

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: March 2, 2016

RE: Linda S. Roderick, Mount Vernon Road
Spring Brook Estates Subdivision

SUMMARY OF REQUEST

Request: The request is for a Major Subdivision review as per section 4.5 and 6.3.4. The applicant proposes to create a six lot subdivision which includes one existing residential lot, four house lots and one vacant lot on Mount Vernon Road. The existing residential lot was divided from the original parcel within the past five years, requiring inclusion in this proposed subdivision.

Owner: Linda S. Roderick (Map 5, Lot 185A)
John Mulholland (Existing Residence on Map 5, Lot 185)

Applicant: Linda S. Roderick

Location: Mount Vernon Road, in the vicinity of 313 Mount Vernon Road

Zoning: Rural River District (RR)
Stream Protection 50 Overlay District (SP-50)

Tax Map Number: Map 5, Lot 185A and Map 5, Lot 185

Existing Land Use: Vacant wooded land on Map 5, Lot 185A
Residential house on Map 5, Lot 185

Proposed Land Use: Residential subdivision

Acreage: 18.28 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 a waiver for Resource Protection and Environment, Conditional Use Review Criteria 6.3.4(5). Staff recommends granting this waiver as single family homes located adjacent to the existing road will have negligible impact on the environment.
2. The applicant has requested a waiver for Performance Standards, Conditional Use Review Criteria 6.3.4(6). Staff recommends granting this waiver as the proposal is single family home development.
3. The applicant has requested a waiver of the Stormwater Management requirements from the ordinance. Staff recommends granting this waiver as the proposed development is residential buildings and will have minimal impact.
4. The applicant has requested a waiver of the Traffic Report requirements from the ordinance. Staff recommends granting this waiver as the proposed development will only permit an additional four residential dwelling units on Mount Vernon Road.

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 - 1 acre. The proposed lots meet this standard.

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

Minimum Lot Depth - 135 Feet. The proposed lots meet this standard.

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

**CRITERIA FOR REVIEW OF A MINOR DEVELOPMENT
(Section 4.5 of the LUO; includes Section 6.3.4. Conditional Use Review)**

Neighborhood compatibility (Section 6.3.4(1) of the LUO)

- a) *Land Use/Visual Integrity:*
 - a. *Land Uses:* Residential properties and a gravel pit are in the vicinity.
 - b. *Architectural Design:* Residential properties with varying architecture design exist in the area; proposed buildings will be single family houses.
 - c. *Scale, Bulk, Building Height:* See architectural design above.
 - d. *Identity, Historical Character:* Proposed residential homes will blend with the existing identity of the vicinity.
 - e. *Disposition and Orientation:* Residential homes location would be reviewed per building permit.
 - f. *Visual Integrity:* See architectural design above.
- b) *Privacy:* Not applicable.
- 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 find that the proposed use is in compliance with the ordinance regarding Neighborhood Compatibility.



Plans and Policies (Section 6.3.4(2) of the LUO)

The proposal is in the Rural Northwest Use District which is described in the 2007 Comprehensive Plan.

Staff recommends that the Board find that the proposal is in accordance with the 2007 Comprehensive Plan.

Traffic Pattern, Flow and Volume (Section 6.3.4(3) of the LUO)

- a) *Additional Traffic:* The amount of traffic anticipated by the applicant is not anticipated to cause concerns.
- b) *Safe Access:* Driveway permits for lots will be reviewed by the City Engineer to ensure compliance.
- c) *Emergency:* The proposal provides access for emergency services as lots are adjacent to Mount Vernon Road.
- d) *Movement/Parking:* Not applicable.

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

Public Facilities (Section 6.3.4(4) of the LUO)

- a) *Water Supply:* Lots will be served by individual wells.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* Private septic systems are proposed.
- c) *Electricity/Telephone:* The site has access to electric power.
- d) *Storm Drainage:* No public storm drainage facilities exist in this area.

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



Resource Protection and Environment (Section 6.3.4(5) of the LUO)

- a) *Sensitive Areas*: All lots have areas with steep slopes over 15%. Any application to construct a principal structure on slopes greater than 15% shall be accompanied by an engineered site plan, building plan, and a landscape plan developed by a qualified licensed professional, such as, but not limited to, an engineer, architect or landscape architect. Along with the requirements for a site plan outlined in Part 6 of this chapter, the application shall include information on soil type and existing vegetative cover. Such building permit shall not be issued without Planning Board approval. (Performance Standards, 5.1.5.4)
- b) *Air Quality*: Not applicable.
- 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*: Only the existing developed lot is within the Stream Protection shoreland overlay zone. The proposal complies with the shoreland/wetland district standards.

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



Performance Standards (Section 6.3.4(6) of the LUO)

- a) *Performance and Dimensional Standards*: The proposal complies with all performance and dimensional standards. Individual homes location will be reviewed for building permits.
- b) *Noise*: Not applicable.

- c) *Glare/Heat*: Not applicable.
- d) *Exterior Lighting*: Not applicable.
- e) *Screening*: Not applicable.
- f) *Signs*: Not applicable.

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

Financial and Technical Ability (Section 6.3.4(7) of the LUO)

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

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

Pollution (Section 4.4.1.1 of the LUO)

- a) *Floodplain*: The 100 year floodplain exists on the developed lot. Proposed lots are outside the floodplain.
- b) *Ability of Soils to support waste disposal*: Test pits meet standards for private septic systems.
- c) *Slopes effect on effluents*: The site is flat. No effect.
- d) *Streams for disposal of effluents*: Spring Brook is several hundred feet from proposed development and will not be impacted.
- e) *Applicable health and water resources rules*: The proposal complies with water quality standards.

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

Sufficient Water (Section 4.4.1.2 of the LUO)

The lots will have private wells.

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

Municipal Water Supply (Section 4.4.1.3 of the LUO)

Not applicable.

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

Soil Erosion (Section 4.4.1.4 of the LUO)

Erosion control notes and details are provided on the plan. The proposal complies with soil erosion standards.

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

Highway or Public Road Congestion (Section 4.4.1.5 of the LUO)

No significant change in traffic volume is proposed.

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



Sewage Waste and Municipal Solid Waste Disposal (Sections 4.4.1.6 and 4.4.1.7) of the LUO)

Private septic systems will be installed. Adequate capacity exists at Hatch Hill.

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

Aesthetic, Cultural, and Natural Values (Section 4.4.1.8 of the LUO)

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

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

Conformity with City Ordinances and Plans (Section 4.4.1.9 of the LUO)

The proposal conforms with city ordinances and plans.

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

Financial and Technical Ability (Section 4.4.1(10) of the LUO)

See the Financial and Technical Ability section above.

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

Surface Waters; Outstanding River Segments (Section 4.4.1(11) of the LUO)

The proposed lots are not in proximity to any surface waters or outstanding river segments.

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

Ground Water (Section 4.4.1(12) of the LUO)

The proposal is not expected to adversely affect ground water.

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

Flood Areas (Section 4.4.1(13) of the LUO)

The proposed lots are not in the 100 year floodplain.

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

Freshwater Wetlands (Section 4.4.1(14) of the LUO)

See comments in the Public Facilities section above.

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

River, Stream, or Brook (Section 4.4.1(15) of the LUO)

Spring Brook is sufficiently separated from the proposed house lots to have not have an adverse impact.

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

Stormwater (Section 4.4.1(16) of the LUO)

See the Public Facilities section.

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

Access to Direct Sunlight (Section 4.4.1(17) of the LUO)

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

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

Title 38 M.R.S.A. Section 484, Chapters 371 and 373-377 (Section 4.4.1(18) of the LUO)

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

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

Spaghetti-Lots Prohibited (Section 4.4.1(19) of the LUO)

No spaghetti lots are proposed.

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

Outdoor Lighting (Section 4.4.1(20) of the LUO)

Not applicable.

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