



City of Auburn, Maine
Planning & Permitting Department

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PLANNING BOARD MINUTES
November 12th, 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 8th 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

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

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