

**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:** June 3, 2015

**RE:** **Kennebec Pharmacy**

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**SUMMARY OF REQUEST**

**Request:** The request is for a Conditional Use Review as per Section 6.3.4 and a Minor Development review as per Section 4.5. The applicant proposes to construct a building which has 9,308 square feet of floor area and a drive-through. A pharmacy, which is a conditional use, is proposed on the first floor. Business and professional offices and services, which is a permitted use, is proposed on the second floor.

**Owner:** MaineGeneral Medical Center

**Applicant:** Kennebec Pharmacy & Home Care

**Location:** Off Old Belgrade Road

**Zoning:** Medical / Hospital District (MED)

**Tax Map Number:** Map 1, Lot 2

**Existing Land Use:** Hospital

**Proposed Land Use:** Pharmacy, Business and professional offices and services

**Acreage:** 161 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. Development Review Application Form

2. Narrative
3. Lease
4. Agent authorization letter
5. Site Plan

### **Areas of Concern**

None.

### **Waivers**

No waivers were proposed.

### **Staff Review**

**The Bureau of Engineering** did not comment on the application.

**The Bureau of Code Enforcement** did not comment on the application.

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

### **Lot Characteristics**

*Minimum lot size* – The minimum required lot size is 20,000 square feet. The lot is 161 acres in size which meets the requirement.

*Minimum frontage* – The minimum required frontage is 150 feet. The lot frontage is over 150 feet, which meets the standard.

*Minimum depth* – The minimum required depth is 100 feet. The lot depth is over 100 feet, which meets the standard.

*Minimum front setback* – The minimum required front setback is 35 feet. The front setback is over 35 feet, which meets the standard.

### **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 MaineGeneral cancer center and hospital are located on the property. Kennebec Pharmacy will be compatible with the uses on the site.
  - b. *Architectural Design:* The building has two stories and a flat roof. The entrance is similar to the one at the cancer center.
  - c. *Scale, Bulk, Building Height:* The building has a 5,582 square foot footprint and is two stories in height.

- d. *Identity, Historical Character:* The site has a medical use. There are several residences off Old Belgrade Road.
- e. *Disposition and Orientation:* The building will be parallel to the cancer center and existing parking lot.
- f. *Visual Integrity:* The proposal blends in with the site and neighborhood.
- b) *Privacy:* The closest residences are to the north of the proposed building on Old Belgrade Road and to the south of the building on Charest Lane.
- c) *Safety and Health:* The proposal will maintain safe and healthful conditions in the neighborhood.
- d) *Property Values:* The proposal will not have a significant 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 the Economic Growth Area which is described in the 2007 Comprehensive Plan. Medical uses are expected to continue to expand in this area.

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:* A traffic report has not been received. Lionel Cayer, City Engineer, will be available to make comments at the public hearing.
- b) *Safe Access:* The proposed building will be off a road which connects the cancer center and the hospital.
- c) *Emergency:* The Police Department does not have any concerns. The Fire Department does not have any concerns regarding access for emergency vehicles. The Fire Chief comments that a Knox Box is required at the entrance.
- d) *Movement/Parking:* Lionel Cayer, City Engineer, will be available to make comments at the public hearing.

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 building will be on public water. Michael Morey of the Greater Augusta Utility District comments that there is sufficient capacity in the public water supply system for the project. The Fire Chief comments that a hydrant location will need to be identified.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* The building will be on public sewer. Michael Morey of the Greater Augusta Utility District comments that there is sufficient capacity in the public sewer system for the project.

- c) *Electricity/Telephone*: Electricity and telecommunication lines will be connected to an existing utility pole along the road.
- e) *Storm Drainage*: Lionel Cayer, City Engineer, will be available to make comments at the public hearing.

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*: The project is set back over one hundred feet from the stream.
- b) *Air Quality*: The proposal complies with air quality standards.
- c) *Water Quality*: The site has a Site Location of Development Act permit from the Maine DEP. There is a gravel pad on the building site, which was used by the construction trailers for the hospital. The pad was permitted by the Maine DEP.
- d) *Sewage/Industrial Waste*: Sewage will be disposed of in the public sewer. 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*: There will be some temporary construction noise.
- c) *Glare/Heat*: No glare or heat is proposed.
- d) *Exterior Lighting*: Full cutoff, pole-mounted light fixtures are proposed.
- e) *Screening*: The landscaping screens the parking areas. The dumpster is surrounded by a stockade fence.
- f) *Signage*: The signs can comply with the ordinance.

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 is the applicant's agent. E. S. Coffin has sufficient technical capacity to comply with the ordinance. A letter from Key Bank is included in the application which indicates that the applicant has the ability to secure financing for the project.

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 project is outside the 100-year floodplain.
- b) *Ability of Soils to support waste disposal:* Sewage will be disposed of in the public sewer.
- c) *Slopes effect on effluents:* Sewage will be disposed of in the public sewer.
- d) *Streams for disposal of effluents:* Sewage will be disposed of in the public sewer.
- e) *Applicable health and water resource rules:* Sewage will be disposed of 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.

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)**

See the Public Facilities section.

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 and sedimentation control plan is included in the application.

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)**

The sewage will be disposed of in the public sewer. The solid waste will be disposed of at Hatch Hill.

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 undue adverse effect 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 within one of these areas. 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 proposal will not adversely 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 outside 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)**

No wetland impacts are proposed.

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)**

Stone Brook is adjacent to the project and is shown on the plan.

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 applicant obtained a Site Location of Development Law permit for the cancer center and hospital and permitted the impervious area at that time.

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)**

See the Performance Standards section.

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