

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, Acting Director of Development Services
and Susan Redmond, Assistant Planner

DATE: March 5, 2014

RE: Capital Area Recreation Association

SUMMARY OF REQUEST

Request: The request is for a Minor Development review as per Section 4.5. The applicant proposes to construct a parking lot and make changes to the access roads.

Owner: State of Maine

Applicant: Capital Area Recreation Association

Location: Piggery Road

Zoning: Rural Residential (RRES) District

Tax Map Number: Map 10, Lot 32

Existing Land Use: Recreation

Acreage: 84 acres

SUMMARY OF SUBMITTAL PACKAGE

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

1. Development Review Application Form
2. Narrative
3. Site Plans
4. Lease
5. Letter from State of Maine, Department of Agriculture, Conservation & Forestry
6. Survey waiver request

7. Stormwater report

Areas of Concern

Staff recommends that the Board require the applicant to:

1. Modify the site plan so that 4% of the parking spaces are handicapped accessible.

Waivers

The applicant submitted a survey waiver request. The project site is not immediately adjacent to the property line. It seems reasonable to grant a waiver for the survey.

Staff Review

The Bureau of Engineering does not have any concerns.

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

The Bureau of Planning comments that the applicant has broken the proposal into three phases. Less than one acre of soil disturbance is proposed in each phase. The current application is for Phase 2.

As shown on the site plan, the dividing line for Phase 2 & 3 cuts across a parking lot. This parking lot is for overflow parking. According to Steve Roberge, this line follows the tree line. If the parking lot were to be constructed as shown for Phase 2, some of the spaces on the eastern side of the parking lot would not be useable.

Lot Characteristics

Minimum Lot Size – The minimum required lot size is 60,000 square feet (3.6.2(2)). The lot size is 84 acres, which meets the requirement.

Minimum Road Frontage – The minimum required road frontage is 200 feet (3.6.2(2)). The minimum road frontage is over 200 feet, which meets the standard.

Minimum Lot Depth – The minimum required lot depth is 135 feet (3.6.2(2)). The minimum lot depth is over 135 feet, which meets the standard.

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

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

- a) *Land Use/ Visual Integrity:*
 - a. *Land Uses:* The land uses in the vicinity include recreational sports fields and residential uses.
 - b. *Architectural Design:* No building is proposed. N/A

- c. *Scale, Bulk, Building Height*: No building is proposed. N/A
- d. *Identity, Historical Character*: The immediate area has been used for recreational fields for a number of years.
- e. *Disposition and Orientation*: No building is proposed. N/A
- f. *Visual Integrity*: The proposal will add to the existing recreational fields complex.
- b) *Privacy*: The project will not result in a loss of privacy by the residents in the immediate area.
- c) *Safety and Health*: The proposal will maintain safe and healthful conditions in the neighborhood.
- d) *Property Values*: The proposal is not expected to 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 East District which is described in the 2007 Comprehensive Plan. Development patterns need to be progressively more rural as one moves east.

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 parking lot will not generate traffic.
- b) *Safe Access*: The access already exists off Piggery Road and Cony Road. No changes are proposed to the access.
- c) *Emergency*: Lt. Freeman, of Augusta Fire, comments that the proposal provides access for emergency vehicles and for persons attempting to render emergency services.
- d) *Movement/Parking*: Rob Overton, Code Enforcement Officer, comments that 4% of the parking spaces must be handicapped accessible.

Staff recommends that the Board require the applicant to:

1. Modify the site plan so that 4% of the parking spaces are handicapped accessible.

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

- a) *Water Supply*: The project will not use public water. N/A
- b) *Sanitary/Sewer/Subsurface Waste Disposal*: Portable toilets are on-site seasonally. N/A
- c) *Electricity/Telephone*: Electricity will be extended to the scoreboards.
- d) *Storm Drainage*: The City Engineer does not have any concerns.

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

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

- a) *Sensitive Areas*: Approximately 3,980 square feet of wetlands will be impacted by the widening and creation of access roads.
- b) *Air Quality*: No air quality impacts are proposed.
- c) *Water Quality*: The project will conform to erosion control and stormwater standards.
- d) *Sewage/Industrial Waste*: Portable toilets are on-site seasonally. No industrial wastes are proposed. N/A
- e) *Shoreland/Wetland Districts*: N/A

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

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

- a) *Performance and Dimensional Standards*: The proposal complies with the performance and dimensional standards.
- b) *Noise*: No changes are proposed to the noise levels.
- c) *Glare/Heat*: No glare or heat is proposed. N/A
- d) *Exterior Lighting*: No exterior lighting is proposed.
- e) *Screening*: There is more than 100 feet between Phase 2 of the proposed parking lot and the lot line. A Bufferyard A is required; however, the minimum number of plantings is reduced to zero due to the distance to the property line (see Table 5.1.1-B).
- f) *Signage*: No signs are proposed.

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 funds the recreational fields through playing field rentals, concession stand sales, and donations. SJR Engineering, Inc. has submitted a number of applications for Planning Board review in the past. Steve Roberge has the 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 project is not in the flood plain.
- b) *Ability of Soils to support waste disposal*: Portable toilets are on-site seasonally. N/A
- c) *Slopes effect on effluents*: Portable toilets are on-site seasonally. N/A
- d) *Streams for disposal of effluents*: Portable toilets are on-site seasonally. N/A
- e) *Applicable health and water resource rules*: N/A

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)

A water supply is not proposed. N/A

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)

The proposal will not use public water. N/A

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

Soil Erosion (Section 4.4.1.4 of the LUO)

An erosion control plan is included.

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

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

See the Traffic Pattern, Flow and Volume section.

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

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

Portable restrooms are proposed seasonally. N/A

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)

There are no issues with this criterion.

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

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

See the Plans and Policies and Performance Standards sections.

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

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

See the Financial and Technical Ability section.

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

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

The project is not located in one of these areas. N/A

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)

No groundwater impacts are anticipated.

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

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

The project is not in a 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 the Resource Protection and Environment section.

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)

A stream is shown on the site plan.

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

Stormwater (Section 4.4.1(16) of the LUO)

See the Public Facilities section.

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

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

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

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

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

The 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)

A subdivision is not proposed. Not applicable.

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

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

No outdoor lighting is proposed. Not applicable.

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