

**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:** 50 Albee Road

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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 install a foundation beneath a house.

**Owner:** Michael and Wendy Pelletier

**Applicant:** Michael and Wendy Pelletier

**Location:** 50 Albee Road

**Zoning:** Rural Ponds District (RPDS); Limited Residential (LR)

**Tax Map Number:** Map 71, Lot 18A

**Existing Land Use:** Residential

**Proposed Land Use:** Residential

**Acreage:** 0.37 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. Deed
4. Site Plan
5. Photographs

6. Revised narrative
7. Standard Flood Hazard Determination form

### **Areas of Concern**

The Planning Board needs to evaluate whether the building could be moved away from the lake so that it could meet the 100 foot setback from the normal high water line to the greatest extent possible given existing constraints. The Board needs to consider the location of vegetation, utilities, and other buildings.

### **Waivers**

No waivers are proposed.

### **Staff Review**

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

**The Bureau of Code Enforcement** does not have any concerns.

**The Bureau of Planning** comments that the Planning Board needs to evaluate whether the building could be moved away from the lake so that it could meet the 100 foot setback from the normal high water line to the greatest extent possible given existing constraints. The Board needs to consider the location of vegetation, utilities, and other buildings.

It seems reasonable for the house to remain where it is. The septic tank is in the way of moving the house back towards the garage. The lot is narrow and there is not room to move it away from the lake on another part of the property.

The elevation of the house will remain the same (see email from applicant). There will be no increase in volume within the 100 foot setback from the normal high water line.

### **Lot Characteristics**

The lot is an existing nonconforming lot.

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

- a) *Land Use/ Visual Integrity:*
  - a. *Land Uses:* No change is proposed.
  - b. *Architectural Design:* No change is proposed.
  - c. *Scale, Bulk, Building Height:* No change is proposed to the scale or bulk of the building. The building height may be raised slightly due to the new foundation.
  - d. *Identity, Historical Character:* The property is located on a developed shoreline on Togus Pond.

- e. *Disposition and Orientation*: No change is proposed to the disposition and orientation of the building.
- f. *Visual Integrity*: No change is proposed to visual integrity.
- b) *Privacy*: No change is proposed that will affect the privacy of the neighbors.
- c) *Safety and Health*: The proposal will maintain safe and healthful conditions.
- d) *Property Values*: The proposal will not have a significant detrimental impact 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 property is the Rural East District which is described in the 2007 Comprehensive Plan. The plan calls for minimizing new development along the lake shorelines.

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 amount of traffic will not change. Not applicable.
- b) *Safe Access*: No change is proposed to the access.
- c) *Emergency*: Lt. Freeman of the Augusta Fire Department does not have any concerns.
- d) *Movement/Parking*: No change is proposed to the driveway.

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*: There is a private well on the property. Not applicable.
- b) *Sanitary/Sewer/Subsurface Waste Disposal*: There is a septic system on the property. Not applicable.
- c) *Electricity/Telephone*: There is electric power at the property.
- d) *Storm Drainage*: No change is proposed to storm drainage.

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*: The property is located on the shore of Togus Pond.
- 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 is disposed of in the septic system. No industrial waste is proposed.

- e) *Shoreland/Wetland Districts:*
- i) *Safe and healthful conditions:* No change is proposed to safe and healthful conditions.
  - ii) *Pollution, erosion, sedimentation:* Erosion control devices are proposed.
  - iii) *Waste water:* Waste water is disposed of in the septic system.
  - iv) *Spawning grounds, fish aquatic life, bird, wildlife:* No impact is anticipated on fish, birds, or wildlife.
  - v) *Shore cover, access to inland and coastal waters:* No change is proposed to the buffer or access to the shoreline.
  - vi) *Archeological, historic resources:* No impact is proposed to archeological or historic resources.
  - vii) *Flood plain:* The house is located outside the 100 year floodplain.
  - viii) *Section 5.3.1:* The house is proposed to be less than 100 feet from the normal high-water line.

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 lot is an existing nonconforming lot.
- b) *Noise:* Noise is not a concern.
- c) *Glare/Heat:* No excessive heat or glare is proposed.
- d) *Exterior Lighting:* No changes to exterior lighting are proposed.
- e) *Screening:* No change is proposed to screening.
- f) *Signs:* No change is proposed to signs.

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 applicant indicates that they have the financial and technical ability 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.