

City of Augusta, Maine
DEPARTMENT OF DEVELOPMENT SERVICES

AUGUSTA STATE AIRPORT
CODE ENFORCEMENT
ECONOMIC DEVELOPMENT



ENGINEERING
FACILITIES & SYSTEMS
PLANNING

MEMORANDUM:

TO: Planning Board

FROM: Matthew Nazar, Director of Development Services
and Betsy Poulin, Assistant Planner

DATE: June 30, 2016

RE: W.R. Rhea Associates, LLC - Blair Road

SUMMARY OF REQUEST

Request: The request is for a Major Subdivision review as per section 300-405 and 300-603.E. The applicant proposes to create a six lot subdivision on 20.27 acres of land, including five residential house lots and a vacant undeveloped lot.

Owner: W.R. Rhea Associates, LLC

Applicant: W.R. Rhea Associates, LLC

Location: Blair Road

Zoning: Planned Development 2 District (PD2)
Stream Protection 100 Shoreland Overlay District (SP100)

Tax Map Number: Map 6, Lot 43

Existing Land Use: Vacant land

Proposed Land Use: Residential house lots and vacant land

Acreage: 20.27 Acres

SUMMARY OF SUBMITTAL PACKAGE

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

1. Subdivision Review Application Form
2. Narrative
3. Deed
4. Subdivision Plan

Areas of Concern

1. None.

Waivers

1. The applicant has requested a waiver of the Stormwater Management requirements from the ordinance. Staff recommends granting this waiver as the proposed development is residential house lots.

Staff Review

The Bureau of Engineering does not have any additional concerns.

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

The Bureau of Planning does not have any additional concerns

Lot Characteristics

Minimum Lot Size – 20,000 SF without public water and sewer. The proposed lots meet this standard.

Minimum Road Frontage - 100 Feet. The proposed lots meet this standard.

Minimum Lot Depth – 100 Feet. The proposed lots meet this standard.

Minimum Front Setback – 10 Feet. The proposed lots meet this standard.

CRITERIA FOR REVIEW OF A MAJOR SUBDIVISION
(Section 300-405 of the LUO; includes Section 300-603.E Conditional Use Review)

Neighborhood compatibility (Section 300-603.E(1) of the LUO)

- a) *Land Use/Visual Integrity:*
- [1] *Land Uses:* Blair Road consists of residences, land lease communities, woodland and Riggs Brook.
 - [2] *Architectural Design:* Residential houses are proposed for the lots.
 - [3] *Scale, Bulk, Building Height:* Houses to be constructed on the lots will be residential in character. Mobile homes are allowed.
 - [4] *Identity, Historical Character:* Blair Road is a dead-end residential road with wooded character which crosses Riggs Brook.
 - [5] *Disposition and Orientation:* House orientation is yet to be determined; however lot layout is expected to be similar to typical house lots.
 - [6] *Visual Integrity:* The proposed house lots will be consistent with the visual character of the neighborhood.
- b) *Privacy:* No change proposed.
- c) *Safety and Health:* The proposal will maintain safe and healthful conditions in the neighborhood.
- d) *Property Values:* The proposal will not have a detrimental effect on the value of adjacent properties.

Staff recommends that the Board finds the proposed use is in compliance with the ordinance regarding Neighborhood Compatibility.



View on Blair Road looking west toward the subdivision site. The Riggs Brook Bridge is in the foreground.

Plans and Policies (Section 300-603.E(2) of the LUO)

The proposal is in accordance with the adopted elements of the 1988 Growth Management Plan.

Staff recommends that the Board finds the proposal is in accordance with the 1988 Growth Management Plan.

Traffic Pattern, Flow and Volume (Section 300-603.E(3) of the LUO)

- a) *Additional Traffic:* The amount of traffic anticipated by the applicant is not expected to cause concerns.
- b) *Safe Access:* Driveways will require individual permits from the City Engineer, maintaining safe access. Initial review of the lot locations indicates adequate sight distance is available.
- c) *Emergency:* The proposal provides access for emergency services.
- d) *Movement/Parking:* See Safe Access above.

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



View on Blair Road looking west. Proposed subdivision is on the right side of the road. Lot A in foreground on right.

Public Facilities (Section 300-603.E(4) of the LUO)

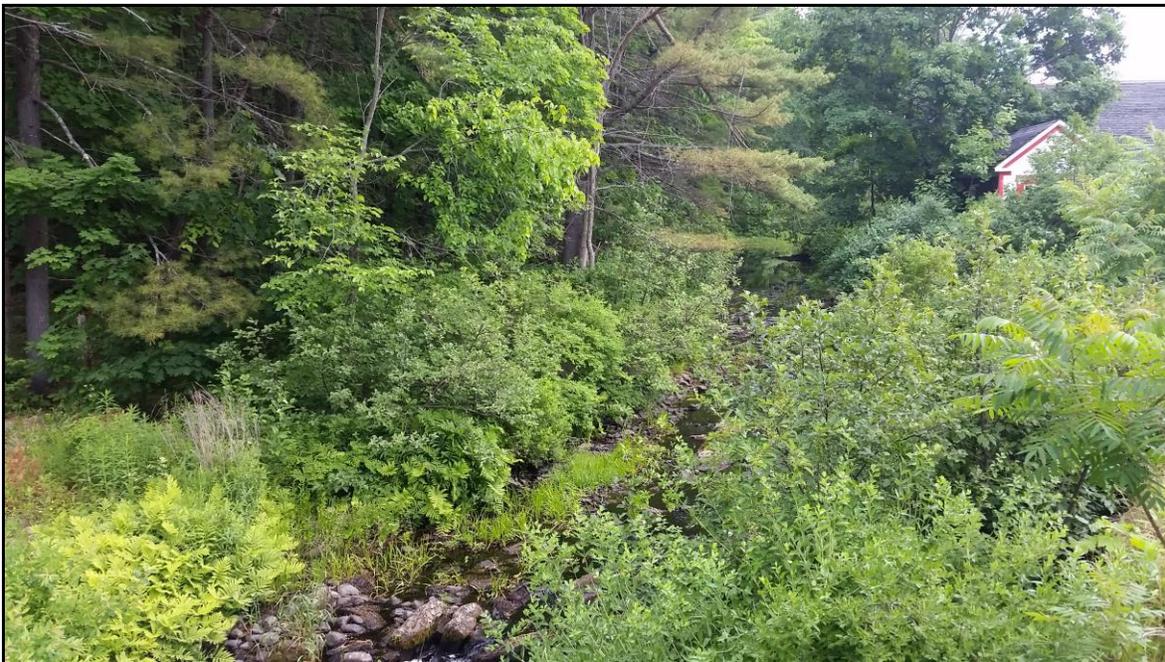
- a) *Water Supply:* Private wells are proposed.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* Private septic systems are proposed.

- c) *Electricity/Telephone:* The site has electric power.
- d) *Storm Drainage:* Drainage along Blair Road will require check dams to slow water flow and improve water quality on the route to Riggs Brook.

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

Resource Protection and Environment (Section 300-603.E(5) of the LUO)

- a) *Sensitive Areas:*
 - o Lot A has land along Riggs Brook within the 100 year flood zone. A note needs to be added to the plan *“Principal structures will be constructed with their lowest floor, including basement, at least one foot above the one-hundred-year flood elevation.”* Lot A is partially within the Inland Fisheries & Wildlife (IF&W) buffer area for Inland Waterfowl/Wading Bird Habitat. IF&W recommends that this buffer area be avoided for development. Lot A has the only wetlands on the property, which have been delineated.
 - o Timber harvesting is currently occurring portions of the subdivision property.
 - o Steep slopes over 15% have been highlighted on the plan and a note has been added: *“Principal structures to be constructed on slopes greater than 15% shall be accompanied by an engineered site plan, building plan and a landscape plan developed by a qualified professional, such as, but not limited to, an engineer, architect or landscape architect. The application shall include information on soil type and existing vegetative cover; such building permit shall not be issued without Planning Board approval.”*



Riggs Brook from bridge, looking north. Lot A to left of Brook.

- b) *Air Quality*: The proposal complies with air quality standards.
- c) *Water Quality*: The proposal complies with water quality standards.
- d) *Sewage/Industrial Waste*: Proposed private septic systems will handle sewage. All test pits on the property have passing soils for a system design.
- e) *Shoreland/Wetland Districts*: Lot A has land within the Stream Protection 100 (SP100) Shoreland Overlay District. Land within 50 feet of Riggs Brook falls within this district. This area is also within the MaineDEP NRPA 75 foot setback. Any disturbance within 75 feet permit from the MaineDEP.

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

Performance Standards (Section 300-603.E(6) of the LUO)

- a) *Performance and Dimensional Standards*: The proposal complies with all performance and dimensional standards.
- b) *Noise*: Noise is not expected to be an issue.
- c) *Glare/Heat*: No excessive heat or glare is proposed.
- d) *Exterior Lighting*: Proposed lighting will be residential in character.
- e) *Screening*: No change proposed.
- f) *Signs*: No signage is proposed

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



View looking east on Blair Road toward Riggs Brook. Lot 2 in foreground on left of road.

Financial and Technical Ability (Section 300-603.E(7) of the LUO)

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

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

Pollution (Section 300-404.B(1) of the LUO)

- a) *Floodplain:* A portion of Lot A, along Riggs Brook, is within the 100 year floodplain. See Resource Protection and Environment.
- b) *Ability of Soils to support waste disposal:* Test pits noted on the plan indicate soils which pass the soil test for septic system installation.
- c) *Slopes effect on effluents:* Properly designed and installed septic systems should eliminate effluent impacts on the environment.
- d) *Streams for disposal of effluents:* Riggs Brook is in the vicinity. Septic systems will need to meet setback requirements.
- e) *Applicable health and water resources rules:* The proposal complies with water quality standards.

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



Looking east on Blair Road. Subdivision on left side of the road, Lot 4 is just past the utility pole.

Sufficient Water (Section 300-404.B(2) of the LUO)

Private wells are proposed.

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

Municipal Water Supply (Section 300-404.B(3) of the LUO)

Private wells are proposed.

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

Soil Erosion (Section 300-404.B(4) of the LUO)

Construction on individual lots will require erosion control measures.

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

Highway or Public Road Congestion (Section 300-404.B(5) of the LUO)

No significant change in traffic volume is proposed.

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

Sewage Waste and Municipal Solid Waste Disposal (Sections 300-404.B(6) and 300-404.B(7) of the LUO)

Sewage will be disposed of in private septic systems. No significant change in the amount of solid waste is expected.

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

Aesthetic, Cultural, and Natural Values (Section 300-404.B(8) of the LUO)

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

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

Conformity with City Ordinances and Plans (Section 300-404.B(9) of the LUO)

The proposal conforms with city ordinances and plans and is within Augusta's Growth Areas.

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

Financial and Technical Ability (Section 300-404.B(10) of the LUO)

See the Financial and Technical Ability section above.

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

Surface Waters; Outstanding River Segments (Section 300-404.B(11) of the LUO)

This proposal is not in proximity to any surface waters or outstanding river segments.

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

Ground Water (Section 300-404.B(12) of the LUO)

The proposal is not expected to adversely affect ground water.

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

Flood Areas (Section 300-404.B(13) of the LUO)

Lot A is partially within the 100 year floodplain. See Resource Protection and Environment.

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

Freshwater Wetlands (Section 300-404.B(14) of the LUO)

Lot A has freshwater wetlands. See Resource Protection and Environment.

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

River, Stream, or Brook (Section 300-404.B(15) of the LUO)

Riggs Brook is adjacent to Lot A. See Resource Protection and Environment.

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

Stormwater (Section 300-404.B(16) of the LUO)

See the Public Facilities section.

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

Access to Direct Sunlight (Section 300-404.B(17) of the LUO)

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

Staff recommends that the Board finds 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 300-404.B(18) of the LUO)

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

Staff recommends that the Board finds 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 300-404.B(19) of the LUO)

No spaghetti lots are proposed.

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

Outdoor Lighting (Section 300-404.B(20) of the LUO)

See the Performance Standards section.

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