

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: March 4, 2015

RE: Elsie & William Viles Foundation

SUMMARY OF REQUEST

Request: The applicant proposes to construct a 27 space parking lot and modify the entrance / exit into the lot. The applicant proposes to change the use in the portion of the lot that is within the BP District to conference center, which is a conditional use. The request is for a Minor Development review as per Section 4.5 and a Conditional Use review as per Section 6.3.1.

Owner: Elsie & William Viles Foundation

Applicant: Elsie & William Viles Foundation

Location: 71 Stone Street

Zoning: Institutional/Business/Professional (BP) District

Tax Map Number: Map 10, Lot 31

Existing Land Use: Single family home

Proposed Land Use: Conference center

Acreage: 85 Acres

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. Deed
4. Agent authorization letter
5. Site Plan

Areas of Concern

State recommends that the Board require the applicant to:

1. Revise the site plan to add a note for the contractor to take care not to encroach into the State right of way with any grading work.
2. Submit a letter from the Greater Augusta Utility District which indicates that there is adequate water and sewer capacity for the proposed use.
3. Submit a letter from the Public Works Director which indicates that there is sufficient capacity at Hatch Hill for the solid waste.
4. Submit a letter from the Maine Historic Preservation Commission which indicates there will not be an impact on historic sites or archaeological resources.
5. Submit a letter from the Maine Department of Inland Fisheries & Wildlife which indicates there will not have an impact on significant wildlife habitat.

The application fee and the abutter notification fee have not been paid. The total amount due is \$376.72.

Waivers

The applicant requested a waiver from submitting a survey. The grading for the detention pond is close to the western property line. Lionel Cayer, City Engineer, located the MaineDOT right of way map and determined that the right of way on the State map agrees with the western property line shown on the site plan. He recommends that a note be added to the site plan for the contractor to take care not to encroach into the State right of way with any grading work.

Staff Review

The Bureau of Engineering does not have any additional comments.

The Bureau of Code Enforcement does not have any additional comments.

The Bureau of Planning comments that the application fee and the abutter notification fee have not been paid. The total amount due is \$376.72.

Lot Characteristics

Impervious Surface Ratio – The maximum allowed impervious surface ratio is .95. The proposed impervious surface ratio is less than .95 which meets the standard.

There are floor area ratio and maximum height standards. No change is proposed to the floor area or the height of the existing buildings. No new buildings are proposed.

**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:* To the south of the property, there are residences along Crooker Street and Fairview Avenue. The two lots that abut the west side of Stone Street and are to the south of the project have commercial uses. There are commercial uses on the opposite side of Stone Street. The State of Maine Judicial Department owns the property to the north of the site. The proposed conference center appears to be compatible with the neighborhood.
 - b. *Architectural Design:* No building changes are proposed. Not applicable.
 - c. *Scale, Bulk, Building Height:* No building changes are proposed. Not applicable.
 - d. *Identity, Historical Character:* The property was used for large gatherings when it was a residence. The proposed use would be similar to its past use.
 - e. *Disposition and Orientation:* No building changes are proposed. Not applicable.
 - f. *Visual Integrity:* There is a wooded area to the south and east of the proposed parking lot. There are a number of trees to the north of the buildings which are shown on the site plan. Additional plantings are proposed to the north and east of the parking lot. It appears that the use will be buffered by the existing and proposed vegetation.
- b) *Privacy:* The proposed parking lot is located close to the existing buildings and appears to be in the most practical location. It is located in an area that is closest to the residences along Crooker Street and Fairview Avenue. The existing wooded area and proposed plantings will buffer the parking lot.
- c) *Safety and Health:* The proposal will maintain safe and healthful conditions in the neighborhood.
- d) *Property Values:* The proposal is not expected to have a significant detrimental effect on the value of adjacent properties.

Staff recommends that the Board discuss whether the proposal is in accordance with Neighborhood Compatibility.

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

The proposal is in the Eastside Residential District which is described in the 2007 Comprehensive Plan. The plan calls for preserving and protecting neighborhoods. The property was used for large gatherings when it was a residence. The buffering will help separate the use from the nearby residences.

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:* The additional traffic will not have a significant negative impact on the neighborhood.
- b) *Safe Access:* The applicant proposes to widen the entrance by ten (10) feet, add radii for turning movements, and have a right turn only exit.
- c) *Emergency:* Lt. Freeman of the Augusta Fire Department does not have any concerns regarding emergency access.
- d) *Movement/Parking:* The entrance and parking system will provide for smooth and convenient movement of vehicles. The proposal satisfies the parking capacity requirements.

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:* The applicant proposes to use public water. Mike Morey of the Greater Augusta Utility District comments that the applicant will need to submit the estimated daily demand in gallons of water in order for him to confirm that there is adequate capacity in the water system.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* The applicant proposes to use the public sewer. Mike Morey of the Greater Augusta Utility District comments that the applicant will need to submit the estimated daily demand in gallons of water in order for him to confirm that there is adequate capacity in the sewer system.
- c) *Electricity/Telephone:* There is electric power and telephone service at the property.
- d) *Storm Drainage:* A detention pond is proposed to the south of the entrance/exit.

Staff recommends that the Board require the applicant to:

1. Submit a letter from the Greater Augusta Utility District which indicates that there is adequate water and sewer capacity for the proposed use.

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

- a) *Sensitive Areas:* The applicant proposes to alter 440 square feet of wetlands (350 sq. ft. for the parking lot, 90 sq. ft. for the detention pond).
- b) *Air Quality:* No air quality permits are required for the project.
- c) *Water Quality:* A Maine DEP permit is not required for water quality. An erosion and sedimentation plan is included in the application.
- d) *Sewage/Industrial Waste:* See the Public Facilities section regarding sewage. No industrial waste is proposed.
- e) *Shoreland/Wetland Districts:* The project is not in the shoreland zone.

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 is not a concern.
- c) *Glare/Heat*: No glare or heat is proposed.
- d) *Exterior Lighting*: No new exterior lights are proposed.
- e) *Screening*: A Bufferyard A is required between the parking lot and Stone Street and abutting land uses. The applicant proposes to meet the standard with the existing vegetation to the south and new plantings to the north and east.
- f) *Signage*: No new 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)

E. S. Coffin Engineering & Surveying has the technical ability to meet the terms of the ordinance.

The William and Elsie Viles Foundation treasurer submitted a letter which indicates the foundation has sufficient funds to construct the parking area.

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 property is not in the 100-year floodplain.
- b) *Ability of Soils to support waste disposal*: The applicant proposes to dispose of waste water in the public sewer.
- c) *Slopes effect on effluents*: The applicant proposes to dispose of waste water in the public sewer.
- d) *Streams for disposal of effluents*: The applicant proposes to dispose of waste water in the public sewer.
- e) *Applicable health and water resource rules*: The applicant proposes to dispose of waste water in the public sewer.

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)

See the Public Facilities section.

Municipal Water Supply (Section 4.4.1.3 of the LUO)

See the Public Facilities section.

Soil Erosion (Section 4.4.1.4 of the LUO)

The applicant submitted an erosion and sedimentation control plan.

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)

See the Public Facilities section regarding sewage waste. The applicant sent a letter to Lesley Jones, Public Works Director, to inquire whether there is sufficient capacity at Hatch Hill for the solid waste. The response is pending.

Staff recommends that the Board require the applicant to:

1. Submit a letter from the Public Works Director which indicates that there is sufficient capacity at Hatch Hill for the solid waste.

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

Don Cameron of the Maine Department of Agriculture, Conservation & Forestry comments that there are no known rare botanical features on the site. The applicant sent letters to the Maine Historic Preservation Commission and the Maine Department of Inland Fisheries & Wildlife to inquire about whether there are any resources in the area. Responses are pending.

Staff recommends that the Board require the applicant to:

1. Submit a letter from the Maine Historic Preservation Commission which indicates there will not be an impact on historic sites or archaeological resources.
2. Submit a letter from the Maine Department of Inland Fisheries & Wildlife which indicates there will not have an impact on significant wildlife habitat.

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 within 250 feet of one of these resources. 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 is not expected to negatively affect the quantity or quality 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)

See the Resource Protection and Environment section.

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)

The Maine DEP conducted a field determination and found that there is not a stream on the lot.

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)

See the Public Facilities section.

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 proposal will not block access to direct sunlight to any structures utilizing solar energy.

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 project is not regulated by the Site Location of Development Law. 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.

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