



# THE CITY OF AUGUSTA

WILLIAM R. STOKES, MAYOR

CITY COUNCIL

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MICHAEL G. BYRON  
DALE McCORMICK  
DAREK M. GRANT

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PATRICK E. PARADIS  
DAVID M. ROLLINS

WILLIAM R. BRIDGEO  
CITY MANAGER

## INFORMATIONAL MEETING AGENDA

THURSDAY, APRIL 10, 2014

CITY HALL (COUNCIL CHAMBERS)

6:30 p.m.

- A. Items for discussion submitted by the City Council and/or the City Manager:**
  - 1. Eastside Rezoning Study Recommendations for rezoning the area from the Arsenal to the Cushnoc Crossing bridge.
  - 2. Sale of tax acquired property – 12 Green Street
- B. Persons wishing to address the City Council who have submitted a formal request in accordance with Section 2-61 of the Code of Ordinances:**
- C. Open comment period for any persons wishing to address the City Council.**

**City of Augusta, Maine**  
DEPARTMENT OF DEVELOPMENT SERVICES

AUGUSTA STATE AIRPORT  
CODE ENFORCEMENT  
ECONOMIC DEVELOPMENT



ENGINEERING  
FACILITIES & SYSTEMS  
PLANNING

**MEMORANDUM**

**TO:** City Council  
Bill Bridgeo, City Manager

**FROM:** Matt Nazar, Acting Director of Development Services

**DATE:** April 7, 2014

**RE:** Eastside Rezoning - Northern End

The Planning Board spent a great deal of time reviewing the rezoning scenarios for the northern end of the Eastside Rezoning Study recommendations and came to the following regulatory recommendations. Their vote was unanimous on the issue. The major changes for this part of the city include changing the residential neighborhood just north of D.P. Wells Fire Station from Industrial – a district where these residences are actually non-conforming uses – to RB1, which is a residential district with densities and uses similar to the rest of the eastside neighborhoods of a similar age. RB1 is an existing zoning district, so there is no new text for the district.

The major change is that the Industrial Zone that currently covers the former tissue mill site and a number of other properties to the south. The Planning Board has proposed a new zoning district called the Kennebec Locks District. The details of that district are below.

Purpose: The Kennebec Locks District is part of the city's growth area and is adjacent to the urban core. It is an urban, high density zoning district. It is intended to be a mixed use district with carefully crafted development standards to ensure the area becomes an attractive, walkable, viable commercial and residential area in a desirable part of the city. Public access to the shoreline of the Kennebec River is very important.

Dimensional Requirements

<u>Use</u>	<u>Min. Lot Size</u>	<u>Minimum Frontage (Feet)</u>	<u>Minimum Depth (Feet)</u>	<u>Area Per Dwelling Unit</u>	<u>Min. Front Setback** (Feet)</u>
<u>All Uses</u>	<u>10,000 Square feet</u>	<u>75</u>	<u>75</u>	<u>20,000*** Square feet</u>	<u>15/35</u>

Minimum side/rear setbacks are flexible; see sections 5.1.1 and 5.1.16.

\*\*Minimum front setback: 35 feet from street ROW line of arterial and collector streets; 15 feet from the street ROW line of all other streets.

\*\*\*May be reduced to 2,500 square feet per dwelling unit if served by public sewer.

a) Design Criteria. The following minimum design criteria shall be met within the Kennebec Lockes (KL) District.

1. Outdoor Lighting Standards: The purpose of this section is to provide Outdoor Lighting Standards to help ensure compatibility with neighboring uses, preserve our dark skies, and provide a more pleasant and comfortable nighttime environment while preserving the ability to install effective security lighting.

i. Lighting fixtures shall be a full cut-off design that is shielded, hooded and oriented towards the ground so that direct rays of lighting source(s) are not visible past the property boundaries and do not shine into the night sky; and

ii. Use of motion sensing devices are encouraged; and

iii. Lighting shall not blink, flash or be of unusually high intensity or brightness; and

iv. All lighting fixtures shall be appropriate in scale, intensity and height to the use they are serving.

v. New or replacement lighting of streets/roads within the district shall be shielded, downward pointing.

vi. Exemptions:

1. Lighting fixtures installed on residential structures with incandescent lamps, or equivalent. This exemption does not apply to fixtures that light parking areas, driveways, sports areas or outbuildings;

2. Seasonal decorative lighting fixtures;

3. Lighting fixtures used temporarily for emergency purposes.

4. Public athletic fields, fairgrounds and approved temporary special events lighting.

5. Lighting fixtures of equivalent to sixty (60) watts or less of incandescent bulbs.

2. Location of Parking, Servicing, and Loading Areas for non-residential uses: All off-street parking lots/areas/stalls, vehicle servicing areas (including gasoline/diesel pumps), and delivery and garage bay doors shall be located at the side or rear of buildings, the only exception being for handicapped parking spaces, which may be located at the

front of the building. Bufferyard standards for Urban, Industrial, and Planned Development Districts identified in section 5.1.1 of the Land Use Ordinance are applicable to all parking lots with 6 or more spaces.

Screening of Machinery, Equipment, Storage Areas, and other Appurtenances for non-residential uses: Open storage areas; exposed machinery, electrical/electronic equipment, heating and/or air conditioning equipment, fuel tanks, etc (whether located above the ground on structures or on the ground); areas used for storage & collection of rubbish; and areas determined to be similar to those listed, must be visually screened from roads and surrounding land uses. Suitable types of screening for above-ground equipment, storage areas and appurtenances includes landscaping (e.g. shrubs, plants, trees, fencing) and/or architectural elements (e.g. false walls, false roofing, masonry, blocks, etc.). Suitable types of screening on the ground include opaque wood fences and dense evergreen hedges of five (5) feet or more in height. Where evergreen hedges are proposed, a temporary fence shall be built to provide screening until the evergreens are of sufficient height to hide the unit(s) being screened.

Sections of the bufferyard ordinance would need to be amended to add the new district, as would sections of the sign ordinance. Those amendments, based on the Board's discussions at the last meeting, are as follows:

Amend Table 5.1.1-A to add the KL district to the cell that says "Bufferyard requirements in the Urban Area (RA, RB1, RB2, BP, KBD1, KL, CB, CC, CD zones):"

This would require the same bufferyard standard as in most of the rest of the urban core. Sign ordinance issues can be dealt with as follows:

5.1.17.1.1 **Size, setback, and height regulations.** Ground graphics must comply with the following size, setback, and height regulations. Size shall be reduced by 10 percent for every 10 feet, or portion thereof, that a sign does not meet the proper distance between ground graphics in §5.4.3.

<b>District</b>	<b>Size (Sq. Feet)</b>	<b>Setback (side and rear only) (Feet)</b>	<b>Height (Feet)</b>
CD, PD, IA	200	10	25
CB, CC, KBD2, MED, PD2, RBV	120	10	25
GS, KBD1, <u>KL</u> , RD, RV	50	10	15
BP, RA, RB1, RB2, RC, RPDS, RR, RR2, RRES	15	10	15
All Shoreland zoning districts, except GD	12	10	15
GD Shoreland zoning district	Regulations shall be identical to the underlying base zoning district		

5.1.17.9.2 **Illumination permitted.** A street graphic may be illuminated in the following zoning districts:

RA, RB1, RB2, All Shoreland Zones (except GD Zone)	KBD1, KBD2, RBV, Shoreland GD Business Professional	CB, CC, CD, MED, PD, PD2, <u>KL</u> , IA, RD, RC, RR, RRES, RPDS, RV, RR2
External Illumination only	Internal and External Illumination	Internal and External Illumination

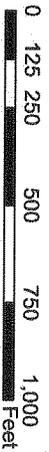
5.1.17.9.5.1 **Internal Illumination Color Requirements.** In the Medical (MED), Kennebec Locks (KL), and Riggs Brook Village District (RBV) all internally illuminated signs must use a dark colored background with a light colored copy.



*Kennebec River*

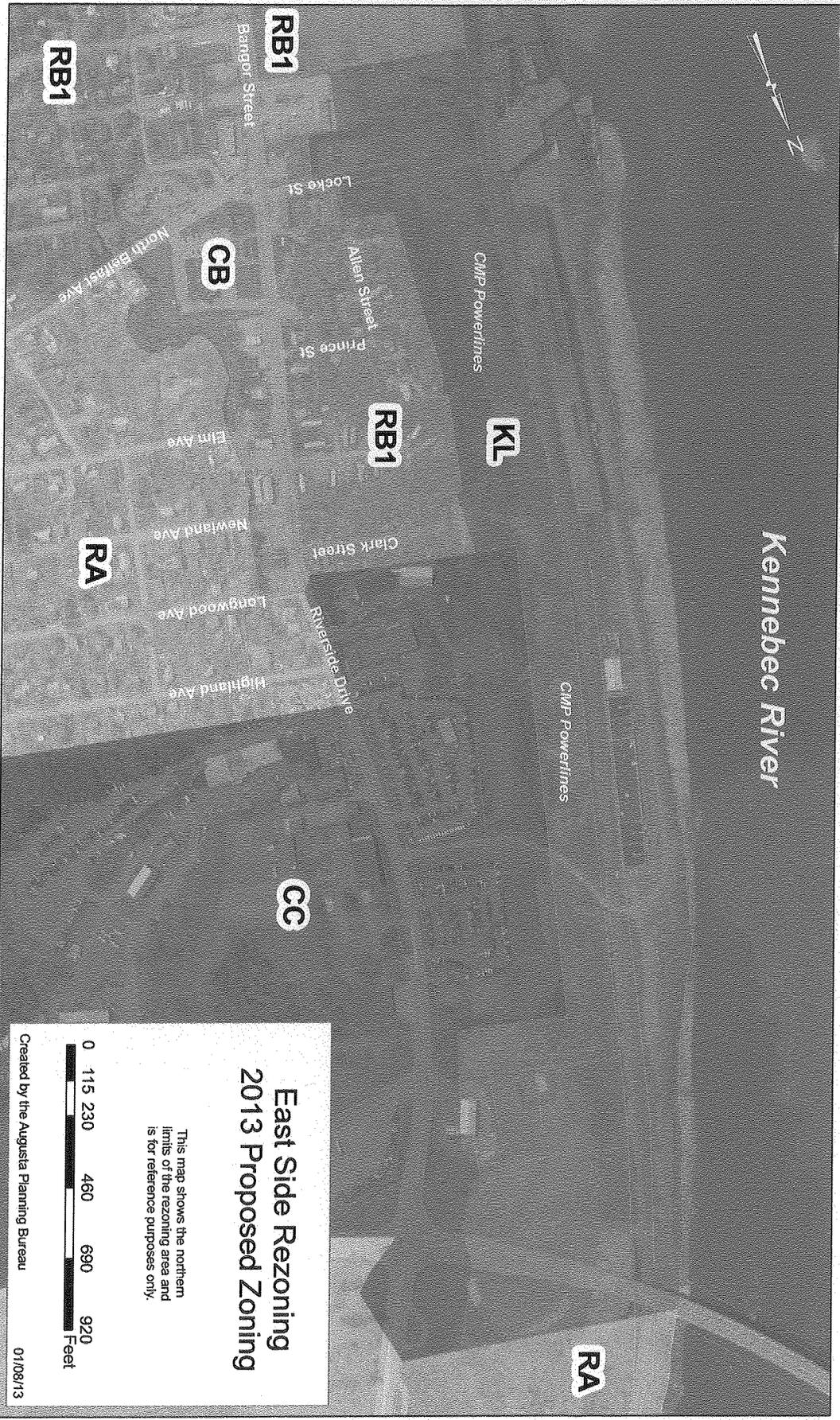
**East Side Rezoning  
2013 Proposed Zoning**

This map shows the middle  
of the rezoning area and  
is for reference purposes only.



Created by the Augusta Planning Bureau

1/8/13



Kennebec River

CMP Powerlines

CMP Powerlines

**RB1**

Bangor Street

**RB1**

Locke St

**CB**

North Belfast Ave

Allen Street

Prince St

**RB1**

**KL**

Elm Ave

**RA**

Newland Ave

Clark Street

Longwood Ave

Riverside Drive

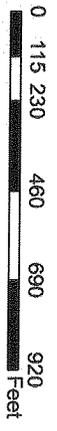
Highland Ave

**CC**

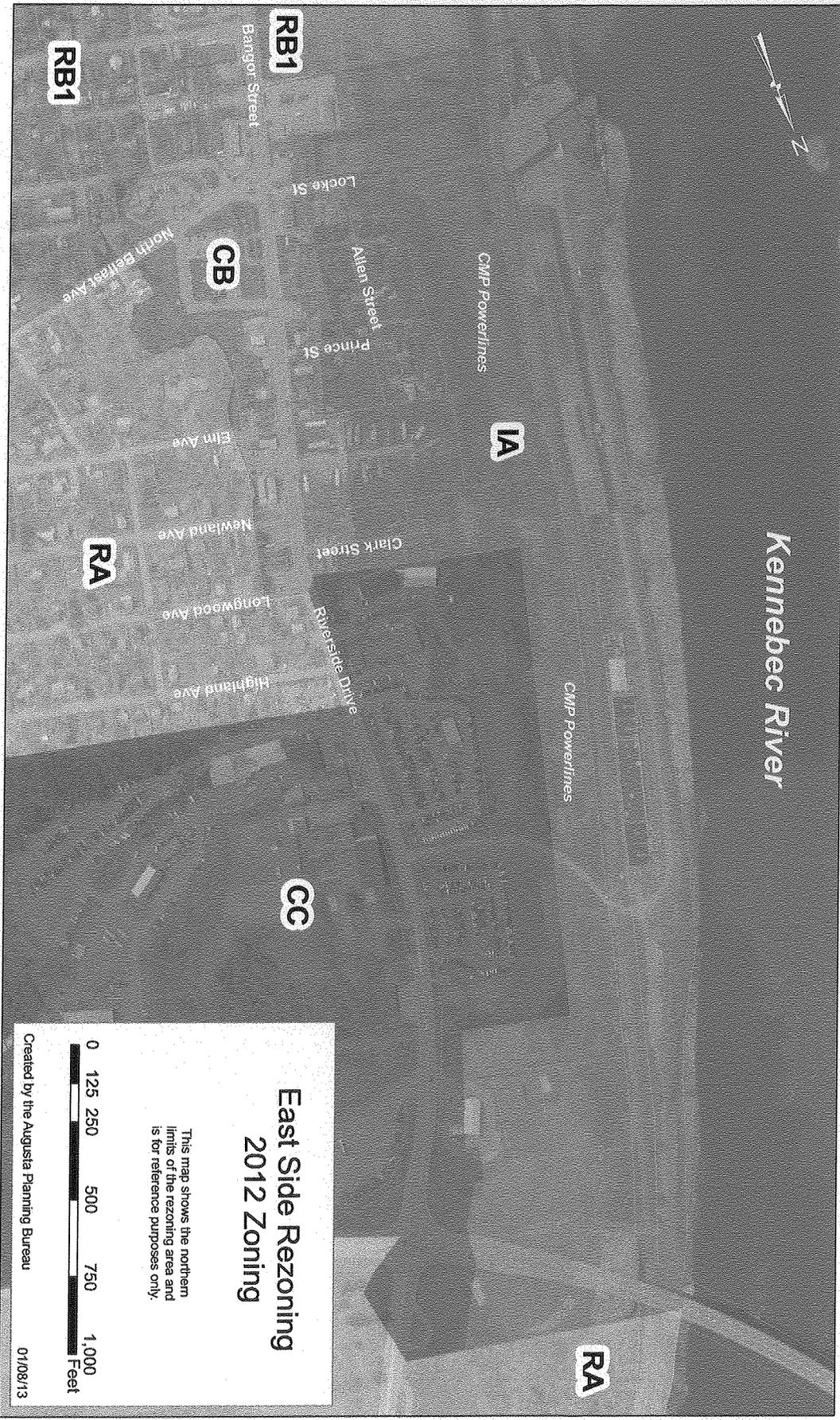
**RA**

### East Side Rezoning 2013 Proposed Zoning

This map shows the northern  
limits of the rezoning area and  
is for reference purposes only.



Created by the Augusta Planning Bureau 01/08/13



Kennebec River

CMP Powerlines

CMP Powerlines

**RB1**

Bangor Street

**RB1**

Locke St

**CB**

NORTH BELFRIST AVE

Allen Street

Prince St

**IA**

Elm Ave

**RA**

Newland Ave

Clark Street

Longwood Ave

Riverside Drive

Highland Ave

**CC**

**RA**



Kennebec River

### East Side Rezoning 2012 Zoning

This map shows the middle  
of the rezoning area and  
is for reference purposes only.



Created by the Augusta Planning Bureau 1/8/13

**City of Augusta, Maine**  
DEPARTMENT OF DEVELOPMENT SERVICES

AUGUSTA STATE AIRPORT  
CODE ENFORCEMENT  
ECONOMIC DEVELOPMENT



ENGINEERING  
FACILITIES & SYSTEMS  
PLANNING

Memo

To: City Council  
William Bridgeo, City Manager

From: Matt Nazar, Director of Development Services

Date: April 7, 2014

Re: Eastside Rezoning – Southern End

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The Eastside rezoning sent to the Planning Board last year was finalized last summer and has been on hold for a variety of scheduling reasons. The rezoning was split into two parts by the Planning Board. The easier rezoning is the southern end of the area, which extends from Cony Street to the Arsenal and Stone Street to the Kennebec River. In this area the Planning Board was attempting to deal with the changing reality of the redevelopment of the old hospital and concerned with neighborhood preservation.

After several public hearings where the Board heard from both neighborhood residents expressing a desire to maintain and enhance the integrity of their neighborhood and from the developer of the old hospital interested in conducting a number of uses that would not be allowed in the existing zone, the Board puts forward a number of proposed changes. There are no new zoning districts being created in their southern section of the study area, but existing zoning lines are proposed to change.

The changes can be seen on the attached maps. The residential zoning district – RB1 – is proposed to extend all the way down to Arsenal Street. And the KBD2 zoning district, which is a commercial district with downtown levels of density is extended to cover most of the hospital property. The modifications were found to be acceptable to both the residents and the old hospital developer, protecting the neighborhood from any additional commercial or office incursions and allowin the developer a wider range of possible uses at the old hospital include a possible restaurant.



Coney Street

Coney Street



Stone Street

East Chestnut Street

Caldwell Street

Middle Street

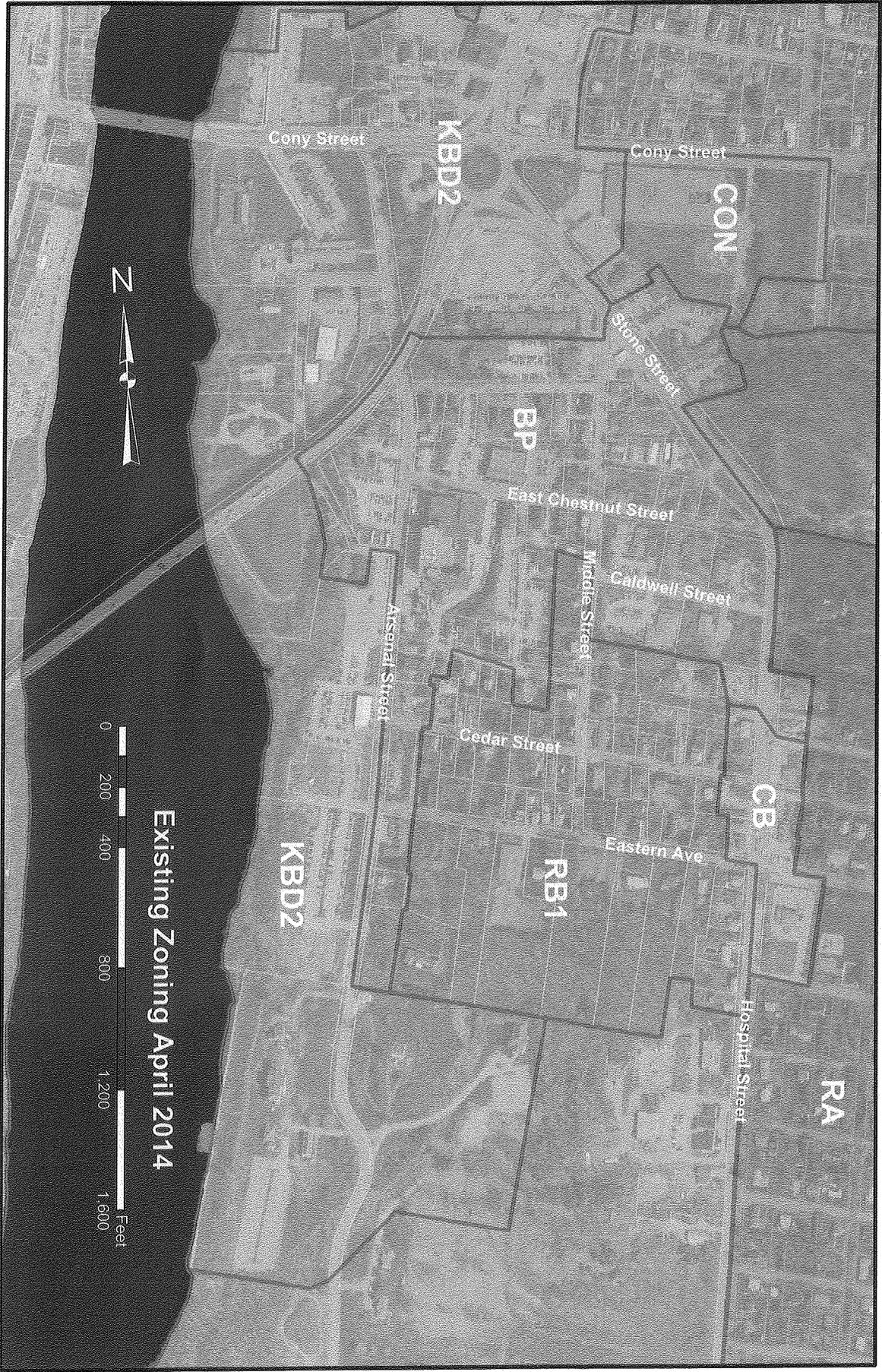
Arsenal Street

Cedar Street

Eastern Ave

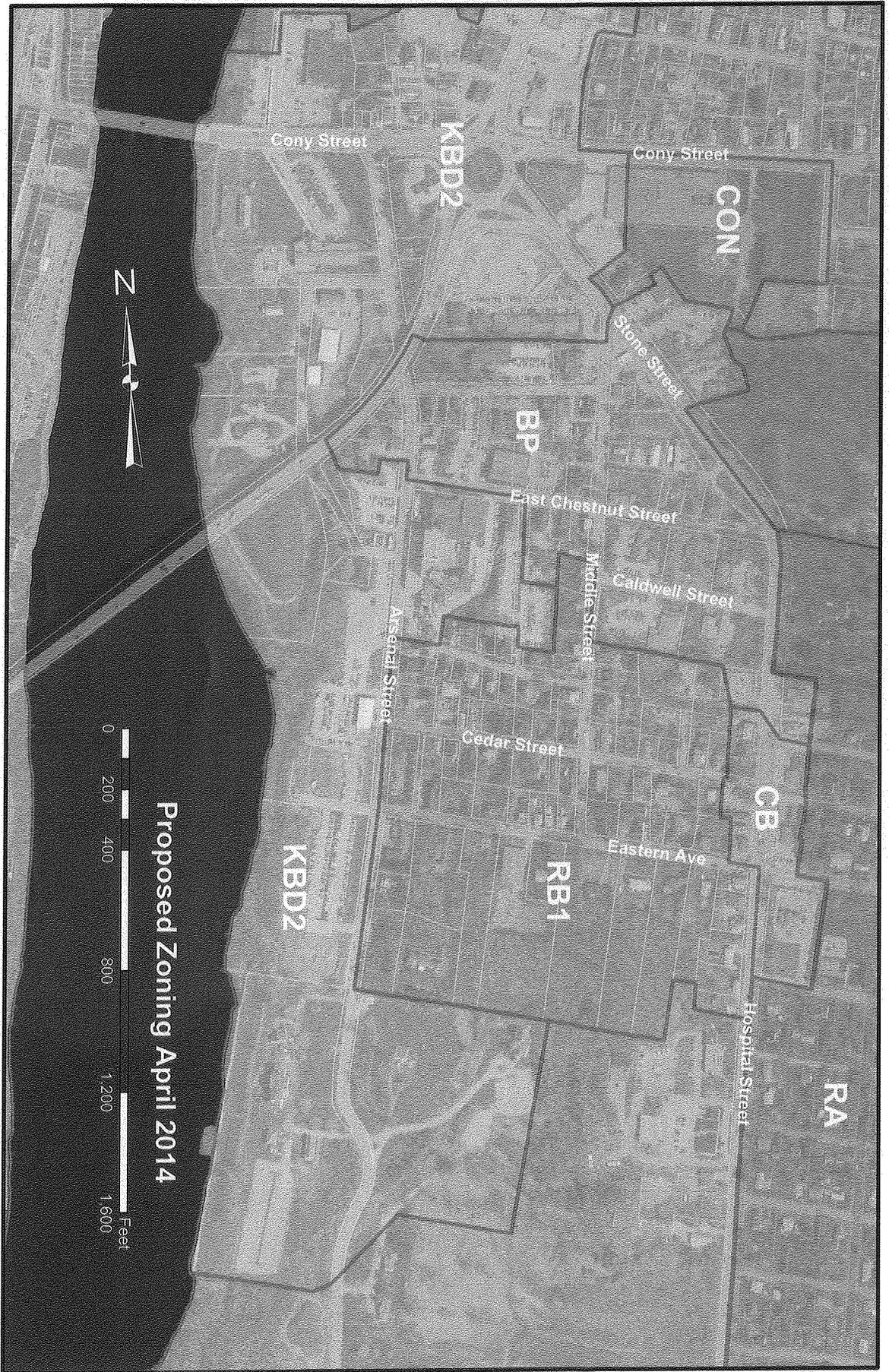
Hospital Street

0 200 400 800 1,200 1,600 Feet



Existing Zoning April 2014

0 200 400 800 1,200 1,600 Feet



**Proposed Zoning April 2014**

0 200 400 800 1,200 1,600 Feet

## MEMORANDUM

To: City Council

From: Daniel A. Nichols  
Associate Developer 

Date: April 7, 2014

RE: 12 Green Street, Augusta, Maine

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On March 24, 2014 the City of Augusta held a sealed bid opening for the City owned tax acquired property located at 12 Green Street, Augusta, Maine. The only bid submitted was from Rosemary Needham-Curtis and Peter Walker. The bid amount is \$50.00.

It is the intention of Needham-Curtis/Walker is to renovate the building and rent the new units to UMA students. Needham-Curtis is a professor of architecture at the UMA facility on Water Street. It is their goal to have the property available for rent by the beginning of the school year, (fall) 2014.

The City took possession of this property in January, 2013. The tax assessed value is \$156,600.00. The buildings overall condition is poor-fair, with concerns over asbestos remediation, lead based paint, and mold.

Needham-Curtis/Walker plan to inject \$40,000 of owners' equity in the form of cash into the project, together with a \$160,000 loan from Kennebec Savings Bank. This loan is subject to a proforma appraisal and satisfactory title opinion.

Attachments:

- Terms of Sale
- Copy of Commitment letter from Kennebec Savings Bank
- Tax Assessed Value from City Records

/dan

**City of Augusta  
Sale of Real Estate**

**TERMS OF SALE  
12 Green Street  
Augusta, Maine 04330  
11:00 am March 24, 2014**

The sale will be conducted in accordance with the following procedures and conditions:

1. The real property consists of a certain parcel of land situated at 12 Green Street, City of Augusta, County of Kennebec, and State of Maine.
2. The City of Augusta agrees to convey its interest in the real property by way of Quit Claim Deed Without Covenant to be delivered at closing subject to easements, restrictions, and other matters of record. Purchaser acknowledges that the property is being sold **"AS IS, WHERE IS, WITHOUT RECOURSE"** and that no representation is made by the City of Augusta or its representatives as to the marketability of title.
3. No representation is made by the City of Augusta as to the priority or validity of any liens or claims against the property.
4. This risk of loss or damage to the property by fire or otherwise from and after the date of the public sale to the closing date is assumed by the buyer.
5. All of the above described real estate is sold on an **"AS IS WHERE, WHERE IS, WITHOUT RECOURSE"** basis. Purchaser acknowledges that it has had the opportunity to and has made such physical and title inspection as it see fit, and that no representations or warranties concerning the title to the property or its compliance with any applicable zoning or land use regulations, laws or ordinances we made, have been made, or are being made by the City of Augusta, or any of its agents or representative. The sale of the property does not include any movable personal property which can be removed without damage to the real estate.
6. The purchaser shall, at his/her cost, pay all applicable real estate transfer taxes, so that the Purchaser shall pay two dollars and twenty cents (\$2.20) per thousand dollars or fraction thereof the bid at closing.
7. While descriptions are believed to be correct, the City of Augusta, the Seller, makes no warranties or guarantees, expressed or implied, as to the genuineness, authenticity or defects, and will not be held responsible for advertising

discrepancies or inaccuracies. Everything is sold "**AS IS, WHERE IS, WITHOUT RECOURSE**" except as expressly made of set forth in writing.

8. In the case of a disputed bid, the City of Augusta shall be the sole and absolute judge of such dispute.
9. In the event of any conflict between the Terms and Conditions of Sale and the Purchase and Sale Agreement, the Purchase and Sale shall control.
10. At approximately 11:00 a.m., Eastern Standard Time, the sale will be commenced by the City of Augusta.
11. Immediately after the reading to the Notice of Public Sale and the Terms of the Sale, the City of Augusta will declare the Sale to be open to all persons who submitted a bid proposal in writing. No verbal bids will be honored and no other written bids will be accepted by the City of Augusta. The Notice of Sale is attached hereto and incorporated herein.
12. The property will be sold "**AS IS, WHERE IS, WITHOUT RECOURSE**" to the highest bidder, and the balance is due at the time of the closing in cash, certified check or cashier's check. Certified checks should be made payable to the City of Augusta. No bid will be accepted unless the bidder shall have first registered with the City of Augusta. The City of Augusta will sell the real property to the party or parties who have the highest bid for the real property. The bids will be made in writing. The City of Augusta reserves the right to control the increments of the bids. Any bid not in compliance with the terms of the sale may be rejected. The highest bidder must also sign a purchase and sale contract with the City of Augusta calling for a closing within forty-five (45) days of the public sale at which time the balance will be due in cash or certified funds payable to the City of Augusta, which will then deliver a duly executed Quit Clam Deed Without Covenants with respect to the real property. The sale will be made without warranties and subject to: (a) prior liens or any conditions a title search would reveal, (b) any unpaid taxes or assessments, and (c) any facts which an accurate survey of the premises might show. Other terms and conditions of sale, including additions to or modifications of the terms set forth above, may be announced at the sale. This sale may be adjourned from time to time as the City of Augusta may determine.
14. The written bids will be opened one at a time and logged in written format by a representative of the City of Augusta on premise. Once all written bids have been opened, the representative from the City of Augusta will announce the winning bidder, based upon the highest bid submitted and accepted by the City of Augusta.
15. **PLEASE NOTE:** You have signed a written, binding contract agreeing to the terms and conditions of the sale, and understanding the bid you submit falls under

the Statute of Frauds. If you do not agree to the terms and conditions of sale, please do not submit your written bid.

16. The City reserves the right to accept or reject any and all bids.
17. **Bid Deposit:** Each bid must be accompanied by a deposit of 20% of the total amount bid. This may be a properly certified check, bank treasurer's check, bank cashier's check, bank money order, postal money order, or cash. Checks or money orders shall be made payable to the City of Augusta and will be deposited in its account. Such deposits will be returned to the unsuccessful bidders as soon as possible after the awards are made. The bid deposits of the successful bidder will be retained by the City of Augusta as a deposit toward the purchase price of the item(s) they have been awarded. In the event that a successful bidder fails to carry out the terms of the purchase and sales agreement, the deposit security will be retained by the City of Augusta, Maine as an agreed amount of liquidated damages. No bid may be withdrawn after it is deposited with the City Manager/Purchasing Agent until after the award(s) have been made.

The undersigned hereby registers to bid, agreeing to the terms and conditions of the sale set forth above and/or announced prior to the taking of written bids and intending to be bound thereby.

Dated: 3-26-2014



Bidder: Peter Walker

Dated: 3-26-2014



Bidder: Rosie A. Curtis

# Kennebec Savings Bank

*your community bank since 1870*

member FDIC

150 State Street, Augusta, ME 04330, Telephone: 207-622-5801

March 26, 2014

Dan Nichols, Associate Developer  
City of Augusta  
Economic & Community Development Dept.  
16 Cony Street  
Augusta, ME 04330

RE: Property located at 12 Green Street, Augusta, ME 04330

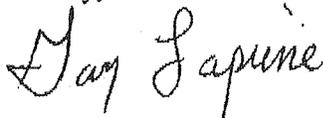
Dear Dan:

The following persons have applied for a mortgage loan with Kennebec Savings Bank on February 28, 2014:

Rosemary Needham- Curtis  
Peter Walker  
Kussinoc Management Services  
77 Pearl Street  
Camden, ME 04843

This mortgage has been approved subject to (but not limited to) satisfactory real estate appraisal based on proposed improvements and satisfactory title opinion. If you have any questions, please do not hesitate to contact me.

Sincerely,



Gary Lapierre #728106  
Vice President  
glapierre@kennebecsavings.com

**12 GREEN STREET**

**Location** 12 GREEN STREET

**Assessment** \$156,600

**Mblu** 33/ 236/ / /

**PID** 5780

**Acct#** 23471

**Building Count** 1

**Owner** AUGUSTA CITY OF

**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2014	\$131,800	\$24,800	\$156,600

**Owner of Record**

**Owner** AUGUSTA CITY OF

**Sale Price** \$0

**Co-Owner**

**Book & Page** 0/ 0

**Address** 16 CONY ST  
AUGUSTA, ME 04330

**Sale Date** 01/29/2013

**Ownership History**

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
COTE DAVID J		8666/ 48	09/23/2005
COTE DAVID J & LISA A	\$60,000	5033/ 202	12/12/1995
COTE RONALD P. & IRENE C.	\$0	4153/ 123	06/16/1992
COTE RONALD P.	\$75,000	3101/ 133	02/02/1987

**Building Information**

**Building 1 : Section 1**

**Year Built:** 1880

**Living Area:** 3222

**Building Photo**

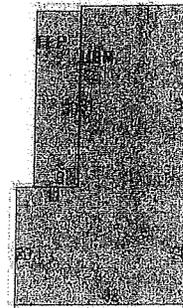
Building Attributes	
Field	Description
STYLE	Apartments
MODEL	Commercial
Grade	Average
Stories:	3
Occupancy	8
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure	Gable/Hip

Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Hardwood
Interior Floor 2	
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	None
Bldg Use	7-UNIT
Total Rooms	
Total Bedrms	05
Total Baths	0
1st Floor Use:	1107
Heat/AC	NONE
Frame Type	WOOD FRAME
Baths/Plumbing	NONE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	8
% Comn Wall	0



(http://images.vgsi.com/photos/AugustaMEPhotos/\00\01\40\03.jpg)

**Building Layout**



Building Sub-Areas			Legend
Code	Description	Gross Area	Living Area
FUS	Upper Story, Finished	1931	1931
BAS	First Floor	1291	1291
FEP	Porch, Enclosed, Finished	480	0
UBM	Basement, Unfinished	1291	0
		4993	3222

**Extra Features**

Extra Features		Legend
No Data for Extra Features		

**Land**

**Land Use**

Use Code	903C
Description	MUNICIPAL MDL-94
Zone	BP
Neighborhood	
Alt Land Appr	No

**Land Line Valuation**

Size (Acres)	0.17
Frontage	72
Depth	0
Assessed Value	\$24,800

Category

**Outbuildings**

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			500 S.F.	\$400	1

**Valuation History**

Assessment			
Valuation Year	Improvements	Land	Total
2013	\$131,800	\$24,800	\$156,600
2012	\$131,800	\$24,800	\$156,600
2011	\$131,800	\$24,800	\$156,600

**Valuation History**

Exemptions			
Exemption Year	Code	Description	Amount
2014	6	EXEMPT	\$0

