

**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:** November 9, 2016

**RE:** Lapointe / St. Onge Development LLC

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**SUMMARY OF REQUEST**

**Request:** The request is for an Amended Major Subdivision review as per Section 300-406. The applicant proposes to reconfigure the lot lines of a previously approved 4 lot Minor Subdivision. The previous approval was July 8, 2014. One lot had an existing house and two lots now have duplexes constructed on them with access from, Normands Way, a private way to Bolton Hill Road. The remaining lot was not buildable as driveway access from North Belfast Avenue was denied by the Maine DOT. Lot lines for each of the 4 lots have been reconfigured and three lots will have access from Normands Way, requiring the upgrade to a private lane.

**Owner:** Lapointe / St. Onge Development LLC, Jessica M. Turcotte, Stephen C. Cooper, and Robert & Elsie St. Onge

**Applicant:** Lapointe / St. Onge Development LLC

**Location:** 3 & 4 Normands Way, 2798 North Belfast Avenue

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

**Tax Map Number:** Map 7, Lots 83, 83A, 83B, 83C

**Existing Land Use:** Residential

**Proposed Land Use:** Residential

**Acreage:** 15 acres

## SUMMARY OF SUBMITTAL PACKAGE

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

1. Subdivision Review Application
2. Agent Authorization Letter
3. Deeds
4. Private Rural Lane Section
5. Amended Subdivision Recording Plat

### Areas of Concern

The applicant built duplexes on Lots 3 and 4, which required a shared driveway from Bolton Hill Road, named Normands Way. Reconfiguration of the lots will allow the new Parcel 1 to have access from Normands Way, or from North Belfast Avenue should MDOT grant a shared driveway permit for Parcels 1 and 2. Should access to Parcel 1 be from North Belfast Avenue, upgrades proposed to Normands Way would not be necessary.

### Waivers

The applicant has requested waivers from plan and application materials requirements.

Plan requirement waiver requests include: n. Drainage and erosion control; u. Traffic controls, off-street parking and facilities; v. Proposed fire protection plans or needs; w. Landscaping and buffering; x. Outdoor lighting plan.

The Planning Board approved this project as a four lot Minor Subdivision on July 8, 2014. These same waivers were requested and granted as the applicant was not constructing on the lots. Staff recommends granting these waivers as three of the four lots are currently developed and the remaining lot will be required to comply with building permit construction standards.

Application materials waiver requests include: Letter authorizing the agent to represent the applicant; 3 copies of any stormwater report; and 2 copies of any traffic report.

The applicant has submitted a letter of authorization from the property owner, meeting the requirement. Stormwater or Traffic Reports were not deemed necessary by Staff.

### Staff Review

**The Bureau of Engineering** does not have any concerns.

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

**The Bureau of Planning** does not have any concerns.

**The Greater Augusta Utility District** does not have any concerns, out of their jurisdiction.

**The Fire Department** does not have any concerns.

### **Lot Characteristics**

*Lot Size* – The minimum required lot size is 60,000 square feet. Each of the lots is over 60,000 square feet, which meets the standard.

*Land Area per Dwelling Unit* – The minimum required land area per dwelling unit is 30,000 square feet. Each lot has the land area for two dwelling units, meeting the standard.

*Frontage* – The minimum frontage required is 200 feet. All of the lots have at least 200 feet, which meets the standard.

*Depth* – The minimum depth required is 135 feet. Each of the lots has over 135 feet of depth, which meets the standard.

### **CRITERIA FOR REVIEW OF A MAJOR SUBDIVISION**

**(Section 300-406 of the LUO; includes Section 300-603, Conditional Use Review)**

#### **Neighborhood Compatibility (Section 300-603.E (1) of the LUO)**

(a) *Land Use/ Visual Integrity:*

[1] *Land Uses:* This is a rural residential area.

[2] *Architectural Design:* N/A

[3] *Scale, Bulk, Building Height:* N/A

[4] *Identity, Historical Character:* This is a rural residential area.

[5] *Disposition and Orientation:* N/A

[6] *Visual Integrity:* N/A

(b) *Privacy:* N/A

(c) *Safety and Health:* The proposal will maintain safe and healthful conditions.

(d) *Property Values:* The proposal is not expected to have a detrimental effect on the value of adjacent properties.

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

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

The Future Land Use Map notes this property in the Rural East area. The Future Land Use Detail map notes the property in the residential area. The project is in compliance.

*Staff recommends that the Board find that the proposal is in accordance with the 2007 Comprehensive Plan.*

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

- (a) *Additional Traffic:* There will be a low volume of additional traffic. Traffic will not have a significant negative impact on the neighborhood.
- (b) *Safe Access:* Safe access is assured.
- (c) *Emergency:* The proposal provides access for emergency services.
- (d) *Movement/Parking:* Access is proposed from Normands Way.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Traffic Pattern, Flow and Volume.



*View looking west down Normand Way. Parcel 3 duplex on right. Parcel 2 residence in distance.  
Proposed Parcel 1 to be located between two buildings.*

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

- (a) *Water Supply:* Private wells will be installed. N/A
- (b) *Sanitary/Sewer/Subsurface Waste Disposal:* Private septic systems will be installed. N/A
- (c) *Electricity/Telephone:* Electricity is available immediately adjacent to the proposed lots.
- (d) *Storm Drainage:* There are no public facilities at this location. N/A

Staff recommends that the Board find that 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*: There is a wetland on the property of the existing house. No impacts are proposed.
- (b) *Air Quality*: N/A
- (c) *Water Quality*: N/A
- (d) *Sewage/Industrial Waste*: Private septic systems will be installed. No industrial waste is proposed.
- (e) *Shoreland/Wetland Districts*: N/A

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



*View looking west on Normands Way. Parcel 4 duplex on left. Parcel 2 house in distance.  
Proposed Parcel 1 to be located between two buildings.*

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

- (a) *Performance and Dimensional Standards:* The proposal complies with the performance and dimensional standards.
- (b) *Noise:* Noise is not a concern.
- (c) *Glare/Heat:* The proposal does not involve glare or heat.
- (d) *Exterior Lighting:* No exterior lighting is proposed.
- (e) *Screening:* No screening is required.
- (f) *Signage:* No signage is required.

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



*View looking north on Bolton Hill Road. Duplex on Parcel 3 in background. Duplex on Parcel 4 in foreground.*

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

The applicant has secured E. S. Coffin as their consultant, which has proven its technical ability in projects already completed. The applicant has the financial ability to complete the project.

Staff recommends that the Board find that 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 land is not in the 100 year floodplain. N/A
- b) *Ability of Soils to support waste disposal:* The soils are adequate for septic systems.
- c) *Slopes effect on effluents:* The soils are adequate for septic systems.
- d) *Streams for disposal of effluents:* The soils are adequate for septic systems.
- e) *Applicable health and water resource rules:* The soils are adequate for septic systems.

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

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

See the Public Facilities section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Sufficient Water.

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

See the Public Facilities section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Municipal Water Supply.

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

This is not a concern.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Soil Erosion.

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

See the Traffic Pattern, Flow and Volume section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Highway or Public Road Congestion.

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

See the Public Facilities section regarding sewage waste.

Staff recommends that the Board find that the proposal is in compliance with the Sewage Waste and Municipal Solid Waste Disposal section.

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

There is no significant change in the reconfiguration of lots or buildings from the previously approved subdivision.

Staff recommends that the Board find that the proposal is in compliance with Aesthetic, Cultural and Natural Values.

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

See the Plans and Policies and Performance Standards sections.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Conformity with City Ordinances and Plans.

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

See the Financial and Technical Ability section.

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

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

N/A

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Surface Waters and Outstanding River Segments.

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

See the Public Facilities section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding 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 find that the proposed use is in compliance with the ordinance regarding Flood Areas.

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

See the Resource Protection section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Freshwater Wetlands.

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

See the Public Facilities section.

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

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

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

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Access to Direct Sunlight.

**Title 38 M.R.S.A. Section 484, Chapters 371 and 373-377 (Section 300-404.B (18) of the LUO)**

The proposal is not regulated by Title 38 M.R.S.A. Section 484, Chapters 371 and 373-377. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Title 38 M.R.S.A. Section 484, Chapters 371 and 373-377.

**Spaghetti-Lots Prohibited (Section 300-404.B (19) of the LUO)**

The property does not have shore frontage. Not applicable.

Staff recommends that the Board find that 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 find that the proposed use is in compliance with the ordinance regarding Outdoor Lighting.