

**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 8, 2015

**RE:** **455 Riverside Drive**

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**SUMMARY OF REQUEST**

**Request:** The request is for a Conditional Use Review as per Section 6.3. The applicant requests a noise waiver for the Red Barn.

**Owner:** Red Barn, Inc.

**Applicant:** Laura Benedict

**Location:** 455 Riverside Drive

**Zoning:** Planned Development 2 District (PD2)

**Tax Map Number:** Map 49, Lot 13

**Existing Land Use:** Restaurant

**Proposed Land Use:** Restaurant

**Acreage:** 4.5 acres

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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. Deeds
4. Survey

## Areas of Concern

Rob Overton, Code Enforcement officer, comments that the bufferyards, which were associated the Planning Board approval on April 10, 2012, have not been installed. The bufferyards need to be installed.

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

## Waivers

The applicant requests a noise waiver as described in the Performance Standards section.

## Staff Review

**The Bureau of Engineering** does not have any concerns.

**The Bureau of Code Enforcement.** Rob Overton, Code Enforcement officer, comments that the bufferyards, which were associated the Planning Board approval on April 10, 2012, have not been installed. The bufferyards need to be installed.

**The Bureau of Planning** does not have any additional comments.

## Lot Characteristics

No change is proposed to the lot characteristics.

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

- a) *Land Use/ Visual Integrity:*
  - a. *Land Uses:* There are single family homes on the abutting lots to the north and south (Carrier, King).
  - b. *Architectural Design:* Not applicable.
  - c. *Scale, Bulk, Building Height:* Not applicable.
  - d. *Identity, Historical Character:* There are several residences in the immediate vicinity. The property is in a mixed use zone.
  - e. *Disposition and Orientation:* Not applicable.
  - f. *Visual Integrity:* Not applicable.
- b) *Privacy:* Not applicable.
- c) *Safety and Health:* The proposal is expected to 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 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 the North River Mixed Use District which is described in the 2007 Comprehensive Plan. As the name suggests, it is a mixed use district. The proposal is in an area of the district which has about an even mix of residential and non-residential uses.

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)**

Not applicable.

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)**

Not applicable.

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)**

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 applicant proposes to exceed the noise levels allowed in the ordinance.
- b) *Noise*: The applicant proposes to exceed the noise levels allowed in the ordinance.
- c) *Glare/Heat*: Not applicable.
- d) *Exterior Lighting*: Not applicable.
- e) *Screening*: Not applicable.
- f) *Signs*: Not applicable.

Staff recommends that the Board discuss whether the noise waiver request is acceptable.

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

Not applicable.

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