

**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 Susan Redmond, Assistant Planner

**DATE:** May 7, 2014

**RE:** Augusta Congregation of Jehovah's Witnesses

**SUMMARY OF REQUEST**

**Request:** To construct a 4,652 square foot church and associated parking.

**Owner:** Augusta Congregation of Jehovah's Witnesses

**Applicant:** Augusta Congregation of Jehovah's Witnesses

**Location:** Cross Hill Road

**Zoning:** Rural Residential (RRES) District

**Tax Map Number:** Map 7, Lot 85

**Existing Land Use:** Undeveloped land

**Proposed Lane Use:** Religious activities and associated uses

**Acreage:** 21.2

**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. Deed
4. Plan set

## Areas of Concern

The proposed access road is 18' in width. Lionel Cayer, City Engineer, comments that a 24' wide road is required unless the Planning Board grants a waiver. Lionel states that the following design would be adequate: a 24' wide road for the first 30' of the road, followed by a taper to 18' in width, and the remainder of the road to be 18' wide. The applicant needs to submit a waiver request for a road that is narrower than 24' in width.

Staff recommends that the Board require the applicant to:

1. Revise the Photometrics plan to replace light fixtures C and E with full cutoff light fixtures. Submit specifications sheets for the new fixtures.
2. Revise the Landscape Plan so that there are Bufferyard E plantings between the building and Route 3.
3. Submit information that demonstrates that the proposal will not have an undue adverse effect on historic sites, significant wildlife habitat or rare and irreplaceable natural areas.

## Waivers

The applicant requested a survey waiver for the back acreage of the parcel. The surveyor created the survey for the front acreage near the proposed development by compiling survey information done by others. Staff suggests that the Board consider a survey waiver for the entire parcel.

## Staff Review

**The Bureau of Engineering** does not have any additional comments.

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

**The Bureau of Planning** does not have any additional comments.

## Lot Characteristics

*Lot Size* – The minimum required lot size is 60,000 square feet (3.6.2.2.d). The lot is 21.2 acres, which meets the standard.

*Minimum Road Frontage* – The minimum required road frontage is 200 feet (3.6.2.2.d). The road frontage on Cross Hill Road is 158.9 feet. The road frontage on Route 3 is 452.1 feet, which meets the standard.

*Minimum Lot Depth* – The minimum required lot depth is 135 feet (3.6.2.2.d). The lot has over 135 feet of depth, which meets the standard.

*Minimum Land Area per Dwelling unit* – The minimum land area per dwelling unit is 30,000 square feet (3.6.2.2.d). One dwelling unit is proposed. The lot is 21.2 acres in size, which meets the standard.

*Minimum Building Setbacks* – The minimum required front setback is 35 feet from Route 3 (3.6.2.2.d). The building is setback over 35 feet from Route 3, which meets the standard. The minimum required front setback from Cross Hill Road is 20 feet (3.6.2.2.d). The proposed setback from Cross Hill Road is over 20 feet, which meets the standard.

The side setback requirements are driven by the bufferyards (3.6.2.2.d). A Bufferyard C (25 feet wide) is required between the church and residential use to the east. The bufferyard is 25 feet wide, which fulfills the setback requirement. A Bufferyard D (45 feet wide) is required between the church parking lot and the residential use to the west. The bufferyard is approximately 47 feet wide, which fulfills the setback requirement.

*Maximum Building Height* – The maximum allowed building height is 30 feet (3.6.2.2.d). The proposed building is 20 feet tall, which meets the standard.

## **CRITERIA FOR REVIEW OF A MAJOR 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:* There are primarily single family residences in the area. Churches are a permitted use in this zone.
  - b. *Architectural Design:* Building elevations are included in the application. The building has a pitched roof and clapboard-style siding. It will blend in reasonably well with the residential buildings in the area.
  - c. *Scale, Bulk, Building Height:* The proposed building is one-story with a maximum height of twenty feet. The proposed building is 4,652 square feet.
  - d. *Identity, Historical Character:* The neighborhood is rural with residential buildings.
  - e. *Disposition and Orientation:* The proposed church is located between two residential buildings.
- b) *Visual Integrity:* The church will be separated from adjacent land uses with bufferyards. There is not a steeple on the building.
- c) *Privacy:* The elements of the site plan are designed to maximize the privacy of the abutters.
- d) *Safety and Health:* The proposal will maintain safe and healthful conditions in the neighborhood.
- e) *Property Values:* The facility 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 located in the Rural East which is identified in the 2007 Comprehensive Plan. This area is characterized by increasingly rural development as one heads 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 City Engineer does not have concerns regarding the volume of traffic proposed.
- b) *Safe Access:* The applicant proposes an entrance on Cross Hill Road. The State of Maine did not allow access off Route 3.

The proposed access road is 18' in width. Lionel Cayer, City Engineer, comments that a 24' wide road is required unless the Planning Board grants a waiver. Lionel states that the following design would be adequate: a 24' wide road for the first 30' of the road, followed by a taper to 18' in width, and the remainder of the road to be 18' wide. The applicant needs to submit a waiver request for a road that is narrower than 24' in width.

- c) *Emergency:* The Fire Department comments that the proposal provides access for emergency services.
- d) *Movement/Parking:* Fifty-two parking spaces are required (1 space for every 3 seats in auditorium; 2 spaces for apartment). Sixty-seven spaces are proposed, which meets the standard.

The proposed access road is 18' in width. Lionel Cayer, City Engineer, comments that a 24' wide road is required unless the Planning Board grants a waiver. Lionel states that the following design would be adequate: a 24' wide road for the first 30' of the road, followed by a taper to 18' in width, and the remainder of the road to be 18' wide. The applicant needs to submit a waiver request for a road that is narrower than 24' in width.

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

- a) *Water Supply:* The church will have a private well. Not applicable.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* The church will have a septic system. Not applicable.
- c) *Electricity/Telephone:* Electric power and telephone service is available in the public right of way.
- d) *Storm Drainage:* The City Engineer comments that the storm water plan is acceptable.

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:* There is a steep slope along the driveway area that has a slope of around fifteen percent (15%).
- b) *Air Quality:* The proposal will conform to air quality standards.
- c) *Water Quality:* The applicant plans to submit a Maine DEP application.

- d) *Sewage/Industrial Waste*: A septic system will be installed on the site. No industrial waste is proposed.
- e) *Shoreland/Wetland Districts*: The project is not in the shoreland zone. Not applicable.

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*: Unless noted to the contrary elsewhere in this memorandum, the proposal complies with all applicable performance and dimensional standards.
- b) *Noise*: Noise is not expected to be a concern.
- c) *Glare/Heat*: No intense glare or heat is proposed.
- d) *Exterior Lighting*: Light fixture C and E are not full cutoff. These light fixtures need to be changed to full cutoff fixtures to meet the performance standard.
- e) *Screening*:

Bufferyard C is required between the church and the residential use to the east (Table 5.1.1-A).

Bufferyard E plantings are required between the building and Route 3 within the setback area (5.1.1.3.c). There is a note on the plan that indicates there is a 50% reduction. The plantings cannot be reduced by fifty percent (50%). Staff recommends that the Board require the applicant to revise the plan so that there are Bufferyard E plantings between the building and Route 3.

Bufferyard D is required between the parking lot and Route 3 and the residential use to the west (5.1.1.3.g.i.B).

- f) *Signage*: There isn't a specific proposal for a sign.

Staff recommends that the Board require the applicant to:

1. Revise the Photometrics plan to replace light fixtures C and E with full cutoff light fixtures. Submit specifications sheets for the new fixtures.
2. Revise the Landscape Plan so that there are Bufferyard E plantings between the building and Route 3.

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

Hedefine Engineering & Design, Inc. prepared the application. Watchtower is financing the project. The applicant appears to have the technical and financial 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 floodplain.
- b) *Ability of Soils to support waste disposal:* The soils are adequate for a septic system.
- c) *Slopes effect on effluents:* The soils are adequate for a septic system.
- d) *Streams for disposal of effluents:* There are no streams shown on the site plan.
- e) *Applicable health and water resource rules:* The proposal can conform to state and local rules and regulation.

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 applicant expects that sufficient water is available.

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 facility will not be connected to the public water supply system.

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)**

The applicant submitted an erosion and sedimentation control plan.

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)**

There will be a septic system. A minimal amount of solid waste, similar to a single family residence, will be generated.

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)**

Staff recommends that the Board require the applicant to submit information that demonstrates that the proposal will not have an undue adverse effect on historic sites, significant wildlife habitat or rare and irreplaceable natural areas.

Staff recommends that the Board require the applicant to:

1. Submit information that demonstrates that the proposal will not have an undue adverse effect on historic sites, significant wildlife habitat or rare and irreplaceable natural areas.

#### **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)**

A subdivision is not proposed. Not applicable.

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 the quality or quantity of groundwater.

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 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)**

No wetlands were found in the proposed area of development.

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

**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 Law. 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)**

See the Performance Standards section.