

**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:** May 4, 2016

**RE:** R.A. Cummings, Inc. - 2 Hard Rock Road  
Auburn Concrete

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**SUMMARY OF REQUEST**

**Request:** The request is for a Minor Development and Conditional Use review as per section 300-405 and 300-603.E. The applicant proposes to construct a 1,920 SF garage on existing impervious surface.

**Owner:** R.A. Cummings, Inc.

**Applicant:** R.A. Cummings, Inc.

**Location:** 2 Hard Rock Road

**Zoning:** Planned Development District (PD)

**Tax Map Number:** Map 1, Lot 37A

**Existing Land Use:** Manufacturing, heavy (Conditional Use)

**Proposed Land Use:** Manufacturing, heavy (Conditional Use)

**Acreage:** 16.0 Acres

## SUMMARY OF SUBMITTAL PACKAGE

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

1. Development Review Application Form
2. Conditional Use Application Form
3. Narratives
4. Deed
5. Settlement Agreement
6. Site and Building Plans

### 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.
2. The applicant has requested a waiver of the Traffic Report requirements from the ordinance. Staff recommends granting this waiver.

### 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* - 10,000 SF with public water and sewer. The existing lot meets this standard.

*Minimum Road Frontage* - 150 Feet. The existing lot meets this standard.

*Minimum Lot Depth* - 100 Feet. The existing lot meets this standard.

*Minimum Front Setback* - 35 Feet. The existing lot meets this standard.

**CRITERIA FOR REVIEW OF A MINOR AND CONDITIONAL USE DEVELOPMENT  
(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:* Across Civic Center Drive is the Commerce Center and the Gabriel Drive Industrial Park. Woods exist to the north, west and south of the site. The property is a former quarry.
  - [2] *Architectural Design:* The proposed building will have metal siding and a metal roof, fitting with the manufacturing character of the site.
  - [3] *Scale, Bulk, Building Height:* The proposed building is in scale with the site uses. The height of the building is 23 feet.
  - [4] *Identity, Historical Character:* Civic Center Drive has been developing rapidly and is a mix of industrial, commercial, medical and residential uses.
  - [5] *Disposition and Orientation:* The side/rear of the building faces Civic Center Drive and is not readily visible from the road.
  - [6] *Visual Integrity:* The building is well screened from the road.
- b) *Privacy:* No change proposed. Existing woods along Civic Center Drive provides screening.
- 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 looking up Hard Rock Road to the Auburn Concrete Facility from Civic Center Drive.*

### 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 and 2007 Comprehensive Plan.

Staff recommends that the Board finds the proposal is in accordance with the 1988 Growth Management Plan and 2007 Comprehensive Plan.



*Proposed building location at location of box trailer truck.*

### 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 anticipated to cause concerns.
- b) *Safe Access:* No change.
- c) *Emergency:* The proposal provides access for emergency services.
- d) *Movement/Parking:* No changes in circulation are proposed.

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

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

- a) *Water Supply:* Water supplies the site, but will not be provided in the garage. The Greater Augusta Utility District has no concerns.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* There is no sewer service on site, staff uses a porta-potty.

- c) *Electricity/Telephone*: The site has electric power.
- d) *Storm Drainage*: According to plans from the June 2011 approval of the facility, the impervious surface proposed was 62,035 SF. The current plans propose no increase with 68,435 SF. The site is a former quarry and the boundaries of impervious surface are hard to determine. The water will continue to toward the existing stormwater management system on the site.

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*: No site changes are proposed. No sensitive areas will be impacted. The applicant notes that no blasting is required for construction.
- b) *Air Quality*: The proposal complies with air quality standards. The facility holds a General Permit from the Maine Department of Environmental Protection for a concrete batch plant.
- c) *Water Quality*: The proposal complies with water quality standards.
- d) *Sewage/Industrial Waste*: A porta-potty is used No industrial waste is proposed.
- e) *Shoreland/Wetland Districts*: The proposal is not in the Shoreland Zone. Not applicable.

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*: Two full-cutoff light fixtures are proposed on the building. The proposal complies with standards.
- e) *Screening*: No change proposed.
- f) *Signs*: No change to signage is proposed.

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

#### **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:* The project is not in the 100 year floodplain.
- b) *Ability of Soils to support waste disposal:* A stormwater pond exists on the site for infiltration.
- c) *Slopes effect on effluents:* Existing stormwater systems are utilized on the site.
- d) *Streams for disposal of effluents:* No streams in the vicinity.
- 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.

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

The site is served by public water.

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)**

See above.

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



*View looking from Auburn Concrete facility toward intersection on Civic Center Drive.*

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

See comments above about stormwater.

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)**

A porta-potty is utilized for sewage. No 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.



*View from Civic Center Drive through existing woodland buffer.*

**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, except as noted in other sections of this review.

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.



*Southwestern corner of the site.*

**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)**

The proposal is not in the 100 year floodplain.

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)**

See comments in the Resource Protection and Environment section above.

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)**

There is no river stream or brook on or immediately adjacent to the project site.

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 but does have a MDEP valid General Permit for Concrete Batch Plants.

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)**

A subdivision is not proposed. Not applicable.

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.