dana Staples and seconded by Evan Cyr to recommend to the City Council to amend zoning map amendment PID: 208-043 from Suburban Residential to General Business II to support a business in an otherwise commercially zoned neighborhood. After a vote of 7-0-0, the motion carried.

- 4. PUBLIC HEARING/SPECIAL EXCEPTION: Proposed two-phase construction of the F.W. Webb Facility located at 2019 Washington Street (PID: 109-001-001) in the General Business Zoning District and State Delegated Review for Site Location of Development. Phase I will consist of a 66,715 square foot warehouse/distribution facility and a 53,110 square foot rear exterior storage yard. Phase II will consist of a 20,000 square foot building expansion and a 1,500 square foot increase in the rear storage yard.**

Brian Dubois returned to the Board.

John Blais went over the staff report and slides were presented on the screen.

Mike Gotto, representing FW Webb said he had nothing else to add to the staff presentation.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7- 0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to approve the Site Plan for the construction of a phased, 66,715 Square Foot Building with a rear exterior storage yard consisting of 40,040 square feet of pavement and 13,070 square feet of gravel surfaces, totaling 53,110 square feet

(phase 1) 20,000 Square Foot Building and exterior storage available will increase by about 1,500 square feet (Phase 2) at 2019 Washington Street, F.W. Webb Warehouse/Distribution Facility (PID: 109-001-001) with the following conditions: No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department. After a vote of 7-0-0, the motion carried.

**5. PUBLIC HEARING: Proposed ordinance amendment, Chapter 60, Article XII, Division 5, Section 60-992(b) of the Auburn Code of Ordinances to allow as a Special Local Condition Overlay in identified areas of the Shoreland Zone, the height of all principal or accessory structures to exceed the 35-foot height limit to a maximum of 50-feet. Recommendation to City Council.**

John Blais went over the staff report and slides were presented on the screen.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Joseph Morin to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to forward a favorable recommendation to City Council to amend Chapter 60, Article XII, Division 5, Section 60-992 (b) of the Auburn Code of Ordinances to allow the height of all principal or accessory structures to exceed the 35-foot height limit to maximum of 50-feet as a Special Condition Overlay in identified areas to the Shoreland Zone in the staff report dated July 13, 2021. After a vote of 7-0-0, the motion carried.

(39:50 on YouTube Recording)

**6. PUBLIC HEARING: Proposed ordinance amendment, Chapter 60, Article IV, Division 14, Section 60-553/554 of the Auburn Code of Ordinances, in transect 6 which is the Conservation/Open Space Formed Based Code District to allow underground utilities and limited structural development and impervious surfaces.**

John Blais went over the staff report and slides were presented on the screen.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments

**Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7- 0-0, the motion carried.

A motion was made by Dana Staples and seconded by Evan Cyr to send a favorable 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, underground utilities, limited structural development related to utilities and roads. After a vote of 7-0-0, the motion carried.

**7. PUBLIC HEARING/ADDRESSING: Assign Street Name per Sec. 46-182(6)(c)(1)(i) as Auburn Crossing Drive or Interchange Way, located at Auburn Crossing.**

Eric went over the staff report and answered questions from Board members.

**Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Mike Gotto stated that the owner’s preference is what staff is recommending.

**Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Dana Staples and seconded by Evan Cyr to assign the street name Auburn Crossing Drive to a street segment branching off Kittyhawk Avenue. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr to suspend the order of business in order to initiate a Planning Board initiated zone change to amend Sec. 46-182(6)(c)(1)(i) to remove the requirement that the Planning Board of the City of Auburn approve new street names.

Evan rescinded his motion since it was not seconded yet so he could restate it.

A motion was made by Evan Cyr to suspend the order of business to ask the Planning Board to forward a request that Sec. 46-182(6)(c)(1)(i) be amended to remove the requirement that the Planning Board approve new road names. The motion was seconded by Dana Staples and after a vote of 7-0-0, the motion carried.

**8. ZONING MAP AMENDMENT/UPDATE FROM CITY COUNCIL: 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 center line of roadways.**

Eric went over the staff report and answered questions from Board members.

(57:10 on YouTube Recording)

**Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Mayor Jason Levesque spoke to the Board about the proposal and he and Eric answered questions from Board members.

**Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

A motion was made by Evan Cyr and seconded by Dana Staples to forward a favorable recommendation to the City Council that they amend the Rural Residential and Low-Density Country Residential strips to extend to 750 feet from the centerline of the roadway or to the rear line of the property, whichever is less. After a vote of 7-0-0, the motion carried.

**9. WORKSHOP: Comprehensive Plan Chapter 1: Goals, Policies & Strategies, Section G: Transportation Policies. First review.**

**10. WORKSHOP: Comprehensive Plan Chapter 1: Goals, Policies & Strategies, Section K: Promoting Food Access and Production and Growing the Agriculture Economy Policies. First review.**

Eric went over the staff report, presented a PowerPoint presentation, and answered questions from Board members regarding items 9 and 10 on the agenda.

(1:21:55 on YouTube Recording)

**11. PUBLIC COMMENT:**

No comment.

**12. PLANNING BOARD ITEMS FOR DISCUSSION**

**13. MISCELLANEOUS:**

a. Upcoming items for August

Eric went over what might be coming before the Board in August

**14. ADJOURNMENT:**

A motion was made by Evan Cyr and seconded by Stephen Martelli to adjourn. After a vote of 7-0-0, the motion passed.

# Auburn Planning Board Meeting Minutes

## August 10, 2021

### 1. ROLL CALL:

**Regular Members present:** Evan Cyr, Darren Finnegan, Dana Staples, Riley Bergeron, Mathieu Duvall - Presiding, and Stephen Martelli,

**Regular Members absent:** Stacey LeBlanc

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

**Associate and other Members absent:** Brian DuBois

**Also present representing City staff:** Eric Cousens, Director of Planning & Permitting and John Blais, Urban Development Specialist.

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call. He stated that because there was a full member absent, Joseph Morin's status would be elevated to Full acting membership for this meeting.

### 2. MINUTES: Approval request of the July 13, 2021 meeting minutes.

A motion was made by Evan Cyr and seconded by Dana Staples to approve the July 13, 2021 meeting minutes as presented. After a vote of 7-0-0, the motion passed.

Chairperson Duvall asked for consensus from the Board to switch the order of items 8 and 9 on the agenda. There were no objections from Board members.

### 3. **ZONING MAP AMENDMENT/PUBLIC HEARING: 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 center line of roadways. Discuss updated maps with planning board members.**

John Blais gave a brief overview of what the City of Auburn was proposing by showing maps depicting some of the lots throughout the City that would be affected. He and Eric Cousens answered questions from Board members.

(24:50 on YouTube Recording)

#### **Open Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Bruce Bickford of 64 Cameron Lane asked that the Board consider adding a 9.5-acre parcel to the rezoned areas mentioned.

Norm Caron of 66 Chickadee Drive asked if this means he will add more property between the front property line and the road. He also asked if the easement behind his property will go away if this proposal goes forward.

Pam Russo of 745 West Auburn Road said she was concerned about the watershed, septic systems building upward and the addition of new homes because of the reduction in frontage requirements.

Mike Lyons from Danville asked why was this so urgent and said it probably should have gone to the Comp Plan Committee for review. He said these properties could be identified as future land use so if the property owner wanted to make the change in the future, they could bring it up to the City Council at that time.

Jessica Blanchard of 96 Blanchard Road said traffic evaluations were needed along Route 4 where properties are developed and spoke about roads needing maintenance because they are terrible.

Mark Demers of 298 Trapp Road said his biggest concern with this rezoning is developers coming in and purchasing some of these properties and putting in housing development in residential areas like they have on Danville Corner Road.

Carl Bernard of 448 Youngs Corner Road said he was opposed to this because he wants to keep the country looking the way it is.

Jan Philips of 173 West Shore Road said she was concerned about the south end and particularly the north end of Taylor Pond because of the topography in those areas. She said any run-off from development will run downhill and have an impact on the pond.

**(37:35 on YouTube Recording)**

Rick Breton of 1109 Summer Street spoke about the property being surrounded by the Ag Zone.

Connie Field of 295 Station Road said she was trying to understand what is being proposed.

Kenneth Sonagere of 482 West Auburn Road asked what will the tax increase be per acre of rural residential acreage. He added that Lake Shore Drive at the intersection of Route 4 is a death trap and adding development does not make sense.

Lance Pierson of 134 West Shore Road said we should have residential development and landowners should have a say.

Pam Russo of 745 West Auburn Road says she's concerned that this is the 1<sup>st</sup> step being taken for future development and sees this as a slippery slope.

Art Dingle of 512 Danville Corner Road was not sure why he was notified since his property was across the road. Eric clarified that all property owners within 500 feet of affected properties were also notified.

**(48:10 on YouTube Recording)**

Rex Rhoades of 880 Lake Shore Drive said the City of Auburn should not encourage strip development and should develop closer to the City center.

Kathy Shaw of 1200 Sopers Mill Road said she's a farmer and also Chairperson of the Auburn Forestry and Agricultural Commission. She said this proposal is a further dilution of our forest, farms and fields and a money grab for more development. She said we need to manage growth in a thoughtful manner.

Russell Libby of 730 Perkins Ridge Road said he was not in favor of selling house lots.

Nancy Cecil of 464 Maple Hill Road said she was concerned about development on a neighboring lot.

Anita Poulin of Old Danville Road said neighbors are getting less water pressure due to development. She said that many at the bottom of the hill have had to have new wells put in because of the development on top of the hill. She is concerned that taxes are going to go up when the Ag land becomes residential.

Rick Whiting of 24 Beaver Road said he served on the Planning Board and Comp Plan Committee and is more in favor of incremental growth instead of rapid change. He suggests that the City Council and Planning Board should slow down and finish the Comp Plan and then start looking at some of these fairly radical changes and really pay attention to what the citizens think about this and not what the City Council thinks.

Jim Tartre of 518 Johnson Road said being in the other room, he couldn't see or hear what was going on and suggests that they have another meeting in one room where everyone can hear a better presentation of exactly what is going on. People don't understand what impact this may have on their property so is not in favor of the Board voting tonight.

Ken Violet of 181 Stone Road said it's time to make changes and is in favor of this proposal. He said he knows there are a lot of people opposing but there are people that paid taxes for many years that want to use their property but can't.

**(1:03:10 on YouTube Recording)**

Bob Hayes of 172 Allen Avenue said we are not comprehensively approaching this; it's been piece meal. He said we need to slow down and use the approach that was done in the past and make the changes at one time.

Holly Lasagna of 220 West Auburn Road and Ward 1 Councilor thanked the public and encouraged those that don't want to speak publicly, to reach out to their City Councilor and voice their opinion.

Leland Faulkner of 2426 Turner Road said what bothers him the most is the lack of transparency. He said he would like to know who profits from the process and who the players are. He said there are no



details and questions the ecological and traffic impacts.

Nancy Cecil of 464 Maple Hill Road said this needs further discussion because of the lack of clarity as voiced by many people here tonight.

### **Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Evan Cyr asked staff to provide clarity to some of the comments and questions that were asked during the Public Input part of the Public Hearing.

John and Eric answered questions from Board members and presented maps and data sheets on the screen. After a lengthy discussion, the following motion was made:

**(1:50:40 on YouTube Recording)**

A motion was made by Dana Staples and seconded by Riley Bergeron to Table this agenda item to a date certain of the regular Planning Board meeting which falls on September 14, 2021. After a vote of 7-0-0, the motion carried.

#### **4. COMPREHENSIVE PLAN UPDATE/PUBLIC HEARING: Comprehensive Plan Chapter 1: Goals, Policies & Strategies, Section G: Transportation Policies. First review.**

Eric went over the staff report and presented slides on the screen.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

No comments.

### **Close Public Input**

A motion was made by Evan Cyr and seconded by Riley Bergeron to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

**(2:03:15 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Stephen Martelli to send a favorable recommendation to the City Council to adopt the proposed amendment of the Comprehensive Plan, specifically the Transportation Policies Chapter as it is written in the staff report dated August 10, 2021. After a vote of 7-0-0, the motion carried.

#### **5. COMPREHENSIVE PLAN UPDATE/PUBLIC HEARING: Comprehensive Plan Chapter 1: Goals, Policies & Strategies, Section K: Promoting Food Access and Production and Growing the Agriculture Economy Policies. First review.**

Eric went over the staff report and presented slides on the screen.

### **Open Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Camille Parrish of 42 Lake Street said she is very much in support to have this chapter included in the Comprehensive Plan.

### **Close Public Input**

A motion was made by Evan Cyr and seconded by Stephen Martelli to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Evan Cyr said he supports neighborhood store ideas for better food access and suggested having language that supports Neighborhood Business Zones throughout the City. He said the City should work with some of these partners to develop sponsorships that are mutually beneficial for the sponsor as well as the City. He spoke about removing barriers to doing agriculture in the Ag zone.

**(2:21:00 on YouTube Recording)**

A motion was made by Evan Cyr and seconded by Dana Staples to send a favorable recommendation to the City Council the adopted proposed amendment to the Comprehensive Plan promoting food access and production in growing the agriculture economy chapter with the following recommendations; that language be added to support neighborhood access to food by considering zoning that allows for neighborhood stores with additional recommendation to consider adding strategies to help fund efforts such as but not limited to sponsorship and to include language to work on removing barriers to all levels of agriculture in all zones, specifically to support both large and small agriculture in all zones. After a vote of 7-0-0, the motion carried.

## **6. WORKSHOP: Comprehensive Plan Chapter 2: Future Land Use Plan. (Draft Mapping & Zoning Updates)**

Eric went over the staff report and presented slides on the screen. He answered questions from Board members. After some discussion, Eric said staff would plan to bring this item back for a Public Hearing in September.

## **7. PUBLIC COMMENT:**

## **8. MISCELLANEOUS:**

### **a) Upcoming items for September**

Eric went over the items coming in September and answered question from Board members.

**9. ATTENDENCE DISCUSSION: Possible executive session; personnel matter, pursuant to 1 M.R.S.A Sec 405 (6) (a).**

Board members agreed to wait until all Board members were present before addressing this item on the agenda.

(2:47:35 on YouTube Recording)

**10. ADJOURNMENT:**

A motion was made by Evan Cyr and seconded by Dana Staples to adjourn. After a vote of 7-0-0, the motion carried.

# Auburn Planning Board Meeting Minutes

## September 14, 2021

### 1. ROLL CALL:

**Regular Members present:** Evan Cyr, Darren Finnegan, Dana Staples, Riley Bergeron, Mathieu Duvall - Presiding, Stacey LeBlanc and Stephen Martelli,

**Regular Members absent:** None

**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 and John Blais, Urban Development Specialist.

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

### 2. MINUTES: Approval request of the August 10, 2021 meeting minutes.

A motion was made by Dana Staples and seconded by Evan Cyr to approve the August 10, 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. (Staff recommends tabling decision until October 12th to address traffic).**

A motion was made by Dana Staples and seconded by Evan Cyr to table this item until the October 12<sup>th</sup> meeting. After a vote of 7-0-0, the motion passed.

### 4. **ZONING MAP AMENDMENT/PUBLIC HEARING: 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 center line of roadways. Discuss updated maps with Planning Board members.**

John went over the staff report and presented slides on the screen. He introduced Rosemary Mosher, Auburn GIS Manager and Karen Scammon, Auburn City Assessor. Rosemary explained how to navigate the GIS maps on the City's website. Karen spoke about the potential tax / assessment changes if this goes through and answered a couple of questions from Board members.

(46:50 on YouTube Recording)

John continued with the presentation explaining the Comprehensive Plan Tie-In and the schedule / timeline for this item. After the presentation, he and Eric answered questions from Board members.

(1:18:50 on YouTube Recording)

**Open Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to open the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Mike Desgarier of 9 Tranquil Cove in Casco, Maine, spoke regarding 790 Pownal Road and wanted to point out that density is not the issue.

Mike Parent of 275 Dillingham Hill Road said he would not be opposed to an expansion going up Johnson Road.

Stephen Beale of 575 Johnson Road spoke about the maps being incorrect when he met with the Planning Department, but John explained that they had been corrected.

Cynthia Alexander, resident of 582 West Auburn Road said she was very concerned about this plan because of the proximity of the watershed. She said she would never put a building in her backyard and hopes her neighbors don't either. She is requesting that West Auburn Road be removed from this plan.

Fred Holler of 352 West Auburn Road stated his property is in the Lake Auburn Watershed and asked if the Dingley Estate and Whiting Farm were up for development.

Scott Alexander who resides at 582 West Auburn Road said his land is unbuildable due to the wetlands on his property. He hopes that if what's proposed goes through, that this is taken into consideration.

Bruce Bickford of 64 Cameron Lane said he would like to retire and stay where he grew up. He said he's disabled and would like to be able to build a ranch on his 9.5-acre lot, but it's in the Ag zone and is not included in this proposal. He said he was going to introduce a bill this coming year that would eliminate income standards on any and all agricultural land in the State of Maine.

Mindy Letourneau of Beaver Road asked if the City of Auburn would consider a zoning contract with regards to this residential change. She spoke about the protection of migration areas and vernal pools near Beaver Pond and asked who could help assess open space designations.

Michael Morrissey who resides at 825 Perkins Ridge Road asked why the strip at 205 and 405 Youngs Corner Road was expanded more than the 750 feet. He said it seems somebody has something planned for this property. He added that we need more information and need to get better numbers.

Andie Wishman of 1471 Riverside Drive said most of her land is wetland, the road is dangerous, has seen many accidents with vehicles causing damage on her property, and that the traffic is horrendous in that area. She said by changing the zoning, her taxes would go up and the number of animals she can

have would also change.

Jason Levesque of 205 Youngs Corner Road said he'd much rather have his neighbor build a house or a garage or a shed in their backyard than have 13 acres or 3 acres or 1 acre of marijuana or strip mine or sanding gravel pit or another use that is allowed in the Ag zone. He said there's one aspect of taxes that we aren't talking about which is how the City levy's your tax dollars or sets that mil rate and that's based upon our budget so if everybody that is in the strip zone area has a tax increase of \$100 or \$150, combined that's a substantial amount of revenue. But if the City is conservative, then the mil rate goes down which normalizes taxes across the entire city.

(1:47:05 on YouTube Recording)

Fred Redmun of 1201 Old Danville Road said one of his biggest concerns if this gets approved, is that his taxes could go up as much as \$700 and asked if what's behind this proposal is for the city to get extra money. He said he may be forced to do something he doesn't want to do and that's to sell his property.

Russell Libby who resides at 730 Perkins Ridge Road asked how far the expansion was proposed down Youngs Corner Road. His questions were answered by showing the maps on the screen.

Corey Pelton of 386 South Witham Road said he purchased the property because of the view and did not want any neighbors and stated he would like South Witham to be taken off the potential areas of zone changes.

Kimberly Davis of 433 Hackett Road asked if the proposed development on the 5-acre lot across from her property is still being looked at as it will affect the future plans on her property.

John Wilson of 183 Johnson Road asked how much of his property was in the watershed. John Blais stated there isn't any expansion for that property as it is already at the 750' mark.

Ken Violette of 181 Stone Road questioned why he couldn't build a home more than 450 feet back since he owned the land and pays taxes on it. He said he was in favor of the proposal.

John Keene who resides at 1159 Old Danville Road said he likes the property the way it is and likes the open space behind his property. He said he appreciates the Board hearing from the property owners and abutters and said he would like to see the strip in the back removed near Moose Point Road.

Richard Whiting of 24 Beaver Road said he was the Co-Chair of the 2010 Comprehensive Planning Committee. He said they were looking for more of an incremental gradual approach and that this was too much too fast. He said more time should be spent by the Comp Plan Committee and letting people have their say. Some changes could be made in appropriate places but definitely not expanding development in the Lake Auburn Watershed Overlay district. He said expanding services in places that may not be able to support them in outlying areas could raise taxes so he would urge caution and slowing down.

Chris Carson from 110 Jacques Road agreed with Mr. Whiting and would encourage the Board to slow

down and consider that they are about to look at a new Comprehensive Plan.

(2:01:40 on YouTube Recording)

**Close Public Input**

A motion was made by Evan Cyr and seconded by Dana Staples to close the public input part of the hearing. After a vote of 7-0-0, the motion carried.

Chairperson Duvall stated that there were 2 Associate members present on the Board that would not be making motions or voting this evening.

The following are some answers to questions that were brought up during the public input section of the meeting:

- Evan Cyr – Contact City Councilor for clarification as to why something is occurring in the City and to voice your opinion and for those with questions regarding their individual properties, should contact the Planning Department
- Evan Cyr – Re: Dingley Property and Whiting Farm area, it is in the watershed based on the maps shown.
- Chairperson Duvall – Re: Future Land Use Plan, does it change the zoning in that area? Rosemary answered no it does not.
- Evan Cyr – Re: Why residential zones were not extended further. Eric replied that 63 Cameron Lane does not have an existing residential strip on the south side of Washington Street
- Evan Cyr – Re: a zoning contract, Eric answered we don't have a provision that allows that in our Zoning ordinance, but it is something that's legally allowed and could be considered as an option.
- Evan Cyr – Why was the strip deeper than 750 feet on Youngs Corner Road and Eric said it was probably done in error.
- Evan Cyr – Why are we doing this was asked several times. Eric responded that new value does increase tax revenues, but they also come with service costs, so the land value increase is a new tax revenue that does not come with a service cost. He added that as people develop lots, there's a much lower average number of students than what we've typically seen in a cost of community service studies.
- Brian DuBois – Concerns about paying increased taxes for areas in properties that are not buildable. He asked if this is a blanket situation where taxes may increase or look at properties in a case-by-case basis. Eric replied that the Assessor will in some cases make adjustments to value based on real conditions on the lot.
- Chairperson Duvall – Some people suggested that West Auburn Road and South Witham Road be removed from the map strip extension.

(2:16:00 on YouTube Recording)

Dana Staples stated that he was the Chair of the 2020 Comp Plan Committee and sat on the Future Land Use Subcommittee. He said the changes that were made to the Future Land Use Plan was not with a strip zone expansion in mind. The City Council asked for the Comp Plan to be looked at and asked for this to be looked at so it's like the 2 are competing. He said based on that, he's inclined to vote no on this.

Stephen Martelli thanked the people for coming out and giving their opinions tonight. He said we need to look at how many lots are actually buildable rather than overall as it's not going to affect everyone in the city.

After further discussion amongst Board members, the following motion was made:

**(2:28:45 on YouTube Recording)**

A motion was made by Evan Cyr to forward a favorable recommendation to the City Council to expand the Rural Residential and Low-Density Country Residential strips an additional 300 feet and to do so specifically utilizing criteria #1, 2, 3 and 6 from the staff presentation. That would eliminate extending zones out around specific subdivisions and Taylor Pond. The motion was seconded by Stephen Martelli.

A motion was made by Stephen Martelli and seconded by Riley Bergeron to amend the original motion to table this until next month. After a vote of 4-2-1, the motion to Table carried. Evan Cyr and Stacey LeBlanc opposed, and Chairperson Duvall abstained.

#### **5. PUBLIC HEARING/RECOMMENDATION COUNCIL: Comprehensive Plan Chapter 2: Future Land Use Plan (Draft Mapping & Zoning Updates).**

A motion was made by Dana Staples and seconded by Evan Cyr to table this item based on the following:

- Incomplete agenda packet the Board received for this
- The Chapter of the Future Land Use Plan had differing zone names from the zones that are on the map – making it difficult to map between the two.
- The absence of the table for the map
- The absence of the growth map that was shown on the 2010 Comp Plan slides.

After a vote of 7-0-0, the motion carried.

#### **6. PUBLIC COMMENT:**

Ellery Keene from Winslow, Maine commented that the existing Future Land Use maps don't show lot lines. He said lot lines and roads should be shown to be able to make better decisions.

Bill Sylvester of Riverside Drive asked if the Ag Committee was asked for an opinion on the Ag zoning strips. Chairperson Duvall said they had not. Mr. Sylvester said a memo had been sent 2-3 weeks earlier.

A gentleman asked if West Auburn Road was decided to be residential zoning, how does that impact the decision on the horse farm at 616 West Auburn Road?

John Keene who resides at 1159 Old Danville Road stated that if you are going to recommend an Urban Residential area you should have public sewer services attached to that or have a plan in place.



**7. ATTENDENCE DISCUSSION: Possible executive session; personnel matter, pursuant to 1 M.R.S.A Sec 405 (6) (a).**

A motion was made by Evan Cyr and seconded by Stephen Martelli to enter into Executive Session pursuant to 1 M.R.S.A Sec 405 (6) (a). After a vote of 7-0-0, the motion carried.

Chairperson Duvall said the Board would take a 5-minute break prior to going into Executive Session.

**8. MISCELLANEOUS:**

**9. ADJOURNMENT:**

A motion was made by Evan Cyr and seconded by Stephen Martelli to adjourn. After a vote of 7-0-0, the motion carried.

**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



# **Auburn Planning Board Meeting Minutes Special Meeting: October 26, 2021 – 6:00PM**

## **1. ROLL CALL:**

**Regular Members present:** Darren Finnegan, Dana Staples, Riley Bergeron, Stacey LeBlanc and Mathieu Duvall

**Regular Members absent:** Stephen Martelli & Evan Cyr

**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, Rosemary Mosher, Data, Analytics, and Visualization Specialist

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

## **2. PUBLIC HEARING/RECOMMENDATION TO COUNCIL: Comprehensive Plan Chapter 2: Future Land Use Plan. (*Draft Mapping & Zoning Updates*)**

Eric Cousens reviewed the Staff Report and Rosemary Mosher displayed changes on screen for all to see. Both Eric & Rosemary discussed proposed changes.

Dana Staples motion to open public comment seconded by

### **Open Public Comment:**

Pam Russo of 745 W Auburn Rd. had questions about units per area and losing the fields if zoning is changed and building are added. Worried that the land will look like “Downtown”

\_\_\_\_\_ of 220 W Auburn Rd asked if they could look (visually) at watershed changes/impact

6:49pm A motion to close public comment

Riley Bergeron stated he would need to look further into the Lake Auburn study for more information.

Brian Dubois questions for the staff, wanting to know about investments and if this changes the dynamics of the plan.

Eric responded that overtime it would incrementally expand.

Joseph Morin also expressed wanting to review the Lake Auburn study in more depth.

There was a motion to request for more time, there was discussion regarding the importance of coming to a decision today as this has been tabled previously.

Brian Dubois is disappointed with lack of public comment and that is important to make a decision on this item today.

A motion for an amendment to change strip zone made by Dana and seconded by Stacy.

After a vote amendment failed.

Motion to change proposed residential to be zone rural passed after a 4-1-1 vote

Motion accepted.

A motion to recommend to City Council accepted after a vote 5-0-1

A motion to for future agenda item, to grandfather certain zones

**3. ADJOURNMENT:**

Next Planning Board Meeting is on November 09, 2021

# **Auburn Planning Board Meeting Minutes November 9, 2021**

## **1. ROLL CALL:**

**Regular Members present:** Evan Cyr, Darren Finnegan, Dana Staples, Riley Bergeron, Mathieu Duvall - Presiding, Stacey LeBlanc and Stephen Martelli,

**Regular Members absent:** None

**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 Duvall called the meeting to order at 6:00 pm and asked for a roll call. Discussed the voting and participation of Associate Members,

## **2. MINUTES: Approval request of the October 12, 2021 meeting minutes.**

A motion was made by Dana Staples and seconded to approve the October 12, 2021; meeting minutes as presented. The motion passed.

**Approval request of the October 26, 2021 meeting minutes.** Stephen Martelli requested to change a discrepancy of Evan Cyr being listed as present. He was absent.

**3. TABLED DISCUSSION ZONING MAP AMENDMENT/PUBLIC HEARING:** 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 center line of roadways. Discuss updated maps with planning board members:

A motion to remove from the table was presented and seconded by Riley Bergeron

Staff report explained by Eric Cousens, displayed PowerPoint.

A motion to open Public Comment made by Dana Staples and seconded.

### **OPEN PUBLIC COMMENT:**

Michael Morrisey of 825 Perkins Ridge Rd

Pam Russo of 75 W. Auburn Rd asked to see a specific address in relation to proposed changes.

Michael Heskanen of 380 Youngs Corner Rd. read a quote from the Sun Journal. He states he is a new resident to Auburn and concerned for the Watershed and the forests.

Fred Holler of 352 W. Auburn Rd gave praise to the committee when dealing with the pressure to develop the city. Mr. Holler wonders where the pressure is coming from and concerned for all these changes.

Ed Huggins of 216 Perkins Ridge Rd had a complaint about the map, his road was not on it. Worried about the Watershed. He had a suggestion/ question: Can subdividing be done one by one instead of all at once? Only divide if you are interested.

Kathy Shaw 1200 Sopers Mill Rd. read a letter from the Ag Committee requesting to leave current zoning in place.

Steve Damian 703 South Witham Rd. doesn't like the idea at all, it decreases the value of his land. He noted that a lot of development has happened already.

\_\_\_\_ Lounsbury 505 W. Auburn Rd. asks why taxes can't stay the same for now and change it when the land is sold?

Fred Holler spoke again, shared his feelings that the City Council should handle this big plan not the Planning Board.

Pam Russo spoke again, pointing out this has been tabled twice and she is Thankful for that. She urges the Planning Board to "make it dead" because it is not a good plan. She suggested individual case by case basis instead of full change as proposed.

Gary Crook – opposed to the change and hopes this does not get tabled again.

Holly Lasagna of 220 W. Auburn Rd introduced herself as Ward 1 City Council Member, encouraged other to attend the City Council meetings.

\_\_\_\_ Well water

Susan Brown of 152 Danville \_\_\_\_ questions why it is being done this way. Encouraging the developing to happen in a different area.

\_\_\_\_ asked Eric to pull up 500 Pownal Rd. on the map, then becomes inaudible.

Michael Heskanen speaks again expressing there are other solutions for development, and he feels that many citizens would be willing to help seek alternative development areas.

Samantha \_\_\_\_ 76 N. Auburn Rd. states she has just moved to Auburn 2 years ago. She is against this change and points out schools are not equipped to take on more children with the already growing

population.

Thomas \_\_\_\_ of 1338

Kathy Shaw spoke again, urges the city to “slow down” she does agree that we need more dwellings however the land use being proposed is not the place for them.

A motion to close public comment made by Evan Cyr and seconded.

Discussion amongst board members:

- Evan inquired why this change could not be done on a case by case basis.
  - Eric explained that consistency was most important. Displayed a tax example on the shared screen.
- Stacy mentions that Karen Scammon, Assessor from the City of Auburn said previously she is available to answer questions specific to landowners.
- Evan asked about the school departments involvement with this proposed change
- Brian shared that his take from public comment is a feel of “not in my backyard” type resistance to this proposed change.
- Dana opposed and does not want this to pass as it stands
- Riley in agreement with Dana
- Evan wonders about the impact to Taylor Pond, mentions restrictions on Ag Zone and protecting back lots.

A motion to forward a negative review to the City Council was made by Dana Staples seconded by Steve Martelli.

Evan Cyr and Stacy Leblanc both indicated their thoughts of providing a recommendation instead of a negative review to the City Council.

A vote was made and the motion to forward with negative review to City Council and passed 5-0-2

7:57pm Chairperson Duvall proposed a 5-minute recess.

**4. PUBLIC HEARING/ADDRESSING:** Assign Street Name per Sec. 46-182(6)(1)(i) to Blue Dream Drive.

Staff report – 963.No questions for staff from board members

A motion was made to open public comment by Dana and seconded by Steve

Seeing no public stepping forward Evan made a motion to close public comment and seconded by Steve.

A motion was made to pass this agenda item by Dana and seconded.

After a vote, the motion passes unanimously.

**5. WORKSHOP:** Proposed Amendment to Section 60-989 to add language that reflects recent legislature requirements for photographic evidence of the shoreline of all development projects located in the Shoreland Zone.

Staff Report, motion passes

**6. WORKSHOP:** Proposed Amendment to Section 60-1507 to add the requirement that a decommissioning plan for a solar project be approved by the Maine DEP with accompanying financial assurance for all projects occupying 3 or more acres.

Staff report, no motion. Moved on to next workshop item.

**7. WORKSHOP:** Proposed Amendment to the ordinance to add a definition for Tiny Homes and/or adjust the 700 square foot requirement for habitable space to be considered a single-family dwelling.

Staff report, Steve asked for clarification regarding the type of home.  
Request for another workshop on this item.

**8. WORKSHOP/DISCUSSION:** Explore existing and possibly additional provisions for grandfathering parcels that have been rezoned by Planning Board and City Council action.  
Staff report, discussions amongst board members.

#### **9. PLANNING BOARD ITEMS FOR DISCUSSION**

Covid Policy - If OSHA standards pass, all City Employees will be required to be fully vaccinated or test weekly.

This applies to all volunteers for the City Board Membership and Chair Duties (Expirations, Elections, etc.)

#### **10. MISCELLANEOUS:**

- Upcoming items for December
  - No projects made deadline for submission.
  - Steve announces he will not be present for the December meeting.

**11. ADJOURNMENT:** Next Planning Board Meeting is on December 14, 2021

# Auburn Planning Board Meeting Minutes

## December 14, 2021

### 1. ROLL CALL:

Chairperson Duvall called the meeting to order at 6:00 pm and asked for a roll call. Discussed the voting and participation of Associate Members,

**Regular Members present:** Evan Cyr, Darren Finnegan, Riley Bergeron, Mathieu Duvall – Presiding & Stacey LeBlanc

**Regular Members absent:** Stephen Martelli

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

**Associate and other Members absent:** None

**Also present representing City staff:** Eric Cousens, Director of Planning & Permitting and John Blais, Deputy Director of Planning & Permitting

### 2. MINUTES: Approval request of the November 9, 2021, meeting minutes.

Unanimous consent, motion to approved seconded by Riley Bergeron. The motion passed.

**3. DISCUSSION ZONING MAP AMENDMENT:** 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 center line of roadways. Discussion/Vote; City Manager’s letter to the Mayor and City Council Regarding; On November 9, 2021, the Planning Board failed to meet their obligation with a “negative” vote to order 31-07192021 with no findings of fact or reason(s). On December 6<sup>th</sup> the Council voted to indefinitely post pone residential strip expansion from 450 feet to 750 feet. With a vote of 4-3.

Staff report explained by Eric Cousens which included the following suggested recommendations based on previous discussions:

The Planning Board forwarded a negative recommendation based on the following findings and reasons:

1. The proposed expansion of residential strips conflicts with recommendations in the Comprehensive Plan and expands development outside the core of the City and into Agriculturally zoned areas.
2. Members of the Public, with substantial ownership of the land, has largely opposed the proposal for reasons discussed by the Board and included in these findings/reasons.

3. The proposal would increase taxes on existing homes/land in areas that may or may not even be developable or desirable.
4. The proposal would allow for increased development in the Lake Auburn and Taylor Pond Watersheds, without consideration of the recently released Lake Auburn Watershed Study recommendations, including Low Impact Development Standards.
5. The combined impact of this proposal and the Comp Plan FLU Map doubling density possibilities in some areas may change the character of neighborhoods and we have a responsibility as a Board to consider whether that change is what Auburn wants.

Evan suggested to not include #2 and that #5 seemed more of an opinion, Riley also agrees #5 presenting as an opinion.

Brian will sustain from voting on this matter.

Mathieu suggested a change in text for #5 and eliminate #2

A motion to adopt the following changes passed 5-0-1

1. The proposed expansion of residential strips conflicts with recommendations in the 2010 Comprehensive Plan and expands development outside the core of the City and into Agriculturally zoned areas.
  2. The proposal would allow for increased development in the Lake Auburn and Taylor Pond Watersheds, without consideration of the recently released Lake Auburn Watershed Study recommendations, including Low Impact Development Standards.
  3. The 2020 Comp Plan FLU Map updates deserve consideration prior to considering the residential strip expansion.
- 4. WORKSHOP:** Proposed Amendment to Phosphorous Ordinance Section 60-1070 This change addresses utilization of the most current design standards set forth by Maine Department of Environmental Protection to treat phosphorus export for a project or projects over 575 square feet of ground floor area within the Taylor Pond and Lake Auburn watershed. The technical guide for design standards of Phosphorus Control Best Management Practices will be updated from the May 1990 to the March 2016 version.

**John Blais read Staff Report**

**5. PUBLIC COMMENT:** No public comment as there were no members of the public present.

**6. PLANNING BOARD ITEMS FOR DISCUSSION:**

- a. Upcoming income standards proposed under State Statute.
  - i. *Suggestion of Subgroup to work on this with Conservation Commission Council.*



- b. Effective October 18, 2021, a new law requires municipalities to permit tiny homes to be placed or erected on individual lots where single-family dwellings are allowed or as an accessory structure, subject to all applicable land use requirements as single-family dwellings or as an accessory structure. For purposes of this new law, “tiny home” has the same definition as previously outlined in the law (Title 29-A M.R.S. Section 101 (80-Staff will look at Proposed Amendment locations to the ordinance to add a definition for Tiny Homes and/or adjust the 700 square foot requirement for habitable space to be considered a single-family dwelling.
  - i. *Suggested additional workshop for further discussion.*
- c. Pick-up window/parking spot for various businesses. (Restaurants, parts, grocery, retail etc.)
  - i. *Brief discussion amongst board members. Needing to look at definition – not fast food however this could potentially create new traffic patterns for businesses. Parking spots for on the go or curbside pick up are not an issue. Biggest concern includes traffic.*

**7. MISCELLANEOUS:**

- a. Upcoming items for January
  - i. There is an ad on the website for Planning Board member vacancies. Encouraged Brian to apply for full membership and then backfill the associate spots.
  - ii. No projects coming in January

**8. ADJOURNMENT:** Next Planning Board Meeting is on January 11, 2022