

January 17, 2024

City of Auburn Planning Board
60 Court Street
Auburn, ME 04210

Dear Members and Staff of the Planning Board,

On March 9, 2021, the Planning Board voted unanimously to grant Auburn Solar, LLC a Special Permit. At the time, Auburn Solar was a planned 4.00MW_{ac} project located on North River Road. We had intended to begin construction within 18 months of the original permit date, but changes in Maine's state-level solar policy and delays in the process of interconnecting projects to the electrical grid introduced significant delays.

In March 2022, we requested to downsize the project from 4.00MW_{ac} to 1.99MW_{ac} to stay in compliance with changes to Maine's solar Net Energy Billing (NEB) program, which the Planning Staff granted. Further delays in the interconnection process for projects larger than 1.0MW_{ac} have led us to request a second project downsize to 0.99MW_{ac} and an extension of the Special Permit's validity.

Our specific request and supplementary information on why we are making this request and how the project will continue to provide benefits to the City of Auburn are provided below.

REQUEST:

Auburn Solar, LLC requests that the City of Auburn Planning Board grant a minor Site Plan Amendment to the Auburn Solar project, allowing it to reduce its generating capacity from 1.99MW_{ac} to 0.99MW_{ac}. Additionally, Auburn Solar requests that the Planning Board extend the project's Special Permit by two years to March 2026.

SUPPLEMENTARY INFORMATION:

Auburn Solar completed the distribution study process and received final approval to interconnect to the CMP distribution network on September 28, 2023. Since September, we have worked diligently to progress the project by engaging with financial partners to support construction, updating our engineered site plans, and refreshing our environmental studies. These efforts have allowed us to



maintain compliance with our 2021 Special Permit conditions while making significant improvements to the Auburn Solar Project, including, but not limited to:

- Complete avoidance of wetlands
- Increased setbacks from North River Road by an additional 200 feet (640 feet total setback)
- 50% reduction of the fenced project area to approximately 7 acres

In additional support of this request, we have summarized project revisions and improvements in Table 1 below.

Table 1.

Auburn Solar: Minor Site Revision Summary	Original	First Revision	Second Revision
Nameplate Capacity (MW _{ac})	4.000	1.990	0.990
Racking System Type	Fixed Tilt	Single-Axis Tracker	Single-Axis Tracker
Fenced Project Area (Approx. acreage)	16	12.5	7
Setback from North River Road, Feet:	350	440	640
Wetland Impacts, Square Feet: Direct Impacts (PEM "WET MEADOW") -Driven Posts, Fencing Posts	159	50	0
Wetland Impacts, Square Feet: Indirect Impacts (PEM "WET MEADOW") -Shading, Mowing of Existing Field	84,500	22,215	0
Total Alteration to be Permitted, Square Feet: (Direct/Indirect)	84,659	22,265	0

FACTS & BENEFITS:

Project Location: The project array is sited on approximately 7 acres at 1054 North River Road (PIDs: 326-001 and 326-001-001). Shane McDougall of Aviest Engineering, a registered Maine Professional Engineer, prepared our original site plan and application and the revised 0.99MW_{ac} site plan to accompany this request.



Generation: At 0.99MW_{ac}, this project will generate enough carbon-free electricity to power over 250 homes in the area. The power generated by the project will be fed onto and used on the local grid, helping to provide local energy security in southern Maine.

Footprint Reduction: The reduction in the project's nameplate capacity to 0.99MW_{ac} will correspond to a decrease in the overall project footprint, now consisting of approximately 7 acres, compared to the original size of 16 acres. This size reduction will allow the project to completely avoid delineated wetlands while remaining below the required 30% lot coverage condition.

No Audible or Visual Impact: The project will have a minimal impact on all surrounding residents. The array will be, at its nearest, 640 feet away from North River Road compared to 440 feet. The Site is screened from public view by natural topography and existing vegetation. The site will be accessed via Elmwood Rd off of North River Road. This is a portion of the city road that we will upgrade to a gravel drive, improve the culvert, and maintain for the project's duration. The array will also be a quiet neighbor, producing no noise pollution for surrounding residents.

Community Solar Opportunity: Residents can subscribe to buy their electricity from this solar array, netting their power usage at home against the power generated by the array.

Pollinator-Friendly Habitat: The solar array will be seeded with a local mixture of native grasses and pollinator-friendly plants to foster bees, butterflies, and other micro-fauna. A 6" gap will be left between the ground and the fence to allow small critters to pass underneath it. The array will be mowed once or twice per year to control growth.

Minimal Traffic Generation: After the initial construction period, which will last a couple of months, vehicular traffic will consist of light duty vehicle traffic visiting the array about once per month to conduct routine maintenance.

Grid Interconnection Application: The project received approval from Central Maine Power in September 2023 to interconnect onto the three-phase powerlines coming from the Deer Rips substation at Deer Rips Dam Road.

No Environmental and Wetlands Impacts: The array will be spread across a field over 550 ft from North River Road. The field is cleared of trees and undergrowth, meaning the array will not disrupt native habitats. The Maine Department of Inland Fisheries and Wildlife has already issued a formal statement, included in the 2021 application package, stating that this development will have no adverse effect on wildlife. We have redesigned our project to avoid wetlands, thus no longer requiring the Maine Department of Environmental Protection and the U.S. Army Corps of Engineers



Natural Resources Protection Act (NRPA) review process for which we had previously received approval.

State and Local Permitting Handled by Maine-based Small Businesses: Hexagon Energy is a small developer from Charlottesville, Virginia, drawn to do business in Maine by pro-solar legislation. Our engineering and environmental consultants for local and state-level permitting in Maine are supported wholly by small businesses owned and operated by Mainers. This is beneficial to us, giving us local expertise that we would otherwise lack, and beneficial to Maine's economy and residents, providing jobs and work for local residents.

Thank you for your time reviewing this permit extension and minor revision request. We anticipate closing financing for the project this year, breaking ground next Spring, and having the project operating by the Fall of 2025. We look forward to continuing to work with the City of Auburn and are excited to bring renewable energy and its benefits to the area. Please do not hesitate to reach out to me with any further questions.

Sincerely,



Cady Merrick
Project Developer, Hexagon Energy





City of Auburn, Maine

Office of Planning & Permitting

Eric J. Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Development Review Application

PROJECT NAME: Auburn Solar, LLC

PROPOSED DEVELOPMENT ADDRESS: 1054 North River Rd

PARCEL ID #: 326-001, 326-001-001

REVIEW TYPE: Site Plan ☐ Site Plan Amendment ☒
 Subdivision ☐ Subdivision Amendment ☐

PROJECT DESCRIPTION: This project involves the installation of a 0.99MWac, 7 acre photovoltaic solar array
on two parcels totaling 35.86 acres.

CONTACT INFORMATION:

Applicant Auburn Solar, LLC

Name: Cady Merrick

Address: 321 E. Main St, Suite 500

City / State Charlottesville, VA

Zip Code 22902

Work #:

Cell #: (434) 207-2385

Fax #:

Home #:

Email: cmerrick@hexagon-energy.com

Property Owner

Name:

Address:

City / State

Zip Code

Work #:

Cell #:

Fax #:

Home #:

Email:

Project Representative

Name: Cady Merrick

Address: 321 E. Main St, Suite 500

City / State Charlottesville, VA

Zip Code 22902

Work #:

Cell #: 434-207-2385

Fax #:

Home #:

Email: cmerrick@hexagon-energy.com

Other professional representatives for the project
(surveyors, engineers, etc.),

Name: Shane McDougall, Aviest Engineering

Address: 120 Rabbit Ridge Rd

City / State Woodland, ME

Zip Code 04736

Work #: (207) 227-1057

Cell #:

Fax #:

Home #:

Email:

PROJECT DATA

The following information is required where applicable, in order complete the application

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	0	sq. ft.
Proposed Total Paved Area	0	sq. ft.
Proposed Total Impervious Area	6,897	sq. ft.
Proposed Impervious Net Change	6,897	sq. ft.
Impervious surface ratio existing	0	% of lot area
Impervious surface ratio proposed	0.44	% of lot area

BUILDING AREA/LOT COVERAGE

Existing Building Footprint	N/A	sq. ft.
Proposed Building Footprint	N/A	sq. ft.
Proposed Building Footprint Net change	N/A	sq. ft.
Existing Total Building Floor Area	N/A	sq. ft.
Proposed Total Building Floor Area	N/A	sq. ft.
Proposed Building Floor Area Net Change	N/A	sq. ft.
New Building	N/A	(yes or no)
Building Area/Lot coverage existing	N/A	% of lot area
Building Area/Lot coverage proposed	N/A	% of lot area

ZONING

Existing	Agricultural
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Proposed, if applicable

LAND USE

Existing	None
Proposed	Solar Array

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units	N/A
Proposed Number of Residential Units	N/A
Subdivision, Proposed Number of Lots	N/A

PARKING SPACES

Existing Number of Parking Spaces	0
Proposed Number of Parking Spaces	0
Number of Handicapped Parking Spaces	0
Proposed Total Parking Spaces	0

ESTIMATED COST OF PROJECT: 2,800,000

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	0	sq. ft.
Proposed Disturbed Area	41,406	sq. ft.
Proposed Impervious Area	6,897	sq. ft.

1. If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.
2. If the proposed impervious area is greater than one acre including any impervious area created since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.
3. If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.
4. If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.

TRAFFIC ESTIMATE

** See narrative from 2021 Application

Total traffic estimated in the peak hour-existing (Since July 1, 1997) N/A passenger car equivalents (PCE)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) N/A passenger car equivalents (PCE)
If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the Agricultural zoning district.
2. Parcel Area: 35.86 acres / _____ square feet(sf).

Regulations	<u>Required/Allowed</u>	<u>Provided</u>
Min Lot Area	10 acres	/ 35.86
Street Frontage	N/A	/ N/A
Min Front Yard	25 ft	/ 80 ft
Min Rear Yard	25 ft	/ 115 ft
Min Side Yard	15 ft	/ 70 ft
Max. Building Height	35 ft	/ 8 ft
Use Designation	Public Utility	/ Public Utility
Parking Requirement	1 space/ per N/A	square feet of floor area
Total Parking:	0	/ 0
Overlay zoning districts (if any):	N/A	/
Urban impaired stream watershed?	YES <input checked="" type="checkbox"/> NO If yes, watershed name _____	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include fifteen (15) complete packets containing the following materials:

1. 5 Full size plans and 10 smaller (no larger than 11" x 17") plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed by the property owner or designated representative.
(NOTE: All applications will be reviewed by staff and any incomplete application will not be accepted until all deficiencies are corrected.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

To view the City of Auburn Zoning Ordinance, go to:

www.auburnmaine.gov under City Departments / Planning, Permitting & Code / Subdivisions / Land Use / [Zoning Ordinance](#)

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant:

Drew Price

Date:

January 18, 2024



City of Auburn, Maine

Office of Planning & Permitting

Eric J. Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Development Review Checklist

The following information is required where applicable to be submitted for an application to be complete

PROJECT NAME: Auburn Solar, LLC

PROPOSED DEVELOPMENT ADDRESS: 1054 North River Rd

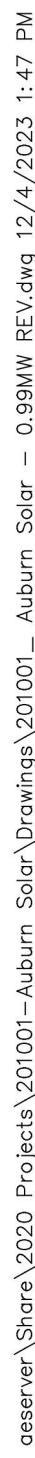
PARCEL #: 326-001, 326-001-001

Required Information		Check when Submitted		Applicable Ordinance
		Applicant	Staff	
Site Plan				
	Owner's Names/Address	X		
	Names of Development	X		
	Professionally Prepared Plan	X		
	Tax Map or Street/Parcel Number	X		
	Zoning of Property	X		
	Distance to Property Lines	X		
	Boundaries of Abutting land	X		
	Show Setbacks, Yards and Buffers	X		
	Airport Area of Influence			
	Parking Space Calcs			
	Drive Openings/Locations	X		
	Subdivision Restrictions			
	Proposed Use	X		
	PB/BOA/Other Restrictions			
	Fire Department Review			
	Open Space/Lot Coverage	X		

<i>Required Information</i>		<i>Check when Submitted</i>		<i>Applicable Ordinance</i>
Landscape Plan		<i>Applicant</i>	<i>Staff</i>	
	Greenspace Requirements			
	Setbacks to Parking			
	Buffer Requirements			
	Street Tree Requirements			
	Screened Dumpsters			
	Additional Design Guidelines			
	Planting Schedule			
Stormwater & Erosion Control Plan		<i>Applicant</i>	<i>Staff</i>	
	Compliance w/ chapter 500	X		
	Show Existing Surface Drainage	X		
	Direction of Flow	X		
	Location of Catch Basins, etc.			
	Drainage Calculations			
	Erosion Control Measures	X		
	Maine Construction General Permit			
	Bonding and Inspection Fees			
	Post-Construction Stormwater Plan			
	Inspection/monitoring requirements			
Lighting Plan		<i>Applicant</i>	<i>Staff</i>	
	Full cut-off fixtures			
	Meets Parking Lot Requirements			
Traffic Information		<i>Applicant</i>	<i>Staff</i>	
	Access Management			
	Signage			
	PCE - Trips in Peak Hour			

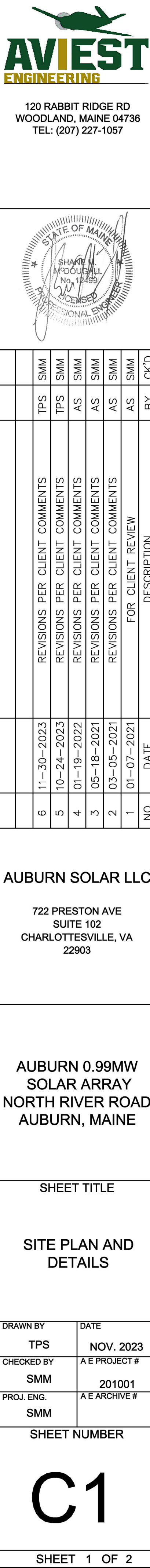
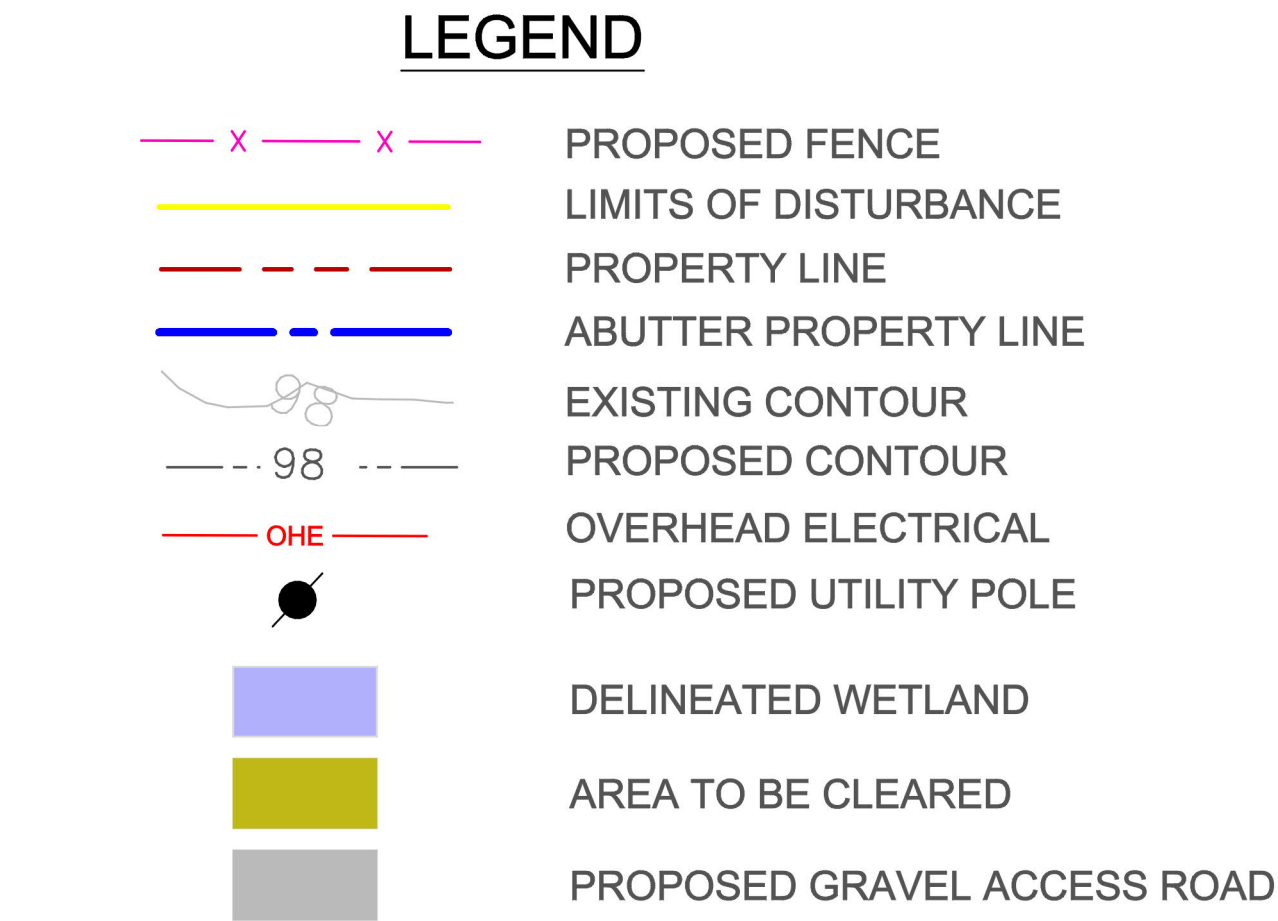
<i>Required Information</i>		<i>Check when Submitted</i>		<i>Applicable Ordinance</i>
	Vehicular Movements			
	Safety Concerns			
	Pedestrian Circulation			
	Police Traffic			
	Engineering Traffic			
Utility Plan		<i>Applicant</i>	<i>Staff</i>	
	Water			
	Adequacy of Water Supply			
	Water main extension agreement			
	Sewer			
	Available city capacity			
	Electric			
	Natural Gas			
	Cable/Phone			
Natural Resources		<i>Applicant</i>	<i>Staff</i>	
	Shoreland Zone			
	Flood Plain			
	Wetlands or Streams	X		
	Urban Impaired Stream			
	Phosphorus Check			
	Aquifer/Groundwater Protection			
	Applicable State Permits			
	Lake Auburn Watershed			
	Taylor Pond Watershed			
Right, Title or Interest		<i>Applicant</i>	<i>Staff</i>	
	Verify			
	Document Existing Easements, Covenants, etc.			

<i>Required Information</i>		<i>Check when Submitted</i>		<i>Applicable Ordinance</i>
Technical & Financial Capacity		<i>Applicant</i>	<i>Staff</i>	
	Cost Est./Financial Capacity			
	Performance Guarantee			
State Subdivision Law		<i>Applicant</i>	<i>Staff</i>	
	Verify/Check			
	Covenants/Deed Restrictions			
	Offers of Conveyance to City			
	Association Documents			
	Location of Proposed Streets & Sidewalks			
	Proposed Lot Lines, etc.			
	Data to Determine Lots, etc.			
	Subdivision Lots/Blocks			
	Specified Dedication of Land			
Additional Subdivision Standards		<i>Applicant</i>	<i>Staff</i>	
	Mobile Home Parks			
	PUD			
A JPEG or PDF of the proposed site plan		<i>Applicant</i>	<i>Staff</i>	
		X		
Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving				

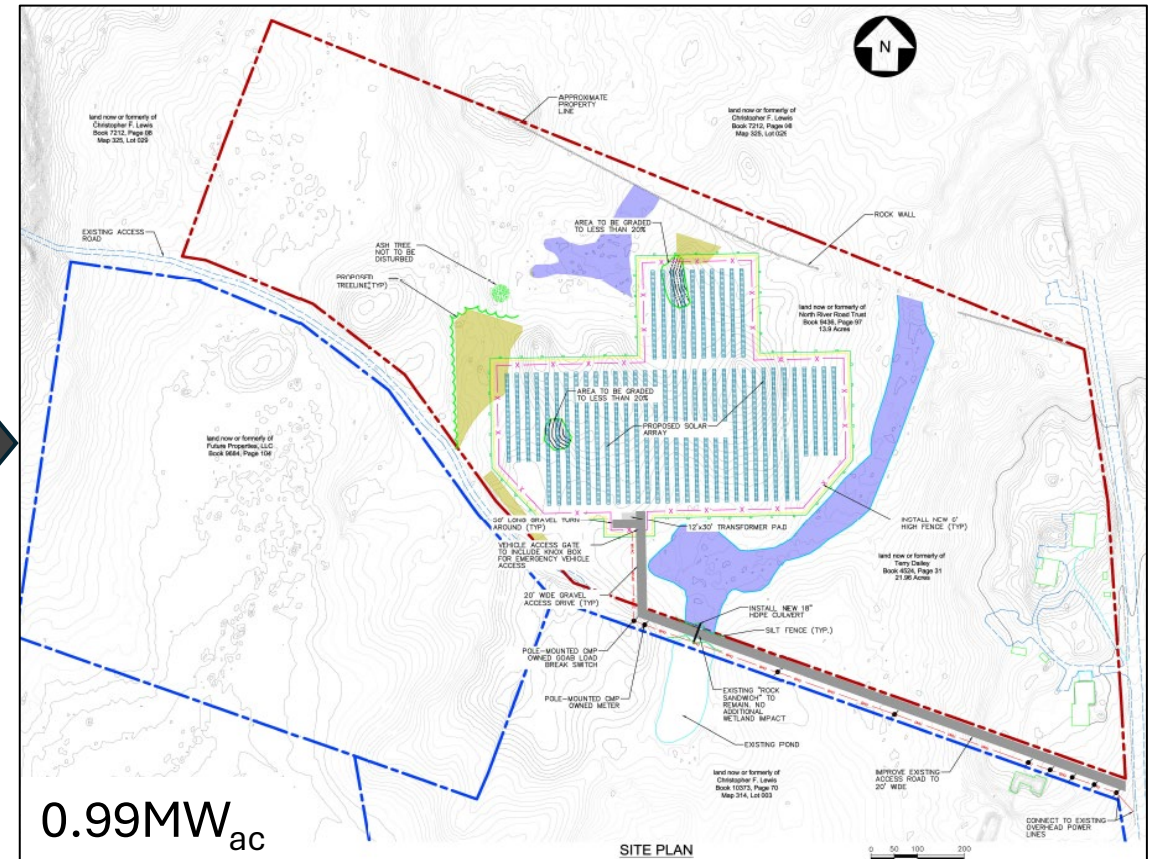
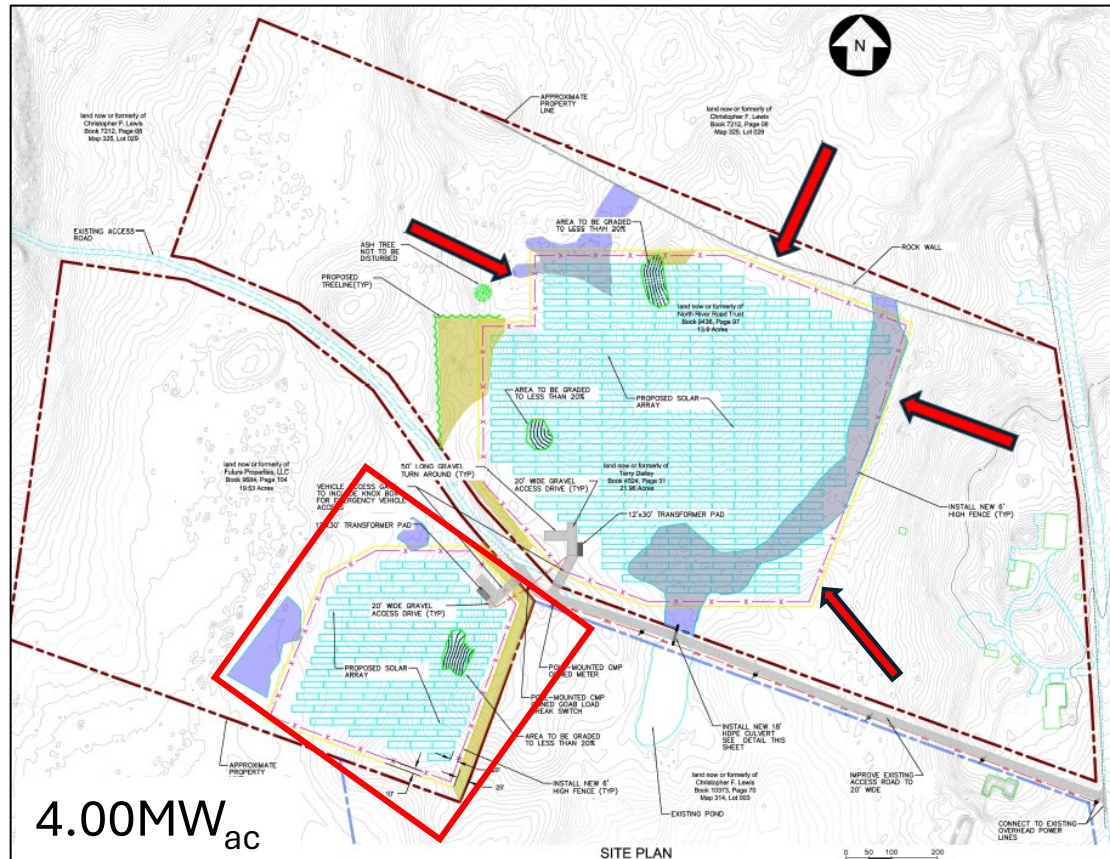


- 1. PROPOSED GRADES:** THE SOLAR ARRAY PROPOSED GRADES SHALL GENERALLY FOLLOW EXISTING GRADES AND LINES OF THE PROPERTY. MINOR AREAS OF EXCAVATION AND FILL WILL BE REQUIRED FOR CONSTRUCTION OF THE ARRAY. FINAL PANEL LAYOUT AND GRADING SHALL BE SUPPLIED BY THE EPC CONTRACTOR.
- 2. CONTRACTOR'S TEMPORARY HAUL ROUTES:** THE EXACT LOCATION OF THE CONTRACTOR'S TEMPORARY EQUIPMENT ACCESS / HAUL ROUTES SHALL BE DETERMINED IN THE FIELD BY THE OWNER AND THE RESIDENT ENGINEER. ACCESS ROUTE PASS ONTO PUBLIC STREETS, HAUL ROADS SHALL BE MAINTAINED DAILY. HAUL ROADS AND OTHER DISTURBED AREAS SHALL BE FULLY RESTORED IN ACCORDANCE WITH THE CONTRACT SPECIAL PROVISIONS AND IS CONSIDERED INCIDENTAL TO THE PROJECT. ANY DAMAGE TO PUBLIC ROADS SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER OR TOWN.
- 3. CONTRACTOR STAGING AREA:** THE LOCATION OF ALL CONTRACTOR STAGING AREA(S) AND MATERIAL STOCKPILE AREA(S) SHALL BE APPROVED IN ADVANCE BY THE ENGINEER. STAGING AREAS SHALL BE RESTORED TO THEIR ORIGINAL CONDITIONS AND RESTORATION SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT.
- 4. DEBRIS AND DUST CONTROL:** THE CONTRACTOR SHALL STRICTLY CONTROL DEBRIS AND LITTER AT THE WORKSITE. MUD, STONES OR OTHER DEBRIS RESULTING FROM CONSTRUCTION OPERATIONS SHALL BE PROMPTLY AND COMPLETELY REMOVED FROM PAVEMENTS AS NEEDED. DEBRIS AND DUST CONTROL SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT
- 5. BURIED UTILITIES:** THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL BURIED UTILITIES PRIOR TO ANY EXCAVATION. ANY DAMAGE TO SUCH UTILITIES BY THE CONTRACTOR SHALL BE REPAIRED/REPLACED IMMEDIATELY BY THE CONTRACTOR TO THE SATISFACTION OF THE ENGINEER AT NO ADDITIONAL COST TO THE OWNER.
- 6. WETLANDS:** THERE WILL BE NO WETLAND ALTERATION (DIRECT OR INDIRECT) AS A RESULT OF THIS PROJECT

HORIZONTAL GRAPHIC SCALE



Auburn Solar Site Plan Comparison



The Auburn Solar site plan has been revised to reflect the generation downsize to 0.99MW_{ac}. The revisions include, but are not limited to, the removal of the southern parcel and the reduction of the solar array footprint, thoughtfully designed to avoid delineated wetlands.