



# City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

**PLANNING BOARD Draft Minutes**  
**January 9, 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

1. **ROLL CALL:** Present: Riley Bergeron, Darren Finnegan, Dave Trask, Stacey LeBlanc, Evan Cyr, Tim DeRoche (elevated to full member). Absent: Paul Jacques and Amanda Guerette.

Stacey LeBlanc mentioned that although the City Council rescinded previous appointments of Evan Cyr and Tim Deroche, they still have voting rights and the ability to discuss items in this Planning Board meeting.

2. **MINUTES:** Review December 12<sup>th</sup>, 2023, meeting minutes. All meetings are available on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.

**Motion:** To Approve minutes from December 12, 2023: Evan Cyr; **Second:** Dave Trask; **Vote:** 6-0-0 **Motion Carries**

3. **PUBLIC HEARING/ SITE PLAN REVIEW:** The City of Auburn is applying to replace the existing Police Activities League (PAL) Center located at 24 Chestnut Street, City Assessor's Parcel I.D. 250-334. The proposal includes the demolition of the existing PAL Center (approximately 4,896 sq. ft.) to replace it with a 14,651 sq. ft. single-story facility with a basketball court, teen room, multipurpose, meeting, and storage rooms, bathrooms and showers, and a commercial kitchen. Site work will also include utility improvements, transportation, and pedestrian improvements along Chestnut St. to Winter St. and Walnut St., a playground, parking lot, and community gardens. This proposal is pursuant to Chapter 60, Article XVI, Division 2 – Site Plan Review and Division 14 – Form-Based Code.

**Staff Report:** Presented by Katherine Cook. The City is reviewing this site plan under the more rigid zoning standards of T-4.2 form-based zoning because the current zoning of Conservation/Open Space does not provide much for building standards. Under these more rigid zoning standards there are three waivers requested as the design does not completely comply with T-4.2 zoning requirements. John Blais adds further information about the traffic studies conducted related to the closing of Chestnut Street and reiterates that the City is adding more rigid site review standards than is required. Evan Cyr questions why this project is being considered for T-4.2 zoning because only the entranceway is in the T-4.2 zoning area. The entire structure of this project is located in the Conservation-Open Space zone. John Blais indicates that they are trying to maintain conformity with the surrounding neighborhood which is T-4.2. Evan Cyr is concerned that using the more stringent standards would provide a precedent for future projects.

Applicant - Civil Engineer, Caitlyn Glass, addresses the board and public and thanks them for the consideration.

**Motion:** To Open Public Comment: Tim DeRoche; **Second:** Dave Trask. **Vote:** 6-0-0 **Motion Carries**

Maureen O'Brian – 42 Winter Street. Speaks Opposed. Supports youth center closer to other buildings at Pettingill Park. Requested more time for public to discuss and provide input and requests more transparency from the City.

Joe Mailey – 82 Webster St. Speaks Opposed. Expressed concerns over validity of traffic studies for closing Chestnut Street.

Steven Beal – 575 Johnson Rd: Expresses concern over closing Chestnut Street related to emergency response times to neighborhoods in the area.

Brian Gallager – 42 Winter Street. Speaks Opposed. Mentions that when the neighborhood was canvassed regarding the closure of Chestnut Street 1 out of 50 neighbors supported that action. Concerns over the amount of light produced from this center.

Judy Rousseau-Gagon – 9 Walnut Street. Speaks Opposed. Concerns over safety of Walnut Street for children with increase of traffic from proposed PAL Center.

Phil Crowall – 610 Park Avenue. Speaks in support. Stresses that there is a need for this facility in this specific neighborhood.

**Motion:** To close public comment: Dave Trask; **Second:** Tim DeRoche; **Vote:** 6-0-0 **Motion Carries**

**Board Discussion:** Evan Cyr inquires about the traffic study since several members of the public voiced concerns. John Blais had reached out to public safety and fire officials to inquire about the response times being affected by closing Chestnut Street and officials indicated that there is no impact on response times by closing Chestnut Street. The Board and staff discuss further zoning requirements related to Conservation/Open Space versus T-4.2 and under which zoning standard this project should be reviewed. Darren Finnegan reiterates that this is expanding the footprint rather than changing the use. Dave Trask appreciates that additional scrutiny of the T-4.2 zoning standards. Tim DeRoche supports the project.

**Motion:** To approve the construction of the Police Activities League (PAL) Center located at 24 Chestnut Street, City Assessor's Parcel I.D. 250-334, which includes the demolition of the existing PAL Center (approximately 4,896 sq. ft.) to replace it with a 14,651 sq. ft. single-story facility with a basketball court, teen room, multipurpose, meeting, and storage rooms, bathrooms and showers, and a commercial kitchen, utility improvements, transportation, and

pedestrian improvements along Chestnut St. to Winter St. and Walnut St., a playground, parking lot, and community gardens: Tim DeRoche; **Second:** Dave Trask; **Motion to Amend To** Include a waiver request in accordance with Sec. 60-70(5) to waive the requirements of Sec. 60-607(12)- Off-street parking and loading requiring that five or more parking spaces must be paved and based upon the findings that the Site plan has met the requirements of Site Plan Review article Sec.60-16(2) including the conditions 1 through 4: Evan Cyr; **Second:** Dave Trask; **Vote: 6-0-0; Motion Carries.**

**01:32:40**

- 4. PUBLIC HEARING (TABLED FROM AUGUST 8, 2022):** Camp K9, LLC is requesting a Special Exception in the General Business (GB) Zone to expand their current business model, into other areas of pet-related services to complement their existing dog grooming and retail business. Camp K9 is located at 314 Center Street, Parcel I.D. 271-021. This proposal is pursuant to Chapter 60 Article IV Division 12 – General Business District, and Chapter 60 Article XVI Division 3 – Special Exception.

**Staff Report:** Presented by John Blais. Reviewed Site plan and highlighted additional conditions recommended to reduce the impact on the neighboring residential properties. Staff also considered a similar previous project that was approved on Washington St.

Planning Board has questions about recommended cleaning agent for sanitation purposes in the outdoor space. Concerns over environmentally friendly options, but also options that address effective mitigation of fecal waste. Applicant addresses the board and shares that he would be open to finding a cleaning agent that is both effective and meets the environmental discharge regulations.

**Motion** to open Public Comment by Evan Cyr; **Second:** Tim DeRoche; **Vote:** 6-0-0 **Motion carries**

Carolyn Collins - 40 Newell Ave – Expresses concern that the applicant will expand his facility to have up to 30 dogs which was his original plan when first presented rather than limiting it to 18 which is now the current proposed condition.

Steve Damien - 703 S Witham Rd – Expresses concern about cleaning up in the winter months.

Carrie Isett – 36 Newell Ave – Confusion over whether it's a dog grooming business or a doggie-daycare. Also expresses concern over parasitic illnesses that are passed along through dog waste and wanting to ensure that whatever product is used for cleaning would address those hazards.

**Motion** To close public comment by Tim DeRoche; **Second:** Evan Cyr. **Vote:** 6-0-0 **Motion Carries**

**Board Discussion:** Board and staff clarify that the plan would limit the number of dogs in a single day to 18. The applicant mentions that he will need to pass a State inspection as a kennel in order to have a business license and that includes adhering to sanitation standards. Riley Bergeron voices concerns over approving the special exception without first understanding the approved cleaning product options. Katherine Cook reiterates that the State requires inspections and approval to issue the license, so the condition in this recommended approval is somewhat redundant as there are state protections in place. John Blais specifies that it's the Agricultural Conservation and Forestry (ACF) Division that will review the sanitation plan including approved cleaning products.

**Motion:** Evan Cyr makes a motion to approve and grant the special exception to Camp K9, LLC at 314 Center Street, Parcel 271-021 to allow a doggie daycare and taxi service for up to 18 dogs with the following conditions:

1. Business hours shall be limited from 7:00AM to 7:00PM.
2. The entirety of the perimeter of the outside fenced area shall be shielded with a solid fence or fencing accessory/cover.
3. There should not be, at any one time, more than the number present for grooming on any given day and limiting outdoor use to 1/3 the total of 18 or (max 6 dogs) at one time.
4. Adhere to the plan in place for alleviating any barking nuisance resulting from the doggie daycare.
5. Adhere to the waste plan to address pet waste generated on site.
6. Add or keep existing buffers and limit the outside dog area to the area identified on the Plan.
7. Garage to be used as on-site storage/residential and not for the business.
8. Site Plan and use cannot expand the dog yard without Planning Board approval.
9. A sanitation product be used as part of the sanitation plan which will be approved by City, State and Federal regulating authorities only after approval from Planning Board.

**Second:** Tim DeRoche; **Vote:** 6-0-0 **Motion Carries**

**02:18:40**

5. **PUBLIC HEARING/ COMPREHENSIVE PLAN MAP AMENDMENT:** Consider amending the Future Land Use Plan map in the Comprehensive Plan to designate City Assessor's Parcel I.D.s 174-004, 174-004-001 and 174-004-002 land use as Suburban Development District. The Future Land Use Plan is not a zoning map. It is intended to show, in a general sense, the desired pattern of future land use and development. This map amendment is supported in the text of the Comprehensive Plan and was initiated by the Planning Board.

**Staff Report:** Presented by Katherine Cook. The existing future land use plan map show inconsistency in the zoning area along Riverside Drive and this recommendation provides more consistency of zoning which aligns with the Comprehensive Plan.



**Motion:** To Open public comment: Tim DeRoche; **Second;** Evan Cyr; **Vote:**6-0-0 **Motion carries**

George Estabrook – 962 Riverside Dr – Speaks Opposed. Mr. Estabrook owns property within this recommended map amendment and expresses concerns over tax implications to change the zoning from Agricultural Zoning to Rural Residential. Also expresses confusion as to why his parcel of land is now in consideration for a zone change because of a petition brought forward by an abutting neighbor.

Steven Beal – 575 Johnson Rd – Voices concerns over the procedural process of making a zoning change on a comprehensive plan map which is not a zoning map. Also mentions that any change to the comprehensive plan should come about as an order or resolve from the City Council.

William Sylvester – 1128 Riverside Dr. – Speaks Opposed. Reiterates that tax implications of changing from Agricultural zoning to rural residential increases the tax burden on property owners.

**Motion:** To close public comment: Dave Trask: **Second:** Evan Cyr; **Vote:** 6-0-0 **Motion carries**

**Discussion:** Dave Trask is sympathetic to the plight of the property owners who do not wish to have the zoning of their land changed and wonders if there are any mechanisms to prevent that change from happening under the current ownership. John Blais explains that property owners can put their land into conservation or farmland or tree growth use which provides some tax benefit to those property owners. Evan Cyr discusses the authority of Planning Board related to making a decision of this map amendment. The Planning Board can initial this process and make a recommendation to the City Council for approval or denial. John Blais added that even once the City Council approves an item like this, it will go to the State of Maine to consider in relation to the State future land use and growth management act.

**Motion:** To recommend amending the Future Land Use Plan map in the Comprehensive Plan to designate parts of City Assessor’s Parcel I.D.s 174-004, 174-004-001 and 174-004-002 land use from Agriculture District to Suburban Development District following the FEMA 1% chance annual floodplain boundary as shown on the attached sketch map prepared for the January 9<sup>th</sup>, 2024, Planning Board meeting: Dave Trask; **Second:** Darren Finnegan; **Amended:** to add the text “with the findings of fact that: (1) The proposed amendment aligns with the growth patten existing across along Riverside Drive. (2) Sec. 2-475(2)- Jurisdiction and authority states that among other powers, the Planning Board has the jurisdiction and authority to prepare and recommend to the city council changes in and amendments to the Comprehensive Plan as necessary. (3) The proposed future land use plan amendment is supported by the text of the Comprehensive Plan: Evan Cyr; **Second:** Dave Trask; **Vote:** 5-1-0 **Motion carries**

- 6. PUBLIC HEARING/ MAP AMENDMENT (TABLED FROM DECEMBER 12, 2023):** Consider amending the official zoning map of the City of Auburn entitled “City of Auburn, Zoning Map, dated May 16, 2016,” revised through its current date and revisions, as provided

under Sec. 60-5 of the Zoning Ordinance by amending City Assessor's Parcel I.D.s 174-004, 174-004-001 and 174-004-002, located on Riverside Drive, from the Agriculture and Resource Protection (AGRP or AG) zoning district to the Low-Density Rural Residence or Rural Residence (RR) zoning district. This zoning amendment has been initiated via petition and is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

**Staff Report:** Provided by Katherine Cook. This item was initiated by a partition to change one parcel from Agricultural Zoning to Low Density Rural Residential. The board recommended adding two parcels in addition to the one parcel in order to avoid spot zoning.

**Motion:** To Open Public comment: Tim DeRoche; **Second;** Evan Cyr; **Vote:** 6-0-0 **Motion carries**

Kathy Shaw – 1200 Sopers Mill Rd – Speaks Opposed to removal of agricultural land. Mentioned that there are many land-use programs available to prevent these parcels from being split up into smaller house lots.

George Estabrook – 962 Riverside Dr – Speak Opposed. There is a legal dispute regarding a deeded right of way to access the farmland and that is the only reason why it is not being actively farmed.

Stephanie Mardamien – 703 S. Witham Rd – Speaks Opposed.

**Motion:** To close public comment; Dave Trask; **Second:** Evan Cyr; **Vote:** 6-0-0. **Motion carries**

**Discussion:** Board and staff clarify procedure for voting on this agenda item.

**Motion:** To take from the table item #3 from the December 12, 2023 Planning Board meeting agenda, which consisted of a zoning map change initiated by a citizen petition: Evan Cyr; **Second:** Dave Trask; **Vote:** 6-0-0 **Motion carries**

**Motion:** To forward a recommendation to City Council to not amend the zoning map of the City of Auburn entitled "City of Auburn, Zoning Map, dated May 16, 2016," revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance by amending City Assessor's Parcel I.D. 174-004-001 and located on Riverside Drive, from the Agriculture and Resource Protection (AGRP or AG) zoning district to the Low-Density Rural Residence or Rural Residence (RR) zoning district following the interior 0.2% flood hazard line with the findings that rezoning a single parcel creates a discontinuity for land use in the area and is inconsistent with the future land use plan; **Second:** Tim DeRoche; **Vote:** 6-0-0. **Motion carries**

**Motion:** To forward recommendation to City Council to amend the official zoning map of the City of Auburn entitled "City of Auburn, Zoning Map, dated May 16, 2016," revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance by amending City Assessor's Parcel IDs 174-004-001, 174-004-002 and 174-004 from the Agriculture and

Resource Protection zoning district to the Low-Density Rural Residence or Rural Residence zoning district following the interior 0.2% annual chance flood hazard line for total zone change of 18.2+/- acres with the findings that the proposal can be implemented without detriment to city resources, that the proposal meets the general future land use development pattern in the area and is consistent with the revised comprehensive plan; **Second: Dave Trask; Vote: 3-3-0. Motion does not carry.**

**Motion:** To forward a recommendation to City Council to not amend the official zoning map of the City of Auburn entitled “City of Auburn, Zoning Map, dated May 16, 2016,” revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance by amending City Assessor’s Parcel IDs 174-004-001, 174-004-002 and 174-004 from the Agriculture and Resource Protection zoning district to the Low-Density Rural Residence or Rural Residence zoning district following the interior 0.2% annual chance flood hazard line for total zone change of 18.2+/- . **Second: Tim Deroche; Vote: 3-2-1 Motion Carries**

Council Chair, Stacey LeBlanc, asks for a motion on the remaining agenda items as it is now beyond 9:00pm.

**Motion to Adjourn:** Tim DeRoche; **Second;** Dave Trask; **Vote: 6-0-0**

**3:11:07**

#### **Outstanding Items:**

7. **WORKSHOP:** Review plan and mechanism for reviewing Comprehensive Plan progress.
8. **VOTE:** Vote on two planning board members to join an Ad Hoc committee to review the City of Auburn’s ordinances for consistency with Maine state law, LD 2003.
9. **PUBLIC COMMENT:**
10. **MISCELLANEOUS:**
  - a. Upcoming Agenda Items
11. **ADJOURNMENT**

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**PLANNING BOARD Minutes**  
**February 13<sup>th</sup> 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

- 1. ROLL CALL:** Riley Bergeron, Ryan Smith, Paul Jacques, Stacey LeBlanc, Dave Trask, Tim DeRoche, Amanda Guerette (elevated to full member). Darren Finnegan was in attendance but arrived after the commencement of the meeting.
- 2. BOARD MEMBER RECOGNITION:** Presented by Eric Cousens to Evan Cyr for his participation and dedication to the City of Auburn as a member of the Planning Board.
- 3. CITY MANAGER CIP OVERVIEW:** City Manager, Phil Crowell and Director of Engineering, Dan Goyette, present Capital Improvement Plan Overview along with the proposed budget for fiscal year 2025 and beyond.  
**0:23:51**
- 4. MINUTES:** Review January 9, 2024 minutes. All meetings are available on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.  
**Motion to approve:** Tim DeRoche, **Second:** Dave Trask, **Vote:** 7-0-0 **Motion Carries**
- 5. PUBLIC HEARING/ EXTENSION/ SITE PLAN AMENDMENT:** Hexagon Solar is requesting a second extension to their original planning board approval from March 2021, located at Parcel I.D.s 325-030, 326-001, and 326-001-001. The applicant also proposes a site plan amendment reducing the size of the project from 4 MW to 0.99 MW.

**Staff Report** by Katherine Cook. Recommend approving extension and site plan amendment.

Dave Trask asks if the board is able to approve a 2-year extension and staff indicate that they can do that.

**Applicant** Cady Merrick with Hexagon Energy is present and open to answering any questions.

**Motion to Open Public Comment:** Dave Trask, **Second:** Tim DeRoche, **Vote:** 7-0-0 **Motion Carries**

**Public Comment:** no public comment

**Motion to Close Public Comment:** Stacey LeBlanc, **Second:** Dave Trask, **Vote:** 7-0-0 **Motion Carries**

**Discussion:** None

**Motion: Dave Trask** - I make a motion to approve Hexagon Energy's site plan and special exception amendment and extension to their original Planning Board approval, until March of 2026, located at Parcel I.D.s 325-030, 326-001, and 326-001-001. The approval is for the site plan amendment reducing the size of the project from 4 MW to 0.99 MW with the findings that the proposal meets the provisions of Chapter 60, Article XVI Division 2- Site Plan Review and Division 3- Special Exception Review. **Second:** Riley Bergeron, **Vote:** 7-0-0, **Motion Carries**

0:31:20

- 6. PUBLIC HEARING/ TEXT AMENDMENT:** Consider adding Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. This text change would delay the applicability date of amending approximately 60 acres in parts of Parcel ID 289-001, 289-002, and 277-026 from the Agriculture and Resource Protection (AGRP) zoning district to the General Business (GB) zoning district until July 1, 2024. City Council has proposed this text change to allow residents and the City Council time to determine whether additional amendments related to this item are desirable. The proposal was initiated by the city and is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

**Board Summary:** Stacey LeBlanc summarizes the process in which the Planning Board went through to come to their decision on this recommendation for a zoning change and recommends that the board postpone this decision until they receive a more detailed request from City Council on why they are asking for a delay in applicability date.

**Staff Report** by Eric Cousens. Staff explains that the City Council has some concerns over some of the approved uses in the General Business zone and how that relates to the protection of Lake Auburn. John Blais emphasizes that this is not a request to change the zone, but an opportunity to provide more time to plan thoroughly in preparation for this change.

Dave Trask asks whether the process which the Planning Board followed on this specific topic followed protocol and had sufficient time for review and public comment and staff indicated that it did follow the proper protocol.

Ryan Smith asks staff for the reason why staff recommends the motion to postpone the applicability date. Eric Cousens indicated that the Council asked for this date change in order to work with the applicant and the council to find a common ground plan for future use and development.

Stacey LeBlanc expresses concern over providing a delay without understanding the areas of concern by the council or what the proposed changes would be to the zone change.

**Motion to Open Public Comment:** Tim Deroche, **Second:** Dave Trask, **Vote:** 7-0-0 **Motion Carries**

Steven Beal - 575 Johnson Road: Explains that some of the concern about this particular parcel is the complexity of the types of soils and elevation variations within the lot. Furthermore, there are more acceptable uses in General Business than uses that require special exception. For these reasons, Mr. Beal expresses that the Council has a desire to have more time to consider the applicant's plan.

**Motion to Close Public Comment:** Dave Trask, **Second:** Riley Bergeron, **Vote:** 7-0-0 **Motion Carries**

The board expresses concern over creating limitations on zoning uses in order to support or exclude specific developers. Stacey LeBlanc indicates that by choosing General Business zoning allows the city to have some control over what development can replace the gravel pit with something that would help to protect Lake Auburn. Paul Jacques doesn't want to set a precedent that the Planning Board and Council are wishy-washy on zoning changes.

**Motion:** To Postpone Agenda Item #6 to a date certain of the regularly scheduled meeting on April 9th in order to hear further details from the Council on their request to delay the applicability date: Dave Trask **Second:** Tim DeRoche, **Vote:** 5-2-0 **Motion Carries**

1:14:25

- 7. PUBLIC HEARING/ TEXT AMENDMENT/ ZONING BOARD OF APPEALS:** City Council initiated an amendment to the Auburn Code of Ordinances to reinstate the Zoning Board of Appeals by reincorporating the entirety of Chapter 60, Article XV with some amendments. This proposal is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

Staff Report by John Blais.

**Motion to Open Public Comment:** Dave Trask, **Second:** Riley Bergeron, **Vote:** 7-0-0 **Motion Carries**

**Motion to Close Open Comment:** Dave Trask, **Second:** Riley Bergeron, **Vote:** 7-0-0 **Motion Carries**

**Motion:** I make a motion to forward a favorable recommendation to City Council to

amend Chapter 60, Article XV Sec. 60-1130-31, Sec. 60-1135 with proposed edits and to reinstate the zoning BOARD OF APPEALS as a stand-alone board: Dave Trask, **Second:** Ryan Smith, **Vote:**7-0-0 **Motion Carries**

1:18:54

**8. PUBLIC COMMENT:** No Public comment

**9. CHAIRPERSON VOTE:** Vote on who will serve as chair and co-chair for 2024.

Dave Trask nominates Stacey LeBlanc for chair. **Vote:** 7-0-0

Dave Trask nominates Paul Jacques for co-chair. **Vote:** 7-0-0

**10. AD-HOC COMMITTEE APPOINTMENT:** Chairperson to appoint two planning board members to join an Ad Hoc committee to review the City of Auburn's ordinances for consistency with Maine state law, LD 2003.

Stacey LeBlanc, as chair, will appoint board members with time and consideration.

**11. SNRB REPRESENTATIVE APPOINTMENT:**

Stacey LeBlanc, as chair, appoints Paul Jacques

1:23:00

**12. WORKSHOP:** Review LD 2003 Rulemaking and interaction with Auburn Zoning Ordinances

Presentation by Katherine Cook. Provides some background on LD 2003 ruling and where Auburn's ordinances are out of compliance with the law. Discussion regarding density bonus, growth areas, multi-unit zoning setbacks and road frontage requirements and how it all fits in with current ordinances.

**13. MISCELLANEOUS:**

Upcoming Agenda Items – Board wants to revisit some of the un-resolved topics from the past year and create a list that they can present to the board to see what they want to focus on.

Comprehensive Plan – The city is considering starting the process to draft a new Comprehensive Plan. The terms of the 2010 Comprehensive Plan will be expiring soon and the updates from 2021 do not override the original 2010 Comprehensive Plan. This process will take 18 months – 2 years to complete.

1:58:00

#### **14. ADJOURNMENT**

**Motion to Adjourn:** Dave Trask, **Second:** Tim DeRoche, **Vote:** 7-0-0 **Motion Carries**

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## PLANNING BOARD MINUTES March 12<sup>th</sup> 2024 – 6:00 p.m. City Council Chambers, 60 Court Street

Dave Trask makes motion to cluster the Workshop items together this moving agenda items # 7 and 8 to follow item #4. Second by Tim DeRoche, Vote: 7-0-0. Motion Passes

- 1. ROLL CALL:** Bob Hayes (Associate Member), Riley Bergeron, Ryan Smith, Paul Jacques, Stacey LeBlanc, Dave Trask, Amanda Guerrette (Associate Member), Tim DeRoche, Darren Finnegan.
- 2. MINUTES:** Review February 13<sup>th</sup>, 2024, meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>. Dave Trask makes a motion to Approve. Second; Paul Jacques. Vote: 7-0-0. Motion Carries.
- 3. PLANNING BOARD POLICIES AND PROCEDURES:** Review and adopt amended policies and procedures.

Board and Staff discuss edits and Stacey LeBlanc expressed interest in wanting to see where the policies fall in relation to state law and whether these policies are in-line or stricter than state laws. The Board asked for a couple of edits and ask the staff to make the edits and bring the document back to the Planning Board at the nest meeting.

Dave Trask makes a motion to table this document to the next meeting. Second: Ryan Smith

Riley Bergeron makes an amendment the motion to include a request for Legal Council to clarify which of the suggested opening remarks are legally required. Second; Ryan Smith. Vote: 7-0-0 Amendment Carries.

Vote: 7-0-0. Motion Carries.

- 4. WORKSHOP:** Ordinance Amendment Process and 30-day response after Public Hearing.

Staff Report by Eric Cousens. Planning Board expressed concerns that the ordinance provides 30-days to determine a recommendation, however, sometimes meetings can be more than 30-days from one another, and Planning Board is asking for Legal Counsel to advise on how to deal with this ordinance wording to allow for sufficient time to discuss agenda items in more than one meeting session if needed.

0:48:00

**JUMP TO AGENDA ITEM NUMBER 7 AND 8**

5. **PUBLIC HEARING (NEW INFORMATION)/TEXT AMENDMENT:** Consider adding Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. This text change set the General Business Zone effective date encompassing approximately 60 acres in parts of Parcel ID 289-001, 289-002, and 277-026 until July 1, 2024. The text amendment was initiated by City Council and is pursuant to Chapter 60, Article XVII, Division 2 Amendment to the Zoning Ordinance or Zoning Map.

Staff Report by Eric Cousens.

Planning Board asked clarifying questions about what their options are and whether opening Public Comment at this point re-sets the 30-day response, or not. Staff clarified that the Public Comment for the new information does not re-set the 30-day response needed from the first public comment session.

Riley Bergeron makes a Motion to open public comment. Second; Tim DeRoche. Vote: 7-0-0. Motion carries.

**Evan Cyr – Granite St** - Points out that the Planning Board's decision needs to be based on the Public Hearing from the February meeting, not the public hearing occurring now.

Dave Trask makes a motion to close public comment. Second; Darren Finnegan. Vote: 7-0-0

Board and Staff discuss procedural options. Several board members expressed concern over allowing exceptions or a delay in a zoning change to accommodate a developer.

Riley Bergeron makes a motion to recommend that the City Council adopt and implement an applicability date of July 1, 2024, per Sec. Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023. To read as follows:

*The zoning map amendment to this chapter evidenced by Ordinance #26-11202023 relating to the rezoning of approximately 60 acres in parts of City Assessor's Parcel ID 289-001, 289-002, and 277-026 from the Agriculture and Resource Protection (AGRP) zoning district to the General Business (GB) zoning district became effective on December 9, 2023, pursuant to Section 2.6(C) of the City Charter. In order to allow time for residents and property owners to become familiar with this zoning map amendment and for the City Council to further study and determine whether any additional amendments to this chapter related thereto are necessary or desirable, Ordinance #26-11202023 shall not become applicable until July 1, 2024.*

Second: Ryan Smith; Vote: 2-5-0; Motion does not carry.

Dave Trask makes a motion to not recommend that the City Council adopt and implement an applicability date of July 1, 2024, per Sec. Sec. 60-1383. Effective Date and Applicability Date of Ordinance #26-11202023.

With the findings of working with property owners and developers is not within the purview of the Planning Board and the public has had numerous opportunities to participate in the public hearings in which the Planning Board has followed proper protocols. Furthermore, no further scientific findings have been presented to demonstrate that the initial zoning change needs to be re-examined.

Second: Paul Jacques; Vote: 5-2-0; Motion Carries

1:34:51

6. **FEEDBACK:** Capital Improvement Plan (Revised CIP in Packet) Provide comments for Staff.

Staff and Board review budget relating to CIP funds related to the Comprehensive Plan.

**MOVE TO ITEM 9 – PUBLIC COMMENT**

7. **WORKSHOP:** Brief on the City’s accomplishments and progress related to the 2010 Comprehensive Plan (Update in 2021).

Staff Report by Katherine Cook. Working on collecting responses and updates from various city departments.

8. **WORKSHOP:** Approval Expirations-consider extension of 1 and 2-year approvals for Development Projects (Solar and Other Projects)

Staff Report by Katherine Cook. Staff recommends that Planning Board and City Council consider extending the approval period longer than 1-year since these projects typically take longer than a year to get all of the approvals and contracts/financing, etc. Planning Board agreed that this is worth consideration and worth putting in front of Council to consider as well.

1:03:00

**MOVE BACK TO AGENDA ITEM 5 AND 6**

9. **PUBLIC COMMENT:**

Evan Cyr – 122 Granite St. Expressed confusion over procedural processes related to Item 5 in the agenda especially related to public comment.

10. **MISCELLANEOUS:**

- a. Upcoming Agenda Items
- b. Ad-Hoc Committee Meeting for LD2003 Tuesday, March 19, 2024, at 4:30pm City Hall

Stacey LeBlanc expressed concern about the legal opinion related to appointments of public for the LD2003 Ad-Hoc Committee appointments. Planning Board expresses interest in having community members being able to participate on boards and ad-hoc committees. Paul Jaques also mentions that these ad-hoc committee meetings are open to the public and are advertised in advance.

Stacey LeBlanc and Riley Bergeron are appointed as members of the ad-hoc Committee for LD 2003.

## 11. ADJOURNMENT

1:50:00

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# City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

**PLANNING BOARD Draft Minutes**  
**April 9<sup>th</sup> 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

- 1. ROLL CALL:** Paul Jacques, Stacey LeBlanc, Dave Trask, Bob Hayes, Tim DeRoche, Darren Finnegan. Stacey LeBlanc Elevates Bob Hayes to a full member. Riley Bergeron arrived after roll call, but attended and participated in the meeting.
- 2. MINUTES:** Review March 12<sup>th</sup>, 2024, meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>. Motion to Approve the Draft Minutes: Paul Jacques; Second: Dave Trask; Vote: 7-0-0; Motion Carries
- 3. PLANNING BOARD POLICIES AND PROCEDURES:** Review and adopt amended policies and procedures.

Stacey LeBlanc requests step-by-step text changes/versions in the Policies and Procedures text as well as whether the policies are in-line or more stringent than state laws.

Eric Cousens offers to go through the policies item by item to determine whether it's legally required or recommended as best practice.

Dave Trask asks for clarification on the text of the Opening Remarks regarding a second vote on items. Staff explains that the purpose of a second vote is to provide clarification on the individual findings and where the board stands on each finding and provides a safeguard to support the votes of the board.

Dave Trask asks for four updates/points of clarification: adding the word "full" to the opening remarks regarding the fact that "full members" must cast a vote rather than "associate members"; gaining insight into the recommendation that the planning board takes 2 votes on items – the first to vote on the item as a whole and the second to vote on each finding to provide more clarity in the voting process; to provide clarity on when an agenda item can be revisited and who can bring that back up for discussion; and lastly clarification on the procedural documents that were provided to Bob Hayes as part of his new Planning Board member binder which talks about Roberts Rules of Motions chart and Rules of Order in order to attach these to the Procedures document.

Riley Bergeron makes a motion to approve the updated Planning Board policies and procedures; Second: Paul Jacques.

Bob Hays makes a motion to amend the original motion to include 2 documents as supplemental reference documents to the Policies and Procedures (Rules of Order and Robert's Rules Motions chart); Second: Tim DeRoche; Vote: 4-0-3; Amendment Motion Carries.

Stacey LeBlanc makes a motion to amend the original motion to ask for staff or legal counsel to provide in writing which policies in the document are in-line with state law and which policies are above-and-beyond what is required by law as well as updates mentioned by Dave Trask during the discussion period; Second: Tim DeRoche; Board discusses. Vote: 0-7-0; Motion Does Not Carry

Dave Trask makes a motion for an amendment to include the incorporation of the word "full" to clarify full member rather than associate member voting responsibilities. Also requests that the policies relating to two-votes for each agenda item and the ability to bring a topic back to discussion at a future meeting from the Opening Remarks, be included and clarified in the Policies and Procedures document. Vote: 7-0-0; Motion Carries.

Vote on original motion with the approved two amendments: 6-0-1; Motion Carries

0:44:01

- 4. PUBLIC HEARING/ TEXT AMENDMENT:** City Council initiated text amendment to Chapter 60 Article IV, Division 12 General Business District by including "manufacture, compounding and assembling of articles using Maine derived forest products, agricultural products, or other natural resource inputs" as a Special Exception use with a condition that the site must be located within the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District.

Staff Report presented by Eric Cousens. The City of Auburn is considering applying a Tech Hub overlay near the Airport and Turnpike areas which are currently zoned as Industrial and General Business. Jay Brenchick, Economic Development Director, explained that this Tech Hub would allow for Bio-Forest and Plant-based fiber manufacturing industries to be established within this area. University of Maine offers programs and funding for these technologies and establishing this Tech Hub overlay would provide Auburn the opportunity to attract some of these industries to the area and set our community apart from others in the state and country. There is also a desire and push for commerce center-style campuses which may include more comprehensive resources like a restaurant or dining hall as well as child-care facilities and this overlay would allow for those type of campuses to be developed within the overlay district.

Planning board members questioned whether this overlay would present any downfalls or limitations for the area if the industries do not come to Auburn and staff clarified that the overlay is the best option so that we do not need to consider a more comprehensive zone change but provides more consistency and flexibility in the area. It was also pointed out that if an

industry wants to develop in this overlay, it may require special exception review and require a Planning Board public hearing.

Motion to Open Public Comment: Dave Trask; Second by Tim DeRoche. Vote: 7-0-0 Motion Carries

Public Comment:

Pam Russeau – 745 West Auburn rd – Was curious to know what sort of pollutants or by-products are created when manufacturing these bio-products.

Scott Riccio – 2760 Hotel rd – Voiced concerns about traffic patterns and issues around Kittyhawk and Hotel Rd intersection. He is in support of this overlay but urged the Planning Board to consider traffic as part of any proposed development.

Pete Creaser – 75 Charter Way – Voiced concern over attracting a large factory/manufacturing plant to be built right next to his home and concerns over pollutants that are released as part of the manufacturing process. Concerned about his property value as a result if something large is built next to his home and neighborhood.

Motion to Close Public Comment: Dave Trask, Second; Tim DeRoche, Vote: 7-0-0 Motion Carries

Planning Board discussed the questions and concerns raised by the public and mentioned that any plan submitted to the city within the GB zone or above 10,000 sq ft would require special exception which would involve public notice and Planning Board review. In that process, pollution and traffic would be examined closely and considered for each individual application, so there are no details at this time as to what those impacts may be.

Dave Trask makes a motion to recommend that the City Council amend Chapter 60 Article IV, Division 12 General Business District by including “manufacture, compounding and assembling of articles using Maine derived forest products, agricultural products, or other natural resource inputs” as a Special Exception use with a condition that the site must be located within the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District; Second: Tim DeRoche; Vote: 7-0-0; Motion Carries

1:17:30

- 5. PUBLIC HEARING/ MAP AMENDMENT:** City Council initiated zoning map amendment to create the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District.

This zoning map overlay is generally located near Lewiston Junction Road, Kittyhawk Ave, and the southerly half of Washington Street.

Staff Report presented by Eric Cousens.

Motion to Open Public Comment: Tim DeRoche; Second: Dave Trask; Vote: 7-0-0; Motion Carries

Public Comment:

Scott Riccio – 2760 Hotel Rd – voiced concerns over traffic, noise, impacts for any development in the area.

Pete Creaser – 75 Charter Way – voiced concerns over detrimental effects of building these manufacturing plants near residences.

Pam Rousseau – 745 West Auburn Rd – Asks for the City to push off the decision in order to consider all of the impacts on Auburn residents and taxpayers.

Motion to Close Public Comment: Tim DeRoche; Second: Dave Trask; Vote: 7-0-0 Motion Carries.

Tim DeRoche makes a motion to recommend that the City Council amend the Official Zoning Map of the City of Auburn to create the Maine Forest Bioproducts Advanced Manufacturing Tech Hub Overlay District. This zoning map overlay is generally located near Lewiston Junction Road, Kittyhawk Ave, and the southerly half of Washington Street; Second: Bob Hayes; Vote: 7-0-0; Motion Carries

**6. WORKSHOP:** Review and give feedback on Lake Auburn Watershed Stakeholders Group recommendations in response to Order 04-01022024

Staff updates the Planning Board on the progress of the Lake Auburn Watershed Stakeholders Group and the recommendations that they are putting in place related to property uses and septic systems within the watershed overlay district. Paul Jacques voiced concerns that these recommendations place a lot of restrictions on residential property owners whose impact on the water quality of Lake Auburn is minimal compared to some of the larger commercial properties in the watershed and has concerns that this will negatively affect property values.

In regard to septic system maintenance, the city and LAWPC would put a heavy emphasis on education and outreach for property owners and hold property owners responsible for turning in property septic inspection documentation. These policies would affect about 325 properties. The city is exploring sources of funding that could assist with the financial burden for property owners if a system is deemed as failing.



The board also asks about the restrictions to allowing ADUs within the watershed district. Staff says it is prohibited because ADUs creates more run off and more water usage in the watershed.

7. **WORKSHOP:** Brief on the City's accomplishments and progress related to the 2010 Comprehensive Plan (Update in 2021).

Katherine Cook provides an update on accomplishments of the city related to the Comprehensive Plan. Highlights watershed protections. Auburn is working to expand the network of recreational trails along the Little Androscoggin River.

Auburn has not yet focused on site and preservation of historic properties. There is a need for education surrounding historic sites and resources as well as creating a list of site standards for historic sites.

Housing and community development has seen many updates with Form Based code and Accessory dwelling unit policies.

Planning Board staff asks – in the interest of time - for the opportunity to review the presentation outside of the meeting rather than go through the whole presentation at the meeting and asks for time to review presentation and discuss at the next meeting.

8. **WORKSHOP:** LD 2003 Ad Hoc Committee Update

Stacey, Riley and staff have been working on this topic to try and draft something for the whole board to review. Where Auburn does not currently fall in line with LD 2003 is that 4-units must be allowable in single-family and two-family zoning districts.

There needs to be differentiation between in-town versus lower density rural residential zoning areas. The ad-hoc committee is discussing how much additional space would be required for a 3<sup>rd</sup> or 4<sup>th</sup> unit in suburban and rural residential areas and making that ½ of the required amount as for the area requirements for adding a second unit. This option presented is a middle-of-the-road approach to allow some flexibility. Areas where we would want to see more protection would be in the watershed zoning areas and the ad-hoc committee recommends going with the most restrictive lot size requirements that LD 2003 will allow in those areas.

The adhoc-committee also wants the board to consider whether they want to allow staff-level review for subdivisions of 3-4 dwelling units inside the growth zone or whether it should go to site plan review.

Planning board asked staff their opinion on this question. Staff explained that they are capable of performing the plan review for these types of requests and in the time it would normally take for the staff to prepare the topic for Planning Board review, they could use that time to conduct the review and that would allow planning board to focus their efforts elsewhere. Planning Board expressed interest in having these items come back to Planning Board for review.

**9. PUBLIC COMMENT:** No Public Comments

**10. MISCELLANEOUS:**

a. Upcoming Agenda Items

Riley Bergeron requests that the Planning Board holds a workshop to discuss Opening Remarks and edits at the next meeting as well as clarification around which policies are recommended by legal counsel or required by law. Stacey Leblanc adds the request to outline which other municipalities read through opening remarks at the start of each meeting.

Katherine Cook mentions a workshop on the Lake Auburn watershed topic which will likely come back to Planning Board in the upcoming months.

Eric mentions that there is an application for 80 Lake Street (Academy Street Apartments) which will come before the board at the next meeting.

**11. ADJOURNMENT**

Dave Trask makes a motion to adjourn; Second, Tim DeRoche; Vote: 7-0. Meeting Adjourned.

1:34:00

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**PLANNING BOARD MINUTES**  
**May 14<sup>th</sup>, 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

- 1. ROLL CALL:** Ryan Smith, Amanda Guerrette (elevated to full member), Paul Jacques, Stacey LeBlanc, Dave Trask, Darren Finnegan, Tim DeRoche, Bob Hayes (associate member)
- 2. MINUTES:** Review April 9<sup>th</sup>, 2024, meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.

Motion to Approve: Dave Trask. Discussion on Minutes regarding Agenda Item # 8 (LD 2003). Bob Hayes asked for further clarification in the minutes to show that approval for 3 and 4 dwelling units would come before the Planning Board for consideration under new LD 2003 standards.

Motion to approve with amendment: Dave Trask, Second: Paul Jacques. Vote: 6-0-1 Ryan Smith abstained from vote due to being absent at previous meeting. Motion Carries

- 3. PUBLIC HEARING/ SUBDIVISION:** Jim Wu is applying to convert the existing school at 80 Lake Street, City Assessor's Parcel I.D. 239-114 to 12 two-bedroom apartments with a public easement and playground. This application shall be reviewed in accord with Chapter 60 Article XVI Division 2- Site Plan Review, Division 3- Special Exception, Division 4- Subdivision and Article IV Division 14 Form Based Code.

Staff report presented by Katherine Cook. The project meets zoning standards with the exception of setbacks. Because the location of the building will not be changing, this exception is needed.

Planning Board discussed the site plan details including walkways, trees and the public playground layout.

Craig Sweet from Terradyn Consultants is present and expresses that the developer is open to requested changes and happy to answer any questions about the development.

John Blais adds that the playground will need to be approved by the State of Maine and will be ADA compliant since there are federal funds being used in this project.

Motion to Open Public Comment: Dave Trask; Second: Tim DeRoche. Vote: 7-0-0 Motion Carries

Public Comment:

John Cleveland, 183 Davis Ave- Lives in the Lake Street neighborhood and was part of the group who helped bring the original playground to the property. He asks for further details on ADA requirements thinking about all aspects including ground coverings. Also asks for signage to specify public use of the space as well as pedestrian access from Fern St.

Motion to close public comment: Dave Trask; Second: Tim DeRoche; Vote: 7-0-0. Motion Carries

Planning Board asks for clarification on funding of the public space. John Blaise clarifies that approval of this plan does require State approval and the state wants to see a “robust” public space that is ADA compliant. Funds will be from Land and Water Conservation Fund. Ryan Smith asks applicant if there are future plans to develop any more of this parcel. Craig Sweet shares that the developer is also looking to add a daycare on the site on the neighboring parcel.

Dave Trask makes a motion to approve the application to convert the existing school at 80 Lake Street, City Assessor’s Parcel I.D. 239-114 to 12 two-bedroom apartments with an included public easement and playground and waive the requirements of Sec. 60-548B.1 pertaining to the front setback of a maximum of 25' and the frontage build-out of 60% . The motion to approve is contingent on the following **conditions**:

- a. All relevant building permits must be approved before the start of construction.
- b. Final Playground and easement space must be approved by the State of Maine’s Land and Water Conservation Fund Program.
- c. The applicant must submit a detail of the playground surface.
- d. Sidewalk should be extended from the walkway along easterly side of the building to Lake Street
- e. Remove the fencing around the playground area and replace with fencing along the southerly and westerly boundary to delineate the public space.
- f. Designate the closest ADA space to the playground as a Land and Water Conservation ADA space.
- g. Add a curb cut and a walkway to access the playground from Fern Street.

Second: Tim DeRoche. Vote: 7-0-0. Motion Carries

00:31:00

- 4. **PUBLIC HEARING/ SUBDIVISION (POSTPONED UNTIL JUNE):** Jason Cooper is applying to build three two-family homes on 105 Riverside Drive, City Assessor’s Parcel I.D. 221-140. This application shall be reviewed in accord with Chapter 60 Article XVI Division 2- Site Plan Review, Division 3- Special Exception and Division 4- Subdivision and Article IV Division 14 Form Based Code.
- 5. **WORKSHOP:** Review the proposed map and ordinance amendments changes related to the Lake Auburn watershed including the Phosphorous Control Ordinance, the Low-Density Country Residence District, the Lake Auburn Watershed Overlay District, and adopting a resource setback map and a septic inspection map (description below in item 6-10).

Staff Report presented by John Blais. Many of these text changes are intended to provide some clarity and definitions to the ordinance. It's not changing the intention behind the ordinance but will add specifics as to how the ordinance can be implemented and enforceable. The language will provide specific details that the public can see and will provide transparency about the process. Mr. Blais went through the suggested amendments described in Agenda items 6-10.

Staff and Board discuss the origin of these recommended amendments and how they affect local property owners. The board members express a strong desire to protect the water quality but also not to enact ordinances that are overly restrictive to property owners. Staff talks about the proposed septic inspection program and how that will work. Efforts will consist of educating the landowners and funds are available to assist with inspections and necessary repair costs. The Board asks about the enforcement process when a failing system is identified. There are already processes in place for the City to work with a homeowner who needs to make certain repairs to their property. The City would follow those protocols and explore Grant funds that might be available.

Staff and Board also discusses new development in the watershed and the suggested limit of 3 new dwelling units per year. Staff shares that over the last 5 years, there has been 1 new dwelling unit built within the watershed. Planning board wants the ability to reassess the amount of desire for development in the watershed to see if a limit of 3 is sufficient or not. Staff commits to report back to the Planning Board yearly on the new development within the Watershed.

02:32:39

**6. PUBLIC HEARING/ TEXT AMENDMENT:** City Council initiated a text amendment to Chapter 60 Article XIII Division 2- Phosphorous Control. 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.

Motion to Open Public Comment: Dave Trask, Second: Tim DeRoche, Vote: 7-0-0 Motion Carries

Jay Bishop - 901 Lake Shore Dr – Shares concern about the protections' financial burden it will place on homeowners in the watershed. Voiced concerns over the erosion of buffers along Lake Shore Dr as well as woodland clearing near the feeder streams and asks the planning board and staff to consider all of the options for protecting the lake, not just septic systems.

Ben Lounsbury – 505 West Auburn RD – Shares a statement from wife, Bonnie. Shares that phosphorus is the number 1 threat to lake water quality. Encourages strict protections to limit phosphorus runoff.

Motion to close public hearing: Tim DeRoche, Second: Amanda Guerette, Vote: 7-0-0 Motion Carries

Ryan Smith makes a motion to forward a favorable recommendation to City Council to amend text to Chapter 60, Article II General Provisions, Division 2 Phosphorus Control, Sec. 60-1065, and Sec.60- 1069. Second: Paul Jaques, Vote: 6-1-0. Motion Carries

02:41:59

Planning Board moves to Public Hearing for Low-Density Country Residential – Agenda item #8 – Skips over Agenda item #7 in error.

**8. PUBLIC HEARING/ TEXT AMENDMENT:** City Council initiated a text amendment to Chapter 60 Article IV Division 3- Low Density Country Residential 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.

Motion to Open Public Comment: Ryan Smith, Second, Tim DeRoche, Vote: 7-0-0 Motion Carries

Evan Cyr – 122 Granite st – Wants to remind the board that they need to recommend a favorable or not favorable vote on this matter and feels like there are outstanding questions about language in this ordinance. Feels that the process of drafting the language for this ordinance was done too quickly.

Motion to close public comment: Tim DeRoche, Second: Amanda Guerrette, Vote: 7-0-0 Motion Carries

There is some confusion over the order of discussion topics on the agenda and Planning board packets. One citizen shares that she is in attendance at the meeting on her behalf as well as neighbors who received the written notice about the meeting and feels that the agenda of the meeting was not accurate to the notice that was sent to the public. Stacey LeBlanc decides to seek a motion to re-open public comment on this agenda item.

Motion to Re-Open Public comment: Dave Trask, Second: Amanda Guerrette, Vote: 7-0-0 Motion Carries

Citizen: Asks how she can really make comments on text that they don't have. Concerned that there are other sources of pollution that the city is not considering.

Evan Cyr – 122 Granite St- Reserves comment

Steven Beal – 575 Johnson Rd- Asks if the meeting will go back to discuss agenda item #7 regarding the Lake Auburn Watershed. (Staff clarifies that agenda #7 will be discussed after agenda item #8)

Motion to close Public Comment: Tim DeRoche, Second: Dave Trask, Vote: 7-0-0 Motion Carries

Board asks about procedure if there are recommended changes in text that they want to see. Staff explains that board can include text changes as part of their recommendation

Ryan Smith makes a motion to forward a favorable recommendation to City Council to amend text to Chapter 60, Article II General Provisions, Division 3, Low Country Density Residential, Sec. 60-202.

Second: Paul Jacques

Dave Trask asks for clarification that this item is just changing the minimum setback for building form 50' to 25'. That is confirmed. Vote: 7-0-0 Motion Carries.

03:04:26

Stacey LeBlanc asks for a motion to either continue the meeting or save remaining agenda items to a date certain.

Tim DeRoche makes a motion to continue the meeting through agenda item #10. Second: Second Ryan Smith. Vote 6-1-0. Vote is not unanimous, Motion Does Not Carry.

7. **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.
9. **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.
10. **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.
11. **WORKSHOP:** Review Planning Board Opening Remarks
12. **WORKSHOP:** Review and give feedback on text amendment related to LD 2003 including Article II- General Provisions, Article IV Division 3- Low Density Country Residential District, Division 4- Low Density Rural Residence District, Division 5- Suburban Residence District, Division 6- Urban Residence District, Division 7- Multifamily Suburban District, Division 14 Form Based Code, Sec. 60-2 Definitions, and Article V- Off-Street Parking and Loading, all within Chapter 60.
13. **PUBLIC COMMENT:**
14. **MISCELLANEOUS:**
  - a. Upcoming Agenda Items

Discussion between staff and Planning Board regarding next meeting to occur on May 28, 2024. Board and Staff agree that the workshop regarding a new Public Safety site plan will occur at the May 28<sup>th</sup> meeting and further agenda items from tonight's meeting will be carried over to June 18<sup>th</sup>.

## 15. ADJOURNMENT

Motion to Adjourn: Dave Trask, Second: Tim DeRoche, Vote: 7-0-0. Meeting Adjourned.

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**PLANNING BOARD MINUTES**  
**Special Meeting (Workshops Only)**  
**May 28<sup>th</sup>, 2024 – 5:30 p.m.**  
**City Council Chambers, 60 Court Street**

- 1. ROLL CALL:** Ryan Smith, Ryler Bergeron, Stacey LeBlanc, Dave Trask, Tim DeRoche, Bob Hayes (elevated to full member)

**WORKSHOP:** Discuss Auburn Fire Department Engine 2 public safety project located at 180 South Main Street, City Assessor's Parcel I.D. 211-289

Staff Report by John Blaise and Barry Shep from Woodard and Curran. 2020 facility study conducted. Goal of this project is to increase functionality and offer 24-hour EMS and Fire emergency services from the location.

Planning Board raises a few questions related to the waivers requested in the plan regarding the set back waiver and approved use in the T 4.2 B zone.

- 2. WORKSHOP:** Ordinance text change related to State Statute of Public Law 30-A MRSA §4364 and LD 2003 including Article II- General Provisions, Article IV Division 3- Low Density Country Residential District, Division 4- Low Density Rural Residence District, Division 5- Suburban Residence District, Division 6- Urban Residence District, Division 7- Multifamily Suburban District, Division 14 Form Based Code, Sec. 60-2 Definitions, and Article V- Off-Street Parking and Loading, all within Chapter 60.

Staff Report by Katherine Cook. Shares proposed language changes to the ordinances to align with the recommendations from the ad-hoc committee. Discussion occurs around the rules related to units versus structures. For example, for a 4-unit property, does that mean two duplexes or 1 structure with 4 dwelling units and how do those differences align with the ordinances. Board and staff further discuss acreage, parking and density requirements

- 3. WORKSHOP:** Ordinance text change related to site plan review processes and timelines. Amendment is proposed to Chapter 60, Article XVI, Division 2 Site Plan Review.

Staff Report by Eric Cousens. Text changes are meant to provide more specific instructions on timing for reviews and public notice.

- 4. PUBLIC COMMENT:**

Steven Beal – 462 Auburn Pownal Rd, Durham – Provided encouragement to the Planning Board to work their way through the LD 2003 rules and ordinances. It's a complicated topic and is important work. Supported the site plan review clarification and text changes.

**5. MISCELLANEOUS:**

a. Upcoming Agenda Items

Septic system maps and watershed overlay text

b. New planning board date for July Planning Board meeting

Board wants to move the meeting to July 16<sup>th</sup>.

**6. ADJOURNMENT**

Motion to Adjourn: Dave Trask, Second: Tim DeRoche, Vote 6-0

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## PLANNING BOARD MINUTES

June 18<sup>th</sup>, 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 14<sup>th</sup> and May 28<sup>th</sup>, 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

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City of Auburn, Maine  
Planning & Permitting Department  
Eric Cousens, Director  
60 Court Street | Auburn, Maine 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

PLANNING BOARD MINUTES  
July 16<sup>th</sup>, 2024 – 6:00 p.m.  
City Council Chambers, 60 Court Street

1. **ROLL CALL:** Dave Trask, Bob Hayes (elevated to full member), Paul Jacques, Stacey LeBlanc, Amanda Guerrette (Elevated to full member), Darren Finnegan, Riley Bergeron
2. **MINUTES:** Review June 18<sup>th</sup> 2024 meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.

**Motion to Approve: Dave Trask, Second: Darren Finnegan. Vote: 7-0-0**

3. **PUBLIC HEARING/ SPECIAL EXCEPTION:** West Shore Village, LLC, has submitted an application for a 48-unit multi-family dwelling development with access off Adamian Drive with associated parking area, access driveways, and office/ garage. The development is proposed for 12 & 24 Adamian Drive, also City Assessor's Parcel I.D.s 109-003 and 109-004, and should be considered pursuant to Chapter 60, Article XVI Division 2- Site Plan Review, Division 3- Special Exception, and Article IV, Division 12- General Business District.

Staff Report by John Blais. Site Plan meets review criteria for building, engineering and stormwater. Michael Barns (Maine Land Engineering) and Mike Gotto (Stonybrook) are present to answer any questions on the project.

**Motion to Open Public comment: Dave Trask, Second: Bob Hayes, Vote: 7-0-0**

Public comment – No public Comment

**Motion to Close public comment: Dave Trask, Second: Bob Hayes, Vote: 7-0-0**

Planning Board does not have any discussion on the plan.

**Dave Trask makes the motion to approve** the West Shore Village, LLC Site Plan approval off Adamian Drive, City Assessor's Parcel I.D 109-003 and 109-004. The proposed project consists of two (2) 9,153 S.F. 24 multi-family units and one (1) two story 12,600 S.F. Storage Facility with access on both elevations. This item is pursuant to Chapter 60, Article IV Division 12- General Business District; Article XVI Division 2- Site Plan Review; and Division 3- Special Exception

- a. All appropriate permits are received prior to the start of construction.

- b. Construction shall not commence until all bonding and inspection fees have been reviewed by the City Engineer.

**Second: Darren Finnegan. Vote: 7-0-0**

00:09:00

- 4. **WORKSHOP/ TEXT AMENDMENT:** City Council initiated a text amendment to Chapter 60 Article XII Division 4-Lake Auburn Watershed Overlay District. The proposed amendments were proposed by the Lake Auburn Stakeholders Working group and pertain to agriculture and forestry related activities within the Lake Auburn Watershed including limitations on tree clearing, erosion and nutrient management regulations. Other ordinance amendments within this section include fertilizer, herbicide and insecticide storage and use within the Lake Auburn watershed. This amendment is pursuant to Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

Staff Report by Eric Cousens. Sharing drafts of ordinance changes in the Lake Auburn Watershed text amendments with Planning Board and waiting on City Council on a recommendation for how to proceed. Riley Bergeron raises a question about the removal of the verbiage of “hobby farms”. Staff explains that all farms should be weighted equally whether they sell products or not. Dave Trask shares that he feels like the language is difficult to understand in the ordinances and urges the staff to work on simplifying the language to be more understandable and straight forward. Planning Board and staff also discussed buffer areas to gain more clarity on where the numbers were derived from.

00:23:15

- 5. **WORKSHOP/ MAP AMENDMENT:** Consider adopting the Lake Auburn Watershed Land Use Map proposed by the Lake Auburn Stakeholders Working Group initiated by City Council depicting 250 ft agricultural setback and buffer requirements from streams, brooks, and wetlands connected with Lake Auburn. 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 talk about proposed changes to the land use map. Planning Board has no questions or discussion on this item.

- 6. **WORKSHOP/ MAP AMENDMENT:** Consider a zoning map amendment to convert certain parts of City Assessor’s Parcel I.D.s 289-001, 277-026 and 289-002 with addresses of 369 Mount Auburn Ave, 225 Gracelawn Road, and 125 Gracelawn Pit Road from the General Business zoning district to the Multifamily Suburban 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 goes over proposed zoning and purpose of this requested change. There are no current development plans for the site, but the Council wants to protect the site from being developed into something that could affect the watershed in the future if topography/environment changes. Multi-family/suburban is similar to General Business, but does limit some types of commercial development which Council feels is appropriate for this parcel. Staff urges that this is good, proactive planning.

Planning board members express that the initial zoning changes to convert this lot into GB zoning was intended to protect the property and be proactive using data points to support that decision and feels that there are no new data points to support this change. The general consensus from the Planning Board is making any zoning changes based on interest from any specific developer is not how they want to operate.

Discussion continued around the special exception process and conditions that can be placed on development applications in order to ensure protections to the watershed. The planning board reiterated that their interest is in protecting the watershed.

00:58:15

## **7. WORKSHOP:** Review and adopt Planning Board Opening Remarks

New legal council has had a chance to review the Opening Remarks and made some edits. Planning board members were in support of the edits. Legal council recommends that the opening remarks are made available to the public, whether its available for the public to read or whether its read aloud at the beginning of each meeting.

Planning Board and staff discussed the voting on individual findings and whether it is necessary to vote on each finding for every public hearing, or whether only an unfavorable vote would require the board members to specify which finding they do not support.

Chairwoman Leblanc requests an opportunity for the board to have a training with legal council to practice walking through the process of voting on public hearing items and when and how board members can identify findings they disagree with. With the idea of putting this process into practice, the board wants more clarification on how that can be done.

Staff reports will start including findings of fact so it's clearer for planning board members to be able to identify the findings and will be able to specify if there are specific findings that board members do not agree with.

01:23:20

## **8. WORKSHOP:** LD 2003 Text Amendment from Ad-Hoc Committee

Staff brings legal opinion back from the question about 4-unit residential dwellings and legal counsel concurs that all dwelling units do not need to be within the same residential structure, so in areas of the

city where there is more rural zoning, two 2-unit dwellings could be allowed as a 4-unit density on a single parcel which would still be in line with the more rural feel of the area and accomplish the intent of LD 2003 to allow up to 4-units.

Legal recommends that when ordinances pass, they are retroactive to January 1, 2024.

Legal council also agrees that referencing state laws can be included in the ordinances rather than including the specific wording and ordinance number since those ordinances and laws change over time and making more general references will reduce the need for updating ordinances with each change.

**9. PUBLIC COMMENT:** No Public Comment

**10. MISCELLANEOUS:**

- a. Upcoming Agenda Items
  - i. Eric Cousens shares that Meghan Norwood, a Former Auburn Planner, is assisting with some planning work while we are working to hire a new Planning Coordinator.
  - ii. Highlights 2-3 new development plans that will likely come before the board in the coming months.

**11. ADJOURNMENT**

**Motion to Adjourn: Dave Trask, Second: Amanda Guerrette, Vote: 7-0-0**

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Eric Cousens, Director  
60 Court Street | Auburn, Maine 04210  
www.auburnmaine.gov | 207.333.6601

**PLANNING BOARD MEETING MINUTES**  
**August 13<sup>th</sup>, 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

- 1. ROLL CALL: Bob Hayes (elevated to full member), Paul Jacques, Stacey LeBlanc, Amanda Guerrette (elevated to full member), Dave Trask, Tim DeRoche, Darren Finnegan.**

**Not present: Riley Bergeron**

- 2. MINUTES:** Review July 16<sup>th</sup>, 2024, meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.

**Motion to approve:** Dave Trask

**Vote:** 6-0-0

**Motion Carries**

- 3. PUBLIC HEARING/ SPECIAL EXCEPTION:** Bear Holdings, LLC, and Bear, LLC are applying for construction of a building for car display and service, comprised of office areas and vehicle preparation/ maintenance areas. New pavement and gravel areas for storage container siting is also proposed as well as stormwater treatment. The development is proposed for 864, 868, 878, and 900 Center Street and 1193 Turner Street, also City Assessor's Parcel I.D.s 301-017-002, 301-018, 301-019, 301-017, and 300-009, and should be considered pursuant to Chapter 60, article XVI Division 2- Site Plan Review, Division 3- Special Exception, and Article IV, Division 12- General Business District and Delegated review for Site Location of Development Act.

Staff Report presented by Megan Norwood. This application was reviewed by city staff with input from various departments. One minor condition to improve manhole drains to accommodate storm runoff. There is also a request for a waiver on the traffic analysis study. A condition to include visual buffers to storage containers has been added in the staff review process.

Applicant, Jan Wigman, with Wright Pierce, the engineering firm, is present to answer any questions.

**Motion to Open Public Comment:** Tim DeRoche

**Second:** Dave Trask

**Vote:** 7-0-0

No Public Comment

**Motion to Close Public Comment:** Dave Trask

**Second:** Tim DeRoche

**Vote:** 7-0-0

Planning board and staff discusses the application. John Blais clarifies that this development will address any water runoff that would cause issues on Route 4 with heavy rain and not cause any issues. Town ordinances are being reviewed and revised to allow for storage containers.

The applicant clarifies that the existing sales building on site will eventually go away and the new building will contain a service component as well as a sales office.

**Paul Jacques makes a motion** that the proposal meets the requirements of Sections 60-1277, 60- 1336 and 60-771, accept the waiver request for a Traffic Impact Analysis and to approve the Site Plan for a car display and service building with office and vehicle preparation/maintenance areas and associated stormwater infrastructure and State Delegated Review for Site Location of Development, located at 864, 868, 878 and 900 Center Street and 1193 Turner Street (PIDs: 301-017- 002, 301-018, 301-019, 301-017, and 300-009) in the General Business Zoning District with the following conditions:

- No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.
- All necessary stormwater improvements shall be shown on the plan to the satisfaction of the City Engineer prior to the issuance of building permits.
- The applicant shall provide confirmation from CMP that use of the easement area as shown on the plans is acceptable prior to the issuance of building permits.

**Second:** Tim DeRoche

**Vote:** 7-0-0

**Motion Carries**

00:14:07

- 4. PUBLIC HEARING/ SPECIAL EXCEPTION:** Jason Cooper is applying for Site Plan approval for existing car service garage to be demolished and 3 duplex units and associated site development to be developed at 105 Riverside Drive, also City Assessor's Parcel I.D. 221-140. This proposal is pursuant to Chapter 60 Article XVI Division 2- Site Plan Review, Division 3- Special Exception and Division 4- Subdivision and Article IV Division 14 Form Based Code

Staff Report presented by John Blais. A waiver is needed for the third building on the back side of the parcel, so staff has requested a paved walkway from the back building to the front of the parcel to attain frontage on Riverside Dr. Staff feels that this project meets the intent of the higher density zoning in this area as laid out in the comprehensive plan. Paul Jacques asks if this sort of waiver is something that the board will address in a zoning change since this sort of waiver is a common request with the T 4.2 and T 4.2B zones. The rest of this development meets the rest of the zoning requirements.

Applicant, Travis Nadeau with Platz Associates is present to answer questions. Explains the need to request a waiver. The need to provide the connectivity improves the design of the site and allows for better open space on the lot and meets the intentions and allows for an ADA unit as well. The scale of the development is appropriate for the neighborhood as well. The units meet requirements to have 1 exit which allows for more square footage in the units and less space for hallways and stairways.

Tim Deroche asks about the retaining wall and elevation behind the building. Platz offers to include a geotechnical review of the retaining wall to ensure safety with the residential building in proximity. John Blais mentions that the review of the retaining wall can be done as part of the building permit as well.

**Motion to Open Public Comment:** Dave Trask                      **Second:** Darren Finnegan                      **Vote:**7-0-0

Jason Cooper – owns the property. He speaks in support of this development project.

**Motion to Close Public Comment:** Dave Trask                      **Second:** Darren Finnegan                      **Vote:**7-0-0

Planning board discusses how to proceed with making a motion since there are multiple components to voting on this item. John Blais recommends to add the following phrase: “Address existing retaining wall with geotechnical report and fencing to meet code requirements”

**Dave Trask Makes a Motion to approve** the waiver dated July 12, 2024 written by Platz Associates, pursuant to the criteria established in Division 14 of the Formed Base Code District development standards. Specifically, established in Sec. 60-558 (C),(1) and objectives of Section 60-1277.

**Second:** Bob Hayes                      **Vote: 7-0-0**                      **Motion Carries**

**Dave Trask Makes a Motion to approve** the Site Plan/Special Exception for the proposed demolition of an existing car service garage and development of 3-duplex units at 105 Riverside Drive, City Assessor’s Parcel I.D. 221-140. This proposal is pursuant to Chapter 60 Article XVI Division 2- Site Plan Review, Division 3- Special Exception and Division 4- Subdivision and Article IV Division 14 Form Based Code with the Auburn Code of Ordinances with the following conditions:

- All relevant building permits must be approved before the start of construction.
- Addressing application must be filed prior to building permits.
- Address existing retaining wall with geotechnical report and fencing to meet code requirements.

**Second:** Bob Hayes                      **Vote: 7-0-0**                      **Motion Carries**

00:43:51

5. **PUBLIC HEARING/ MAP AMENDMENT:** Consider a zoning map amendment to convert certain parts of City Assessor’s Parcel I.D.s 289-001, 277-026 and 289-002 with addresses of 369 Mount Auburn Ave, 225 Gracelawn Road, and 125 Gracelawn Pit Road from the General Business zoning district to the Multifamily Suburban 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 presented by Eric Cousens.

Stacey LeBlanc emphasizes that the intent of changing of the zoning for this property was to protect the lake and the water quality and recognizes that the current zone as it stands may not be the best option for achieving that goal. If this map change helps to achieve that goal, then it makes sense to support. Dave Trask feels that protections can still be put into place without this change, but recognizes that this proposed change will satisfy all parties to achieve the goal.

**Motion to Open Public Comment:** Dave Trask                      **Second:** Paul Jacques                      **Vote:** 7-0-0

Steven Beal – 575 Johnson Rd – Speaks in support of this map change. Feels that the approved uses in GB zone right up to the watershed boundary is too intense of an option for this site and this change will limit the area in which those uses can be operated away from the watershed.

John Cleveland – 183 Davis Ave – Speak in support of map change. This change allows for a Planned Unit Development which would allow the planning board to have review over a development plan.

**Motion to Close Public Comment:** Dave Trask                      **Second:** Tim DeRoche                      **Vote:** 7-0-0

Planning board discusses the item and possible motions.

**Tim Deroche makes a motion** to forward a favorable recommendation to City Council to amend the official zoning map of the City of Auburn entitled “City of Auburn, Zoning Map, dated May 16, 2016,” revised through its current date and revisions, as provided under Sec. 60-5 of the Zoning Ordinance by amending City Assessor’s Parcel ID’s 289- 001, 289-002, and 277-026 from General Business Zoning to the Multifamily Suburban zoning district and retain 15 acres within City Assessor’s parcel I.D. 289-001 in the General Business zoning district *from map dated August 7, 2024. (italicized wording added as an amendment to the original motion).*

**Second:** Darren Finnegan

The board discusses briefly the motion. Dave Trask asks if the boundaries for the 15 acres of land that will remain in the GB zone is well defined. Eric Cousens explains that it is well defined, and acreage is defined.

**Tim DeRoche makes a motion to amend** the initial motion to provide clarity by adding a reference to the Map included in the Staff Packet dated August 7<sup>th</sup>, 2024. See final motion wording referenced above.

**Second:** Bob Hayes

**Vote on Amendment to Motion:** 7-0-0                      **Motion Carries**

**Vote on original motion:** 7-0-0                      **Motion Carries**

01:07:00



6. **PUBLIC HEARING/ SPECIAL EXCEPTION:** Broad Street Farms is applying for a Site Plan approval for existing lot to be developed into 12 duplex units and associated site development to be developed along Broad Street, also City Assessor's Parcel I.D. 171-004. This proposal is pursuant to Chapter 60 Article XVI Division 2- Site Plan Review, Division 3- Special Exception and Division 4- Subdivision and Article IV Division 14 Form Based Code.

Staff Report presented by John Blais. This parcel has some wetlands of significance and requires buffers as part of the development. This development plan may provide an opportunity to consider extending public water and sewer lines and sidewalks to this section of town.

Planning Board asks about timeline for water and sewer extension. Staff explains that there is a large-scale transportation study taking place along Washington Street and expanding the lines could be part of those development plans which would include grant funds. Staff explains that the developer may choose to wait to build until public utilities are ready. Amanda Guerette asks if the Planning Board should consider adding an extension to this approval in order to give time for the consideration of public utilities versus private water and septic systems. These units would be rented out as apartments from the start and could eventually be turned into condominiums.

Craig with Terradyn Consultants, representing the applicant, explains that the intent would be for the developer and owner to retain ownership and rent out these units.

**Motion to Open Public Comment:** Dave Trask                      **Second:** Bob Hayes                      **Vote:** 7-0-0

Michael LeMay – Lives on Sherwood Drive – Wants to remind the Planning Board that this area of Broad Street has seen multiple fatal accidents and they should take into account that. Feels that the zoning of T 4.2B is in appropriate for this area because they took city zoning and have applied it to a rural area. Speeds along this road are very fast and this sort of zoning is inappropriate.

**Motion to Close public comment:** Tim DeRoche                      **Second:** Bob Hayes                      **Vote:** 7-0-0

Planning Board discusses the application. Bob Hayes has concerns over setbacks on a road like this for snow plowing and also taking into account protections for the residents to keep them safe from the traffic on the road. Staff shares that this project may be the first in the area to begin to transform the area into more of a residential area and is in-line with the zoning. Bob Hayes feels like Zone T 4.2 B has some issues and was applied to a large area and needs some refinement. Design of the development and buildings are meant to be in line with the area but also meet zoning standards. Dave Trask asked about line of sight from the driveway entrances and engineering conducted studies and found that each location for a driveway had at least 450 feet of site clearance.

**Dave Trask Makes a Motion to approve** the Site Plan/Special Exception for the proposed development of 12 duplex units and associated site development as part of Broad Street Farms – City Assessor's Parcel I.D. 171-004. This proposal is pursuant to Chapter 60 Article XVI Division 2-Site Plan Review, Division 3- Special Exception and Division 4- Subdivision and Article IV Division 14 Form Based Code of the Auburn Code of Ordinances with the following conditions:

- a. All appropriate permits are received prior to the start of construction.
- b. Construction shall not commence until all bonding and inspection fees have been reviewed by the City Engineer.
- c. Full sidewalk design and final easement descriptions along Broad Street condition of the first C of O.
- d. Record Buffers in Androscoggin County Registry of Deeds condition of the first C of O.

**Second:** Bob Hayes

**Amanda Guerette makes an amendment to the motion** to allow for an addition 12-month period on top of the initial 12-month approval for a total of 24-month approval period.

**Second:** Tim DeRoche                      **Vote for Amendment:** 7-0-0

**Vote on Motion:** 7-0-0                      **Motion Carries**

01:47:40

- 7. **WORKSHOP:** Review possible text change proposal under Sec. 60-666. Uses of- Manufactured housing, trailers, office trailers. With recommendation to hold a Public Hearing and proposed text change to City Council. To allow uses shipping containers, Conex boxes, railroad cars and tractor trailer bodies.

Staff Report Presented by John Blais. Understands that temporary storage units are useful and should be allowed with some visual protection to abutters and street traffic.

The planning board asks about permitting process for these containers and if there will be any tax implications to having a storage container on property. John mentions that the storage containers could be retrofitted to have siding or convert them to look more like a permanent stick-built structure rather than a metal box. Dave Trask asks about how to define the appearance that is “acceptable” so there are standards and it’s not subjective.

Planning board wants to specific size limitations and require permits. There is a desire for more refined language with more specifications.

- 8. **PUBLIC COMMENT: No public present**

9. **MISCELLANEOUS:**

- a. Upcoming Agenda Items
  - i. Multi-family project
  - ii. Airport hanger development

10. **ADJOURNMENT**

**Motion to adjourn:** Tim DeRoche                      **Second:** Dave Trask                      **Vote:** 7-0-0

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**PLANNING BOARD MEETING MINUTES**  
**September 10<sup>th</sup>, 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

**1. ROLL CALL:**

Riley Bergeron, Dave Trask, Paul Jacques, Stacey LeBlanc, Amanda Guerette (Associate Member), Bob Hayes, Tim DeRoche, Darren Finnegan.

- 2. MINUTES:** Review August 13<sup>th</sup> 2024 meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>.

Motion to Amend:

The title of the Draft Minutes from the August 13<sup>th</sup>, 2024 meeting still says “Agenda” at the top. That needs to be changed to read “Meeting Minutes”

**Motion to Approve with amendment:** Dave Trask      **Second:** Tim DeRoche      **Vote:** 6-0-1

- 3. Appointment to Comprehensive Plan Committee:** Two Planning Board members shall be appointed to the Comprehensive Plan Committee.

Chair Stacey Leblanc asks the board if anyone is interested in participating. Riley Bergon and Paul Jacques express interest in participating.

**Motion to appoint Riley Bergeron:** Bob Hayes      **Second:** Darren Finnegan      **Vote:** 6-0-0

**Motion to Appoint Paul Jacques:** Riley Bergeron      **Second:** Bob Hayes      **Vote:** 6-0-0

**4. Transportation Study Update from Jonathan Labonte – Transportation Director**

Auburn is focusing on various programs and studies to improve transportation around the city. The Vision Zero campaign is designed to eliminate serious injuries and fatalities on the street network. The City is conducting traffic impact analysis to help collect data for these various incentives.

Areas of focus include: Route 4 from the Turner town line into town, Mount Auburn neighborhood (Greater Auburn Mall area), Minot Ave/Union St/Court Street, Great Falls/Mechanics Row, Little Androscoggin Gateway District (Washington Street North and Southbound).

Lastly Jonathan provided an update on the Master Plan for the Auburn Municipal Airport and for Auburn Freight Intermodal Expansion.

Tim DeRoche inquiries about what volume of traffic drives through Auburn just to get to another destination (Rangley, Farmington, etc) Jonathan Labonte didn't have those statistics specifically, but wants to explore more how we want to see traffic moving through town based on priorities of different parts of the city rather than trying to just focus on a bypass that would just pass the problem to a different part of town. His goal is to explore phases and funding opportunities available to source these changes and improvements.

- 5. PUBLIC HEARING/SITE PLAN REVIEW:** Fielding Properties, LLC is applying for a Site Plan approval for the phased construction of four 6,544 square foot 1-story hangars (gross 26,176 square feet) utilities, parking, stormwater management features and other associated improvements on Flightline Drive and Aviation Avenue, also City Assessor's Parcel I.D. 143-007. Phase I activities include the construction of Hangar 1 and part of the associated taxiway, apron and extension of utilities by the applicant for personal use. The proposed project should be considered pursuant to Chapter 60, Article XVI, Division 2- Site Plan Review, Division 3 – Special Exception, Division 15 Industrial District and Delegated review for Site Location of Development Act.

Staff explains that a staff error was made and proper notice for this item as well as the special exception on the next agenda item were not published in the newspaper as required for a Public Hearing. Staff recommends that we move both Public Hearing agenda items to the next Planning Board meeting scheduled for October 8<sup>th</sup>, 2024.

**Motion to Postpone to Oct. 8<sup>th</sup>:** Tim DeRoche    **Second:** Dave Trask    **Vote:** 7-0-0

- 6. PUBLIC HEARING/SPECIAL EXCEPTION:** CEP Holdings, LLC is applying for a Site Plan approval to construct four multifamily residential buildings consisting of six units each for a total of 24 residential units and two additional 3,000 square foot single story self-storage buildings, paved drive aisles, sidewalks and parking at 1315 Minot Ave, also City Assessor's Parcel I.D. 205-012. The proposed project should be considered pursuant to Chapter 60, Article XVI Division 2 – Site Plan Review, Division 3 – Special Exception, and Article IV, Division 13 – Minot Ave (General Business II) District.

**Motion to Postpone to Oct. 8<sup>th</sup>:** Tim DeRoche    **Second:** Paul Jacques    **Vote:** 7-0-0

- 7. WORKSHOP:** Discuss amendments to Chapter 60, Article XII, Division 4 of the Auburn Code of Ordinances to more precisely identify the location of the standards governing tree cutting/timber harvesting in the Watershed Overlay District.

John Blais provides an overview of the recommended edits and changes to the ordinances related to agriculture and forestry uses in the Lake Auburn Watershed. The working group has put together a solid document that provides more clarity and guidance to the ordinances.

Dave Trask asks that when this topic comes forward as a Public Hearing, that the agenda item should clearly include "agricultural use" and not just "tree cutting/timber harvesting" as a topic title. When discussing the wording of Hobby Farm versus Commercial Farm, Eric Cousens clarifies that they moved away from the focusing on those terms but instead wanted to specify the nature of the farming, such as

an “animal farm”, which would indicate the potential environmental impact of the type of farming better than the former terms.

Dave Trask asks if there is a way to make the readability of these ordinances easier. He would like to see language that is easier to understand for all.

John Blais continues to discuss animal farms and best practices for storage including the limitation of spreading manure and other fertilizers and pesticides.

John Blais addresses clearcutting and timber-harvesting suggested edits to the ordinances.

- 8. WORKSHOP:** Review possible text change proposal under Chapter 60, Article VII, Sec. 60-666. Uses of- Manufactured housing, trailers, office trailers to allow shipping containers, Conex boxes, railroad cars and tractor trailer bodies for storage. With recommendation to hold a Public Hearing and proposed text change to City Council.

Megan McLaughlin provides a staff report and asks the board to provide feedback on the drafted ordinance text.

Tim DeRoche would like to add “recreation use” to sectional 15 of the ordinances in addition to industrial and agricultural use. Thinking specifically of companies like Tabers or Lost Valley, etc. Staff wants to look into the definition of “recreational uses” to better understand the definition.

1:24:10

**9. PUBLIC COMMENT: No Public Comment**

**10. MISCELLANEOUS:**

- a. Upcoming Agenda Items
  - i. 1 additional airport hangers on the next agenda.
  - ii. Public hearings for these 2 workshop items
  - iii. Tim DeRoche inquires about housing in the Ag Zone. Curious about the volume of requests, approvals, denials, etc. Eric Cousens mentions that the timing of this request is timely because the Council wants to explore the zoning regulations and activity seen for farm plans in this zone.

**11. ADJOURNMENT**

**Motion to Adjourn:** Dave Trask      **Second:** Darren Finnegan      **Vote:** 7-0-0

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### PLANNING BOARD MEETING MINUTES

October 8<sup>th</sup>, 2024 – 6:00 p.m.

City Council Chambers, 60 Court Street

1. **ROLL CALL:** Amanda Guerrette (elevated to full member), Dave Trask, Paul Jacques (Acting Chair), Bob Hayes, Riley Bergeron, Darren Finnegan.

*Absent: Stacey LeBlanc (Chair), Tim DeRoche and newly appointed, Maureen Hopkins (Associate member).*

2. **MINUTES:** Review September 10<sup>th</sup> 2024 meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>

**Motion to Approve:** Dave Trask

**Second:** Bob Hayes

**Vote:** 6-0

**Motion Carries**

3. **APPOINTMENT TO SUSTAINABILITY AND NATURAL RESOURCE MANAGEMENT BOARD (SNRB):** Planning Board Chair to appoint Planning Board Member to SNRB.

Staff explains that the purpose of the board is to improve the communication between the community, Planning Board and Council to support sustainability efforts within the City. There are 6 members, and the term is a 3-year term. Meetings occur on average 4 times a year. Bob Hayes expresses interest in serving on the Board.

**Vote to Appoint Bob Hayes to the Sustainability and Natural Resource Management Board: 6-0**

4. **APPOINTMENT TO MAYOR'S AD-HOC ON BONA FIDE AGRICULTURAL, RECREATIONAL, AND NATURAL RESOURCES LAND USE COMMITTEE:** Planning Board Chair to appointment Planning Board Member to Committee.

Staff explains that this board was established with the goal of defining what a bona fide Farm or Land Use plan would contain to meet the city ordinance requirements for the Agricultural and Resource Protection Zone. Dave Trask expresses interest in serving on this committee.

**Vote to Appoint Dave Trask to the Ad-Hoc on Bona Fide Agricultural, Recreational and Natural Resources Land Use Committee: 6-0**

5. **PUBLIC HEARING/SITE PLAN REVIEW:** Fielding Properties, LLC is applying for a Site Plan approval for the phased construction of four 6,544 square foot 1-story hangars (gross 26,176 square feet) utilities, parking, stormwater management features and other associated improvements





6. **PUBLIC HEARING/SPECIAL EXCEPTION:** CEP Holdings, LLC is applying for a Site Plan approval to construct four multifamily residential buildings consisting of six units each for a total of 24 residential units and two additional 3,000 square foot single story self-storage buildings, paved drive aisles, sidewalks and parking at 1315 Minot Ave, also City Assessor's Parcel I.D. 205-012. The proposed project should be considered pursuant to Chapter 60, Article XVI Division 2 – Site Plan Review, Division 3 – Special Exception, and Article IV, Division 13 – Minot Ave (General Business II) District.

Staff Report given by Meghan McGlaughlin. Staff worked with applicant to improve the parking and traffic movement on the site plan and applicant is willing to provide an in-lieu fee to go towards sidewalk development in the future. Paul Jacques mentioned that this property abuts Mount Apatite and asked the developer if there was a possibility to connect access from this property to the park. The developer expressed that he thought the wetlands might inhibit connectivity, but if there was a high point that could be used for access, he would be open to creating a path to access the park.

**Motion to Open Public Comment:** Bob Hayes                      **Second:** Amanda Guerrette **Vote:** 6-0

No Public Comment

**Motion to Close Public Comment:** Dave Trask                      **Second:** Amanda Guerrette **Vote:** 6-0

Planning Board discusses trail options and sidewalks on this lot. Bob Hayes inquires where the funds come from for these sidewalks. John Blais explains that the City is pursuing various grant funding opportunities to support these efforts and fees like this in-lieu fee, will go towards the matching funds amount required by the grant programs. The fee proposed in this development plan would be earmarked for improvements and developments related to this area and with the intention of using them for pedestrian improvements.

**Riley Bergeron makes a motion** that the proposal meets the requirements of Sections 60-1277, 60-1336 and 60-771 and approve the Site Plan to construct four multifamily residential buildings consisting of six units each for a total of 24 residential units and two additional 3,000 square foot single story self-storage buildings **for occupants of the development**, paved drive aisles, sidewalks and parking at 1315 Minot Ave, also City Assessor's Parcel I.D. 205-012. The proposed project should be considered pursuant to Chapter 60, Article XVI Division 2 – Site Plan Review, Division 3 – Special Exception, and Article IV, Division 13 – Minot Ave (General Business II) District.

- No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.
- A \$70,000 in-lieu fee for future sidewalks and/or trails as determined by City staff shall be paid by the first Certificate of Occupancy.

**Second:** Bob Hayes

**Discussion:** Bob Hayes asks about the self-storage building on the plan and whether it is intended for tenants and occupants of the units or open to public. The developer clarifies that it is intended for occupants, but it is not exclusive to tenants only.

**Bob Hayes makes a motion to amend the original motion** to add the language “for occupants of the development” to the self-storage buildings.

**Second:** Riley Bergeron      **Vote on Amendment:** 6-0      **Vote on Original Motion:** 6-0  
**Motion Carries**

0:55:04

- 7. PUBLIC HEARING/SITE PLAN REVIEW:** The Auburn-Lewiston Municipal Airport is applying for Site Plan approval for the construction of three new t-hangars, apron pavement and the associated taxi line on Flightline Drive, also City Assessor’s Parcel I.D. 131/143-007. The proposed project should be considered pursuant to Chapter 60, Article XVI, Division 2 – Site Plan Review, Division 3 – Special Exception, Division 15 Industrial District and Delegated review for Site Location of Development Act.

Staff Report presented by John Blais. Dave Trask inquires about the “archeological sensitive area” on the plan. Sidney Seeney, the developer, added that the entire area was surveyed and that particular area was the only portion identified as being sensitive and requiring additional resources during development.

**Motion to Open Public Comment:** Riley Bergeron      **Second:** Bob Hayes      **Vote:** 6-0

No Public Comment

**Motion to Close Public Comment:** Dave Trask      **Second:** Amanda Guerrette      **Vote:** 6-0

**Amanda Guerrette makes a motion** to approve the waiver request of the dimensional requirements under Section 60-579(g) numbers 4 & 5.

**Second:** Bob Hayes      **Vote:** 6-0

**Motion Carries**

**Amanda Guerrette makes a motion** that the proposal meets the requirements of Sections 60-1277, 60-1336 and 60-771 and approve the Site Plan by Fielding Properties, LLC for the phased construction of four 6,544 square foot 1-story hangars (gross 26,176 square feet) utilities, parking, stormwater management features and other associated improvements on Flightline Drive and Aviation Avenue, also City Assessor’s Parcel I.D. 143-007. Phase I activities include the construction of Hangar 1 and part of the associated taxiway, apron and extension of utilities by the applicant for personal use. The proposed project should be considered pursuant to Chapter 60, Article XVI, Division 2- Site Plan Review, Division 3 – Special Exception, Division 15 Industrial District and Delegated review for Site Location of Development Act with the following conditions:

- A. *No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.*
- B. *Provide updated plans that meet the Auburn Water and Sewer District requirements.*
- C. *Provide sewer and water easements to the satisfaction of the Auburn Water and Sewer District.*

D. *An Erosion and sedimentation control plan demarcating sensitive areas with temporary fencing and an exclusion area for construction equipment shall be submitted when the design is approved by the City.*

**Second:** Bob Hayes

**Amanda Guerrette makes a motion to Amend the original motion** to correct the typo that indicates there are four 6,544 square foot 1-story hangars and change that to three 6,544 square foot 1-story hangars.

**Second:** Dave Trask      **Vote on Amendment:** 6-0      **Vote on original motion:** 6-0

**Motion Carries**

1:10:22

**8. PUBLIC HEARING/RECOMMENDATION TO CITY COUNCIL TEXT AMENDMENT:**

Review possible text change proposal under Chapter 60, Article VII, Sec. 60-666. Uses of- Manufactured housing, trailers, office trailers to allow shipping containers, Conex boxes, railroad cars and tractor trailer bodies for storage. With recommendation to hold a Public Hearing and proposed text change to City Council. This amendment is pursuant to Chapter 60, Article XVII Division 2-Amendment to the Zoning Ordinance or Zoning Map.

Staff Report presented by Megan McGlaughlin. Bob Hayes asks if these storage containers are being limited to commercial and industrial properties or would they be allowed in a residential property. John Blais clarifies that if they are being used in residential areas, there are restrictions to where they can be placed and how they need to be altered or finished to blend in with the surrounding environment.

There was further discussion about the approved uses of Conex boxes to be used only as storage rather than a residential dwelling unit.

Motion to Open Public Comment: Amanda Guerrette    Second: Dave Trask    Vote: 6-0

No Public Comment

Motion to Close Public Comment: Amanda Guerrette    Second: Dave Trask    Vote: 6-0

**Riley Bergeron makes a motion** to put forth a favorable recommendation to the City Council for the text changes to Chapter 60, Article VII, Sec. 60-666, Uses of Manufactured housing, trailers, office trailers to allow shipping containers, Conex boxes, railroad cars and tractor trailer bodies for storage.

**Second:** Dave Trask      **Vote:** 5-1

1:36:00

**9. PUBLIC HEARING/RECOMMENDATION TO CITY COUNCIL TEXT AMENDMENT:**  
Discuss amendments to Chapter 60, Article XII, Division 4, Lake Auburn Watershed Overlay District of the Auburn Code of Ordinances to more precisely identify the standards governing definitions, agriculture, pesticides, fertilizers, forestry, resource protection and erosion control in the Watershed Overlay District. This amendment is pursuant to Chapter 60, Article XVII Division 2-Amendment to the Zoning Ordinance or Zoning Map.

Staff Report presented by John Blais. The Board and staff seek clarification on the definition of clear-cutting. Staff adds that a licensed forester reviews any timber harvesting plans submitted. It's not a staff-level review process.

Motion to Open Public Comment: Dave Trask                      Second: Bob Hayes    Vote: 6-0

Public Comment:

Steven Beal – 575 Johnson Rd – Mr. Beal explains that the delay in presenting these text changes to the Planning Board is a result in needing to receive Mainer Forest Service input and review of these text changes and that these changes are more restrictive than the State statues. The nature of these restrictions is designed to protect the watershed and therefore need to be more restrictive than a general state statute which covers all forest management in the State. The restrictions, however, do not impede the ability to run a successful forest management and harvest plan in the watershed.

**Motion to Close Public Comment:** Amanda Guerette                      **Second:** Dave Trask    **Vote:** 6-0

Board and staff clarify several small text changes and edits.

**Riley Bergeron makes a motion** to forward a favorable recommendation to City Council to amend the text in Chapter 60, Article II General Provisions, Division 4 Lake Auburn Watershed Overlay District, Sec. 60-951, Sec.60-952 and Sec. 60-953. Chapter 60, Article XVII Division 2- Amendment to the Zoning Ordinance or Zoning Map.

**Second:** Amanda Guerette                      **Vote:** 6-0

2:07:17

**10. PUBLIC HEARING/RECOMMENDATION TO CITY COUNCIL MAP AMENDMENT:**  
Consider adopting the Lake Auburn Watershed Overlay District Agricultural Buffer Setbacks Map. This map is for establishing a 250' setback to agricultural field tillage from natural resources and 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 presented by John Blais. This resource map is slightly different from the watershed map in order to allow staff to review agricultural and forestry plans.

**Motion to Open Public Comment:** Amanda Guerette **Second:** Bob Hayes **Vote:** 6-0

No Public Comment

**Motion to Close Public Comment:** Dave Trask **Second:** Amanda Guerette **Vote:** 6-0

**Riley Bergeron makes a motion** to forward a favorable recommendation to City Council to adopt the Lake Auburn Watershed Overlay District, Agricultural Buffer Setbacks Map. This map is for establishing a 250' setback to agricultural field tillage from natural resources and 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.

**Second:** Amanda Guerette **Vote:** 6-0

- 11. WORKSHOP:** LD 2003 text amendment directive from City Manager's office. Discuss the possible limitation of ADU size and decrease density in the AG/RP, LDCR, RR and UR to align with the minimum requirements of LD 2003.

Staff Report presented by Natalie Thomsen. The City is looking to define the square footage for an accessory dwelling unit. Setting a static number is a more equitable approach than basing size off the square footage of primary dwelling. The board and staff also discuss affordability and lot size/road frontage requirements.

Riley Bergeron suggests that the Public Hearing for this topic could look at density and ADU sizing as two separate items to allow for the public to weigh-in on both topics and allow the board to vote separately on these two topics since they are separate topics.

- 12. PUBLIC COMMENT:** No Public Comment

**13. MISCELLANEOUS:**

- a. Upcoming Agenda Items
  - i. LD 2003
  - ii. Elevator Evolution – 21 Markarlynn subdivision

**14. ADJOURNMENT**

**Motion to Adjourn:** Dave Trask **Second:** Amanda Guerette **Vote:** 6-0

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**PLANNING BOARD MINUTES**  
**November 12<sup>th</sup>, 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

- 1. ROLL CALL:** Riley Bergeron, Bob Hayes, Paul Jacques (Meeting Chair), Dave Trask, Darren Finnegan, Tim DeRoche, Maureen Hopkins (Elevated to Full member)

Absent: Stacey LeBlanc (Chair), Amanda Guerette (Assoc. Member)

- 2. MINUTES:** Review the October 8<sup>th</sup> 2024 meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>

Discussion on whether the Minutes should include a breakdown of how each voting member votes during a motion. The board decides to revisit this topic later in the meeting.

**Motion to Approve:** Riley Bergeron      **Second:** Bob Hayes      **Vote:** 5-0-2 (Maureen Hopkins and Tim DeRoche abstain)      **Motion Carries**

- 3. SUBDIVISION AMENDMENT:** A subdivision amendment has been submitted by Elevator Evolution represented by Mark Lovejoy to split a lot in the existing subdivision to two parcels. The subject parcel is located at 213 S Washington St (City Assessor’s Parcel I.D. 210-012) and within the T-5.1 - Downtown Traditional Center Zone. The proposed project should be considered pursuant to Chapter 60, Article XVI, Division 4 – Subdivision and Chapter 60, Article IV District Regulations, Division 14 Form Based Code.

Staff Report presented by Natalie Thomsen.

Board discussion brings into question whether the subdivision would force the business to comply with T-5.1 form-based regulations related to parking and curbing. Staff and the Board look at images of the building and existing parking. Staff did not initially recommend any changes to landscaping or parking since the use of the property was not changing. After some discussion, Staff shares that striping parking spaces could be included as a condition for the subdivision approval so that the parking area is in-line with T 5.1 form-based code requirements.

**Motion to Open Public Comment:** Darren Finnegan      **Second:** Dave Trask      **Vote:** 7-0  
**Motion Carries**

**No Public Comment**

**Motion to Close Public Comment:** Darren Finnegan      **Second:** Bob Hayes      **Vote:** 7-0

**Motion Carries**

**Dave Trask Makes the Motion:** I make a motion that the proposal meets the requirements of Section 60-1359 and approve the Subdivision Plan to divide the lot at 213 S Washington St. (Assessor’s Parcel ID 210-012) into two. Both lots will retain existing buildings, road access, driveways, and parking. The parcel is in the T-5.1 Downtown Traditional Center Zone, and the project should be considered pursuant to Chapter 60, Article XVI, Division 4 (Subdivision) and Chapter 60, Article IV, Division 14 (Form-Based Code) with the following conditions:

- No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.
- The Applicant signs the application.
- The Applicant adds striping for parking in the designated street parking spaces.

**Second:** Riley Bergeron      **Vote:** 7-0      **Motion Carries**

**4. PUBLIC HEARING/RECOMMENDATION TO CITY COUNCIL TEXT AMENDMENT:**  
Review the text change proposal for LD 2003 amendment per City Manager’s directive. Discuss potential ADU size limitations and density reductions in AG/RP, LDCR, RR, and UR zones to meet LD 2003, State law (30-A M.R.S. §§ 4364, 4364-A, 4364-B) minimum requirements.

Staff Report provided by Natalie Thomsen. Based on discussions in pervious meetings, the staff prepared two separate motions for these changes. One refers to density guidelines and the other related to limits in sizing for accessory dwelling units. Board and staff discuss that the density guidelines proposed are related to growth areas in town where public water and sewer service is available.

Planning Board also brought up the fact that the ordinance uses the phrases “Accessory Dwelling Unit” and “Accessory Structure” and wanted to clarify if they were talking about the same thing or if they were different. Staff clarified that the definitions for both are different, and an accessory structure is not habitable.

Dave Trask speaks in opposition to setting a limit on square footage of an accessory dwelling unit or an accessory structure. Staff explains that setbacks and zoning will likely limit the square footage more than setting a maximum limit and staff feels that this limitation still allows for a generously sized accessory dwelling.

**Motion to Open Public Comment:** Dave Trask      **Second:** Bob Hayes      **Vote:** 7-0 **Motion Passes**

Public Comment:

John Cleveland – 183 Davis Ave. Mr. Cleveland just wanted to make the Planning Board aware that the Lake Auburn Watershed would be exempt from LD 2003 guidelines.

Stephen Beale – 525 Johnson Rd. Mr. Beale mentions that in the absence of a maximum size limit, the accessory dwelling unit could turn into a new Primary dwelling unit which then is not accessory in nature at all and is not the purpose of the ADU concept.

**Motion to Close Public Comment:** Dave Trask **Second:** Darren Finnegan **Vote:** 7-0 **Motion Passes**

Tim DeRoche echoes the sentiments of Mr. Beale and clarifies that these should be “accessory” dwelling units, not “additional” dwelling units.

John Blais also clarifies that the Watershed overlay district restricts not only accessory dwelling units, but also primary dwelling units.

**Riley Bergeron Makes a Motion** to forward a favorable recommendation to the city council related to edits established in Sec. 60-2, Definitions, specifically focusing on the definition of "accessory structure" and setting the maximum allowable size for such structures at 1,500 sq. Ft.

**Second:** Bob Hayes

**Discussion:** Dave Trask voices that he does not support limiting square footage of an ADU. Paul Jacques mentions that he thinks the market will do a good job of limiting the size of an ADU, but does feel that its ok to set a generous limit.

**Vote:** 6-1 (Dave Trask opposes) **Motion Carries**

**Riley Bergeron makes a motion** to forward a favorable recommendation to the city council related to edits established in Article II- General Provisions, Article IV Division 3- Low Density Country Residential District, Division 4- Low Density Rural Residence District, Division 5- Suburban Residence District, Division 6- Urban Residence District, Division 7- Multifamily Suburban District, Division 14 Form Based Code, Sec. 60-2 Definitions, and Article V- Off-Street Parking and Loading, all within Chapter 60, specifically pertaining to density and parking standards, as required for compliance with 30-A M.R.S. §§ 4364, 4364-A, and 4364-B.

**Second:** Bob Hayes **Vote:** 6-1 (Dave Trask opposes) **Motion Carries**

**5. PUBLIC COMMENT:** No Comments

**6. MISCELLANEOUS:**

a. Upcoming Agenda Items



- i. 502 Poland Rd – Poland Rd Duplex Housing Project. 4 duplexes for a total of 8 units
- ii. Conex Box discussion to come back
- iii. Board brings up the question from the minutes discussion at the beginning of the meeting to ask whether the City Council includes a breakdown of the vote as to who supports and opposes a motion. Bob Hayes makes a point to mention that if an item is brought back to discuss at a later time it's important to note who opposed and supported votes because someone who opposes to a motion cannot bring it back to discuss. The board wants to revisit this topic with Chair, Stacey LeBlanc, present and ask for this topic to return in misc. items for the next meeting.

## **7. ADJOURNMENT**

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**PLANNING BOARD MEETING MINUTES**  
**December 10<sup>th</sup>, 2024 – 6:00 p.m.**  
**City Council Chambers, 60 Court Street**

1. **ROLL CALL:** Bob Hayes, Dave Trask, Paul Jacques, Stacey LeBlanc (Chair), Riley Bergeron, Tim DeRoche, Maureen Hopkins (Associate Member). Absent: Amanda Guerrette (Associate Member) and Darren Finnegan.
2. **MINUTES:** Review the November 12, 2024 meeting minutes. All meetings are available live and after airing on YouTube <https://www.youtube.com/c/CityofAuburnMaine>

**Motion to Approve:** Bob Hayes      **Second:** Riley Bergeron      **Vote:** 6-0-1 (Stacey LeBlanc Abstains)      **Motion Carries**

3. **WORKSHOP:** Review possible text change proposal under Chapter 60, Article VII, Sec. 60-666. Uses of Manufactured housing, trailers, office trailers to allow shipping containers, Conex boxes, railroad cars and tractor trailer bodies for storage. With recommendation to hold a Public Hearing and proposed text change to City Council.

Staff Report presented by Natalie Thomsen. The ordinance text changes were presented to the City Council and was brought back to the Planning Board with some clarifying questions. The board discussed text related to requiring that the appearance of storage containers “must match the characteristics of the neighborhood”, but City Council and Staff felt that the language was difficult to define and open to interpretation, so they settled on language regarding the location of where the storage containers can be placed and shielding them from public view.

The board and staff further discuss industrial/commercial use versus residential use. Bob Hayes sees value in allowing temporary use for residential properties, but not permanently. Discussion about temporary use raised questions about time frame for length of time allowed as well as the need for screening the view of the container. The board also discussed tying the permit of a Conex box to the issuance of a building permit.

0:51:00

4. **WORKSHOP:** The Planning Board will hold a workshop to discuss the upcoming Comprehensive Plan, its various elements, and the role the Planning Board will take in relation to the plan.

Presentation provided by Natalie Thomsen.

## 5. PUBLIC COMMENT:

John Cleveland – 183 Davis Ave – Mr. Cleveland wanted to compliment Natalie Thomsen on her presentation and summary for the Comprehensive Plan.

## 6. MISCELLANEOUS:

- a. Upcoming Agenda Items
  - i. Multiple development projects in the pipeline
  - ii. LD 2003 edits with comments
  - iii. Bonafide Agricultural use guidelines
  - iv. Revisit Conex box ordinance text
- b. Discussion about formatting for Meeting Minutes with regards to identifying members who vote in opposition or abstain from voting.
  - i. Board supported breaking out the vote to mention those who object or abstain from the vote.

## 7. ADJOURNMENT

**Motion to Adjourn:** Tim DeRoche      **Second:** Dave Trask      **Vote:** 7-0  
**Motion Carries**

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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.