

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



**Application Type (check one):**

- Minor Subdivision  
 Major Subdivision

**Address:** 227 Water Street      **Tax Map:** 34      **Lot(s):** 34-34

**Zoning District(s):** Downtown

**Project Name:** Riverview Terrace

Owner's Name/Address:	Applicant's Name/Address:	Agent's Name/Address:
Sarthorn For LLC PO Box 275 Augusta, ME 04332	William Guerrette 3 Caroline Way Saco, ME 04072	
<b>Phone #:</b> (207) 623-2323	<b>Phone #:</b> same	<b>Phone #:</b>
<b>Cell #:</b> (207) 629-7070	<b>Cell #:</b> same	<b>Cell #:</b>
<b>e-mail:</b> wguerrette@gmail.com	<b>e-mail:</b> same	<b>e-mail:</b>

**Form of Evidence of Standing (i.e. deed):** Deed

**Brief Description of Subdivision:**

1. Type of subdivision:  Residential  Commercial  Mixed
2. Total number of acres in tract/parcel: .20
3. Proposed number of dwelling units: 9
4. Proposed number of lots: N/A
5. Will subdivision have any open space or areas held in common?  Yes  No
6. Are new street(s) proposed for this subdivision?  Yes  No
7. New streets are proposed to be:  Public  Private

**For Staff Use**

**Fee Calculation:**

Minor Subdivision: \$150 =

Major Subdivision: \$200 (first 6 lots) + \$35 (per lot over 6 lots) =

All Development: Number of Abutters x (1oz First Class postage fee + \$0.15) =

**Total Fee:**

**Signatures**

**Applicant:** [Signature]      **Date:** 6/23/14

**Owner:** [Signature]      **Date:** 6/23/14

**Agent:** \_\_\_\_\_      **Date:** \_\_\_\_\_

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

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

<b>Additional Information Required in Written Narrative</b> 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)	✓	
t. Compliance with Plans and Policies (6.3.4.2)	✓	
u. Traffic Pattern, Flow, and Volume analysis (6.3.4.3)		✓
v. Public facilities – Utilities including stormwater (6.3.4.4)		✓
w. Resource protection and the environment (6.3.4.5)		✓
x. Performance Standards (6.3.4.6)	✓	
y. Financial and Technical Ability (6.3.4.7)	✓	

### Application Materials

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

<b>Paper Copy</b>	Included	Waiver Requested
11 copies of the application form and narrative	✓	
11 copies of the deed, Purchase & Sale agreement, or other document to show standing	✓	
3 copies of any stormwater report		✓
2 copies of any traffic report		✓
7 reduced-sized copies the complete plan set on 11" x 17" size paper	✓	
4 full-sized copies of the complete plan set on ANSI D or E size paper	✓	
11 copies of a letter authorizing the agent to represent the applicant		✓
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.)	✓	
<b>Electronic Copy</b>		
1 CD that includes each of the application documents in Adobe PDF format	✓	

<b>For Official Use:</b>			
\$ _____	Application Fee Paid.	Received By (Initials): _____	Date: _____
\$ _____	Abutter Notification Fee Paid.	Received By (Initials): _____	Date: _____

THE LOFTS @

# RIVERVIEW TERRACE

AUGUSTA

Smithtown Four LLC  
PO Box 275  
Augusta, ME 04332  
(207) 623-2323

## Subdivision Review Application

### Cover Letter

To whom it may concern:

Thank you for considering this application to develop nine residential units on the penthouse floor of 227 Water Street, Augusta. We hope that this application, as well as our pictures of completed work, will leave you as excited about the Riverview Terrace project as we are. We truly believe that, upon completion, the building at 227 Water Street will represent one of the finest mixed-use projects in Augusta, and will further efforts to redevelop the Downtown district.

Thank you again for your consideration.



---

William Gueryette III; Member, Smithtown Four LLC

THE LOFTS @  
**RIVERVIEW TERRACE**  
AUGUSTA

Smithtown Four LLC  
PO Box 275  
Augusta, ME 04332  
(207) 623-2323

## **Subdivision Review Application**

### **Written Project Narrative**

- a) **Pollution:** The space at the proposed site for Riverview Terrace had been previously occupied by an accounting firm. With only a few small modifications, the building's existing HVAC system will be used to heat and cool Riverview Terrace. Therefore, there will essentially be no changes in air or water pollution emitted by the third floor at 227 Water Street.
- b) **Water:** As the building at 227 Water Street exists as part of Augusta's core infrastructure in the heart of downtown, there will be sufficient potable water available for nine small residential housing units. The building currently functions on only a fraction of its water consumption limits. The project encompasses the third floor of what used to be six separate buildings, each with its own water supply.
- c) **Municipal Water:** see response to (b)
- d) **Soil Erosion:** not applicable; waiver requested. As the project is within an existing building, it will not have any effect on soil erosion.
- e) **Road Congestion and Safety:** Because Riverview Terrace is proposed at the heart of Augusta's downtown, an area with substantial traffic and parking infrastructure, there is no reason to believe that the addition of nine residential units will substantially affect the congestion or safety of Augusta's roads.
- f) **Sewage Waste Disposal:** All wastewater will be integrated into the building's existing system and disposed of through Augusta's common sewer system. No sewage will be stored on-site in an underground tank.
- g) **Solid Waste:** Private dumpsters have always been provided to all commercial tenants at 227 Water Street. These services will continue and will be expanded to include residential tenants. Because the third floor was once

used as large commercial space, we do not foresee a need to increase capacity in our dumpsters.

- h) **Aesthetic, Cultural, and Natural Values:** Riverview Terrace will have no substantial impact on the exterior aesthetic of the building at 227 Water Street. Any changes, including changes to the roof structure and attaching 1-4 balconies to the rear elevation of the building, will only be completed with input and approval from the city and the Historic Preservation Commission.
- i) **Conformity with City Ordinances and Plans:** All contract work subject to permitting, licensing, and inspection, included but not limited to plumbing, electrical, HVAC and framing, will be completed by competent professional possessing the proper training and licenses to complete their work. All work performed will be subject to inspection by Augusta's Code Enforcement Department and all work will be completed in compliance with local building codes. To date, work requiring licenses and permits has been completed by the following: 2 Johns Plumbing and Heating, Baker Electric, Energize ME, Advanced Fire Protection Services, and Downeast Energy. Non-license work, such as framing walls and finishing drywall, has been completed by competent professionals.
- j) **Financial and Technical Ability:** Guerrette Properties, the management company responsible for Smithtown Four's holdings, manages over 300 residential and commercial units in central Maine. Its network of contractors is competent and equal to the task of constructing Riverview Terrace. The project has been fully funded through Machias Savings Bank to the tune of \$600,000. The project is currently on-budget.
- k) **Surface Water, Shoreland, Outstanding Rivers:** not applicable; waiver requested. As the project is within an existing building, it will not have any effect on the area's bodies of water.
- l) **Ground Water:** not applicable; waiver requested. As the project is within an existing building, it will not have any effect on ground water.
- m) **Flood Areas:** All residential development at Riverview Terrace will take place on the third floor of 227 Water Street, well above the city's flood plane. Common space developments will take place at the Sub-Basement level of the building and on the roof. The Sub-Basement level will be used only for storage immediately. In time, pending approval and cooperation from the Augusta Parking District, we hope to also obtain permission to put as many as ten parking spaces inside the building at the Sub-Basement level. Before doing so, we will request building permits to renovate that space as garages and will comply with local codes and ordinances.

- n) **Freshwater Wetlands:** not applicable; waiver requested. As the project is within an existing building, it will not have any effect on freshwater wetlands.
- o) **Stormwater:** not applicable; waiver requested. The building currently contains a system of roof drains to handle snowmelt and rainwater. This system will not be affected in any way by the developments at Riverview Terrace.
- p) **Access to Direct Sunlight:** All units at Riverview Terrace will include multiple windows and will include adequate access to sunlight.
- q) **State Permits:** The only permits required by the state for a project such as Riverview Terrace are electrical permits and Historical Tax Credit applications. Electrical contractors have and will continue to obtain permits from the state before completing any electrical work. The project has already been approved for a Small Building Rehabilitation Credit by the Maine Historic Preservation Commission. Building permitting and plumbing permitting have been obtained through the city of Augusta.
- r) **Outdoor Lighting:** The building already includes adequate outdoor lighting that will not be altered as part of the Riverview Terrace development.
- s) **Neighborhood Compatibility:** Downtown Augusta is already zoned to include residential apartments. Feedback from the city, the Augusta Downtown Alliance, and other concerned parties indicates that higher-end housing, such as the Lofts at Riverview Terrace, will be a welcome addition to the Downtown community. Apartments exist throughout Downtown already.
- t) **Compliance with Plans and Policies:** All work at Riverview Terrace will be completed in accordance with Engineered plans and local building codes.
- u) **Traffic Pattern, Flow, and Volume Analysis:** not applicable; waiver requested. As the project is within an existing building, it will not have any effect on traffic.
- v) **Public Facilities:** not applicable; waiver requested. As the project exists within an existing building, none of the utility systems will be dramatically altered as part of this renovation. The building currently has access to adequate power to service nine residential units. As a side note, we do hope to add natural gas to our space when it becomes available downtown.
- w) **Resource Protection and the Environment:** not applicable; waiver requested. As the project is within an existing building, it will not have any effect on the environment.

- x) **Performance Standards:** All work at Riverview Terrace will be subject to inspection by the city at many different stages of completion to ensure construction performance and integrity.
  
- y) **Financial and Technical Ability:** Guerrette Properties, the management company responsible for Smithtown Four's holdings, manages over 300 residential and commercial units in central Maine. Its network of contractors is competent and equal to the task of constructing Riverview Terrace. The project has been fully funded through Machias Savings Bank to the tune of \$600,000. The project is currently on-budget.

**TRANSFER  
TAX  
PAID**

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, THAT, Ayco Realty, a Maine partnership with a place of business in Manchester, County of Kennebec and State of Maine, for consideration paid, GRANTS to Smithtown Four, LLC, a Maine limited liability company whose mailing address is PO Box 275, Augusta, Maine 04330 with WARRANTY COVENANTS, the land in Augusta, County of Kennebec, and State of Maine, described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

IN WITNESS THEREOF said Ayco Realty has caused this instrument to be signed by Clifton M. Fletcher, Its Partner, duly authorized, this 16<sup>th</sup> day of March 2007.

Signed, Sealed and Delivered  
in the presence of:

*Peter Dawson*  
Witness

Ayco Realty  
*Clifton M. Fletcher*  
By: Clifton M. Fletcher  
Its Partner duly authorized

STATE OF MAINE  
COUNTY OF KENNEBEC, SS.

March 16, 2007

Then personally appeared the above named Clifton M. Fletcher, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said partnership.

Before me  
*Peter T. Dawson* **SEALED**  
Notary Public/Attorney at Law  
PETER T. DAWSON  
Notary Public, Maine  
Print Name My Commission Expires May 12, 2013

⑥ Edgar Catlin

**EXHIBIT A**

Certain parcels of land, together with the buildings and improvements thereon, situated in Augusta, County of Kennebec and State of Maine, being more particularly described as follows:

**PARCEL A-1:** A certain lot or parcel of land, with the buildings thereon, situate on the southeasterly side of Water Street, so-called, and on the northwesterly side of Front Street, so-called in the City of Augusta, Kennebec County, State of Maine, and being bounded and described as follows:

Beginning on the southeasterly right-of-way line of said Water Street at the westerly corner of the granite façade of a building situate on the premises herein described known as 237 Water Street at the northerly corner of land now or formerly of one Cummings, reference deed recorded in Kennebec County Registry of Deeds in Book 2172, Page 123, said point also being the northerly corner of a parcel of land described in a deed of Benjamin F. Parrott to Henry M. Harlow, dated January 25, 1877, recorded in said Registry of Deeds in Book 310, Page 473, all as shown on a plan entitled "Plan of Land Title Survey, AYCO REALTY, 227-237 Water Street, Augusta, Kennebec County, Maine", dated December 21, 1993 by Thayer Engineering Company, Farmingdale, Maine;

Thence N 33° 30' 12" E along the southeasterly right-of-way line of said Water Street and the northwesterly face of the granite façade of the buildings situate on the premises herein described known as 227-237 Water Street a distance of 96.33 feet to the northerly corner of said granite façade and the westerly corner of land now or formerly of Central Maine Power Company, reference deed recorded in said Registry of Deeds in Book 801, Page 478, formerly of one Potter and Hendee, reference deed recorded in said Registry of Deeds in Book 234, Page 509;

Thence S 57° 13' 21" E along land of said Central Maine Power Company and along the center of a 12-inch thick brick wall and an extension thereof a distance of 61.32 feet to the southeasterly face of the granite wall of said building situate on the premises herein described known as 227 Water Street and the northwesterly right-of-way line of said Front Street as described in an acceptance by the City of Augusta dated October 27, 1860;

Thence S 33° 30' 12" W along the northwesterly right-of-way line of said Front Street and the southeasterly face of the granite wall of the buildings situate on the premises herein described known as 227 Water Street and 231-235 Water Street and continuing along the southeasterly face of the brick wall of said building situate on the premises herein described known as 237 Water Street a distance of 92.07 feet to the westerly corner of the southwesterly end of said Front Street;

Thence S 57° 13' 21" E along the southwesterly end of said Front Street a distance of 24.00 feet to the southerly corner of the southwesterly end of said Front Street;  
Thence N 33° 30' 12" E along the southeasterly right-of-way line of said Front Street a distance of 10.00 feet to a westerly corner of land now or formerly of Augusta Parking District, reference deed recorded in said Registry of Deeds in Book 2072, Page 8;

Thence S 58° 30' 48" E along land of said Augusta Parking District a distance of 4.00 feet to a northerly corner of other land of said Augusta Parking District, reference deed recorded in said Registry of Deeds in Book 1715, Page 115;

Thence S 33° 30' 12" W along the last mentioned land of said Augusta Parking District a distance of 14.36 feet to other land now or formerly of said Cummings, reference deed recorded in said Registry of Deeds in Book 2172, Page 129, and the northeasterly face of the brick wall of a building situate over land of said Cummings;

Thence N 57° 13' 21" W along said last mentioned land of Cummings and along land of owners unknown being a passageway and the northeasterly face of said brick wall of the building situate over land of said Cummings and continuing along said first mentioned land of Cummings and the southwesterly face of the brick wall of said building situate on the premises herein described known as 237 Water Street a distance of 89.32 feet to the point of beginning, containing ~~200~~ ~~square feet~~ more or less.

Bearings are based upon a 1993 magnetic north observation.

Being the same premises described in a deed of Fleet Bank of Maine to AYCO REALTY, dated December 28, 1992, recorded in Kennebec County Registry of Deeds in Book 4324, Page 238.

Reserving such rights as the City of Augusta may have to keep and maintain a water course across the lot shown as "5<sup>th</sup> Parcel" on said AYCO plan as referenced in said deed to AYCO REALTY recorded in the Kennebec County Registry of Deeds, Book 4324, Page 238.

Also conveying whatever right, title and interest the grantor may have in and to the land lying between the outside of the easterly wall of the building on the lot shown as "2<sup>nd</sup> parcel" on said AYCO plan and the centerline of Front Street, without in any way covenanting that the grantor has any ownership in and to said Front Street land.

Reference is made to a conveyance of rights in and to light or air as described in a deed of A. F. Parrott and F. E. Parrott to Augusta Real Estate Association and Mary H. Davles, dated May 9, 1929, recorded in said Registry of Deeds in Book 659, Page 353.

Reference is made to a Common Wall Agreement between said AYCO REALTY and Central Maine Power Company, dated November 19, 1993, recorded in said Registry of Deeds in Book 4554, Page 92.

Subject to the perpetual right and easement of Central Maine Power Company as set forth in a deed dated November 19, 1993, recorded in Kennebec County Registry of Deeds in Book 4554, Page 90.

Reference is made to said plan entitled "Plan of Land Title Survey, AYCO REALTY, 227-237 Water Street, Augusta, Kennebec County, Maine", dated December 21, 1993 by Thayer Engineering Company, Farmingdale, Maine.

**PARCEL A-2:** A certain lot or parcel of land with the buildings thereon, situated in Augusta, in the County of Kennebec and State of Maine, on the east side of Water Street, bounded and described as follows, to wit:

Beginning at the southwest corner of a lot formerly owned by C. F. Potter and John S. Hendee in the east line of Water Street; thence easterly by the south line of said Potter and Hendees lot to the southeast corner thereof; thence southerly at right angles twenty-four and one-half feet; thence westerly by a line parallel to the said Potter and Hendee lot the east line of Water Street; thence northerly by the east line of said street twenty-four and one-half feet to the point begun at.

Also conveying the granite store and lot on which it stands situated in said Augusta, on the east side of Water Street and bounded and described as follows:

Beginning at the southwest corner of the store lot formerly owned by Bradbury Libby, in the east line of Water Street; thence southerly on the east line of Water Street twenty-three (23) feet; thence easterly parallel to said Bradbury Libby's line to the east line of their lot extended southerly; thence northerly twenty-three (23) feet to the southeast corner of said Bradbury Libby's lot, and thence by the south line of their lot westerly to the point of beginning.

There is also conveyed hereby whatever right, title and interest the Grantor hereof may have in and to the land lying between the outside of the easterly wall of the building on said premises and the center line of Front Street, without in any way covenanting that it has any ownership in and to said Front Street land.

Also hereby conveying another certain lot or parcel of land with the buildings thereon situated in said Augusta and bounded and described as follows, to wit:

Beginning in the east line of Water Street at the southwesterly corner of the lot formerly owned by Dr. H. H. Hill on which is a granite store; thence easterly by the south line of

the Hill lot to the west line of the Vose lot, so-called; (subject to the easement of a street near said Vose lot if the street extends so far south); thence by the west line of the Vose wharf lot to the southwest corner thereof; thence easterly by the south line of said wharf lot to the Kennebec River; thence southerly by the Kennebec River to the north line of Mrs. Daniel Williams lot, so-called; now or formerly owned by Dr. Harlow; thence westerly by the north line of the last named lot to the east line of Water Street; thence northerly by said line of said Water Street about 24 ½ feet to the first bound.

Excepting and reserving from the above described parcel of land a certain lot or parcel of land conveyed by Benjamin F. Parrott to Henry M. Harlow by deed, dated January 25, 1877 and recorded in said Registry of Deeds in Book 310, Page 473.

Also hereby conveying another lot or parcel of land with the buildings thereon situated in said Augusta and bounded and described as follows, to wit:

The south half of the south wall of the Granite Block of store situated on the east side of Water Street in said Augusta, known as the "Dr. Hill Block" being all that part of said wall from the top of the bottom of the foundation which is situated south of a line passing through the center thereof from the front to the rear of said block.

Also hereby conveying another lot or parcel of land with the buildings thereon situated in said Augusta and bounded and described as follows, to wit:

A certain lot of land with the buildings thereon situated in said Augusta on the west side of the Kennebec River and on the east side of Water Street in said Augusta and known as the "Dr. Hill lot and store" and being the same lot and store embraced in a deed from Franklin C. Hamlin to Augusta Savings Bank dated May 14, 1890 and recorded in the Kennebec County Registry of Deeds in Book 381, Page 328, to which deed reference is hereby made for further description. Reserving such rights as the City of Augusta may have to keep and maintain a water course across said premises and also excepting and reserving the south half of the wall of the Dr. Hill block which was conveyed by Franklin C. Hamlin to B. F. Parrott by deed dated August 31, 1878, and recorded in said Registry in Book 317, Page 533.

Meaning and intending hereby to convey the same premises described in a deed from Fleet Bank of Maine to AYCO REALTY, dated December 28, 1992 and recorded at the Kennebec County Registry of Deeds in Book 4324, Page 238.

**PARCEL A-3:** A certain lot or parcel of land, with the buildings thereon, located at 221, and 225 Water Street in the City of Augusta, County of Kennebec, State of Maine, being all of the real estate described in a deed dated May 1, 1944 from First National Granite Bank of Augusta and recorded at the Kennebec County Registry of Deeds in Book 801, Page 478, and being identified on the Assessor's Map 34 as Lot 33 (hereinafter referred

to as the "Premises").

Excepting from this conveyance all easements of record, and reserving the perpetual right and easement for the Grantor to operate, maintain, rebuild and patrol electric transmission and distribution facilities over, under and across the Premises conveyed herein where such facilities currently exist.

Grantor hereby releases to the Grantee all its right, title and interest in and to an easement to access and use certain portions of Grantee's building dated December 21, 1995, and recorded at the Kennebec County Registry of Deeds in Book 5040, Page 64.

D-1429

Received Kennebec SS.  
03/16/2007 2:53PM  
# Pages 6 Attest  
BEVERLY BUSTIN-MATHOMY  
REGISTER OF DEEDS