

**City of Augusta**  
**Development Review Application**  
 Bureau of Planning, Department of Development Services

<b>Address of Proposed development:</b> <b>Lipman Road</b>		
<b>Zone(s):</b> <b>IA (Industrial District)</b>		
<b>Project Name:</b> <b>BADJ Properties, LLC.</b>		
<b>Existing Buildings (sq. ft.):</b> <b>18,105 sf</b>	<b>Proposed Building (sq. ft.):</b> <b>800 sf</b>	
<b>Existing Impervious (sq. ft.):</b> <b>29,550 sf</b>	<b>Proposed Imperv. (sq. ft.):</b> <b>120,905 sf</b>	
<b>Proposed Total Disturbed Area of the Site:</b> <b><u>167,340 sf</u></b> Proposed disturbance of greater than one acre requires a Chapter 500, Stormwater Management Permit from the Maine Department of Environmental Protection (DEP).		
<b>Owner's Name/Address:</b> <b>BADJ Properties, LLC.</b> <b>c/o John Clark</b> <b>P.O. Box 424</b> <b>Hallowell, ME 04347</b>  <b>Phone #:</b> <b>623-1725</b>  <b>Cell #:</b> <b>462-0248</b>  <b>e-mail:</b> <b><a href="mailto:clarkscrushing@roadrunner.com">clarkscrushing@roadrunner.com</a></b>	<b>Applicant's Name/Address:</b> <b>BADJ Properties, LLC.</b> <b>c/o John Clark</b> <b>P.O. Box 424</b> <b>Hallowell, ME 04347</b>  <b>Phone #:</b> <b>623-1725</b>  <b>Cell #:</b> <b>462-0248</b>  <b>e-mail:</b> <b><a href="mailto:clarkscrushing@roadrunner.com">clarkscrushing@roadrunner.com</a></b>	<b>Consultant's Name/Address:</b> <b>E.S. Coffin Engineering &amp; Surveying c/o Jim Coffin</b> <b>P.O. Box 4687</b> <b>Augusta, ME 04330-1687</b>  <b>Phone #:</b> <b>623-9475</b>  <b>Cell #:</b> <b>242-8500</b>  <b>e-mail:</b> <b><a href="mailto:jcoffin@coffineng.com">jcoffin@coffineng.com</a></b>
<b>Tax Map #:</b> <b>53</b> <b>Lots #:</b> <b>22</b>	<b>Lot Size (acres):</b> <b>6.2</b> <b>Frontage (Feet):</b> <b>1,075'</b>	<b>Form for Evidence of Standing</b> (deed, purchase and sale agreement, other): <b>Deed</b>
<b>For Staff Use</b> <b>Fee Calculation:</b> Major Development max fee is \$4,000; Minor Development max fee is \$1,000 <b>Major Development:</b> \$2,000 + (number of sq ft over 25,000 x \$0.15) = <b>Minor Development:</b> \$250 + (number of sq ft over 5,000 x \$0.15) = <b>All Development:</b> Number of Abutters x (1oz First Class postage fee + \$0.15) = <b>Total Fee:</b>		
<b>Signatures</b>		
<b>Applicant:</b> <u></u>	<b>Date:</b> <b><u>January 09, 2015</u></b>	
<b>Owner:</b> _____	<b>Date:</b> _____	
<b>Agent:</b> <u></u>	<b>Date:</b> <b><u>January 09, 2015</u></b>	

**Checklist.** The checklist below must be completed by the applicant. The required material or a written waiver request must be provided.

<b>Information Required on Plan(s)</b> See Augusta Land Use Ordinance for greater detail	<b>Included</b>	<b>Waiver Requested</b>
a. Name of Site Plan (Sec 4.5.2.1 of the Land Use Ordinance)	<input checked="" type="checkbox"/>	
b. Owner(s) name and address (4.5.2.2)	<input checked="" type="checkbox"/>	
c. Deed reference to subject parcel (4.5.2.3)	<input checked="" type="checkbox"/>	
d. Engineer's name, address, signature and seal (4.5.2.4)	<input checked="" type="checkbox"/>	
e. Surveyor's name, address, signature and seal (4.5.2.5)	<input checked="" type="checkbox"/>	
f. Scale, both in graphic and written form (4.5.2.6)	<input checked="" type="checkbox"/>	
g. Date and Revision box (4.5.2.7)	<input checked="" type="checkbox"/>	
h. Zoning designation(s) (4.5.2.8)	<input checked="" type="checkbox"/>	
i. North Arrow (true and magnetic, dated or grid) (4.5.2.9)	<input checked="" type="checkbox"/>	
j. Ownership, location and present use of abutting land (4.5.2.11)	<input checked="" type="checkbox"/>	
k. Location map (4.5.2.12)	<input checked="" type="checkbox"/>	
l. Streets, existing & proposed, with curve data (4.5.2.13 & 4.6.2.5)	<input checked="" type="checkbox"/>	
m. Drainage and erosion control (4.5.2.14)	<input checked="" type="checkbox"/>	
n. Utilities, existing and proposed (4.5.2.15)	<input checked="" type="checkbox"/>	
o. Topography, 2 foot contours (4.5.2.16)	<input checked="" type="checkbox"/>	
p. Parcel boundaries and dimensions (4.5.2.17)	<input checked="" type="checkbox"/>	
q. Proposed Use of the property (4.5.2.18)	<input checked="" type="checkbox"/>	
r. Proposed public or common areas (4.5.2.19)	<input checked="" type="checkbox"/>	
s. Boundary Survey and associated information (4.5.2.20)	<input checked="" type="checkbox"/>	
t. Traffic controls, off-street parking and facilities (4.5.2.21)	<input checked="" type="checkbox"/>	
u. Proposed fire protection plans or needs (4.5.2.22)	<input checked="" type="checkbox"/>	
v. Landscaping and buffering (4.5.2.23)	<input checked="" type="checkbox"/>	
w. Outdoor lighting plan (4.5.2.24)	<input checked="" type="checkbox"/>	
x. Freshwater wetlands (4.4.1.14)	<input checked="" type="checkbox"/>	
y. River, stream or brook (4.4.1.15)	<input checked="" type="checkbox"/>	
<b>Information Required in Written Project Narrative</b> See Augusta Land Use Ordinance for greater detail	<b>Included</b>	<b>Waiver Requested</b>
a. Pollution – Undue water or air pollution (4.4.1.1)	<input checked="" type="checkbox"/>	
b. Water – Sufficient potable water (4.4.1.2)	<input checked="" type="checkbox"/>	
c. Municipal Water – is there adequate supply (4.4.1.3)	<input checked="" type="checkbox"/>	
d. Soil Erosion – unreasonable soil erosion (4.4.1.4)	<input checked="" type="checkbox"/>	
e. Road congestion and safety (4.4.1.5 & 4.5.2.21)	<input checked="" type="checkbox"/>	
f. Sewage waste disposal – adequate provisions (4.4.1.6)	<input checked="" type="checkbox"/>	
g. Solid waste – adequate provisions (4.4.1.7)	<input checked="" type="checkbox"/>	
h. Aesthetic, cultural, and natural values (4.4.1.8)	<input checked="" type="checkbox"/>	
i. Conformity with city ordinances and plans (4.4.1.9)	<input checked="" type="checkbox"/>	
j. Financial and technical ability (4.4.1.10)	<input checked="" type="checkbox"/>	
k. Surface water, shoreland, outstanding rivers (4.4.1.11)	<input checked="" type="checkbox"/>	
l. Ground water – negative impact (4.4.1.12)	<input checked="" type="checkbox"/>	
m. Flood areas (4.4.1.13)	<input checked="" type="checkbox"/>	
n. Freshwater wetlands – description of impact (4.4.1.14)	<input checked="" type="checkbox"/>	
o. Stormwater – management plans (4.4.1.16)	<input checked="" type="checkbox"/>	
p. Access to direct sunlight (4.4.1.17)	<input checked="" type="checkbox"/>	
q. State Permits – description of requirements (4.4.1.18)	<input checked="" type="checkbox"/>	
r. Outdoor lighting – description of lighting plans (4.4.1.20)	<input checked="" type="checkbox"/>	

<b>Additional Information Required in Written Narrative</b> See Augusta Land Use Ordinance for greater detail		
<b>Where the items below duplicate the items above, identical responses are permitted and encouraged.</b>	<b>Included</b>	<b>Waiver Requested</b>
s. Neighborhood Compatibility – description per ordinance (6.3.4.1)	<input checked="" type="checkbox"/>	
t. Compliance with Plans and Policies (6.3.4.2)	<input checked="" type="checkbox"/>	
u. Traffic Pattern, Flow, and Volume analysis (6.3.4.3)	<input checked="" type="checkbox"/>	
v. Public facilities – Utilities including stormwater (6.3.4.4)	<input checked="" type="checkbox"/>	
w. Resource protection and the environment (6.3.4.5)	<input checked="" type="checkbox"/>	
x. Performance Standards (6.3.4.6)	<input checked="" type="checkbox"/>	
y. Financial and Technical Ability (6.3.4.7)	<input checked="" type="checkbox"/>	

### **Application Materials**

The application materials that are required for a complete application are listed below:

<b>Paper Copies</b>	<b>Included</b>	<b>Waiver Requested</b>
11 copies of the application form and narrative	<input checked="" type="checkbox"/>	
11 copies of the deed, Purchase & Sale agreement, or other document to show standing	<input checked="" type="checkbox"/>	
3 copies of any stormwater report	<input checked="" type="checkbox"/>	
2 copies of any traffic report	<input checked="" type="checkbox"/>	
7 reduced-sized copies of the complete plan set on 11" x 17" size paper	<input checked="" type="checkbox"/>	
4 full-sized copies of the complete plan set on ANSI D or E size paper	<input checked="" type="checkbox"/>	
11 copies of a letter authorizing the agent to represent the applicant	<input checked="" type="checkbox"/>	
Payment in full of application fee (Note: an abutter notification fee will be assessed after the application is determined to be complete. The fee is \$0.15 plus the cost of first class postage for each abutter that will be notified as required by the ordinance.)	<input checked="" type="checkbox"/>	
<b>Electronic Copy</b>		
1 CD that includes each of the application documents in Adobe PDF format	<input checked="" type="checkbox"/>	

<b>For Official Use:</b>		
<input type="checkbox"/> \$ _____ <b>Application</b> Fee Paid.	Received By (Initials): _____	Date: _____
<input type="checkbox"/> \$ _____ <b>Abutter</b> Notification Fee Paid.	Received By (Initials): _____	Date: _____

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January 9, 2015

City of Augusta  
Matt Nazar (Planner)  
One City Center  
Augusta, Maine 04330

Subject: **BADJ Properties, LLC.**  
**Lipman Road**  
**Augusta, Maine**

Dear Matt:

BADJ Properties, LLC., herein called the applicant, has a purchase/sale agreement for a parcel of land identified as lot 22 on tax map 53 in the City of Augusta tax maps. The six acre parcel is located on Lipman Road and is on the east side of the road. The applicant is proposing to develop the parcel into a staging area for processing scrap metal. Scrap metal will be trucked to the site and then sorted before being put on rail cars to be transported out of state. The land is located within the Industrial District (IA) and the following information is required per the Development Review Application:

- A. The proposed development will not result in undue water or air pollution. In making this determination, the following shall needs to be considered:
1. The elevation of the land above sea level and its relation to the floodplain,  
**The project is not within the 100-year flood elevation and this section is not applicable.**
  2. The nature of the soils and subsoils and their ability to adequately support waste disposal,  
**The project will contain a 20' by 40' building with a bathroom and kitchenette. A private subsurface wastewater septic system designed by Kane Coffin will be implemented.**
  3. The slope of the land and its effect upon effluents,  
**The project will utilize a private subsurface wastewater septic system designed by Kane Coffin.**
  4. The availability of streams for disposal of effluents;  
**The project will utilize a private subsurface wastewater septic system.**
  5. The applicable state and local health and water resources rules and regulations.  
**The proposed private subsurface wastewater septic system has been designed to comply with all applicable local and state codes.**

- B. The proposed development has sufficient water available for the reasonable needs of the development.

**The project will connect into the existing 12" main located at the intersection of Dalton Road. A one inch diameter water line will be brought to the proposed building from the Dalton Road intersection. A letter has been sent to the Greater Augusta Utility District (GAUD) asking if there is sufficient water available for the project.**

- C. The proposed development will not cause an unreasonable burden on an existing water supply.

**A letter has been sent to the Greater Augusta Utility District (GAUD) asking if the existing 12" diameter water main can handle the increase in flow that the project will produce.**

- D. The proposed development will not cause unreasonable soil erosion, unmitigated stormwater runoff, or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.

**This project must comply with the Industrial Stormwater standards of the Department of Environmental Protection (DEP). These rules deal with not allowing dirty water to leave the site. We have incorporated grease/oil separators on the site to comply with the DEP. The City has a standard of not exceeding pre-development flows for the 2-, 10- and 25-year peak storm events. However this project is located very close to the Kennebec River and any type of stormwater detention would allow upstream flows to combine with our site runoff increasing the likelihood of flooding. All pertinent erosion and sedimentation control devices are shown on the Site Plan (C-1).**

- E. The proposed development will not cause unreasonable highway or public road congestion or unsafe intersections or other conditions with respect to the use of the highways or public roads existing or proposed.

**The proposed scrap metal staging area will have a maximum of five employees at any one time on site. It is estimated that there will be at most two to four trucks a day entering the facility to drop off scrap metal on a daily basis. This will result in than less than 35 peak hour trips, which is the City's threshold for a Traffic Impact Analysis. In addition a turning movement permit is not required with the DOT for exceeding 100 peak hour trips.**

- F. The proposed development will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are used.

**A private subsurface wastewater septic system designed by Kane Coffin will be implemented.**

- G. The proposed development will not cause an unreasonable burden on the town's ability to dispose of solid waste, if Town services are used.

**A letter has been sent to Leslie Jones asking if the proposed project will create a burden at the Hatch Hill Land Fill.**

- H. The proposed development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, archeological sites, significant wildlife habitat as identified by the Department of Inland Fisheries and Wildlife or the Town, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline. **A letter has been sent to the Maine Historical Preservation Committee asking if there are historical or archeological sites are located within the area of the site. A letter has been received from the Maine Department of Inland Fisheries and Wildlife verifying that there will not be an undue adverse effect to significant wildlife habitat. A letter has been received by the Department of Conservation verifying that there are no rare botanical features within the project area.**
- I. The proposed development conforms to all applicable standards and requirements of this Ordinance, the comprehensive plan, and other local ordinances. In making this determination, the Planning Board may interpret these ordinances and plans. **The proposed development will conform to the comprehensive plan and land-use ordinance. The Class 1 Waste Facility is located in the Industrial District (IA) and is considered a conditional use within the zone. A conditional use application is being submitted with this planning board application.**
- J. The developer has adequate financial and technical capacity to meet all the Review Criteria and the standards and requirements contained in this Ordinance. **The applicant will provide documentation indicating that they have adequate financing to complete the project.**
- K. Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, Subchapter 1, Article 2-B, the proposed development will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water. **The project is over 500 feet from the Kennebec River. There is a pond located in the northwest corner of the site, but no soil disturbances will take place within 25' of this resource.**
- L. The proposed development will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water. **The project will connect to the public water system and will not affect the quantity or quality of groundwater.**

- M. Based on Federal Emergency Management Agency's Flood Boundary and floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the development is in a flood-prone area. If the development, or any part of it, is in such an area, the developer shall determine the 100-year flood elevation and flood hazard boundary within the development. The proposed plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with the lowest floor, including the basement, at least one foot above the 100-year flood elevation.  
**The proposed project is not within the 100-year flood elevation and therefore this section is not applicable.**
- N. All fresh water wetlands within the proposed development have been identified and delineated on any maps submitted as part of the application, regardless of the size of these wetlands. All wetlands shall be preserved to the greatest extent practicable.  
**No freshwater wetlands will be impacted as a result of the project.**
- O. The proposed development will provide for adequate storm water management.  
**This project must comply with the Industrial Stormwater standards of the Department of Environmental Protection (DEP). These rules deal with not allowing dirty water to leave the site. We have incorporated grease/oil separators on the site to comply with the DEP. The City has a standard of not exceeding pre-development flows for the 2-, 10- and 25-year peak storm events. However this project is located very close to the Kennebec River and any type of stormwater detention would allow upstream flows to combine with our site runoff increasing the likelihood of flooding.**
- P. Access to direct sunlight: The Planning Board may, to protect and ensure access to direct sunlight for solar energy systems, prohibit, restrict or control development.  
**The site is situated such that Lipman Road is at least 15' higher than the floor of the staging area where the scale shack is located. The 20' by 40' building is one-story with a 8/12 hipped roof and the proposed building will not impair sunlight onto abutting parcels.**
- Q. Title 38 M.R.S.A. as amended, Section 484, Standards for Development; Chapter 371, Definition of Terms used in the Site Location of Development Law and Regulations.  
**The proposed development will not trigger a Site Location of Development Permit to the MDEP and therefore this section is not applicable.**

R. All outdoor lighting shall be of a design and construction that prevents light trespass beyond the boundaries of the property on which it is located.

**There will be one 20' high free standing pole as shown on the Site Plan (C-1). A photometric plan will be provided, which shows that light spillage will not exceed 0.3 foot-candles along residential property lines.**

The proposed development complies with the City of Augusta's review criteria and should you have any questions or concerns please do not hesitate to contact me at 623-9475.

Respectfully submitted,

A handwritten signature in black ink that reads "James Coffin". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

James E. Coffin, PE

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January 9, 2015

City of Augusta  
Attn: Matt Nazar  
City Planner  
One City Center  
Augusta, Maine 04330

Subject: **BADJ Properties, LLC.**  
**Lipman Road**  
**Augusta, Maine**

Dear Matt:

I have researched the proposed development located on Lipman Road for **BADJ Properties, LLC.**, herein called the applicant in regard to neighborhood compatibility per the City of Augusta Land Use Ordinance section 6.3.4 (SITE PLAN REVIEW CRITERIA APPLICABLE TO MAJOR DEVELOPMENTS). [We understand that the intent of the section is to encourage the applicant to design the proposal in consideration of the physical impact it will have on the immediate neighborhood within 1,000 feet.] Each item is addressed below:

S) NEIGHBORHOOD COMPATIBILITY:

- a) Is the proposal compatible with and sensitive to the character of the site and neighborhood relative to:
  - i) Land uses:  
**The parcel is within both the Industrial District (IA) in which Waste Facilities (Class 1) are a conditional use. The nearest house (Maxim) is located on Riverside Drive and is over 600 feet away from the site. All land uses in the immediate area are Industrial consisting of Cives Steel, NorthCenter and Blue Seal Feeds.**
  - ii) Architectural design:  
**The proposed building is one story measuring 20' by 40' with a hip roof. Architectural elevations are included with this submission.**
  - iii) Scale, bulk and building height:  
**The proposed building will have a building height of 18'-3". The scale shack will have a footprint of 800 sf, which contains a bathroom, office and kitchenette.**
  - iv) Identity and historical character:  
**A letter has been sent to the Maine Historical Society asking if there are any historical sites within the development.**
  - v) Disposition and orientation of buildings on the lot:  
**The new building will be erected 65' from Lipman Road with an area on the west side of the building for employees to park their vehicles.**

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vi) Visual integrity:

**The new building will face the new access road running parallel with Lipman Road with parking for 5 employees. A natural buffer exists on the north side of the site.**

b) Are the elements of the site plan designed and arranged to maximize the opportunity for privacy by the residents of the immediate area?

**As mentioned above there are not any residences along the property and the site has been designed in such a way so that it sits 20' down from Lipman Road.**

c) Will the proposal maintain safe and healthful conditions within the neighborhood?

**The project will implement fencing at the two access points into the site and will not create unsafe or unhealthy conditions within the immediate area.**

d) Will the proposal have a significant detrimental effect on the value of adjacent properties?

**The parcel has been vacant for years and there are many industrial uses in the immediate area. The proposed Waste Facility will not have a detrimental effect on adjacent properties.**

T) PLANS AND POLICIES:

a) Is the proposal in accordance with the adopted elements of the 1988 Growth Management Plan?

**This area has been dedicated for industrial uses because of the location of the railroad on the west side of the parcel. The 1988 Growth Management Plan labels this area within the City as "Residential & Light Industrial Use", which includes Waste Facilities. Therefore the project complies with the 1988 Growth Management Plan.**

U) TRAFFIC PATTERN, FLOW AND VOLUME:

a) Is the proposal designed so that the additional traffic generated does not have a significant negative impact on surrounding neighborhood?

**The proposed project is anticipated to result in two to four trucks per day with five employees. The project will not trigger a Traffic Impact Analysis with the City or a Turning Movement Permit with the MDOT.**

b) Will safe access be assured by providing proper sight distance and minimum width curb cuts for safe entering and exiting? See City of Augusta Technical Standards Handbook.

**The new entrance/exit is over 175 feet from the Dalton Road/Lipman Road intersection. The minimum separation required from the City's Technical Standards Handbook calls for 150'**

c) Does the proposal provide access for emergency vehicles and for persons attempting to render emergency services?

**The design of the site allows emergency vehicles to adequately maneuver thru the site to be able to render emergency services as needed.**

- (d) Does the entrance and parking system provide for the smooth and convenient movement of vehicles both on and off the site? Does the proposal satisfy the parking capacity requirements of the city and provide adequate space suited to the loading and unloading of persons, materials and goods?

**The entire site has been designed for tractor trailer trucks with large radii utilized as depicted on the Site Plan (C-1) and maintains proper traffic movement features in and around the site.**

V) PUBLIC FACILITIES:

- a) Water Supply:

**A letter has been sent to the Greater Augusta Utility District (GAUD) asking if there is sufficient water available for the project.**

- b) Sanitary Sewer:

**A private subsurface wastewater septic system designed by Kane Coffin will be implemented.**

- c) Electricity/Telephone:

**Electricity and telecom lines will come off from the existing utility pole shown on the Site Plan (C-1).**

- d) Storm Drainage:

**This project must comply with the Industrial Stormwater standards of the Department of Environmental Protection (DEP). These rules deal with not allowing dirty water to leave the site. We have incorporated grease/oil separators on the site to comply with the DEP. The City has a standard of not exceeding pre-development flows for the 2-, 10- and 25-year peak storm events. However this project is located very close to the Kennebec River and any type of stormwater detention would allow upstream flows to combine with our site runoff increasing the likelihood of flooding. The majority of the site drains through an existing 30" diameter concrete pipe that flows under the railroad tracks. Stormwater calculations have been submitted as part of this application that verifies that the 30" diameter pipe can handle these flows.**

W) RESOURCE PROTECTION AND ENVIRONMENT:

- a) If the proposal contains known sensitive areas such as erodible or shallow soils, wetlands, aquifers, aquifer recharge areas, floodplain or steep slopes (over fifteen (15) percent, what special engineering precautions will be taken to overcome these limitations?

**No wetlands will be impacted by the project. There is a retaining wall required along Lipman Road due to grade constraints.**

- b) Does the proposal conform to applicable local, State DEP and Federal EPA air quality standards including but not limited to odor, dust, fumes or gases which are noxious, toxic or corrosive, suspended solid or liquid particles, or any air contaminant which may obscure an observer's vision?

**No State DEP or Federal EPA permits are needed in regard to air quality standards as a result of the project. There may be some dust during construction, but the contractor must provide dust control in the event that this becomes problematic.**

- c) Does the proposal conform to applicable local, State DEP and Federal EPA water quality standards, including but not limited to erosion and sedimentation, runoff control, and solid wastes and hazardous substances?

**The project is being reviewed by the DEP's Industrial Stormwater Division for compliance. Other than that, there are no State DEP or Federal EPA permits needed as a result of the project. DEP requires the applicant to have a SWPP plan for this type of operation.**

- d) Will all sewage and industrial wastes be treated and disposed of in such a manner as to comply with applicable federal, state and local standards?

**A private subsurface wastewater septic system designed by Kane Coffin will be implemented.**

- e) Shoreland and Wetland Districts:

**The project is over 500 feet from the Kennebec River and will not incur any wetland impacts.**

X) PERFORMANCE STANDARDS:

- a) Does the proposal comply with all applicable performance and dimensional standards as outlined in this ordinance?

**The proposed development conforms to the Land Use Ordinance in regard to performance and dimensional standards.**

- b) Can the proposed land use be conducted so that noise generated shall not exceed the performance levels specified in the performance standards section of this ordinance? Detailed plans for the elimination of objectionable noises may be required before the issuance of a building permit.

**There will be noise generated with this type of use with a crane moving materials from one location to another. In addition tractor trailer trucks will be entering the site with scrap metal, which will be unloaded in the areas shown on the Site Plan (C-1). However the site is essentially in the bottom of a bowl and it is difficult to transmit significant noise from this setup. There is noise generated from Cives Steel, which is located to the west on the opposite side of the railroad tracks.**

- c) If the proposal involves intense glare or heat, whether direct or reflected, is the operation conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property line? Detailed plans for the elimination of intense glare or heat may be required before issuance of a building permit. Temporary construction is excluded from this criterion.

**The project sits over 15 feet down from Lipman Road with grass slopes and retaining walls being implemented. The project incorporates bufferyard "A" along the railroad tracks and the existing buffer to the north adjacent to Dalton Road.**

- d) Is the exterior lighting, except for overhead street lighting and emergency warning or traffic signals, installed in such a manner that the light source will be sufficiently obscured to prevent excessive glare on public streets and walkways or into any residential area?

**A photometrics plan will be submitted that depicts light trespass below 0.3 foot-candles along property lines and the fixture height will be 20'.**

- e) Does the landscaping screen the parking areas, loading areas, trash containers, outside storage areas, blank walls or fences and other areas of low visual interest from roadways, residences, public open space (parks) and public view?

**The project is located in the Industrial District, which requires bufferyard "A" be implemented between other Industrial Uses. We show bufferyard "A" along the railroad tracks and utilize the natural buffer along the north side of the property adjacent to Dalton Road. A photograph (#2) of this natural buffer is included with the submission. There is a small portion of residential land (Maxim) that is on the other side of Lipman Road, but the ordinance states that when there are no structures within 200' of the property line that no buffering is required.**

- f) Are all the signs in the proposal in compliance with provisions of this ordinance?

**The applicant is proposing to hang a sign (less than 200 sf and not higher than 25') off from a metal lattice overhead framework (32' wide by 20' high) as shown on Photo #1 in the attached photographs.**

Y) FINANCIAL AND TECHNICAL ABILITY:

- a) **E.S. Coffin Engineering & Surveying has the technical ability to meet the terms of the Ordinance.**
- b) **A letter will be submitted stating that the applicant has adequate financing to complete the project.**

The proposed project meets the requirements of land use ordinance and if you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Sincerely,



James E. Coffin, P.E.

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CITY OF AUGUSTA, MAINE

# Conditional-Use Application

## I. Applicant / Owner Information

1. Applicant Name: <u>BADJ Properties, LLC. (c/o John Clark)</u>
Mailing Address: <u>P.O. Box 424 Hallowell, Maine 04347</u>
Phone Number: <u>623-1725</u> Email Address <u>clarkscrushing@roadrunner.com</u>
2. Authorized Agent: <u>E.S. Coffin Engineering &amp; Surveying (c/o Jim Coffin)</u>
Mailing Address: <u>P.O. Box 4687 Augusta, ME 04330-1687</u>
Phone Number: <u>623-9475</u> Email Address <u>jcoffin@coffineng.com</u>
3. Property Owner Name: <u>BADJ Properties, LLC.</u>
Mailing Address: <u>P.O. Box 424 Hallowell, Maine 04347</u>
Phone Number: <u>623-1725</u> Email Address <u>clarkscrushing@roadrunner.com</u>
4. Which form of required "evidence of standing" is being submitted with this application?:
<input checked="" type="checkbox"/> Deed <input type="checkbox"/> Signed Lease Contract <input type="checkbox"/> Signed Purchase/Sale/Option Agreement
<input type="checkbox"/> Signed Written Agreement from Owner

## II. General Project Information

5. Please attach a narrative identifying the following about your project:

- a. **Description of development project you are proposing** (e.g. expansion of existing mixed-use commercial building; new office building; expansion of manufacturing shifts; expansion of commercial parking/loading areas; different land use; etc).
- b. **size of any proposed building expansion (total sq.ft.).**
- c. **all the specific uses occurring on site (e.g. retail, warehouse, storage, manufact.)** (identify what is occurring today and what will change after proposed development occurs).
- d. **number of employees on-site for your largest shift** (or for unmanned sites, how often per month site is visited by vehicles).
- e. **estimated number of vehicles entering your site on a daily basis** (broken down by number of delivery vehicles and number of customer/visitor/employee vehicles).
- f. **total square footage of impervious surface area existing on site today** (total square footage of first floor of each building plus square footage of all parking areas).
- g. **total square footage of impervious surface area after proposed development occurs.**

6. Lot Size: (ac.) 6.2 acres

7. Lot Frontage: (ft.) 1,075'

8. Zoning District(s): IA

9. Project Location :

Lipman Road  
Street

53 - 22  
Assessor Tax Map # + lot #(s)

### III. Applicant Acknowledgments

#### 10. Complete Application Required.

This application is being submitted under the requirements of the Augusta Land-Use Ordinance. As the applicant, I understand that this application must contain a complete submission of required materials by the application deadline date in order to be heard by the Planning Board. The deadline allows for adequate review by City Staff and the Planning Board; and as such, any applications that are not complete by the submission deadline date will not be placed on the Planning Board meeting agenda. To insure review by the Planning Board on the date desired, the applicant should submit materials at least 7 days ahead of the deadline so that staff can determine completeness of materials.

#### 11. Drawings and/or Maps are required

For formal submittals to the Planning Board (see drawing requirements attached to this application). Generally, drawings for projects with new buildings or additions less than 1,000 sq. ft. in floor area, (or) projects that do not involve changing the existing structure, can be done by hand, as long as they are drawn to-scale. For developments creating 1,000 sq.ft. or more of new impervious development, a formal plan drawn by a professional engineer shall be required to be submitted with this application. Drawings are critical to the Planning Board and City staff in adequately understanding existing and proposed site conditions, as well as seeing the relationships between proposed structures and the projected impacts of parking, traffic, stormwater runoff, buffer areas, noise, etc. on abutters.

**Signature of Applicant / Agent:** James Cobbi

**Signature of Property Owner:** \_\_\_\_\_

Today's Date: **January 09, 2015**

#### 12. Checklist of Required Submission Materials:

Paper Copy	Included	Waiver Requested
11 copies of the application form and narratives	<input checked="" type="checkbox"/>	
11 copies of the deed, Purchase & Sale agreement, or other document to show standing	<input checked="" type="checkbox"/>	
3 copies of any stormwater report	<input checked="" type="checkbox"/>	
2 copies of any traffic report	<input checked="" type="checkbox"/>	
7 reduced-sized copies of the complete plan set on 11" x 17" size paper	<input checked="" type="checkbox"/>	
4 full-sized copies of the complete plan set on ANSI D or E size paper	<input checked="" type="checkbox"/>	
11 copies of a letter authorizing the agent to represent the applicant	<input checked="" type="checkbox"/>	
Payment in full of \$50 application fee (Note: an abutter notification fee will be assessed after the application is determined to be complete. The fee is \$0.15 plus the cost of first class postage for each abutter that will be notified as required by the ordinance.)	<input checked="" type="checkbox"/>	
Electronic Copy		
1 CD that includes each of the application documents in Adobe PDF format	<input checked="" type="checkbox"/>	

#### For Official Use:

\$50 **Conditional Use** Application Fee Paid. Received By (Initials): \_\_\_\_\_ Date: \_\_\_\_\_

\$ \_\_\_\_\_ **Abutter** Notification Fee Paid. Received By (Initials): \_\_\_\_\_ Date: \_\_\_\_\_

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**BADJ Properties, LLC.**  
**General Project Information**

**5. Narrative:**

- a) Description of development project you are proposing:  
BADJ Properties, LLC., herein called the applicant, has purchased a parcel of land identified as lot 22 on tax map 53 in the City of Augusta tax maps. The six acre parcel is located on Lipman Road and is on the east side of the road. The applicant is proposing to develop the parcel into a staging area for processing scrap metal. Scrap metal will be trucked to the site and then sorted before being put on rail cars to be transported out of state.
- b) Size of any proposed building expansion (total sq.ft.):  
The new scale shack building will be 20' by 40' or 800 sf.
- c) All the specific uses occurring on site (e.g. retail, warehouse, storage, manufact.):  
The site will be utilized for a Waste Facility (Class1), which will process scrap metal. A complete description of the operation can be found in the attached letter (5.2.9.1 Waste Facility, Class 1).
- d) Number of employees on-site for your largest shift:  
There will be a maximum of 5 employees on site at any one time.
- e) Estimated number of vehicles entering your site on a daily basis:  
The applicant has estimated a maximum of two to four trucks entering the site on a daily basis. This added with the maximum of 5 employees' results in a maximum of nine vehicles per day entering the site.
- f) Total square footage of impervious surface area existing on site today:  
There is 29,550 sf of impervious area contained on the 6.2 acre parcel.
- g) Total square footage of impervious surface area after proposed development occurs:  
The total proposed impervious area will be 120,905 square feet because the proposed addition will be sited over existing paved areas.

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OPR BK 11864 PGS 24 - 26 12/03/2014 08:25:37 AM  
 INSTR # 2014028690 # OF PAGES 3  
 ATTEST: BEVERLY BUSTIN-HATHEWAY  
 REGISTER OF DEEDS KENNEBEC COUNTY, ME

**TRANSFER  
 TAX  
 PAID**

**WARRANTY DEED**

**Know all men by these presents,**

That I, **STEPHEN GASS** of Pompano Beach, County of Broward and State of Florida, for consideration paid, grant to **BADJ PROPERTIES, LLC** a Maine Limited Liability Company with a mailing address of P. O. Box 424, Hallowell, Maine 04347, with Warranty Covenants, the following described property:

Two certain lots or parcels of land, with the building thereon, situated in Augusta, County of Kennebec and State of Maine, bounded and described as follows:

**FIRST:** Being so much of the premises conveyed to Eastern Milling Co. by deed of Lipman Bros., Inc. dated January 27, 1955 and recorded in the Kennebec County Registry of Deeds in Book 987, Page 411, as lies Westerly of the Lipman Road so called. Said parcel is bounded on the East by said Lipman Road, on the South by the First Parcel described in Deed of Lipman Poultry Co. to said Eastern Milling Co., dated January 27, 1955, recorded in said Registry in Book 987, Page 413 on the West by the right of way of the Maine Central Railroad, and on the North by the Second Parcel described in said deed of Lipman Poultry Co. to said Eastern Milling Company recorded in Book 987 at Page 613.

**SECOND:** Being so such of the Second Parcel described in said deed of Lipman Poultry Co. to Eastern Milling Co. dated January 27, 1955, and recorded in said Registry in Book 987, Page 413, as lies Westerly of said Lipman Road, so called. Said parcel la bounded on the Best by said Lipman Road, on the South by FIRST Parcel described above, on the West by right of way of the Maine Central Railroad, and on the North by the North line of the said Second Parcel described in deed of Lipman Poultry Co. to Eastern Milling Co., Book 987, Page 413.

**EXCEPTING AND RESERVING.** However, all the exceptions and reservations set forth in the above mentioned deed and also **EXCEPTING AND RESERVING** to the Grantor, its heirs and assigns forever, the right to use the railway line spur, where the same crosses the southwest corner of parcel FIRST described above. Conveying also the right of way conveyed to said Eastern Milling Co. in the above described deeds.

Being a part of the premises conveyed to the Grantor by deed of the Creator (exercising foreclosure by power of sale pursuant to a mortgage referenced in said deed) dated April 21, 1983 and recorded in the Kennebec County Registry of Deeds in Book 2556 at Page 141.

**RESERVING** to the Grantor or its successors and assigns, the right to use of the access road for travel by foot or by vehicle, where said road crosses the Southeasterly corner of parcel FIRST described above, as depicted upon the attached sketch attached hereto as Exhibit A and **CONVEYING** to the Grantor his heirs and assigns the right to use the parcel labeled **ACCESS PARCEL - USE CONVEYED** as depicted on said Exhibit A for travel by foot or by vehicle.

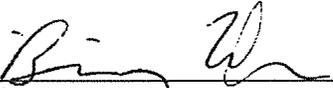
Meaning and intending to convey the same premises conveyed to the grantor herein by deed of Farmers Production Credit Association of Southern Maine dated June 1, 1983 and recorded in the Kennebec County Registry of Deeds in Book 2577, Page 253

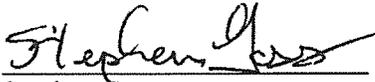
③ B. Winchester

Deed from Stephen Gass to BADJ Properties, LLC

Page 2

**IN WITNESS WHEREOF**, Stephen Gass has set his hand and seal this 2nd day of December, 2014.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Stephen Gass

STATE OF MAINE  
Kennebec, ss.

December 2, 2014

**THEN PERSONALLY APPEARED** the above named Stephen Gass and acknowledged the foregoing instrument to be his free act and deed.

Before me,

**Brian P. Winchester**  
Attorney at Law  
Maine Bar No. 3077

  
\_\_\_\_\_  
Brian P. Winchester  
Attorney at Law

January 05, 2015

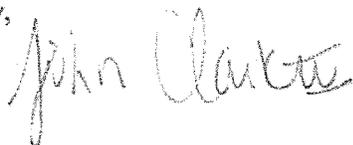
Mr. James Coffin, P.E.  
E.S. Coffin Engineering & Surveying, LLC.  
432 Cony Road  
P.O. Box 4687  
Augusta, Maine 04330

Subject: Agent Authorization  
City of Augusta Submission

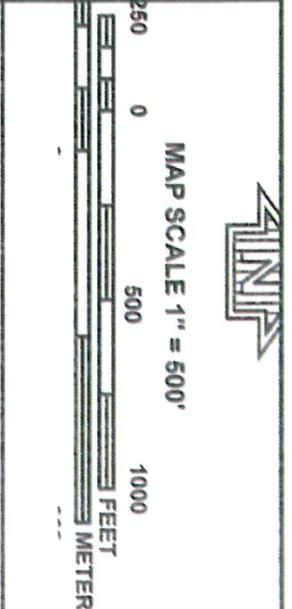
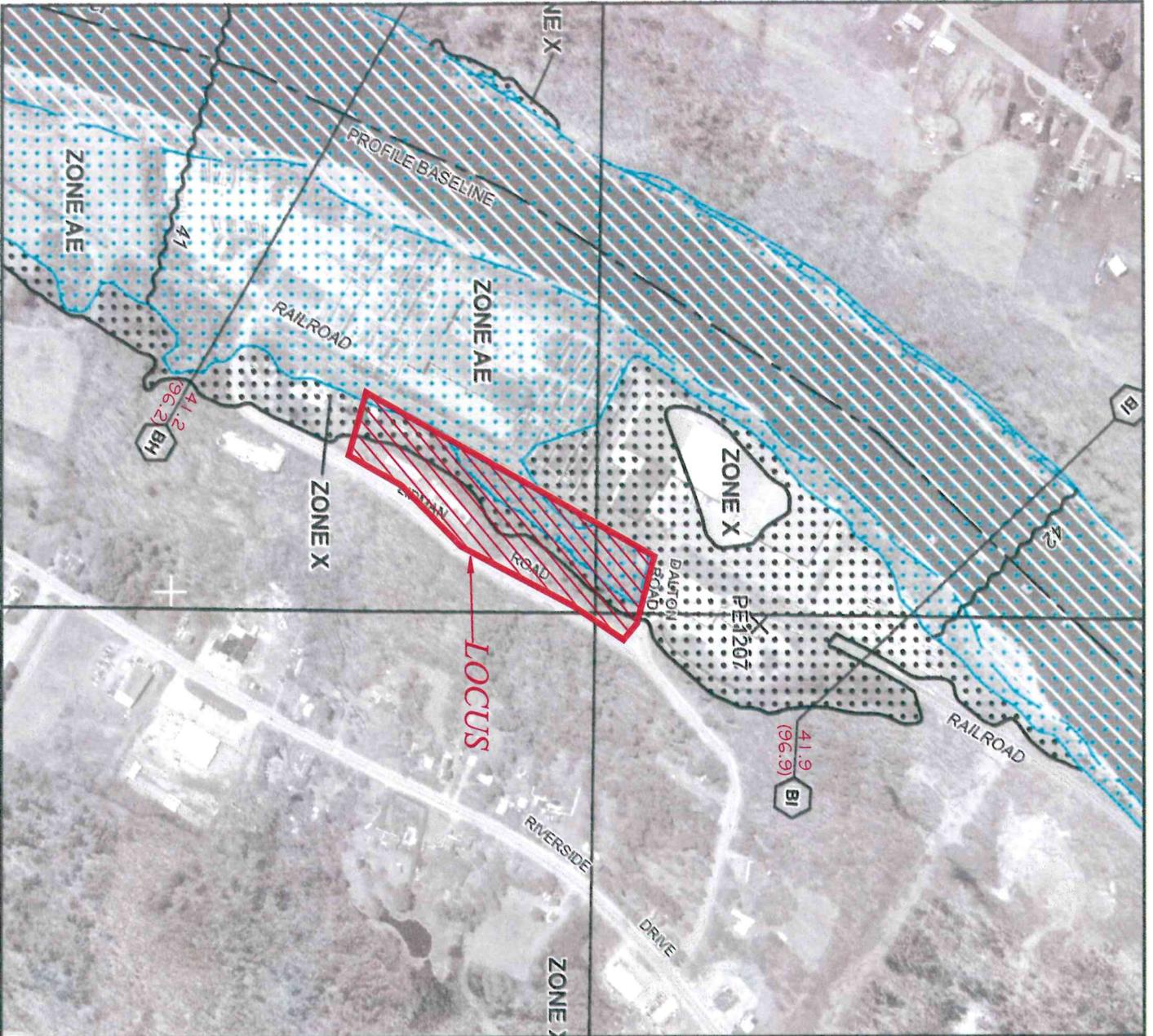
Dear Mr. Coffin

The intent of this letter is to authorize E.S. Coffin Engineering & Surveying, Inc. to act as my agent in submitting applications and answering questions regarding the City of Augusta Planning Board Submission. The project is located on Lipman Road in Augusta, Maine.

Sincerely,

A handwritten signature in cursive script that reads "John Clark". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

John Clark, Owner



**NATIONAL FLOOD INSURANCE PROGRAM**

**NFIP**

PANEL 0526D

**FIRM**

**FLOOD INSURANCE RATE MAP**  
**KENNEBEC COUNTY,**  
**MAINE**  
**(ALL JURISDICTIONS)**

**PANEL 526 OF 775**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:  
 COMMUNITY NUMBER 230097  
 ALBUQUA CITY OF 0028 D

MAP NUMBER 23011C0526D  
 EFFECTIVE DATE JUNE 16, 2011

Federal Emergency Management Agency

**Notice to User:** The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

**Client Name:**  
BADJ Properties, LLC.

**Project No.**  
14-281

**Photo No. 1**

**Date:** 02-07-2013

**Site Location:**  
Lipman Road  
Augusta, Maine

**Description:**

Photo of the existing sign used in Chelsea off Route 17. This is the same type of sign that the applicant is proposing to use at the Augusta location.



**Photo No. 2**

**Date:** 12-29-2014

**Site Location:**  
Lipman Road  
Augusta, Maine

**Description:**

Photo showing the existing buffer along Lipman and Dalton Roads.



**Client Name:**  
BADJ Properties, LLC.

**Project No.**  
14-281

**Photo No. 3**

**Date:** 12-29-2014

**Site Location:**  
Lipman Road  
Augusta, Maine

**Description:**

Photo showing the inlet of the 30" cast iron pipe flowing under the railroad tracks.



**Photo No. 4**

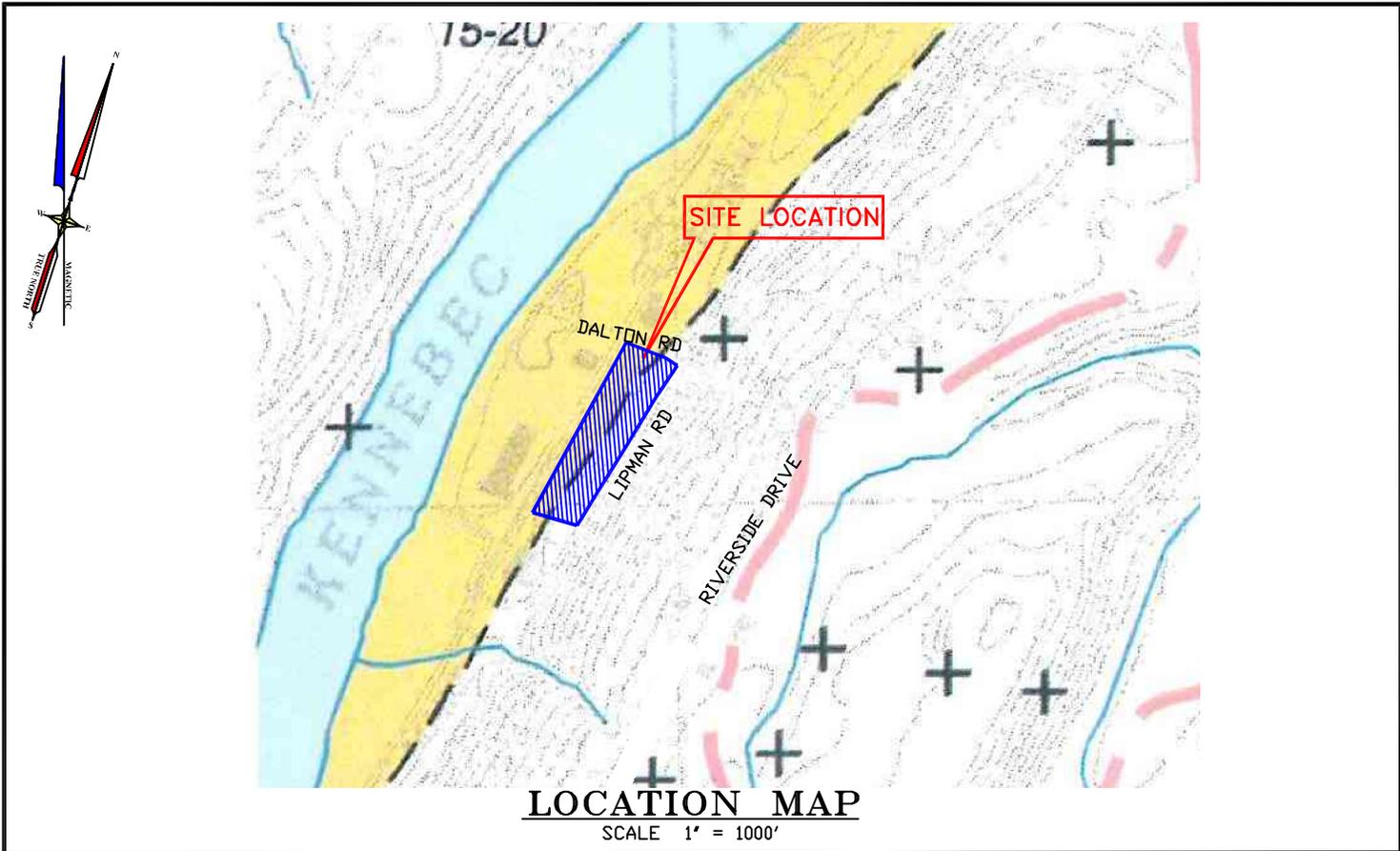
**Date:** 12-29-2014

**Site Location:**  
Lipman Road  
Augusta, Maine

**Description:**

Photo showing the existing pond located in the northwest corner of the site.





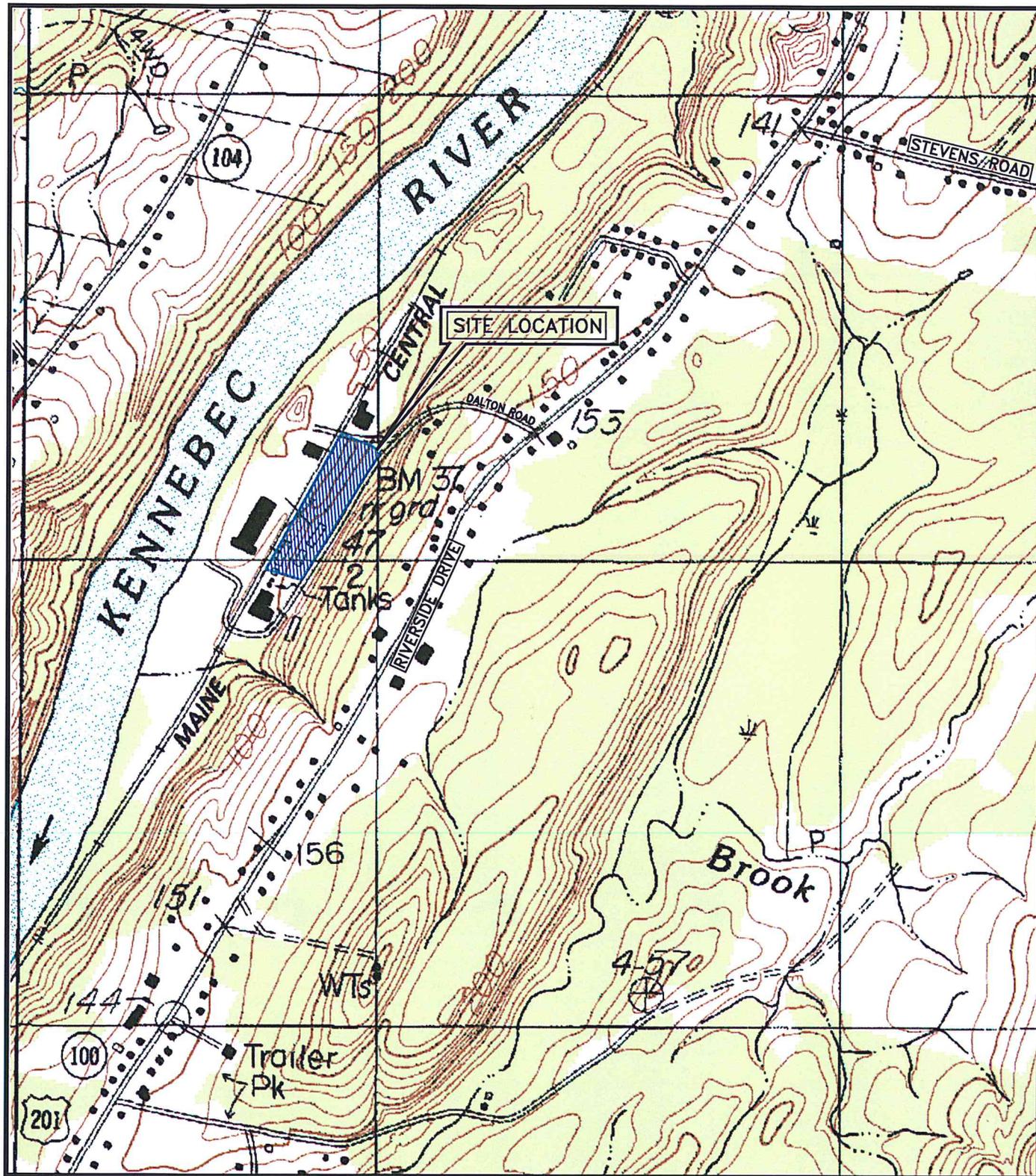
## LEGEND

SIGNIFICANT SAND AND GRAVEL AQUIFERS (yields greater than 10 gallons per minute)	SEISMIC-LINE INFORMATION	GEOLOGIC AND WELL INFORMATION
<p>----- Approximate boundary of surficial deposits with significant saturated thickness where potential ground-water yield is moderate to excellent.</p> <p><span style="display: inline-block; width: 15px; height: 15px; background-color: #c0504d; border: 1px solid black; margin-right: 5px;"></span> Surficial deposits with good to excellent potential ground-water yield; yields generally greater than 50 gallons per minute to a properly constructed well. Deposits consist primarily of glacial sand and gravel, but can include areas of sandy till and alluvium; yield zones are based on subsurface data where available, and may vary from mapped extent in areas where data are unavailable.</p> <p><span style="display: inline-block; width: 15px; height: 15px; background-color: #f0e68c; border: 1px solid black; margin-right: 5px;"></span> Surficial deposits with moderate to good potential ground-water yield; yields generally greater than 10 gallons per minute to a properly constructed well. Deposits consist primarily of glacial sand and gravel, but can include areas of sandy till and alluvium; yields may exceed 50 gallons per minute in deposits hydraulically connected with surface-water bodies, or in extensive deposits where subsurface data are available.</p> <p style="text-align: center;"><b>SURFICIAL DEPOSITS WITH LESS FAVORABLE AQUIFER CHARACTERISTICS (yields less than 10 gallons per minute)</b></p> <p><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Areas with moderate to low or no potential ground-water yield (includes areas underlain by till, marine deposits, collan deposits, alluvium, swamps, thin glacial sand and gravel deposits, or bedrock); yields in surficial deposits generally less than 10 gallons per minute to a properly constructed well.</p>	<p style="text-align: center;"><b>SEISMIC-LINE INFORMATION</b></p> <p>Profiles for 12-channel seismic lines are shown in Figure 8 of Open-File Report 85-82a (Tepper and others, 1985), or may be viewed at the Maine Geological Survey. Length of 12-channel seismic lines as shown on the map is to scale. All single-channel lines ranged from 80 to 300 feet long and are not shown to scale.</p> <p>Depth to bedrock, in feet below land surface.</p> <p>53      Depth to bedrock exceeds depth shown (based on calculations).</p> <p>≥53     Depth to water level, in feet below land surface.</p> <p>12 W    Depth to water level, in feet below land surface.</p> <p><span style="border-left: 1px solid black; border-right: 1px solid black; height: 10px; display: inline-block; margin-right: 5px;"></span> MAP-7 737, 23 W    Twelve-channel seismic line, with depth to bedrock and depth to water shown at the midpoint of the line, in feet below land surface.</p> <p><span style="border-left: 1px solid black; border-right: 1px solid black; height: 10px; display: inline-block; margin-right: 5px;"></span> MAP-E 69, 12 W    Single-channel seismic line, with depth to bedrock and depth to water shown at each end of the line, in feet below land surface. Unless otherwise indicated, data shown above the line-identifier box refers to the northern end of the seismic line.</p> <p>The 3-letter identifier for a line is an abbreviation for the topographic quadrangle. If the 3-letter identifier for the line is followed by a number (ex: MAP - 7, MAP - 4), the line is a 12-channel line. If the identifier is followed by a letter (ex: MAP - E, MAP - P), the line is a single-channel line. Single-channel seismic interpretations by D. H. Tepper. Twelve-channel seismic interpretations by D. H. Tepper and C. D. Neil.</p>	<p style="text-align: center;"><b>GEOLOGIC AND WELL INFORMATION</b></p> <p>60      Depth to bedrock, in feet below land surface</p> <p>≥13     Penetration depth of boring; ≥ symbol refers to minimum depth to bedrock based on boring depth or refusal</p> <p>6 W     Depth to water level in feet below land surface (observed in well, spring, test boring, pit, or seismic line)</p> <p>X       Gravel pit (overburden thickness noted in feet, e.g. 5-12')</p> <p>Q       Quarry</p> <p>4 GPM   Yield (flow) of well or spring in gallons per minute (GPM)</p> <p>↓       Spring, with general direction of flow</p> <p>●       Drilled overburden well</p> <p>■       Dug well</p> <p>⊕       Observation well (project well if labeled; nonproject well if unlabeled)</p> <p>⋄       Test boring (project boring if labeled; nonproject boring if unlabeled)</p> <p>↓       Driven point</p> <p>○       Test pit</p> <p>●       Drilled bedrock well</p> <p>▽       Potential point source of ground-water contamination</p> <p>⊕       Bedrock outcrop</p> <p><span style="color: red; font-size: 2em; font-weight: bold;">V</span>      Surface-water drainage-basin boundary; surface-water divides generally correspond to ground-water divides. Horizontal direction of ground-water flow generally is away from divides and toward surface-water bodies.</p>

## NOTES:

This map is a scanned image of a portion of a plan entitled "Significant Sand and Gravel Aquifers, Togus Pond Quadrangle, Maine" by Maine Geological Survey, Augusta, Open-File No. 05-44, dated 2005.

<p>CLIENT/PROJECT: <b>BADJ PROPERTIES, LLC</b></p>	<p><b>E.S. COFFIN</b> ENGINEERING &amp; SURVEYING 2006</p> <p>432 Cony Road P.O. Box 4687 Augusta, Maine 04330 Ph. (207) 623-9474 Fax (207) 623-9016 Toll Free 1-800-244-9475</p>	<p>SHEET TITLE: <b>SIGNIFICANT SAND &amp; GRAVEL AQUIFERS MAP</b></p> <p>SCALE: 1" = 1000'</p> <p>DATE: JANUARY 9, 2015</p>	<p><b>SIGNIFICANT SAND &amp; GRAVEL AQUIFERS</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">PROJ. NO. 2014-281</p>
<p>LOCATION: <b>LIPMAN ROAD</b></p>			
<p>TOWN: <b>AUGUSTA</b> COUNTY: <b>KENNEBEC</b> STATE: <b>MAINE</b></p>			



**LOCATION MAP**  
SCALE 1" = 1000'

CLIENT/PROJECT:  
**BADJ PROPERTIES, LLC.**

LOCATION: **LIPMAN ROAD**

TOWN: AUGUSTA COUNTY: KENNEBEC STATE: MAINE



SHEET TITLE:  
**SITE LOCATION MAP**

SCALE: 1" = 1000'

DATE: DECEMBER 15, 2014

PROJ. NO. 2014-281

**SLM**

432 Cony Road  
P.O. Box 4687  
Augusta, ME 04330



(207) 623-9475  
Fax (207) 623-0016  
1-800-244-9475

January 09, 2015

Mr. Lionel Cayer  
City Engineer  
City Center Plaza  
16 Cony Street  
Augusta, Maine 04330

Subject: BADJ Properties, LLC.  
Lipman Road  
Traffic Impact

Dear Lionel,

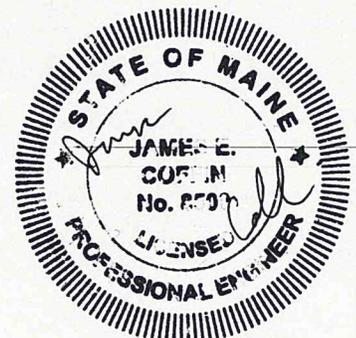
BADJ Properties, LLC., herein called the applicant, has a purchase/sale agreement for a parcel of land identified as lot 22 on tax map 53 in the City of Augusta tax maps. The six acre parcel is located on Lipman Road and is on the east side of the road. The applicant is proposing to develop the parcel into a staging area for processing scrap metal. Scrap metal will be trucked to the site and then sorted before being put on rail cars to be transported out of state.

The applicant owns three scrap yards in Hallowell, Augusta and Montville in which scrap metal is brought to each facility by individuals. These materials are sorted and then tractor trailer trucks bring the materials out of state. These three operations combined have two to four tractor trailer trucks removing materials on a daily basis.

There are not any land uses listed in the Institute of Transportation Engineers (ITE) Manual (8<sup>th</sup> addition) that are even close to the proposed use of a "Waste Facility". That being said we are able to make an educated assessment of the proposed facility by looking at the three other facilities currently in operation. We estimate two to four trucks entering the site per day and this coupled with the five employees on site results in a maximum trip generation of nine vehicles per day. This number is well below the 35 trip threshold in the Land Use Ordinance and therefore a traffic impact analysis is not required. If you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Respectfully Submitted,

James E. Coffin, PE



432 Cony Road  
P.O. Box 4687  
Augusta, ME 04330



(207) 623-9475  
Fax (207) 623-0016  
1-800-244-9475

January 9, 2015

City of Augusta  
Matt Nazar (Director of Development Services)  
One City Center  
Augusta, Maine 04330

Subject: **BADJ Properties, LLC.**  
**5.2.9.1 Waste Facility, Class 1**

Dear Matt:

BADJ Properties, LLC., herein called the applicant, has purchased a parcel of land identified as lot 22 on tax map 53 in the City of Augusta tax maps. The six acre parcel is located on Lipman Road and is on the east side of the road. The Land Use Ordinance (LUO) in Section 5.2.9.1 Waste Facilities, Class 1 require the applicant to provide information for the following items:

**1) Detailed description of operation:**

Delivery of Materials – All materials will be delivered via large vehicles. This is not a peddler site and will only accept industrial loads of material. All drivers will enter the site and come to a stop on the weight scale. Once an inbound weight has been recorded the driver will proceed to the unloading area. At this stage they will unload the material in a manner best suited for the particular load being delivered. The driver will either dump the load onto the concrete pad or the goods will be unloaded via material handler crane. Next the driver will exit the material holding area and return to the scale for an empty outbound weight. Once the weight is recorded the driver will be given a copy of the weigh ticket and exit the facility.

Material Separation – Materials that have been delivered to the facility will be sorted based on grade and commodity. The materials will be placed into piles where they will be prepared for shipment. Should items require an extra step in the process to be prepared they will be placed in the shear/torch pile adjacent to the concrete pad.

Shearing/Preparation of Materials – Materials that are dimensionally unfit for shipment will be cut to an acceptable size with the use of a mobile shear or with oxygen/propane torches. This is primarily for HMS #1 aka Heavy Melt Steel. This is what may be considered a structural material.

Loading and Shipment of Materials – Primarily all materials will be shipped off-site for the final destination via rail car. The rail cars will be delivered by Pan Am Railways upon request. Prior to the rail cars arrival material will be staged into piles that are the approximate weight of each cars capacity. This will expedite the process of loading once the cars are on-site. It is expected that 4 to 6 rail cars will be loaded at a time. Upon completion of loading all tracks must be inspected prior to the shipment leaving. Once that is done the material will be on its way to the purchaser.

**2) Description of on-site circulation pattern for loading and unloading goods:**

BADJ Properties, LLC. currently owns three scrap yards in Hallowell, Chelsea and Montville. People bring scrap metal to each of these three facilities, which all incorporate scales for weighing inbound and outbound trucks. These individuals are paid by the pound for their scrap metal. The scrap metal from each of these facilities currently is trucked out of State.

The new facility will receive all scrap metal from these three facilities via tractor trailer trucks. Each truck will come into the facility and be weighed and then the metals will be unloaded by crane onto the 80' by 200' concrete pad as shown on the Site Plan (C-1). There is a 1,500 gallon grease/oil separator located in the middle of the concrete pad, which provides treatment for any stormwater on the concrete pad. The grease/oil separator is piped towards the existing 30" diameter concrete pipe running west underneath the railroad tracks before eventually flowing to the Kennebec River.

The scrap metal on the concrete pad is then taken by the crane and transported south on site to railroad cars on the proposed railroad spur. The railroad cars will head south towards the old Statler Tissue site, which is where the railroad terminates. These materials will then be re-routed north towards Waterville before eventually heading south to go out of State.

**3) Description of markets; method of disposal of byproducts:**

The market that the applicant caters to is primarily scrap metal recycling. Materials will be purchased from scrap metal dealers in Maine and New Hampshire. The material will be sold to domestic and foreign markets based on sale price. Product purchased will be in the form of iron and cars (prepared and free of hazards) primarily.

All byproducts of these commodities are 100% recyclable and will be sold based on its designation. There will be no true byproduct created from this operation due to the fact that most processing operations will take place at a different site.

Should you have any questions or concerns please do not hesitate to contact me at 623-9475.

Respectfully submitted,



James E. Coffin, PE

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STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
93 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0093

PAUL R. LePAGE  
GOVERNOR

WALTER E. WHITCOMB  
COMMISSIONER

December 15, 2014

James E. Coffin  
E.S. Coffin Engineering and Surveying, Inc  
432 Cony Road  
Augusta, ME 04330

Re: Rare and exemplary botanical features in proximity to: Project # 2014-281, BADJ Properties, LLC Proposed Development, Augusta, Maine

Dear Mr. Coffin:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received December 15, 2014 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Augusta, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

Letter to James Coffin, E.S. Coffin Engineering and Surveying, Inc.  
Comments RE: BADJ Properties, LLC, Augusta, Maine  
December 15, 2014  
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The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,



Don Cameron  
Ecologist  
Maine Natural Areas Program  
207-287-8041  
[don.s.cameron@maine.gov](mailto:don.s.cameron@maine.gov)

# Rare & Exemplary Botanical Features within 4 miles of

## Project: #2014-281, BADJ Properties, LLC Lot Development, Augusta, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
<b>Alpine Rush</b>						
	SC	S3	G5T5?	1916-07-06	6	Non-tidal rivershore (non-forested, seasonally wet)
<b>Awnead Sedge</b>						
	E	S1	G5	2007-08-13	5	Coastal non-tidal wetland (non-forested, wetland)
	SC	S2	G5	2012-09-28	11	Non-tidal rivershore (non-forested, seasonally wet)
<b>Bottlebrush Grass</b>						
	SC	S3	G5	1905-08-05	11	Hardwood to mixed forest (forest, upland)
	SC	S3	G5	1916-08-18	12	Hardwood to mixed forest (forest, upland)
<b>Foxtail Sedge</b>						
	PE	SH	G5	1916-07-06	2	Forested wetland
<b>Lopseed</b>						
	PE	SH	G5	1916-08	4	Non-tidal rivershore (non-forested, seasonally wet), Hardwood to mixed forest (forest, upland)
<b>Pale Green Orchis</b>						
	SC	S2	G4T4Q	1916-07-06	21	Non-tidal rivershore (non-forested, seasonally wet), Open wetland, not coastal nor rivershore (non-forested, wetland)
<b>Pocket Swamp</b>						
	<null>	S2	G5	2005-06-15	14	Forested wetland, Hardwood to mixed forest (forest, upland)
<b>Pubescent sedge</b>						
	SC	S2	G5	2012-09-29	3	<null>
<b>Raised Level Bog Ecosystem</b>						
	<null>	S4	GNR	2004	4	Forested wetland, Open wetland, not coastal nor rivershore (non-forested, wetland)
<b>Sandbar Willow</b>						

## Project: #2014-281, BADJ Properties, LLC Lot Development, Augusta, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
<b>Showy Orchis</b>	E	S1	G5	2012-09-28	4	Non-tidal rivershore (non-forested, seasonally wet)
	E	S1	G5	1915-08-12	12	Hardwood to mixed forest (forest, upland)
<b>Wild Chervil</b>	PE	SH	G5	1936-07	4	Hardwood to mixed forest (forest, upland)
	PE	SH	G5	1916-08-18	3	Hardwood to mixed forest (forest, upland)
<b>Wild Garlic</b>	SC	S2	G5	1983-07-14	4	Forested wetland,Hardwood to mixed forest (forest, upland)
<b>Wild Ginger</b>	T	S1S2	G5	2012-09-24	1	Hardwood to mixed forest (forest, upland)

## STATE RARITY RANKS

- S1** Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
- S2** Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- S3** Rare in Maine (20-100 occurrences).
- S4** Apparently secure in Maine.
- S5** Demonstrably secure in Maine.
- SU** Under consideration for assigning rarity status; more information needed on threats or distribution.
- SNR** Not yet ranked.
- SNA** Rank not applicable.
- S#?** Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

**Note:** **State Rarity Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines State Rarity Ranks for animals.

## GLOBAL RARITY RANKS

- G1** Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
- G2** Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- G3** Globally rare (20-100 occurrences).
- G4** Apparently secure globally.
- G5** Demonstrably secure globally.
- GNR** Not yet ranked.

**Note:** **Global Ranks** are determined by NatureServe.

## STATE LEGAL STATUS

**Note:** State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered and Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

- E** ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
- T** THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

## NON-LEGAL STATUS

- SC** SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
- PE** Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

## ELEMENT OCCURRENCE RANKS - EO RANKS

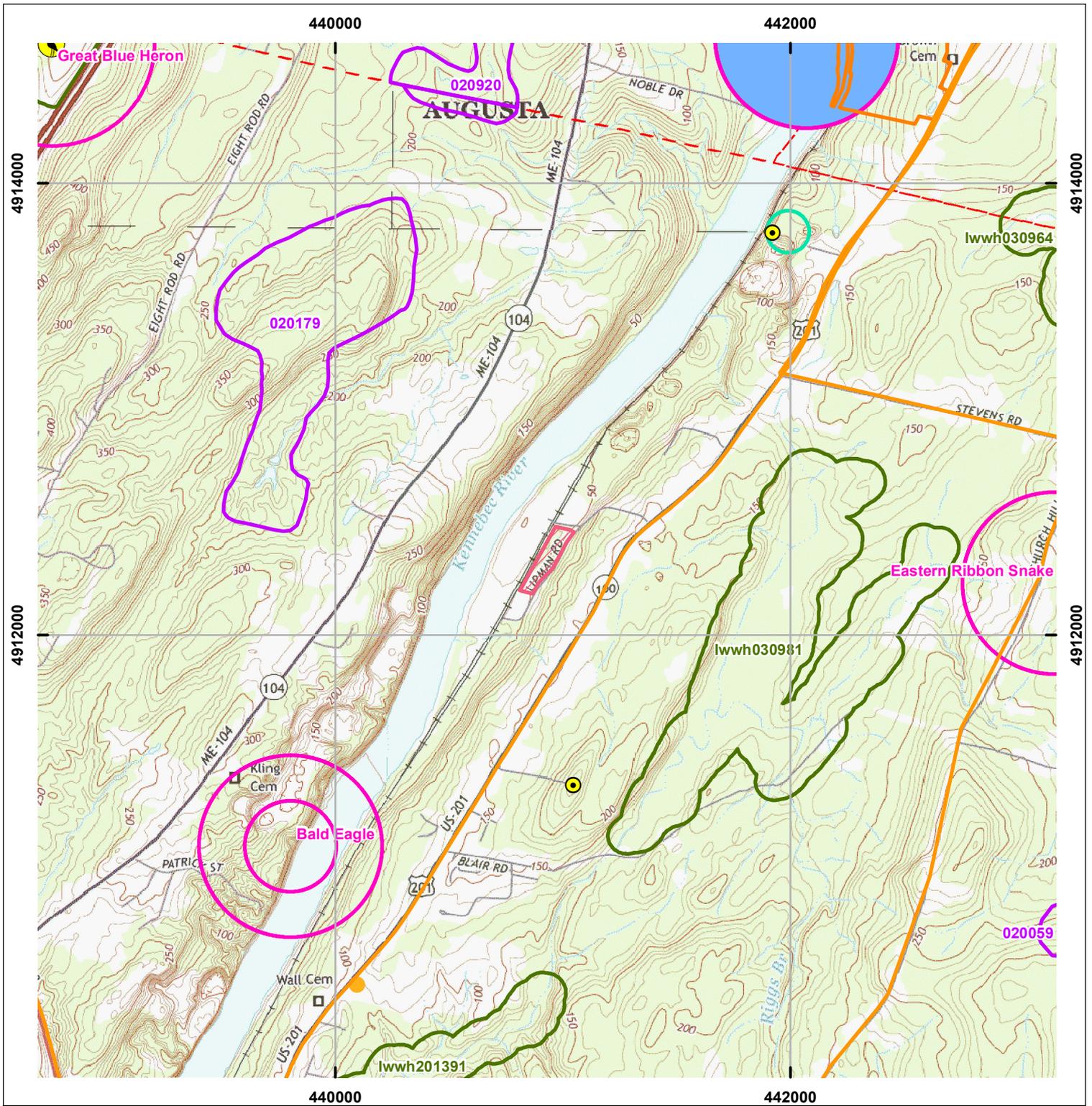
Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size**: Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition**: For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context**: Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A**, **B**, **C**, or **D**, where **A** indicates an **excellent** example of the community or population and **D** indicates a **poor** example of the community or population. A rank of **E** indicates that the community or population is **extant** but there is not enough data to assign a quality rank. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

**Note:** **Element Occurrence Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines Element Occurrence ranks for animals.

Visit our website for more information on rare, threatened, and endangered species!  
<http://www.maine.gov/dacf/mnap>



## Environmental Review of Fish and Wildlife Observations and Priority Habitats

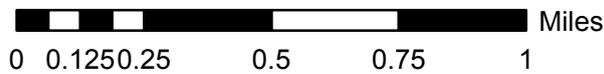
Project Name:

Augusta, BADAJ Properties

(Version 1)



Maine Department of  
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 12/17/2014

	ProjectPoints		Deer Winter Area		Roseate Tern
	ProjectLines		LURC p-fw		Piping Plover/Least Tern
	ProjectPolys		Cooperative DWAs		Aquatic ETSc (2.5 mi review)
	ProjectSearchAreas		Seabird Nesting Islands		Rare Mussels (5 mi review)
			Shorebird Areas		Maine Heritage Fish Waters
			Inland Waterfowl/Wading Bird		Arctic Charr Habitat
			Shoreland Zoning_lwwh		E. Brook Trout Joint Venture Subwatershed Classification
			Tidal Waterfowl/Wading Bird		Redfin Pickerel/Swamp Darter Habitats (buffer100ft)
			Significant Vernal Pools		Special Concern-occupied habitats(100ft buffer)
			Environmental Review Polygons		Wild Lake Trout Habitats





PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF  
INLAND FISHERIES & WILDLIFE  
284 STATE STREET  
41 STATE HOUSE STATION  
AUGUSTA ME 04333-0041

CHANDLER E. WOODCOCK  
COMMISSIONER

December 22, 2014

James Coffin  
E.S. Coffin Engineering & Surveying, Inc.  
432 Cony Road, PO Box 4687  
Augusta, ME 04330

**RE: Information Request - BADJ Properties, Augusta**

Dear Jim:

Per your request received December 15, 2014, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information for known locations of Endangered, Threatened, and Special Concern species; designated Essential and Significant Wildlife Habitats; and fisheries habitat concerns within the vicinity of the *BADJ Properties Project* in Augusta.

Our information indicates no locations of Endangered, Threatened, or Special Concern species within the project area. Additionally, our Department has not mapped any Essential or Significant Wildlife Habitats or fisheries habitats that would be directly affected by your project.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

A handwritten signature in blue ink, appearing to read 'John Perry'.

John Perry  
Environmental Review Coordinator