



City of Auburn, Maine

Department of Planning and
Permitting

60 Court Street, Auburn, Maine
04210

www.auburnmaine.gov
207.333.6601

March 09, 2021

Applicant:

Auburn Solar, LLC
C/O Scott Remer
722 Preston Ave, Suite 102
Charlottesville, VA 22903

Re: Proposed 18 acre, 4MW solar array at 1054 North River Road (PIDs: 325-030, 326-001 and 326-001-001), Auburn Solar, LLC on a parcel located in the Agriculture and Resource Protection Zoning District.

Dear Mr. Remer,

This letter is to notify you that approval for your application for an 18 acre, 4MW solar array at 1054 North River Road was approved by the Auburn Planning Board at their March 9, 2021 meeting, reviewed exhibits include:

Exhibit A: Site Plan and Details, Auburn 4MW Solar Array, North River Road, Auburn, Maine, Sheets C-1, C-2, Dated December 2020 and most recently revised 1/7/21.

Exhibit B: Special Exception Application Package prepared by Scott Remer, Re: Auburn Solar, LLC, Dated 01/28/21.

Exhibit C: Auburn Development Review Application Revised Responses, Dated 02/10/21.

Exhibit D: Auburn Solar: Vegetation Management Plan, Dated March 2021.

Exhibit E: Hexagon Solar Soils Response prepared by J. Scott Remer, Dated 03/01/21.

Exhibit F: Auburn Staff Report Cover Letter prepared by J. Scott Remer, Dated 03/04/21.

Exhibit G: Abutter Letter from Maurice Keene re: Solar Special Exception, Dated 03/05/21.

Exhibit H: Site Plan and Details, Auburn 4MW Solar Array, North River Road, Auburn, Maine, Sheets C-1, C-2, Dated December 2020 and most recently revised 3/5/21.

Exhibit I: Auburn Solar Viewshed Analysis, Submitted 03/08/21.

Exhibit J: Staff Report from Megan Norwood, City Planner to the Auburn Planning Board re: Proposed 18 acre, 4MW solar array at 1054 North River Road (PIDs 325-030, 326-001 and 326-001-001), Auburn Solar, LLC on a parcel located in the Agriculture and Resource Protection Zoning District, Dated 03/09/21.

Exhibit K: Survey Plan prepared for Hexagon Solar by Keith E. Blanchard, Professional Land Surveyor.

Findings: The Planning Board approved the project with the following findings:

A. Site Plan Review, Section 60-1277:

1. Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration; and preservation of light and air;
2. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas;
3. Adequacy of the methods of disposal for wastes; and
4. Protection of environment features on the site and in adjacent areas.

B. Special Exception, Section 60-1336:

1. That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.
2. That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.
3. That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.
4. That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.
5. That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.
6. That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.
7. That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.

C. Special Exception, Section 60-145(b)(18): Ground-Mounted and Dual-Use Solar Energy Generating Systems greater than one acre in total land area as defined in Sec. 60-1425, subject to the following conditions:

- a. Must comply with the provisions of Article XVIII under this chapter;
- b. Setbacks, including appurtenant structures and parking areas, shall be subject to the following yard requirements:
 1. *Rear*. There shall be behind every structure associated with a Solar Energy Generating System a rear yard having a minimum depth of 25 feet.
 2. *Side*. There shall be a minimum distance of 15 feet between any structure associated with a Solar Energy Generating System and the side property line.
 3. *Front*. There shall be in front of every structure associated with a Solar Energy Generating System a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- c. Lot coverage shall not exceed 30%, as defined under Sec. 60-1430(a)(II).
- d. *Total Land Area*. Once one percent of the Agriculture and Resource Protection District has been developed into Solar Energy Generating Systems, the Planning Board must find that any additional proposed Solar Energy Generating Systems will not materially alter the stability of the overall land use pattern of the Agriculture and Resource Protection District. In making this determination, the Planning Board shall consider the overall effect of existing and potential Solar Energy Generating Systems and if it will be more difficult for existing farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights, or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the surrounding area. The Planning Board shall request an assessment of the proposed project based on Sec. 60-145(b)(18)(d) by the Agriculture Committee and, if located in the Resource Protection District, the Conservation Commission and carefully consider their recommendations.



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- e. All applications shall consider the location of existing grid infrastructure and plan to limit the need to extend the amenities for optimal efficiency.
- f. If a Solar Energy Generating System is proposed on forestland in the Agriculture and Resource Protection District, on a parcel adjacent to prime farmland or land currently used for farming, clearing of forestland or the use of prime farmland may be permitted under the following conditions:
 - 1. The presence of the Solar Energy Generating System will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property or abutting properties.
 - 2. At the time of decommissioning of any Solar Energy Generating System approved by the Planning Board, the current sitting Planning Board shall review the site and proposed decommissioning plan for the conversion of the parcel into prime farmland or forestland, as applicable under the current ordinance standards.
 - 3. A survey of critical wildlife habitat is provided at the time of application, if a project is located in an area determined to be essential habitat, as defined by the Maine Department of Inland Fisheries and Wildlife, an IF&W recommendation shall be secured before a Planning Board ruling.
 - 4. A Vegetative Cover Plan is provided that demonstrates, where feasible, the replanting of forested areas disturbed during construction and preservation of prime soils throughout the life of the project.
- g. *Prime Soils.* All Solar Energy Generating Systems proposed in the Agriculture and Resource Protection District shall include a soil analysis. Such analysis shall demonstrate if the site proposed for development contains prime farmland as defined by the United States Department of Agriculture (USDA). Least productive agricultural soils shall be considered first for development unless it can be demonstrated to the Planning Board that:
 - 1. Non-prime farmland is not reasonably available on the subject property;
- h. All applications for Solar Energy Generating Systems in the Agriculture and Resource Protection District shall be subject to the following provisions:
 - 1. Siting of the overall facility and individual panels shall keep with the existing contours of the land, and
 - 2. Only pile driven, or ballast block footing shall be used so as to minimize the disturbance of soils during installation, and
 - 3. To the extent possible, infrastructure shall not be located on steep slopes, and
 - 4. A plan for topsoil maintenance shall be provided at the time of application to the Planning Board.
- i. All Operations and Maintenance Plans shall also include:
 - 1. A plan prioritizing the ability to co-mingle agricultural and energy generation land uses including but not limited to: apiaries, grazing or handpicked crops.
 - 2. A plan that provides habitat for native plants and animals and native pollinators.

This approval is granted based on the following **Conditions** being met:

- 1. All bonding and inspection fees shall be paid and a notice to proceed issued by the Engineering Department before the start of construction.

2. An Addressing Plan shall be provided for the area of the property that will be used for the solar project.
3. The removal of all subterranean and ground cable shall be added to the decommissioning plan.
4. The access road width shown on the site plan may be reduced to 15-feet upon written recommendation by the Auburn Fire Department.
5. No blasting shall be used to remove material or disturb areas of the site.

Megan Norwood

Megan Norwood, City Planner

C: File