



# City of Auburn, Maine

Office of Planning and Permitting

60 Court Street, Auburn, Maine 04210

www.auburnmaine.gov 207.333.6601

April 14, 2021

**Applicant:**

Kittyhawk Property Development, LLC  
25 Braintree Hill Office Park, Ste. 305  
Braintree, MA 02184

**Agent:**

Mike Gotto – Stoneybrook Land Use, Inc.  
4846 Sun City Center Blvd., #300  
Sun City Center, FL 33573

Re: Proposed Commercial Subdivision (Auburn Commerce Center) Consisting of 3 Lots Totaling Approximately 30 Acres and a 680-Foot Street from Harriman Drive into the Parcel Located on Kittyhawk Avenue (PID: 108-001) in the General Business Zoning District.

Dear Mr. Gotto,

This letter is to notify you that approval for your Commercial Subdivision application, on behalf of Kittyhawk Property Development, LLC was granted by the Auburn Planning Board at their April 13, 2021 meeting with the following findings and conditions:

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

A. Subdivision, Section 60-1359:

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 steams for disposal of effluents; and
  - d. The applicable state and local health and water resources regulations, including stormwater management requirements in accordance with section 60-1301(14).
2. Has sufficient water available for the reasonably foreseeable needs of the subdivision;
3. Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;
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;
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;
6. Will provide for adequate sewage waste disposal;
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;
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;
9. Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any;
10. Is funded by a subdivider which has adequate financial and technical 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;

12. Has provisions for on-site landscaping that are adequate to screen neighboring properties from unsightly features of the development;
13. Will not create a fire hazard and has provided adequate access to the site for emergency vehicles;
14. Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;
15. Does not have long-term cumulative effects of the proposed subdivision that unreasonably increase a great pond phosphorus concentration during the construction phase and life of the proposed subdivision.

B. Sec. 60-1365. General Subdivision Requirements:

1. *Subdivision plan shall conform to the comprehensive plan.* Any proposed subdivision shall be in conformity with the comprehensive plan of the city and with the provisions of all pertinent state and local codes and ordinances.
2. Preservation of natural and historic features. The board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible.
3. Lots. A. The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. B. Depth and width of properties reserved or laid out for all purposes shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated. C. No person shall make a subdivision within the City unless all lots of the proposed subdivision have frontage, as regulated by the zoning ordinance, upon a way granting legal access.

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

1. The Applicant shall obtain all applicable State and Local permits before the issuance of a building permit;
2. Bonding and inspection fees must be approved and paid and a notice to proceed obtained from the City Engineer;
3. The Addressing Plan shall be approved by the Addressing Officer before the issuance of a building permit;
4. Once documentation is finalized at DOT to move the Control of Access serving the property from its current location to align with the existing location of Harriman Drive, it shall be submitted to the City to be included in the file.
5. Once uses have been identified for the proposed lots, peak hour trip generation shall be monitored, if it exceeds 100 peak hour trips, a Traffic Movement Permit shall be secured.
6. As each lot is developed, the perspective applicant shall be required to conduct a left-turn land warrant assessment to determine if predicted traffic conditions warrant the construction of a dedicated left-turn lane on the westbound Kittyhawk Avenue approach.

Megan Norwood

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Megan Norwood, City Planner  
C: File