

City of Augusta, Maine
DEPARTMENT OF DEVELOPMENT SERVICES

AUGUSTA STATE AIRPORT
CODE ENFORCEMENT
ECONOMIC DEVELOPMENT



ENGINEERING
FACILITIES & SYSTEMS
PLANNING

MEMORANDUM:

TO: Planning Board

FROM: Matthew Nazar, Director of Development Services
and Betsy Poulin, Assistant Planner

DATE: June 27, 2016

RE: Fred & Camille Scannell, 115 Ward Road

A handwritten signature in blue ink, appearing to be "MN" or similar initials.

SUMMARY OF REQUEST

Request: The request is for a Minor Subdivision review as per section 300-405 and 300-603.E. The subdivision consists of three lots from a 46.32 acre parcel of land. The first land division occurred on November 10, 2014, creating a 2.12 acre lot on Woodard Road. The Scannells proposed to create a 3.1 acre house lot and a 41.2 acre undeveloped lot. The house lot division creates a third lot within a five year timeframe, triggering minor subdivision review.

Owner: Fred & Camille Scannell

Applicant: Fred & Camille Scannell

Location: 115 Ward Road

Zoning: Rural Ponds District (RPDS)
Limited Residential Shoreland Overlay District (LR)
Stream Protection 50 Shoreland Overlay District (SP50)

Tax Map Number: Map 8, Lots 35, 35A and 35B

Existing Land Use: Vacant

Proposed Land Use: One single family house

Acreage: 46.32 Acres

SUMMARY OF SUBMITTAL PACKAGE

In the submittal package the applicant has provided the Planning Board with the following items:

1. Subdivision Review Application Form
2. Narrative
3. Deed
4. Subdivision Plan

Areas of Concern

1. None.

Waivers

1. The applicant has requested seven, waivers from Plan requirements, 300-405.B(1) letters d, f, u, v and x and 300-404.B numbers 15 and 16. Staff supports these waivers due to the nature of the subdivision.
2. The applicant has requested two waivers from Project Narrative requirements. One for information about traffic movement for major developments, which is not applicable, and one for stormwater management plans, which is not applicable due to the nature of the subdivision. Staff supports these waivers.
3. The applicant has requested two waivers from Application Materials required for submission, which are the stormwater report and traffic report. Staff supports these waivers due to the nature of the subdivision.

Staff Review

The Bureau of Engineering does not have any additional concerns.

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

The Bureau of Planning does not have any additional concerns

Lot Characteristics

Minimum Lot Size – 3 acres due to soil test conditions at the proposed lot. The plan meets this standard.

Minimum Road Frontage - 150 Feet. The proposed lots meet this standard.

Minimum Lot Depth – 100 Feet. The proposed lots meet this standard.

Minimum Front Setback – 20 Feet. The proposed lots meet this standard.

Minimum Property Line Setback – 40 feet due to soil test at the proposed lot. The plan meets this standard.

**CRITERIA FOR REVIEW OF A MINOR SUBDIVISION
(Section 300-405 of the LUO; includes Section 300-603.E Conditional Use Review)**

Neighborhood compatibility (Section 300-603.E(1) of the LUO)

- a) *Land Use/Visual Integrity:*
- [1] *Land Uses:* The neighborhood surrounding the property consists primarily of wooded land, single family houses and seasonal camp properties.
 - [2] *Architectural Design:* The proposed house is a single family residence and in keeping with the character of the area.
 - [3] *Scale, Bulk, Building Height:* A single family house is proposed which meets building code standards.
 - [4] *Identity, Historical Character:* The site recently underwent timber harvesting, by the former owner. Previously the site was undeveloped and has been an undeveloped property.
 - [5] *Disposition and Orientation:* The proposed single family house layout on the site is similar to neighboring properties.
 - [6] *Visual Integrity:* The addition of a single family house will maintain the visual integrity of the neighborhood.
- b) *Privacy:* No change proposed.
- c) *Safety and Health:* The proposal will maintain safe and healthful conditions in the neighborhood.
- d) *Property Values:* The proposal will not have a detrimental effect on the value of adjacent properties.

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

Plans and Policies (Section 300-603.E(2) of the LUO)

The proposal is in accordance with the adopted elements of the 1988 Growth Management Plan.

Staff recommends that the Board finds the proposal is in accordance with the 1988 Growth Management Plan.

Traffic Pattern, Flow and Volume (Section 300-603.E(3) of the LUO)

- a) *Additional Traffic:* A single family house will not create significant traffic.
- b) *Safe Access:* The driveway location has been approved by the City Engineer.
- c) *Emergency:* The proposal provides access for emergency services.
- d) *Movement/Parking:* Not applicable.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding Public Facilities.

Public Facilities (Section 300-603.E(4) of the LUO

- a) *Water Supply:* Water supply will be through a private well.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* A private septic system has been designed for the house lot.
- c) *Electricity/Telephone:* The site has electric power.
- d) *Storm Drainage:* A culvert is installed at the driveway entrance, maintaining water flow along the roadway. No new facilities are proposed.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding Public Facilities.



View looking northeast at the intersection of Woodard Road and Ward Road.

Resource Protection and Environment (Section 300-603.E(5) of the LUO)

- a) *Sensitive Areas:* No sensitive areas will be impacted by the house lot development.
- b) *Air Quality:* The proposal complies with air quality standards.
- c) *Water Quality:* The proposal complies with water quality standards.
- d) *Sewage/Industrial Waste:* Sewage will be disposed of in the septic system. No industrial waste is proposed.
- e) *Shoreland/Wetland Districts:* Two shoreland zone overlay districts areas exist within the subdivision, Limited Residential along Woodard Road, and a Stream Protection 50

Overlay within the middle of the largest lot. No development is proposed in the Shoreland Overlay District areas.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding Resource Protection and Environment

Performance Standards (Section 300-603.E(6) of the LUO)

- a) *Performance and Dimensional Standards:* The proposal complies with all performance and dimensional standards.
- b) *Noise:* Noise is not expected to be an issue.
- c) *Glare/Heat:* No excessive heat or glare is proposed.
- d) *Exterior Lighting:* Lighting will be residential in character.
- e) *Screening:* No change proposed.
- f) *Signs:* No signage is proposed.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding Performance Standards.



View looking west at new driveway location for 3.1 acre house lot.

Financial and Technical Ability (Section 300-603.E(7) of the LUO)

The applicant has the financial and technical ability to meet the terms of the ordinance.

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

Pollution (Section 300-404.B(1) of the LUO)

- a) *Floodplain:* The project is not in the 100 year floodplain.
- b) *Ability of Soils to support waste disposal:* Sewage will be disposed of in the septic system.
- c) *Slopes effect on effluents:* The site is relatively flat. No effect.
- d) *Streams for disposal of effluents:* No streams are in the vicinity of the house lot.
- e) *Applicable health and water resources rules:* The proposal complies with water quality standards.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding pollution.



View looking northwest in 41.2 acre lot.

Sufficient Water (Section 300-404.B(2) of the LUO)

The site is served by a private well.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding sufficient water.

Municipal Water Supply (Section 300-404.B(3) of the LUO)

Not applicable.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding municipal water supply.

Soil Erosion (Section 300-404.B(4) of the LUO)

See comments above about stormwater.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding soil erosion.

Highway or Public Road Congestion (Section 300-404.B(5) of the LUO)

No significant change in traffic volume is proposed.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding highway or public road congestion.



View looking south from intersection of Woodard Road and Ward Road.

Sewage Waste and Municipal Solid Waste Disposal (Sections 300-404.B(6) and 300-404.B(7) of the LUO)

Sewage will be disposed of in the septic system. A minimal amount of solid waste is expected.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding sewage waste and municipal solid waste disposal.

Aesthetic, Cultural, and Natural Values (Section 300-404.B(8) of the LUO)

No undue adverse effect on aesthetic, cultural or natural values is expected.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding Aesthetic, Cultural and Natural Values.

Conformity with City Ordinances and Plans (Section 300-404.B(9) of the LUO)

The proposal conforms with city ordinances and plans, except as noted in other sections of this review.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding city ordinances and plans.

Financial and Technical Ability (Section 300-404.B(10) of the LUO)

See the Financial and Technical Ability section above.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding financial and technical ability.

Surface Waters; Outstanding River Segments (Section 300-404.B(11) of the LUO)

This proposal is not in proximity to any surface waters or outstanding river segments.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding surface waters; outstanding river segments.

Ground Water (Section 300-404.B(12) of the LUO)

The proposal is not expected to adversely affect ground water.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding ground water.

Flood Areas (Section 300-404.B(13) of the LUO)

The proposal is not in the 100 year floodplain.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding flood areas.

Freshwater Wetlands (Section 300-404.B(14) of the LUO)

See comments in the Public Facilities section above.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding freshwater wetlands.

River, Stream, or Brook (Section 300-404.B(15) of the LUO)

There is no river stream or brook on or immediately adjacent to the project site.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding rivers, streams, or brooks.

Stormwater (Section 300-404.B(16) of the LUO)

See the Public Facilities section.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding stormwater.

Access to Direct Sunlight (Section 300-404.B(17) of the LUO)

The proposal will not block access to direct sunlight to any structures utilizing solar energy.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding direct sunlight.

Title 38 M.R.S.A. Section 484, Chapters 371 and 373-377 (Section 300-404.B(18) of the LUO)

The project is not regulated by the Site Location of Development Act. Not applicable.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding Title 38 M.R.S.A/ Section 484, Chapters 371 and 373-377.

Spaghetti-Lots Prohibited (Section 300-404.B(19) of the LUO)

No spaghetti-lots are proposed.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding spaghetti-lots.

Outdoor Lighting (Section 300-404.B(20) of the LUO)

See the Performance Standards section.

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