

**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:** August 6, 2014

**RE:** **Brent Larrabee; 2110 North Belfast Avenue**

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**SUMMARY OF REQUEST**

**Request:** The request is for a Conditional Use Review as per Section 6.3. The applicant proposes to change a nonconforming use to another nonconforming use. The current use is personal services and the proposed use is automobile business.

**Owner:** John C. Ramsay

**Applicant:** Brent Larrabee

**Location:** 2110 North Belfast Avenue

**Zoning:** Low Density Residential (RA) District

**Tax Map Number:** Map 47, Lot 23A

**Existing Land Use:** Personal Services

**Proposed Lane Use:** Automobile business

**Acreage:** 0.3

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**SUMMARY OF SUBMITTAL PACKAGE**

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

1. Conditional Use Application form
2. Narrative
3. Letter from the owner
4. Site Plan

## Areas of Concern

The Planning Board needs to consider whether the proposed use will have an equal or lesser impact on the neighborhood than the current use. The Planning Board may approve the use, provided that it has an equal or lesser impact.

Staff recommends that the Board discuss neighborhood compatibility in more detail with the applicant relative to the compatibility of the current use vs. the proposed use.

Staff recommends that the Board discuss the proposal in the context of North Belfast Avenue in this area.

Staff recommends further discussion regarding traffic with the applicant and the City Engineer at the meeting.

Staff recommends that the Board require the applicant to:

1. Any exterior lights must be full cutoff. Any light trespass onto adjacent residential properties may not exceed 0.3 footcandles.

## Staff Review

**The Bureau of Engineering** does not have additional comments.

**The Bureau of Code Enforcement.** Gary Fuller, Code Enforcement Office, comments that he would expect the Planning Board to deny the proposal. In his opinion, an automobile business has a greater impact on a neighborhood than personal services.

**The Bureau of Planning** comments that the Planning Board needs to consider whether the proposed use will have an equal or lesser impact on the neighborhood than the current use. The Planning Board may approve the use, provided that it has an equal or lesser impact.

## Lot Characteristics

*Lot Size* - The minimum required lot size is 10,000 square feet. The existing lot is 13,068 square feet in size, which meets the standard.

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

a) *Land Use/ Visual Integrity:*

- a. *Land Uses:* The neighborhood is residential and is mostly comprised of single family homes.
- b. *Architectural Design:* No change is proposed.
- c. *Scale, Bulk, Building Height:* No change is proposed.
- d. *Identity, Historical Character:* The property has been used for commercial uses for a number of years. It was mostly recently used for personal services.
- e. *Disposition and Orientation:* No change is proposed.
- f. *Visual Integrity:* No change is proposed.

- b) *Privacy*: No changes to the site plan are proposed. No impact to the privacy of the residents is expected.
- c) *Safety and Health*: Lionel Cayer, City Engineer, comments that the lot is very small. It would not be desirable for customers to shop from North Belfast Avenue.
- d) *Property Values*: The proposal will not have a significant detrimental effect on the value of adjacent properties.

Staff recommends that the Board discuss neighborhood compatibility in more detail with the applicant relative to the compatibility of the current use vs. the proposed use.

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

The property is located in the Eastside Residential District which is described in the 2007 Comprehensive Plan. The area encompasses many of Augusta's traditional neighborhoods. The plan calls for preserving and protecting the neighborhoods in this area.

Staff recommends that the Board discuss the proposal in the context of North Belfast Avenue in this area.

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

- a) *Additional Traffic*: Any additional traffic generated is not expected to have a significant negative impact on the neighborhood.
- b) *Safe Access*: There are two curb cuts off North Belfast Avenue.
- c) *Emergency*: Chief Audette of Augusta Fire does not have concerns regarding emergency access.
- d) *Movement/Parking*: The site is very small (0.3 acres). Staff recommends further discussion regarding traffic with the applicant and the City Engineer at the meeting.

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

- a) *Water Supply*: The site is served by public water. Michael Morey of the Greater Augusta Utility District comments that he does not have any concerns regarding the proposal.
- b) *Sanitary/Sewer/Subsurface Waste Disposal*: The site is served by public sewer. Michael Morey of the Greater Augusta Utility District comments that he does not have any concerns regarding the proposal.
- c) *Electricity/Telephone*: There is electricity at the site.
- d) *Storm Drainage*: No change to stormwater is proposed.

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

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

- a) *Sensitive Areas*: A stream runs through the parcel. No site changes are proposed.
- b) *Air Quality*: The proposal conforms to air quality standards.
- c) *Water Quality*: The proposal conforms to water quality standards.
- d) *Sewage/Industrial Waste*: Sewage will be disposed of in the public sewer. The work on the vehicles will mostly take place off site.
- e) *Shoreland/Wetland Districts*: The stream on the site is in the shoreland zone. No site changes are proposed.

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 proposal complies with the performance and dimensional standards.
- b) *Noise*: Noise from an automobile business could be louder than noise from personal services.
- c) *Glare/Heat*: No excessive heat or glare is proposed.
- d) *Exterior Lighting*: The applicant indicates that there may be “one small spotlight”. Any new exterior lights must be full cutoff lights that meet the lighting standard.
- e) *Screening*: No new landscaping is proposed.
- f) *Signs*: No specific signs are proposed.

Staff recommends that the Board require the applicant to:

1. Any exterior lights must be full cutoff. Any light trespass onto adjacent residential properties may not exceed 0.3 footcandles.

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

The applicant has adequate technical and financial 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.