



City of Auburn, Maine

Office of Planning & Permitting

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Auburn Planning Board

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Subject: Staff Report on Expirations of Project Approvals

- I. Workshop:** Approval Expirations- Consider extension of one and two-year approvals for development projects (solar and other projects)
- II. Background:** The purpose of this workshop is to explore whether Sec. 60-1308 Expiration of Approval, which limits applicants to a single one-year extension, should be amended to account for the many projects that are experiencing delays, especially solar energy generating projects.

Since 2022, The City of Auburn has approved several extension requests including four solar energy generating systems. Among these systems are one on Lewiston Junction Road, a second on North River Road, a third on East Waterman Road, and a fourth on North River Road. Residential and commercial projects have also requested extensions. Among these are a warehouse project on Center Street and an apartment complex on Brickyard Circle off of Washington Street South. Applicants have commonly requested extensions for solar energy generating systems include due to delays in solidifying the interconnection agreement with CMP among other reasons. Applicants have also requested extensions for residential and commercial developments due to, among other reasons, increasingly prohibitive building and operating costs.

***Sec. 60-1308. - Expiration of approval.** Approval of a site plan shall expire one year after the date of approval unless all building permits have been obtained to begin construction in accordance with the approved site plan. If a development is contested with litigation, the approval period of this section shall not commence until a final court judgment is issued or until the litigation has been dismissed with prejudice. This provision shall apply retroactively to all projects approved after January 1, 2007. Any site plan that contains a phase concept approved by the planning board shall not be required to obtain all building permits within the time sequence established for completion of each phase. No building permits or other permits shall be issued until all improvements are substantially completed for the preceding phase. A single one-year extension may be given upon a showing of good cause in writing by the applicant to the planning board not less than 30 days before the expiration of approval of his existing plan. The planning board shall approve or disapprove the requested extension at its next regular meeting.*

- III. Planning Board Action:** Discuss the topic above and give staff direction on whether to extend the time period for which planning board approvals are effective, or whether to allow additional extension requests. Staff suggest that the Board consider expirations of varying types of projects, including solar energy generating systems, residential and commercial development. If the Board finds a need for an extension to amendment otherwise, staff recommends the Board initiate a text amendment accordingly.