



August 8, 2017

## FINDINGS FOR APPROVAL OF 62 SPRING STREET PROJECT

The Auburn Planning Board APPROVES the mixed use, 41 unit apartment project for a Special Exception, Site Plan Review and Subdivision application with the following findings:

1. The application meets the 7 conditions of **Sec. 60-1336 Special Exception** as approved by the Planning Board at its August 9, 2016 meeting.
2. The application meets the 4 Objectives of **Sec. 60-1277 Site Plan Law** as approved by the Planning Board at its August 9, 2016 meeting.
3. The application meets the intent and purpose of the Form Based Code Ordinance Section 60-546 Purpose, as approved by the Planning Board at its August 9, 2016 meeting.
4. The application substantially meets the requirements of Sections 60-550 T 5.1 Downtown City Center, 550.1 Building Placement and Configuration, 550.2 Building Frontages and 550.3 External Elements as approved by the Planning Board at its August 9, 2016 meeting.
5. The Planning Board further approved waiver requests at its August 9, 2016 meeting of the following Form Based Code requirements:
  - a) Frontage Build-out (75%) - Proposed build-out is 170' vs. 219' on existing lot. The property at 62 Spring Street is an existing lot and the project was previously approved by the Planning Board.
  - b) Lot Width- Maximum is 160'; applicant's lot is a pre-existing lot of 292'.
  - c) Building Width 150' Maximum- Applicant proposes a 170' building on a larger, pre-existing lot of 292 feet in width.
  - d) Driveway Width- 20' Maximum- Applicant proposes 24'. The applicant's proposed 24' wide driveway is of a reasonable width.
  - e) Parking Location- 60' width or 40% of lot width- Proposal has two 60' wide parking areas and a total parking width of 41%. The applicant previously had under the building, ground floor parking and has changed the plan to 2 surface parking areas. Both parking areas are located on the sides not the front of the building, which meets the intent of the Form Based Code.
6. The application meets the Subdivision Guidelines, 1 through 15 in Chapter 60, Section 1339 of the Auburn Code of Ordinances.

### The Project

1. Will not result in undue water, air or noise pollution. In making this determination it shall at least consider:
  - a) The elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal;
  - b) The slope of the land and its effect on effluents;
  - c) The availability of streams for disposal of effluents; and
  - d) d.) The applicable state and local health and water resources regulations, including stormwater management requirements in accordance with section 60-1301(14); **The site plan has adequately addressed water, air and noise pollution concerns.**

- 2.) Has sufficient water available for the reasonably foreseeable needs of the subdivision; **The project has adequate capacity for city water.**
  - 3.) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized; **The project has adequate capacity for city water.**
  - 4.) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result; **The project will not result in soil erosion.**
  - 5.) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed; **The project will not cause unreasonable traffic congestion.**
  - 6.) Will provide for adequate sewage waste disposal; **The project has adequate sanitary sewer capacity.**
  - 7.) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized; **The project will have adequate city solid waste service.**
  - 8.) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas; **The project meets the requirements of the T-5.1 Traditional Downtown Center Form Based Code regulations and will not cause undue adverse impacts on the surrounding area.**
  - 9.) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any; **The subdivision and site plan is in compliance with Chapter 60 of the Auburn Code of Ordinance.**
  - 10.) Is funded by a subdivider has adequate financial and technical capacity to meet the standards of this section; **The applicant has provided documentation of financial capacity to meet the standards of this section.**
  - 11.) Will not adversely affect the character of the surrounding neighborhood and will not tend to depreciate the value of property adjoining the neighboring property under application; **The subdivision and site plan as presented will not adversely affect the character of the surrounding neighborhood nor depreciate the adjoining property values.**
  - 12.) Has provisions for onsite landscaping that are adequate to screen neighboring properties from unsightly features of the development; **The project site plan provides adequate screening and landscaping.**
  - 13.) Will not create a fire hazard and has provided adequate access to the site for emergency vehicles; **The project has been reviewed and endorsed by the Fire and Police Departments.**
  - 14.) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater; **The project adequately addresses on-site storm water and will not affect groundwater.**
  - 15.) Does not have long-term cumulative effects of the proposed subdivision will that unreasonably increase a great pond phosphorus concentration during the construction phase and life of the proposed subdivision. **Project is not located on a great pond.**
7. The application meets the requirements of *30-A, M.R.S.A. § 4404*. Review Criteria.

APPROVED subject to the following conditions:

1. No development activity shall occur until bonding and inspection fees are determined by the Division of Engineering.

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Daniel Philbrick  
Planning Board Chairman

C: File