



City of Auburn, Maine
Planning & Permitting Department
Eric Cousens, Director
60 Court Street | Auburn, Maine 04210
www.auburnmaine.gov | 207.333.6601

PLANNING BOARD MINUTES

June 18th, 2024 – 6:00 p.m.

Workshops Scheduled from 5:30 p.m. to 6:00 p.m.
City Council Chambers, 60 Court Street

1. **ROLL CALL:** Bob Hayes (elevated to full member) Dave Trask, Riley Bergeron, Darren Finnegan, Ryan Smith
2. **WORKSHOP:** LD 2003 Text Amendment from Ad-Hoc Committee

Katherine Cook presented staff update. Board had raised the question in prior meeting about a 4-unit property needing to be a singular 4-unit building, or if the 4-units could be arranged as two 2-unit buildings in more rural zones. Planning Board and staff discussed nuances of multiple units, multiple structures, subdividing lots and site review process regarding adding 3 or 4 units on a single parcel.

Staff brought up the current language in the ordinance restriction of setbacks related to accessory structures and removing the language “uninhabited” from the ordinance. Currently, as the ordinance reads, it restricts some from converting a detached garage from being converted into an accessory dwelling unit when it doesn’t meet the setback standards.

3. **WORKSHOP:** Review and adopt Planning Board Opening Remarks

There is no deadline for when this topic needs to be finalized. There were questions about the voting process and having to vote on each finding individually and then the motion as a whole. Staff recommends that the new attorney reviews the edits and provide a recommendation as well. There is some confusion over the term “final vote” as well.

Planning Board and staff decide to push Workshop Item 3 to after the Public Hearing items.

Roll Call and Appointment of Dave Trask to Chair. Dave Trask elevates Bob Hayes to a full member.

4. **MINUTES:** Review May 14th and May 28th, 2024, meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.

Bob Hayes makes a motion to approve Second: Riley Bergeron

Vote: 5-0-0

5. PUBLIC HEARING/ TEXT AMENDMENT: City Council initiated a text amendment to Chapter 60 Article XII Division 4-Lake Auburn Watershed Overlay District. The proposed amendments pertain to septic system installation, maintenance and replacements and new development. This amendment is pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Staff Report and Overview provided by John Blais. The Planning board and staff discussed ADUs and the number of new residential building permit limits. ADUs could potentially have less environmental impact than a new residential structure. Dave Trask brings up the point that setting a specific number limit of 3 new units a year seems like an arbitrary number as in the past 5 years, only 1 new unit has been constructed. He fears that setting the limit to a specific number could cause a false scarcity mindset which could increase the rate of new construction in the watershed.

Motion to Open Public Comment: Bob Hayes Second: Riley Bergeron Vote: 5-0-0

Jay Bishop -901 Lake Shore Dr - Expressed concerns of financial burden the septic inspection requirement on homeowners in the watershed who do not benefit from public water. Asked the staff to explore funding options that might be available to help homeowners with the cost if a new septic system is required. Shared a plan that another community initiated in a similar position where the residents in the community pooled their funds into a common septic system “insurance policy” where they paid in monthly just like public utilities and when one system required replacement, the funds went to helping that resident to fund the replacement costs.

Camille Parish – 42 Lake St – Rate payer but does not live in the watershed. Also is a commissioner of Lake Auburn Watershed Protection Commission. Mentions that the grant funds available from the state is designated for educational purposes and cannot be used to pay for septic system inspections, however, feels that other sources of funding should be explored to assist with the septic inspection costs. Ms. Parish also expresses concern over allowing ADUs because it could lead to more density in development within the watershed.

Allie Thompson – 664 West Auburn rd – Expressed that initial discussions of the septic inspections in the watershed included the city helping to contribute financially to the septic inspection process and wondered when that was taken out of the plan. Ms. Thompson supports sharing the cost of this burden for homeowners.

Michael Ouellette - 242 West Auburn rd – His home didn’t have a septic system on file when they purchased it, so they were proactive to learn about the system and explore options for how to have it run efficiently and have taken proactive maintenance steps to keep it running well. Expressed concern over the requirement to have his septic system inspected when he puts effort in to maintain his system currently and the financial burden this places on homeowners in the watershed.

Barry Frasier – 8 Ittner Ave – Expressed that he thinks the testing and inspection costs should fall on the City to take care of rather than charging the homeowners.

Motion to Close Public Comment: Riley Bergeron Second: Darren Finnegan Vote: 5-0-0

Planning Board discusses the topic further. The cost of the septic inspections typically run between \$350-\$500 but staff is optimistic that the rate might be able to be negotiated down based on the volume of inspections needed and could be coordinated with scheduled pumping to help ease the cost of inspections. The approximate cost of the inspections would be \$20,000 per year over the next 5 years with a total amount of \$100,000.

Motion: Ryan Smith makes a motion to forward a favorable recommendation to City Council to amend text to Chapter 60, Article II General Provisions, Division 4 Lake Auburn Watershed Overlay District, Sec. 60-951, Sec.60-952 and Sec. 60-953. Second: Riley Bergeron

Riley Bergeron makes a motion to amend the text on page 5, section 6 to add a comma before the word LAWPC. Vote: 5-0-0 Motion passes

Bob Hayes makes a motion to delay the implementation of this inspection program by a full year.
Second: Ryan Smith Vote: 5-0-0 Motion passes

Dave Trask makes a motion to remove the first paragraph in section 8 which limits the number of dwelling units per year to 3. Second: Ryan Smith Vote 3-2-0 Motion fails

Dave Trask makes a motion to seek legal opinion on Title 30-A section 43-60: Rate of Growth Ordinance to confirm that the municipality has the authority as stated in section 3, paragraph B. Second: Riley 4-0-1 Motion Passes.

Riley Bergeron makes a motion that the implementation of the septic inspections is delayed one year and then anytime after that when funding is available for homeowners with septic systems requiring inspections. Second: Ryan Smith 4-0-1 Motion Passes.

Vote on Original Motion along with the 4 amendments that passed: 5-0-0 Motion Passes

2:07:30

6. PUBLIC HEARING/ MAP AMENDMENT: Consider adopting the Lake Auburn Watershed Overlay District Septic Systems Inspection Map. This map will be referred to in Chapter 60 Article XII Division 4 Lake Auburn Watershed Overlay District and will be considered in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Staff Report provided by John Blais. Dave Trask asks if the dates on the map need to be changed with the recommended delay in implementation. Staff recommends changing the dates to "Year 1, Year2, etc." rather than specific dates. Dave Trask finds the dots confusing and would like to see the removal of dots on the map and thinks the colors are sufficient in identifying the parcels that require inspections. Perhaps the dots could be a layer in GIS.

Motion to open public comment: Riley Bergerson Second: Bobby Hayes Vote: 5-0-0

Jay Bishop – 901 Lake Shore Dr. – Wonders if at some point there will be a more specific list of addresses or properties that are included in each years’ inspection schedule.

Allie Thompson - West Auburn rd – Questions if a house is scheduled for an inspection in year 5 but needs to have their system pumped before that, is there a way to move up the inspection to capitalize on the efficiency of inspecting while a pumping appointment occurs.

Motion to close public comment: Darren Finnegan Second: Bob Hayes Vote: 5-0-0

Staff advises that if a homeowner has an inspection prior to the map schedule and there is an ordinance in place, then inspection results would be accepted upon submission for the next 5-years and the town would encourage owners to have early inspections if they are able and willing.

Riley Bergeron makes a motion to forward a favorable recommendation to City Council to adopt the Lake Auburn Watershed Overlay District Septic Systems Inspection Map in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map. Second: Ryan Smith

Dave Trask makes a motion to update the dates on the map to change them to Year 1-5 rather than a date certain. Second: Riley Bergeron Vote: 5-0-0

Dave Trask makes a motion to remove the dots from the map. Second: Bob Hayes Vote: 5-0-0

Dave Trask Makes a Motion to approve the motion with the 2 amendments. Second: Darren Finnegan
Vote: 5-0-0

2:23:24

7. PUBLIC HEARING/ MAP AMENDMENT: Consider adopting the Official Lake Auburn Overlay District 400 ft. Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields map. This map will be referenced in Chapter 60 Article XII Division 4 Lake Auburn Watershed Overlay District and will be considered in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Staff Report by John Blais.

Motion to Open Public Comment: Riley Bergeron Second:Darren Vote: 5-0-0

No Public Comment

Motion to close public comment: Riley Bergeron Second: Darren Finnegan Vote:5-0-0

Planning Board discusses what would happen if a homeowner had to replace their system and their current system falls within the buffer and whether they would need to move their new system outside of the buffer area or if they would be grandfathered to replace their system in the current place.

Darren Finnegan makes a motion to forward a favorable recommendation to City Council to adopt the Official Lake Auburn Overlay District 400 ft. Setback to Lake, Stream, and Brook for Subsurface Wastewater Fields map in accordance with Chapter 60 Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Second: Bob Hayes Vote: 5-0-0 Motion Passes

2:29:30

- 8. PUBLIC HEARING/ TEXT AMENDMENT:** City Council initiated a zoning text amendment to Chapter 60, Division 2 Site Plan Review pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Staff Report by Eric Cousens.

No Public present. Open and Close of Public Comment

Riley Bergeron makes a motion to forward a favorable recommendation to the city council Chapter 60, Article XVI, Division 2 Site Plan Review to reflect the language specified in this meeting's materials.

Second: Bob Hayes Vote: 5-0-0

2:33:00

- 9. PUBLIC HEARING/ MAP AMENDMENT:** Consider a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district. City Council introduced this proposal in accordance with Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Staff report by Katherine Cook. Dave Trask brings to light that these changes will remove the requirement for the waivers that will accompany the development plan of the Public Safety building if it remains in the T 4.2B zone.

No Public present. Open and Close of Public Comment

Ryan Smith makes a note that the T 4.2B zone has issues with regards to setbacks and is not conducive to development. Seems that the City is willing to make these zone changes for larger developments but does not do the same for smaller land-owners which seems unfair, however, in this case he does support this change. Dave Trask asks if there is a mechanism to make changes/edits to the T 4.2B zone. Staff indicates that changes

can be made, and it can start as a workshop item with Planning Board and can be considered with the new Comprehensive Plan which is set to begin in the coming year.

Riley Bergeron makes a motion to forward a favorable recommendation to City Council approve a zoning map amendment to convert City Assessor's Parcel I.D.s 201-034 and 209-035 with addresses of 526 and 550 Minot Ave from T-4.2B- Traditional Neighborhood Development zoning district to General Business II zoning district.

Second: Bob Hayes Vote: 5-0-0

10. PUBLIC COMMENT: No Public Present

11. MISCELLANEOUS:

- a. Upcoming Agenda Items
 - i. 3 Development Applications
 - 1. Adamian Drive apartment building
 - 2. Self-Storage Unit
 - 3. Proposal to change a single family home to a Boarding House
 - ii. Agriculture portion of the Auburn Watershed Overlay

2:46:30

Circles back to Workshop 2 – related to Opening Remarks

12. ADJOURNMENT

Motion to Adjourn: Darren Finnegan Second: Riley Bergeron Vote: 5-0-0

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

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