

City of Augusta, Maine
DEPARTMENT OF DEVELOPMENT SERVICES

AUGUSTA STATE AIRPORT
CODE ENFORCEMENT
ECONOMIC DEVELOPMENT



ENGINEERING
FACILITIES & SYSTEMS
PLANNING

MEMORANDUM

TO: Planning Board

FROM: Matthew Nazar, Director of Development Services
and Susan Redmond, Assistant Planner

DATE: April 2, 2014

RE: Greater Augusta Utility District - water tank

SUMMARY OF REQUEST

Request: The request is for a Minor Development review as per Section 4.5. The applicant proposes to remove two water tanks on Malta Hill and replace them with one water tank.

Owner: Greater Augusta Utility District, City of Augusta

Applicant: Greater Augusta Utility District

Location: Haskell Street

Zoning: Low Density Residential (RA) District

Tax Map Number: Map 46, Lot 3B

Existing Land Use: Minor Municipal or Public Utilities / Communication Facilities

Proposed Land Use: Minor Municipal or Public Utilities / Communication Facilities

Acreage: 3.94 acres (Map 46, Lot 3B)

SUMMARY OF SUBMITTAL PACKAGE

In the submittal package the applicant has provided the Planning Board with the following items:

1. Development Review Application Form
2. Narrative
3. Deeds
4. Site Plans

5. Narrative addendum

Areas of Concern

There are no areas of concern.

Waivers

There are no waiver requests.

Staff Review

The Bureau of Engineering does not have any concerns.

The Bureau of Code Enforcement does not have any concerns.

The Bureau of Planning does not have any concerns.

Lot Characteristics

Setbacks – The tower is a principal structure and has a ten (10) foot setback. The District will be acquiring property from the City parcel which is adjacent. There will be over a ten (10) foot setback once that additional land is acquired.

**CRITERIA FOR REVIEW OF A MINOR DEVELOPMENT
(Section 4.5 of the LUO; includes Section 6.3.4, Conditional Use Review)**

Neighborhood Compatibility (Section 6.3.4(1) of the LUO)

- a) *Land Use/ Visual Integrity:*
 - a. *Land Uses:* The applicant proposes to replace two tanks with one tank.
 - b. *Architectural Design:* A water tank is proposed. This is not applicable.
 - c. *Scale, Bulk, Building Height:* Each of the existing tanks is 81.5 feet in diameter and about 50 feet high. The proposed tank is slightly larger in diameter than one of the existing tanks and is about 64 feet high. The new tank will be located approximately where the eastern tank is currently located. As viewed from the end of Haskell Street, the new tank will not be visible above the tree line. As viewed from Malta Street, the new tank is not expected to be visible above the tree line. The cell phone tower, which is on the same parcel as the water tanks, is visible above the tree line as viewed from both Haskell Street and Malta Street.
 - d. *Identity, Historical Character:* Two tanks would be replaced by one tank. There would be no change to the identity or historical character of the neighborhood.
 - e. *Disposition and Orientation:* The new tank would be located approximately where the existing eastern tank is located.
 - f. *Visual Integrity:* The proposed tank will be approximately 14 feet higher than the existing tank.

- b) *Privacy*: There are residences on Haskell Street, Cony Street, and Malta Street. The proposed tank will be located where the eastern tank is now located. No change to the privacy of the residents is anticipated.
- c) *Safety and Health*: The current tanks have lead paint on them. The proposal will improve safe and healthful conditions in the neighborhood.
- d) *Property Values*: The proposal will not have a detrimental effect on the value of adjacent properties.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Neighborhood Compatibility.

Plans and Policies (Section 6.3.4(2) of the LUO)

The proposal is in compliance with the 2007 Comprehensive Plan.

Staff recommends that the Board find that the proposal is in accordance with the 2007 Comprehensive Plan.

Traffic Pattern, Flow and Volume (Section 6.3.4(3) of the LUO)

- a) *Additional Traffic*: There will be some temporary construction traffic. Once the project is complete, the amount of traffic will be similar to the existing traffic to the site.
- b) *Safe Access*: No change is proposed to the access.
- c) *Emergency*: Fire is not a concern as the project is a water tank. There will be a new fence around the water tank for security.
- d) *Movement/Parking*: The access road provides access to the site and vehicles can be parked on the access road.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Traffic Pattern, Flow and Volume.

Public Facilities (Section 6.3.4(4) of the LUO)

- a) *Water Supply*: Water is stored at the site.
- b) *Sanitary/Sewer/Subsurface Waste Disposal*: No wastewater is produced at the site.
- c) *Electricity/Telephone*: The project will not require an extension of electric power.
- d) *Storm Drainage*: There will be a reduction in the amount of impervious area. Storm water rates of runoff will not increase.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Stormwater.

Resource Protection and Environment (Section 6.3.4(5) of the LUO)

- a) *Sensitive Areas*: There are no sensitive areas on the site.
- b) *Air Quality*: The proposal complies with air quality standards.
- c) *Water Quality*: The proposal complies with water quality standards.

- d) *Sewage/Industrial Waste*: No waste water will be produced. No industrial waste is proposed.
- e) *Shoreland/Wetland Districts*: The project is not in the Shoreland Zone. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Resource Protection and Environment.

Performance Standards (Section 6.3.4(6) of the LUO)

- a) *Performance and Dimensional Standards*: The project meets the performance standards. The project will meet the performance standards once the District acquires a portion of City's land which is adjacent (10 foot setback).
- b) *Noise*: Noise is not a concern.
- c) *Glare/Heat*: No glare or heat is proposed.
- d) *Exterior Lighting*: No new exterior lighting is proposed.
- e) *Screening*: There is a wooded area that will be around some of the tank.
- f) *Signage*: No signage is proposed.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Performance Standards

Financial and Technical Ability (Section 6.3.4(7) of the LUO)

The District has the financial capacity to comply with the ordinance. Wright-Pierce, the agent, has the technical capacity to comply with the ordinance.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Financial and Technical Ability.

Pollution (Section 4.4.1.1 of the LUO)

- a) *Floodplain*: The tank will be at the top of a hill. It is not located in the floodplain.
- b) *Ability of Soils to support waste disposal*: No wastewater is proposed. Not applicable.
- c) *Slopes effect on effluents*: No effluents are proposed. Not applicable.
- d) *Streams for disposal of effluents*: No effluents are proposed. Not applicable.
- e) *Applicable health and water resource rules*: No waste water is proposed. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding pollution.

Sufficient Water (Section 4.4.1.2 of the LUO)

The project is for water storage. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding sufficient water.

Municipal Water Supply (Section 4.4.1.3 of the LUO)

The project is for water storage. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding municipal water supply.

Soil Erosion (Section 4.4.1.4 of the LUO)

An erosion control plan is included.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding soil erosion.

Highway or Public Road Congestion (Section 4.4.1.5 of the LUO)

See the Traffic Pattern, Flow and Volume section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding highway or public road congestion.

Sewage Waste and Municipal Solid Waste Disposal (Sections 4.4.1.6 and 4.4.1.7) of the LUO)

No sewage is proposed. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding sewage waste and municipal solid waste disposal.

Aesthetic, Cultural, and Natural Values (Section 4.4.1.8 of the LUO)

The proposal will not have an adverse impact on aesthetic, cultural or natural values.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Aesthetic, Cultural, and Natural Values.

Conformity with City Ordinances and Plans (Section 4.4.1.9 of the LUO)

See the Plans and Policies and Performance Standards sections.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding city ordinances and plans.

Financial and Technical Ability (Section 4.4.1(10) of the LUO)

See the Financial and Technical Ability section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding financial and technical ability.

Surface Waters; Outstanding River Segments (Section 4.4.1(11) of the LUO)

The project is not located within the watershed of a pond or lake or within two hundred fifty (250) feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, Article 2-B. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Surface Waters; Outstanding River Segments.

Ground Water (Section 4.4.1(12) of the LUO)

The project will not adversely affect the quality or quantity of groundwater.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding ground water.

Flood Areas (Section 4.4.1(13) of the LUO)

The project is not in the 100 year floodplain.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding flood areas.

Freshwater Wetlands (Section 4.4.1(14) of the LUO)

There are no wetlands on the site.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding freshwater wetlands.

River, Stream, or Brook ((Section 4.4.1(15) of the LUO)

There is no river, stream, or brook on the site.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding rivers, streams, or brooks.

Stormwater (Section 4.4.1(16) of the LUO)

The proposal provides for stormwater management.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding stormwater.

Access to Direct Sunlight (Section 4.4.1(17) of the LUO)

The new tower will be about 14 feet higher than the existing towers. It will cast a longer shadow. The closest structure to the water tower is the Spectrum Communication facility (cell tower) which is on a portion of the property owned by the District. The water tower may cast a shadow on the Spectrum Communications facility. The water tower will not impact the Spectrum Communication facility.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding direct sunlight.

Title 38 M.R.S.A. Section 484, Chapters 371 and 373-377 (Section 4.4.1(18) of the LUO)

The Site Location of Development Law does not regulate the project. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Title 38 M.R.S.A. Section 484, Chapters 371 and 373-377.

Spaghetti-Lots Prohibited (Section 4.4.1(19) of the LUO)

A subdivision is not proposed. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding spaghetti-lots.

Outdoor Lighting (Section 4.4.1(20) of the LUO)

No new outdoor lighting is proposed. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding outdoor lighting.