

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 2nd 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.