

City of Augusta
Development Review Application
 Bureau of Planning, Department of Development Services

| | | |
|---|--|--|
| Address of Proposed development: 480 Western Avenue | | |
| Zone(s): CC (Regional Business District) | | |
| Project Name: Charlie's Subaru Vehicle Display Expansion | | |
| Existing Building (sq. ft.): 2,585 sf (Old Candlewick Cottage) | Proposed Building (sq. ft.): 0 sf | |
| Existing Impervious (sq. ft.): 9,125 sf | Proposed Imperv. (sq. ft.): 37,308 sf | |
| Proposed Total Disturbed Area of the Site: <u>42,392 sf</u> Proposed disturbance of greater than one acre requires a Chapter 500, Stormwater Management Permit from the Maine Department of Environmental Protection (DEP). | | |
| Owner's Name/Address: Shuman Family Second LLC. c/o Lou Parent 278 Memorial Drive Winthrop, ME 04364 Phone #: 622-7327 Cell #: e-mail: lou@charliesmm.com | Applicant's Name/Address: Shuman Family Second LLC. c/o Lou Parent 278 Memorial Drive Winthrop, ME 04364 Phone #: 622-7327 Cell #: e-mail: lou@charliesmm.com | Consultant's Name/Address: E.S. Coffin Engineering & Surveying c/o Jim Coffin P.O. Box 4687 Augusta, ME 04330-1687 Phone #: 623-9475 Cell #: 242-8500 e-mail: jcoffin@coffineng.com |
| Tax Map #: 16 Lot #: 32 | Lot Size (acres): 1.07 Frontage (Feet): 150' (Western Ave) | Form for Evidence of Standing (deed, purchase and sale agreement, other): Deed |
| For Staff Use Fee Calculation: Major Development max fee is \$4,000; Minor Development max fee is \$1,000 Major Development: \$2,000 + (number of sq ft over 25,000 x \$0.15) = Minor Development: \$250 + (number of sq ft over 5,000 x \$0.15) = All Development: Number of Abutters x (1oz First Class postage fee + \$0.15) = Total Fee: | | |
| Signatures | | |
| Applicant: <u></u> | | Date: <u>February 06, 2015</u> |
| Owner: _____ | | Date: _____ |
| Agent: <u></u> | | Date: <u>February 06, 2015</u> |

Checklist. The checklist below must be completed by the applicant. The required material or a written waiver request must be provided.

| Information Required on Plan(s) See Augusta Land Use Ordinance for greater detail | Included | Waiver Requested |
|---|-------------------------------------|-------------------------|
| a. Name of Site Plan (Sec 4.5.2.1 of the Land Use Ordinance) | <input checked="" type="checkbox"/> | |
| b. Owner(s) name and address (4.5.2.2) | <input checked="" type="checkbox"/> | |
| c. Deed reference to subject parcel (4.5.2.3) | <input checked="" type="checkbox"/> | |
| d. Engineer's name, address, signature and seal (4.5.2.4) | <input checked="" type="checkbox"/> | |
| e. Surveyor's name, address, signature and seal (4.5.2.5) | <input checked="" type="checkbox"/> | |
| f. Scale, both in graphic and written form (4.5.2.6) | <input checked="" type="checkbox"/> | |
| g. Date and Revision box (4.5.2.7) | <input checked="" type="checkbox"/> | |
| h. Zoning designation(s) (4.5.2.8) | <input checked="" type="checkbox"/> | |
| i. North Arrow (true and magnetic, dated or grid) (4.5.2.9) | <input checked="" type="checkbox"/> | |
| j. Ownership, location and present use of abutting land (4.5.2.11) | <input checked="" type="checkbox"/> | |
| k. Location map (4.5.2.12) | <input checked="" type="checkbox"/> | |
| l. Streets, existing & proposed, with curve data (4.5.2.13 & 4.6.2.5) | <input checked="" type="checkbox"/> | |
| m. Drainage and erosion control (4.5.2.14) | <input checked="" type="checkbox"/> | |
| n. Utilities, existing and proposed (4.5.2.15) | <input checked="" type="checkbox"/> | |
| o. Topography, 2 foot contours (4.5.2.16) | <input checked="" type="checkbox"/> | |
| p. Parcel boundaries and dimensions (4.5.2.17) | <input checked="" type="checkbox"/> | |
| q. Proposed Use of the property (4.5.2.18) | <input checked="" type="checkbox"/> | |
| r. Proposed public or common areas (4.5.2.19) | <input checked="" type="checkbox"/> | |
| s. Boundary Survey and associated information (4.5.2.20) | <input checked="" type="checkbox"/> | |
| t. Traffic controls, off-street parking and facilities (4.5.2.21) | <input checked="" type="checkbox"/> | |
| u. Proposed fire protection plans or needs (4.5.2.22) | <input checked="" type="checkbox"/> | |
| v. Landscaping and buffering (4.5.2.23) | <input checked="" type="checkbox"/> | |
| w. Outdoor lighting plan (4.5.2.24) | <input checked="" type="checkbox"/> | |
| x. Freshwater wetlands (4.4.1.14) | <input checked="" type="checkbox"/> | |
| y. River, stream or brook (4.4.1.15) | <input checked="" type="checkbox"/> | |
| Information Required in Written Project Narrative See Augusta Land Use Ordinance for greater detail | Included | Waiver Requested |
| a. Pollution – Undue water or air pollution (4.4.1.1) | <input checked="" type="checkbox"/> | |
| b. Water – Sufficient potable water (4.4.1.2) | <input checked="" type="checkbox"/> | |
| c. Municipal Water – is there adequate supply (4.4.1.3) | <input checked="" type="checkbox"/> | |
| d. Soil Erosion – unreasonable soil erosion (4.4.1.4) | <input checked="" type="checkbox"/> | |
| e. Road congestion and safety (4.4.1.5 & 4.5.2.21) | <input checked="" type="checkbox"/> | |
| f. Sewage waste disposal – adequate provisions (4.4.1.6) | <input checked="" type="checkbox"/> | |
| g. Solid waste – adequate provisions (4.4.1.7) | <input checked="" type="checkbox"/> | |
| h. Aesthetic, cultural, and natural values (4.4.1.8) | <input checked="" type="checkbox"/> | |
| i. Conformity with city ordinances and plans (4.4.1.9) | <input checked="" type="checkbox"/> | |
| j. Financial and technical ability (4.4.1.10) | <input checked="" type="checkbox"/> | |
| k. Surface water, shoreland, outstanding rivers (4.4.1.11) | <input checked="" type="checkbox"/> | |
| l. Ground water – negative impact (4.4.1.12) | <input checked="" type="checkbox"/> | |
| m. Flood areas (4.4.1.13) | <input checked="" type="checkbox"/> | |
| n. Freshwater wetlands – description of impact (4.4.1.14) | <input checked="" type="checkbox"/> | |
| o. Stormwater – management plans (4.4.1.16) | <input checked="" type="checkbox"/> | |
| p. Access to direct sunlight (4.4.1.17) | <input checked="" type="checkbox"/> | |
| q. State Permits – description of requirements (4.4.1.18) | <input checked="" type="checkbox"/> | |
| r. Outdoor lighting – description of lighting plans (4.4.1.20) | <input checked="" type="checkbox"/> | |

| Additional Information Required in Written Narrative See Augusta Land Use Ordinance for greater detail | | |
|--|-------------------------------------|-------------------------|
| Where the items below duplicate the items above, identical responses are permitted and encouraged. | Included | Waiver Requested |
| s. Neighborhood Compatibility – description per ordinance (6.3.4.1) | <input checked="" type="checkbox"/> | |
| t. Compliance with Plans and Policies (6.3.4.2) | <input checked="" type="checkbox"/> | |
| u. Traffic Pattern, Flow, and Volume analysis (6.3.4.3) | <input checked="" type="checkbox"/> | |
| v. Public facilities – Utilities including stormwater (6.3.4.4) | <input checked="" type="checkbox"/> | |
| w. Resource protection and the environment (6.3.4.5) | <input checked="" type="checkbox"/> | |
| x. Performance Standards (6.3.4.6) | <input checked="" type="checkbox"/> | |
| y. Financial and Technical Ability (6.3.4.7) | <input checked="" type="checkbox"/> | |

Application Materials

The application materials that are required for a complete application are listed below:

| Paper Copies | Included | Waiver Requested |
|---|-------------------------------------|-------------------------------------|
| 11 copies of the application form and narrative | <input checked="" type="checkbox"/> | |
| 11 copies of the deed, Purchase & Sale agreement, or other document to show standing | <input checked="" type="checkbox"/> | |
| 3 copies of any stormwater report | <input checked="" type="checkbox"/> | |
| 2 copies of any traffic report | | <input checked="" type="checkbox"/> |
| 7 reduced-sized copies of the complete plan set on 11" x 17" size paper | <input checked="" type="checkbox"/> | |
| 4 full-sized copies of the complete plan set on ANSI D or E size paper | <input checked="" type="checkbox"/> | |
| 11 copies of a letter authorizing the agent to represent the applicant | <input checked="" type="checkbox"/> | |
| Payment in full of application fee (Note: an abutter notification fee will be assessed after the application is determined to be complete. The fee is \$0.15 plus the cost of first class postage for each abutter that will be notified as required by the ordinance.) | <input checked="" type="checkbox"/> | |
| Electronic Copy | | |
| 1 CD that includes each of the application documents in Adobe PDF format | <input checked="" type="checkbox"/> | |

| | | |
|---|-------------------------------|-------------|
| For Official Use: | | |
| <input type="checkbox"/> \$ _____ Application Fee Paid. | Received By (Initials): _____ | Date: _____ |
| <input type="checkbox"/> \$ _____ Abutter Notification Fee Paid. | Received By (Initials): _____ | Date: _____ |

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465 Western Ave., P.O. Box 5250

Augusta, Maine 04330-5250

SALES (207) 622-7327

FAX (207) 623-2836

February 03, 2015

Mr. James Coffin, P.E.
E.S. Coffin Engineering & Surveying, LLC.
432 Cony Road
P.O. Box 4687
Augusta, Maine 04330

Subject: Agent Authorization
Planning Board Submission

Dear Mr. Coffin

The intent of this letter is to authorize E.S. Coffin Engineering & Surveying, Inc. to act as our agent in submitting applications and answering questions regarding the City of Augusta Planning Board Application (Major Development). The application is for Charlie's Subaru Vehicle Display Expansion located at 480 Western Avenue in Augusta, Maine.

Sincerely,

Lou Parent, CFO

432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

February 06, 2015

City of Augusta
Matt Nazar (Planner)
One City Center
Augusta, Maine 04330

Subject: **Charlie's Subaru Vehicle Display Expansion**
480 Western Avenue
Site Plan Review Criteria

Dear Matt:

Shuman Family Second LLC. is proposing to expand their existing Subaru display area onto lot #32 shown on tax map #16 in the City of Augusta tax maps at 480 Western Avenue in Augusta. The following information is required per the Development Review Application:

- A. The proposed development will not result in undue water or air pollution. In making this determination, the following shall needs to be considered:
 1. The elevation of the land above sea level and its relation to the floodplain,
The project is not within the 100-year flood elevation and this section is not applicable.
 2. The nature of the soils and subsoils and their ability to adequately support waste disposal,
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
 3. The slope of the land and its effect upon effluents,
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
 4. The availability of streams for disposal of effluents;
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
 5. The applicable state and local health and water resources rules and regulations.
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
- B. The proposed development has sufficient water available for the reasonable needs of the development.
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.

- C. The proposed development will not cause an unreasonable burden on an existing water supply.
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
- D. The proposed development will not cause unreasonable soil erosion, unmitigated stormwater runoff, or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
All runoff from the parking lot expansion flows to on-site catch basins and then across Western Avenue to the Charlie's Public Wholesale parcel. Stormwater is then conveyed to the filter pond in the rear of the parcel where it is treated. All pertinent erosion control devices are depicted on the Site Plan (C-1).
- E. The proposed development will not cause unreasonable highway or public road congestion or unsafe intersections or other conditions with respect to the use of the highways or public roads existing or proposed.
The applicant is asking for a waiver in regard to traffic impact since there will not be any buildings or employees on site. Reference is made to the Traffic Report included with this submission.
- F. The proposed development will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are used.
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
- G. The proposed development will not cause an unreasonable burden on the town's ability to dispose of solid waste, if Town services are used.
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
- H. The proposed development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, archeological sites, significant wildlife habitat as identified by the Department of Inland Fisheries and Wildlife or the Town, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
A letter has been sent to the Maine Historical Preservation Committee asking if there are historical or archeological sites are located within the area of the site. A letter has been sent to the Maine Department of Inland Fisheries and Wildlife asking if there will be an undue adverse effect to significant wildlife habitat. A letter has been sent to the Department of Conservation asking if there are no rare botanical features within the project area.

- I. The proposed development conforms to all applicable standards and requirements of this Ordinance, the comprehensive plan, and other local ordinances. In making this determination, the Planning Board may interpret these ordinances and plans.
This entire stretch of Western Avenue has car dealers on both sides of the street. The 1988 Growth Management Plan labels this area within the City as “Economic Growth”, which includes automobile businesses. Therefore the project complies with the 1988 Growth Management Plan. The project also conforms with the requirements of the Land Use Ordinance.
- J. The developer has adequate financial and technical capacity to meet all the Review Criteria and the standards and requirements contained in this Ordinance.
Charlie’s Subaru has provided documentation indicating that they have adequate financing to complete the project.
- K. Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, Subchapter 1, Article 2-B, the proposed development will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.
This section is not applicable.
- L. The proposed development will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
- M. Based on Federal Emergency Management Agency’s Flood Boundary and floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the development is in a flood-prone area. If the development, or any part of it, is in such an area, the developer shall determine the 100-year flood elevation and flood hazard boundary within the development. The proposed plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with the lowest floor, including the basement, at least one foot above the 100-year flood elevation.
The proposed project is not within the 100-year flood elevation and therefore this section is not applicable.
- N. All fresh water wetlands within the proposed development have been identified and delineated on any maps submitted as part of the application, regardless of the size of these wetlands. All wetlands shall be preserved to the greatest extent practicable.
No freshwater wetlands will be impacted as a result of the project.
- O. The proposed development will provide for adequate storm water management.
All runoff from the parking lot expansion flows to on-site catch basins and then across Western Avenue to the Charlie’s Public Wholesale parcel. Stormwater is then conveyed to the filter pond in the rear of the parcel where it is treated.

P. Access to direct sunlight: The Planning Board may, to protect and ensure access to direct sunlight for solar energy systems, prohibit, restrict or control development.

There are no buildings being proposed nor any existing on site and therefore this section is not applicable.

Q. Title 38 M.R.S.A. as amended, Section 484, Standards for Development; Chapter 371, Definition of Terms used in the Site Location of Development Law and Regulations.

The proposed development requires that the applicant submit a Site Location of Development Permit Modification to the MDEP. We request that this be made a condition of approval until such time that the DEP permit is issued.

R. All outdoor lighting shall be of a design and construction that prevents light trespass beyond the boundaries of the property on which it is located.

There are not any new exterior lights being proposed as part of this project.

The proposed development complies with the City of Augusta's review criteria and should you have any questions or concerns please do not hesitate to contact me at 623-9475.

Respectfully submitted,

A handwritten signature in black ink that reads "James Coffin". The signature is written in a cursive, flowing style.

James E. Coffin, PE

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432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

February 06, 2015

City of Augusta
Attn: Matt Nazar
City Planner
One City Center
Augusta, Maine 04330

Subject: **Charlie's Subaru Vehicle Display Expansion**
480 Western Avenue
Site Plan Review Criteria

Dear Matt:

I have researched the proposed development located at 480 Western Avenue for **Shuman Family Second LLC.** in regard to neighborhood compatibility per the City of Augusta Land Use Ordinance section 6.3.4 (SITE PLAN REVIEW CRITERIA APPLICABLE TO MAJOR DEVELOPMENTS). [We understand that the intent of the section is to encourage the applicant to design the proposal in consideration of the physical impact it will have on the immediate neighborhood within 1,000 feet.] Each item is addressed below:

S) NEIGHBORHOOD COMPATIBILITY:

- a) Is the proposal compatible with and sensitive to the character of the site and neighborhood relative to:
 - i) Land uses:
The parcel is within the Regional Business District (CC), which recognizes "Automobile Businesses" as a permitted use within the district. There is a residential neighborhood located on the west and south sides of the parcel. There are not any new buildings being proposed at this time.
 - ii) Architectural design:
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
 - iii) Scale, bulk and building height:
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.
 - iv) Identity and historical character:
A letter has been sent to the Maine Historical Society asking if there are any historical sites within the development.
 - v) Disposition and orientation of buildings on the lot:
There are no buildings being proposed nor any existing on site and therefore this section is not applicable.

Professionals Delivering Quality Solutions

vi) Visual integrity:

There are no buildings being proposed nor any existing on site and therefore this section is not applicable.

b) Are the elements of the site plan designed and arranged to maximize the opportunity for privacy by the residents of the immediate area?

The display vehicle parking expansion will provide landscaping on the north, south and west sides of the property. These landscaped areas will conform to Bufferyard "A" in the Land Use Ordinance (LUO).

c) Will the proposal maintain safe and healthful conditions within the neighborhood?

This parcel has recently been utilized as a staging area by Grondin Construction for the DOT Western Avenue Expansion Project. The lot is proposed to be used for displaying vehicles and will not create unsafe or unhealthy conditions within the immediate neighborhood.

d) Will the proposal have a significant detrimental effect on the value of adjacent properties?

The parcel has been vacant for the last couple of years and once the proposed modifications have been made the property should only enhance the value of adjacent properties.

T) PLANS AND POLICIES:

a) Is the proposal in accordance with the adopted elements of the 1988 Growth Management Plan?

This entire stretch of Western Avenue has car dealers on both sides of the street. The 1988 Growth Management Plan labels this area within the City as "Economic Growth", which includes automobile businesses. Therefore the project complies with the 1988 Growth Management Plan.

U) TRAFFIC PATTERN, FLOW AND VOLUME:

a) Is the proposal designed so that the additional traffic generated does not have a significant negative impact on surrounding neighborhood?

The applicant is asking for a waiver in regard to traffic impact since there will not be any buildings or employees on site.

b) Will safe access be assured by providing proper sight distance and minimum width curb cuts for safe entering and exiting? See City of Augusta Technical Standards Handbook.

The Maine Department of Transportation recently reconstructed this section of Western Avenue and the entrance/exit onto Western Avenue was retained. However with the newly constructed raised median in the middle of Western Avenue exiting vehicles can only turn right to go east and entering vehicles can only enter the curb cut from the west. In addition the applicant is proposing to utilize and widen the existing curb cut off Brann Avenue.

c) Does the proposal provide access for emergency vehicles and for persons attempting to render emergency services?

The design of the site allows emergency vehicles to adequately maneuver thru the site to be able to render emergency services as needed.

- (d) Does the entrance and parking system provide for the smooth and convenient movement of vehicles both on and off the site? Does the proposal satisfy the parking capacity requirements of the city and provide adequate space suited to the loading and unloading of persons, materials and goods?

The existing site is depicted on the Site Plan (C-1) and maintains proper traffic movement features in and around the site. There are no parking requirements for the site since no buildings are being proposed.

V) PUBLIC FACILITIES:

- a) Water Supply:

There are no buildings being proposed nor any existing on site and therefore this section is not applicable.

- b) Sanitary Sewer:

There are no buildings being proposed nor any existing on site and therefore this section is not applicable.

- c) Electricity/Telephone:

Electricity has already been run underground as part of the DOT project along Western Avenue to supply power to the existing lights along the north side of the property.

- d) Storm Drainage:

All runoff from the parking lot expansion flows to on-site catch basins and then across Western Avenue to the Charlie's Public Wholesale parcel. Stormwater is then conveyed to the filter pond in the rear of the parcel where it is treated.

W) RESOURCE PROTECTION AND ENVIRONMENT:

- a) If the proposal contains known sensitive areas such as erodible or shallow soils, wetlands, aquifers, aquifer recharge areas, floodplain or steep slopes (over fifteen (15) percent, what special engineering precautions will be taken to overcome these limitations?

There are no wetlands on site nor any known aquifers so this section is not applicable.

- b) Does the proposal conform to applicable local, State DEP and Federal EPA air quality standards including but not limited to odor, dust, fumes or gases which are noxious, toxic or corrosive, suspended solid or liquid particles, or any air contaminant which may obscure an observer's vision?

There are no State DEP or Federal EPA permits needed in regard to air quality as a result of the project.

- c) Does the proposal conform to applicable local, State DEP and Federal EPA water quality standards, including but not limited to erosion and sedimentation, runoff control, and solid wastes and hazardous substances?

The project does require review by the DEP for the Site Location of Development Permit Modification. All erosion & sedimentation control devices are depicted on the site plan. There are no hazardous substances associated with the project.

- d) Will all sewage and industrial wastes be treated and disposed of in such a manner as to comply with applicable federal, state and local standards?

There are no buildings being proposed nor any existing on site and therefore this section is not applicable.

- e) Shoreland and Wetland Districts:

The project is not near any shoreline and will not incur any wetland impacts.

X) PERFORMANCE STANDARDS:

- a) Does the proposal comply with all applicable performance and dimensional standards as outlined in this ordinance?

The proposed development conforms to the Land Use Ordinance in regard to performance and dimensional standards.

- b) Can the proposed land use be conducted so that noise generated shall not exceed the performance levels specified in the performance standards section of this ordinance? Detailed plans for the elimination of objectionable noises may be required before the issuance of a building permit.

There will not be any significant noise generated as a result of this project with the exception of typical construction noise.

- c) If the proposal involves intense glare or heat, whether direct or reflected, is the operation conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property line? Detailed plans for the elimination of intense glare or heat may be required before issuance of a building permit. Temporary construction is excluded from this criterion.

The project will be buffered on the north, south and west sides of the property utilizing Bufferyard "A".

- d) Is the exterior lighting, except for overhead street lighting and emergency warning or traffic signals, installed in such a manner that the light source will be sufficiently obscured to prevent excessive glare on public streets and walkways or into any residential area?

Two existing pole lights were installed during the DOT Western Avenue Expansion. Both of these pole lights are shielded and full cut-off.

- e) Does the landscaping screen the parking areas, loading areas, trash containers, outside storage areas, blank walls or fences and other areas of low visual interest from roadways, residences, public open space (parks) and public view?

The project will be buffered on the north, south and west sides of the property utilizing Bufferyard "A".

- f) Are all the signs in the proposal in compliance with provisions of this ordinance?

There will not be any new signs with the project.

Y) FINANCIAL AND TECHNICAL ABILITY:

- a) **E.S. Coffin Engineering & Surveying has the technical ability to meet the terms of the Ordinance.**
- b) **A letter will be submitted stating that the applicant has adequate financing to complete the project.**

The proposed project meets the requirements of land use ordinance and if you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Sincerely,

A handwritten signature in black ink that reads "James Coffin". The signature is written in a cursive, flowing style.

James E. Coffin, P.E.

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WARRANTY DEED

Received Kennebec SS.
10/12/2011 10:30AM
Pages 1 Attest:
BEVERLY BUSTIN-HATHEWAY
REGISTER OF DEEDS

REXFORD B. SMITH and CASSIE L. SMITH of Auburn, County of Androscoggin and State of Maine, for consideration paid, grant to SHUMAN FAMILY SECOND LLC, a Maine Limited Liability Company, of Winthrop, County of Kennebec, and State of Maine, with WARRANTY COVENANTS, the land, together with the buildings thereon, situated in Augusta, County of Kennebec and State of Maine, bounded and described as follows:

Commencing at a point where Western Avenue and Brann Avenue intersect; thence running three hundred thirty-eight and eighty-two hundredths (338.82') feet along the boundary of Brann Avenue in a generally Southerly direction to the boundary of Lot #2 which is shown on the Plan of Brann Development, which Plan is recorded in the Kennebec County Registry of Deeds in Plan Book 16, Page 1 and which is marked as approved November 17, 1947, said Plan being signed by W.W. Hill, City Engineer; thence at an angle and in a generally Easterly direction one hundred fifty (150') feet along the boundary of Lot #2 to land now or formerly of Fred McFarland; thence in a generally Northerly direction along the boundary of land now or formerly of Fred McFarland three hundred thirty (330') feet to said Western Avenue; thence at an angle of 93° 22' generally Westerly along the said Western Avenue one hundred fifty and twenty-six hundredths (150.26') to the point of beginning. These premises being Lot #1 of the Brann Development and further description may be found in the Plan which is recorded in Plan Book 16, Page 1, Kennebec County Registry of Deeds.

BEING THE SAME premises conveyed to Rexford B. Smith and Cassie L. Smith by Warranty Deed from Charles Shuman and Nancy B. Shuman dated February 12, 1997 and recorded in the Kennebec County Registry of Deeds in Book 5310, Page 27.

WITNESS our hands this 11th day of October 2011.

Warren E. Winslow, Jr.
Warren E. Winslow, Jr.

Rexford B. Smith
Rexford B. Smith
Cassie L. Smith
Cassie L. Smith

STATE OF MAINE
Kennebec, ss.

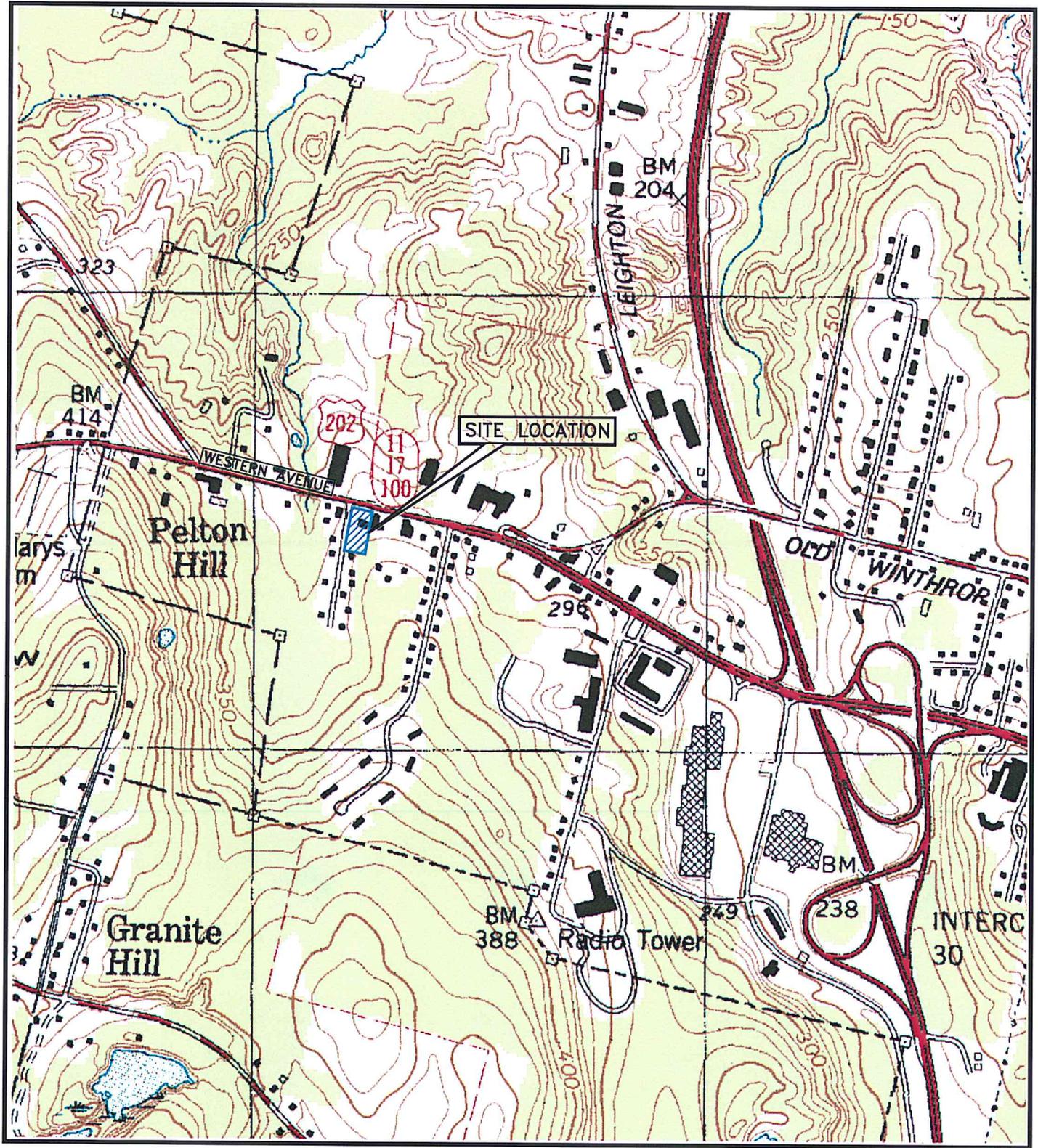
October 11, 2011

Then personally appeared the above named Rexford B. Smith and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Warren E. Winslow, Jr.
Attorney at Law/Notary Public
Printed Name: Warren E. Winslow, Jr.

Pierce Atwood



LOCATION MAP

SCALE: 1"=1000'

SLM

CLIENT/PROJECT:
SHUMAN FAMILY SECOND LLC
CHARLIE'S SUBARU VEHICLE DISPLAY EXPANSION

LOCATION: 480 WESTERN AVENUE

TOWN: AUGUSTA COUNTY: KENNEBEC STATE: MAINE



E.S. COFFIN ENGINEERING & SURVEYING, INC.
 433 Cozy Road P.O. Box 4687 Augusta, Maine 04330
 Ph. (207) 623-9474 Fax (207) 623-6016 Toll Free 1-800-344-9475

SHEET TITLE:
SITE LOCATION MAP

SCALE: 1" = 1000'

DATE: FEBRUARY 6, 2015

PROJ. NO. 2015-020



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

PAUL R. LePAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

February 3, 2015

James Coffin
E.S. Coffin Engineering & Surveying, Inc.
432 Cony Rd
Augusta, ME 04330

Re: Rare and exemplary botanical features in proximity to: Project 2015-020, Charlie's Subaru Vehicle Parking Expansion, Augusta, Maine

Dear Mr. Coffin:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received February 3, 2015 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Augusta, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

Letter to Jim Coffin
Comments RE: Charlie's Subaru Parking
February 3, 2015
Page 2 of 2

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,



Don Cameron
Ecologist
Maine Natural Areas Program
207-287-8041
don.s.cameron@maine.gov

Project: #2015-020, Charlie's Subaru Vehicle Parking Expansion, Augusta, Maine

| Common Name | State Status | State Rank | Global Rank | Date Last Observed | Occurrence Number | Habitat |
|----------------------------------|--------------|------------|-------------|--------------------|-------------------|---|
| American Ginseng | | | | | | |
| | E | S3 | G3G4 | 1907-07-28 | 18 | Hardwood to mixed forest (forest, upland) |
| Awned Sedge | | | | | | |
| | SC | S2 | G5 | 2012-09-28 | 11 | Non-tidal rivershore (non-forested, seasonally wet) |
| Broad Beech Fern | | | | | | |
| | SC | S2 | G5 | 1897-08-30 | 9 | Hardwood to mixed forest (forest, upland) |
| | SC | S2 | G5 | 1998-06-25 | 1 | Hardwood to mixed forest (forest, upland) |
| | SC | S2 | G5 | 1895-08-17 | 12 | Hardwood to mixed forest (forest, upland) |
| Eaton's Bur-marigold | | | | | | |
| | SC | S2 | G2G3 | 2013-10-04 | 29 | Tidal wetland (non-forested, wetland) |
| Estuary Bur-marigold | | | | | | |
| | SC | S3 | G4 | 2013-10-04 | 30 | Tidal wetland (non-forested, wetland) |
| Freshwater Tidal Marsh | | | | | | |
| | <null> | S2 | G4? | 2013-09-10 | 16 | Tidal wetland (non-forested, wetland) |
| Indian Grass | | | | | | |
| | E | S1 | G5 | 1933-07-12 | 9 | Non-tidal rivershore (non-forested, seasonally wet) |
| Mountain Honeysuckle | | | | | | |
| | E | S2 | G5 | 1975-pre | 1 | Dry barrens (partly forested, upland),Hardwood to mixed forest (forest, upland) |
| Narrow-leaf Arrowhead | | | | | | |
| | SC | S2 | G4G5 | 1999-08-21 | 3 | <null> |
| Northern Hardwoods Forest | | | | | | |
| | <null> | S5 | G3G5 | 1998-06-25 | 4 | Hardwood to mixed forest (forest, upland) |
| Parker's Pipewort | | | | | | |
| | SC | S3 | G3 | 2013-10-04 | 16 | Tidal wetland (non-forested, wetland) |
| Sandbar Willow | | | | | | |

Project: #2015-020, Charlie's Subaru Vehicle Parking Expansion, Augusta, Maine

| Common Name | State Status | State Rank | Global Rank | Date Last Observed | Occurrence Number | Habitat |
|-----------------------------|--------------|------------|-------------|--------------------|-------------------|--|
| Showy Lady's-slipper | E | S1 | G5 | 2012-09-28 | 4 | Non-tidal rivershore (non-forested, seasonally wet) |
| Showy Orchis | T | S3 | G4 | 1874-07-04 | 36 | Forested wetland, Open wetland, not coastal nor rivershore (non-forested, wetland) |
| Stiff Arrowhead | E | S1 | G5 | 1941 | 15 | Hardwood to mixed forest (forest, upland) |
| Water Stargrass | T | S2 | G5 | 2011-09-27 | 11 | Tidal wetland (non-forested, wetland) |
| | T | S2 | G5 | 2002-08-03 | 12 | Tidal wetland (non-forested, wetland) |
| White Adder's-mouth | SC | S3 | G5 | 1999-08-21 | 8 | Open water (non-forested, wetland) |
| Wild Garlic | E | S1 | G5 | 1878-06 | 15 | Forested wetland |
| | SC | S2 | G5 | 2002 | 18 | Forested wetland, Hardwood to mixed forest (forest, upland) |

STATE RARITY RANKS

- S1** Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
- S2** Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- S3** Rare in Maine (20-100 occurrences).
- S4** Apparently secure in Maine.
- S5** Demonstrably secure in Maine.
- SU** Under consideration for assigning rarity status; more information needed on threats or distribution.
- SNR** Not yet ranked.
- SNA** Rank not applicable.
- S#?** Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: **State Rarity Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines State Rarity Ranks for animals.

GLOBAL RARITY RANKS

- G1** Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
- G2** Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- G3** Globally rare (20-100 occurrences).
- G4** Apparently secure globally.
- G5** Demonstrably secure globally.
- GNR** Not yet ranked.

Note: **Global Ranks** are determined by NatureServe.

STATE LEGAL STATUS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered and Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

- E** ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
- T** THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

- SC** SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
- PE** Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

ELEMENT OCCURRENCE RANKS - EO RANKS

Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size:** Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition:** For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context:** Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A**, **B**, **C**, or **D**, where **A** indicates an **excellent** example of the community or population and **D** indicates a **poor** example of the community or population. A rank of **E** indicates that the community or population is **extant** but there is not enough data to assign a quality rank. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

Note: **Element Occurrence Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines Element Occurrence ranks for animals.

Visit our website for more information on rare, threatened, and endangered species!
<http://www.maine.gov/dacf/mnap>

432 Cony Road
P.O. Box 4687
Augusta, ME 04330



(207) 623-9475
Fax (207) 623-0016
1-800-244-9475

February 06, 2015

Mr. Lionel Cayer
City Engineer
City Center Plaza
16 Cony Street
Augusta, Maine 04330

Subject: Charlie's Subaru Vehicle Display Expansion
480 Western Avenue
Traffic Impact

Dear Lionel,

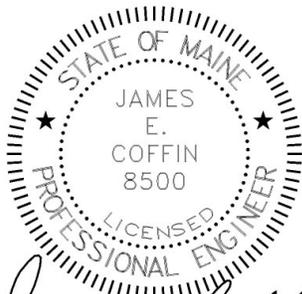
Shuman Family Second LLC. is proposing to expand their existing Subaru display area onto lot #32 shown on tax map #16 in the City of Augusta tax maps at 480 Western Avenue in Augusta, Maine. The expansion involves creating vehicle display area on the parcel of land (1.1 acres) located on the west side of Charlie's Collision Center.

Normally the peak hour trips generated would be calculated from the Institute of Transportation Engineers (ITE) Manual (8th addition) under "New Car Sales". However since there will not be a building on site nor any employees on the site this cannot be done. The property is only being utilized for displaying vehicles and therefore there will not be any significant vehicular trips associated with the project. The applicant is asking for a waiver in regard to traffic impact for the proposed project. The project will not cause unreasonable public road congestion and if you should have any questions or concerns, please do not hesitate to contact me at 623-9475.

Respectfully Submitted,

A handwritten signature in black ink that reads "James Coffin".

James E. Coffin, PE



A handwritten signature in black ink that reads "James Coffin".

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