



TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

Planning Board Report
Railroad Square Master Plan
Preliminary Plans for Development Plan & Major Subdivision
Railroad Square Associates, LLC, Applicant
Map 37 Lots 28 and 29A; CD-4 Village Center Character District
Prepared by Erin Zwirko, Director of Planning and Development
Report Date: July 14, 2022; Planning Board Date: July 20, 2022

I. Project Description

Railroad Square Associates, LLC submits for review the Railroad Square Master Plan. Railroad Square is a proposed redevelopment of the 4.4-acre Bickford Transportation site into a mixed-use neighborhood of residential, commercial and community uses. The site also includes nearly one acre of woods and wetland open space along with two active businesses (Strong Bodies and Artascope Studios), two former industrial buildings, and the open-air pavilion. Below is the illustrative master plan as presented in the application materials:



Illustrative Railroad Square Master Plan

As described in the application materials, the project will integrate a mix of residential building types with commercial uses as well as community uses:

- Active Adult Residential (Ages 55+): Located at the rear of the site, the largest residential component of the Railroad Square Master Plan is an active adult community of single level living condominiums. These residences are located in three 3-story buildings with 15 units each, for a total of 45 residences. A community center is also proposed within the active adult buildings. Parking will be provided in underground garages. Six carriage house style 2.5-story condominiums or apartments for older adults are located in the redeveloped Strong Bodies/truck garage building.
- Mixed-Use Commercial and Residential: The other buildings proposed in the Master Plan include one 3-story and one 2-story mixed-use buildings. These buildings will likely include office, retail, and possibly a restaurant on the ground level with smaller condominiums or apartments on the upper floors totaling 10 units across the two buildings. Strong Bodies and the arts studio would be relocated to spaces within these mixed-use buildings.
- Community Uses: The existing activities, new pedestrian connections and repurposed pavilion are identified as part of the Master Plan. The existing pavilion will be enclosed so that it can be opened up for warm weather events but also used year-round and continue to be available for the farmers market and art fairs. The Master Plan includes connections to the future demonstration rail trail that the Casco Bay Trail Alliance has been championing with the support of the Town, Maine DOT, and the Yarmouth Pedestrian and Bicycle Committee, and other regional partners. New sidewalks, trail connections, bike racks and storage, outdoor seating and gathering areas incorporated into new hardscape and landscaped are dispersed throughout the Master Plan.



Aerial photo of the location (image is rotated to mimic the layout of the Master Plan)

The location in the heart of the Yarmouth Village has the potential to be transformed through the creation of an extended village into this new neighborhood. A key element of the review will be ensuring that the proposed Master Plan is integrated into the existing fabric of the community. A major aspect of that is ensuring that the intersection of Railroad Square and Main Street, as well as the intersecting driveways and streets in the immediate area, function safely for all users and is complementary to the ongoing and phased approach to the Main Street streetscape project.

As a result, and in advance of new funding to advance Phase 2 of the Main Street streetscape project, the Department of Planning and Development and other Town Hall colleagues have brought forward two concepts for the intersection. Both utilize traffic calming measures such as curb extensions to physically narrow the roadway and textured roadway treatments to visually narrow the roadway. Existing curb cuts remain as is, although the second driveway at Peachy's features a mountable curb for their continued access to owner/employee parking and solid waste removal. Some drainage work will need to be coordinated in the future with construction of the private development projects and Phase 2 Main Street Streetscape project. The concepts were provided to the Planning Board at the June 8th meeting, and the preferred concept will be advanced as part of the preliminary design. Additional details may be found on the Town of Yarmouth's website at <https://yarmouth.me.us/streetscape>.

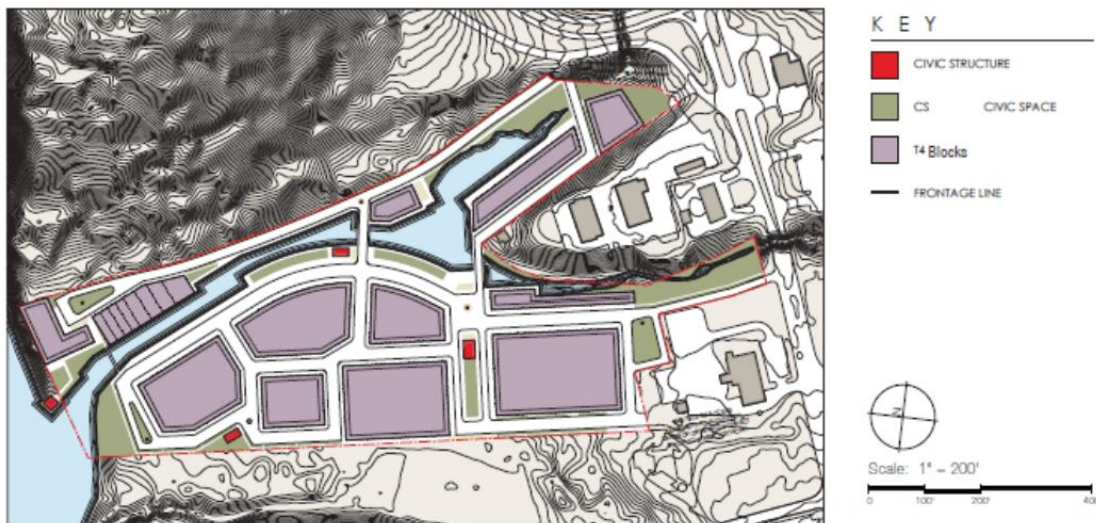
II. Project Review Process and Timeline

The Planning Board is being asked to review the proposal pursuant to the following ordinances:

- CH. 703 Character Based Development Code (CBDC) Development Plan, CD-4 Village Center Character District, and
- CH. 601, Major Subdivision.

The Railroad Square Master Plan is the first proposal to be reviewed as a Development Plan under Chapter 703, Article 6. This project is also a subdivision by virtue of the location of three or more buildings on the property, and by virtue of the creation of 3 or more dwelling units.

ILLUSTRATION 6.B EXAMPLE DEVELOPMENT PLAN



Example Development Plan from Chapter 703, Character Based Development Code

The Planning Board has met with the applicant at six public hearings, including the July 20th meeting, over the past 7 months. The first meeting in January was introductory, and each subsequent meeting was topic-based in order to focus the discussion with the Planning Board through the review process. Those topics include traffic, the development plan design, thoroughfare (road), lots, and parking, green spaces and pedestrian and bicycle connectivity, architectural design, and final meetings to bring everything together. A site visit at the property occurred on May 25, 2022.

As discussed throughout this review, a Development Plan focuses on the layout of the thoroughfares, common spaces, density, landscaping, and the block structure, among other items, but the additional context will provide the detail likely desired by the Planning Board and the community. Subdivision is very similar, focused on the layout of lots, roadways, and utilities, and achieving the technical standards set forth in the ordinances. It is important to note that while this project requires both CBDC and Chapter 601 Subdivision review and approval, generally the Character Based Code supersedes other existing codes, except in specific cases: *“The provisions of this Chapter shall take precedence over those of other codes, ordinances, regulations, and standards that may be in conflict with this Chapter, except the Town and State Health and Safety Codes and except as may otherwise be provided in Section 1.C.3.d”* (Chapter 703, Article 1.C.3.a).

At this point in the review, the Planning Board has approved the Preliminary Development Plan and Subdivision Plan and two waivers that reflect the existing conditions of the property. Presented now is the Final Development Plan and Subdivision Plan. However, Town Staff do not recommend approval of the Final Development Plan and Subdivision Plan at this meeting. This submission represents the first time staff have had a chance to see a complete plan set in its entirety as well as the complete stormwater management plan, and as the Planning Board will see there are many comments and updates necessary. We anticipate that the applicant will address all of these comments, and the staff can recommend approval at a September meeting.

Should the Planning Board ultimately approve the Development Plan and the Subdivision Plan, the applicant will be required to return to the Planning Board in the future to receive approval for each new building and lot (or group of buildings and lots) under Major Site Plan Review (Chapter 702) and Building & Lot Review (Chapter 703). These future reviews will look more familiar to the Planning Board in the level of detail provided and review process. In these future reviews, the Planning Board will be asked to confirm that each detailed proposal is consistent with the previously approved Development Plan and Major Subdivision. Should there need to be amendments to the Development Plan and Major Subdivision that come to light due to further developing each building and lot, the applicant would need to request those amendments as well. Obviously, the required review process for this project will be lengthy but is what is appropriate for the scale of the project proposed.

The project also requires approvals from Maine Department of Environmental Protection (DEP) and the US Army Corps of Engineers under Maine’s Natural Resources Protection Act and the Chapter 500 Stormwater Rules. The applicant has submitted to the DEP, and evidence of these approvals must be submitted prior to any site work. Confirmation from Maine DOT regarding the need for a Traffic Movement Permit will be required, and a letter has been sent to Maine DOT requesting concurrence.

III. Meetings and Engagement

July 20, 2022 Planning Board Meeting

For the July 20, 2022 meeting, the applicant will present the Final Development Plan and the Final Subdivision Plan.

June 8, 2022 Planning Board Meeting

For the June 8, 2022 meeting, the applicant will present the Preliminary Development Plan and the Preliminary Subdivision Plan. The full traffic analysis will also be presented.

April 27, 2022 Planning Board Meeting

For the April 27, 2022 meeting, the applicant presented general information about the architectural character, building massing, retail and residential uses and frontages, among other details that will give the Planning Board the planned context for the proposed buildings, which would be subject to detailed review if the current request is approved. The applicant has also refined their Thoroughfare and Lot Plan, which also provides the basis for the Preliminary Subdivision Plan.

March 23, 2022 Planning Board Meeting

For the March 23, 2022 meeting, the applicant presented information on the lots, uses, and thoroughfares, landscape, buffers, and open space, and the utility master plan.

March 9, 2022 Planning Board Meeting

On March 9, 2022, the applicant presented information regarding the initial trip generation data, parking data, and the Pedestrian Shed illustration.

January 12, 2022 Planning Board Meeting

On January 12, 2022, the applicant presented an overview of the project. In addition to a detailed overview of the project, the developer's team discussed the economic benefits of the proposed project.

2021 Meetings

The Planning Board discussed the Railroad Square Master Plan previously in December 2020 and held a site visit on January 9, 2021. In early 2021, the Master Plan was tabled, and the related project at 298 Main Street advanced. The project at 298 Main Street was ultimately approved by the Planning Board on August 11, 2021.

Community Engagement

Community meetings have been held on January 5, March 3, April 6, and May 11, 2022. The neighborhood meetings are intended to cover the topics that would be discussed at the Planning Board meeting following each scheduled neighborhood meeting. The applicant has also indicated that outreach to direct neighbors is ongoing.

In 2021, the applicant reports that they have hosted three public group events and several individual meetings with neighbors and stakeholders.

The applicant has also created a website to communicate information and updates regarding the project:

www.rrsqyarmouth.com.

IV. Public Notice and Comment

July 20, 2022 Planning Board Meeting

Notices were sent to 76 property owners within the vicinity (within 500 feet) of the proposed development for July 20, 2022 meeting. As of the writing of this report, we received comments from two individuals.

June 8, 2022 Planning Board Meeting

Notices were sent to 76 property owners within the vicinity (within 500 feet) of the proposed development for the June 8, 2022 meeting. [We received comments from one individual, which can be found posted with the June 8th meeting.](#)

April 27, 2022 Planning Board Meeting

For the April 27, 2022 meeting, notices were sent to 76 property owners within the vicinity (within 500 feet) of the proposed development. No public comments were received.

March 23, 2022 Planning Board Meeting

For the March 23, 2022 meeting, notices were sent to 76 property owners within the vicinity (within 500 feet) of the proposed development. [We received comments from one individual, which can be found posted with the March 23rd meeting.](#)

March 9, 2022 Planning Board Meeting

For the March 9, 2022 meeting, notices were sent to 76 property owners within the vicinity (within 500 feet) of the proposed development. We received comments from six individuals. [These comments can be found posted with the March 9th meeting.](#)

January 12, 2022 Planning Board Meeting

For the January 12, 2022 meeting, notices were sent to 76 property owners within the vicinity (500 feet) of the proposed development. We received comments from three individuals. [These comments can be found posted with the January 12th meeting.](#)

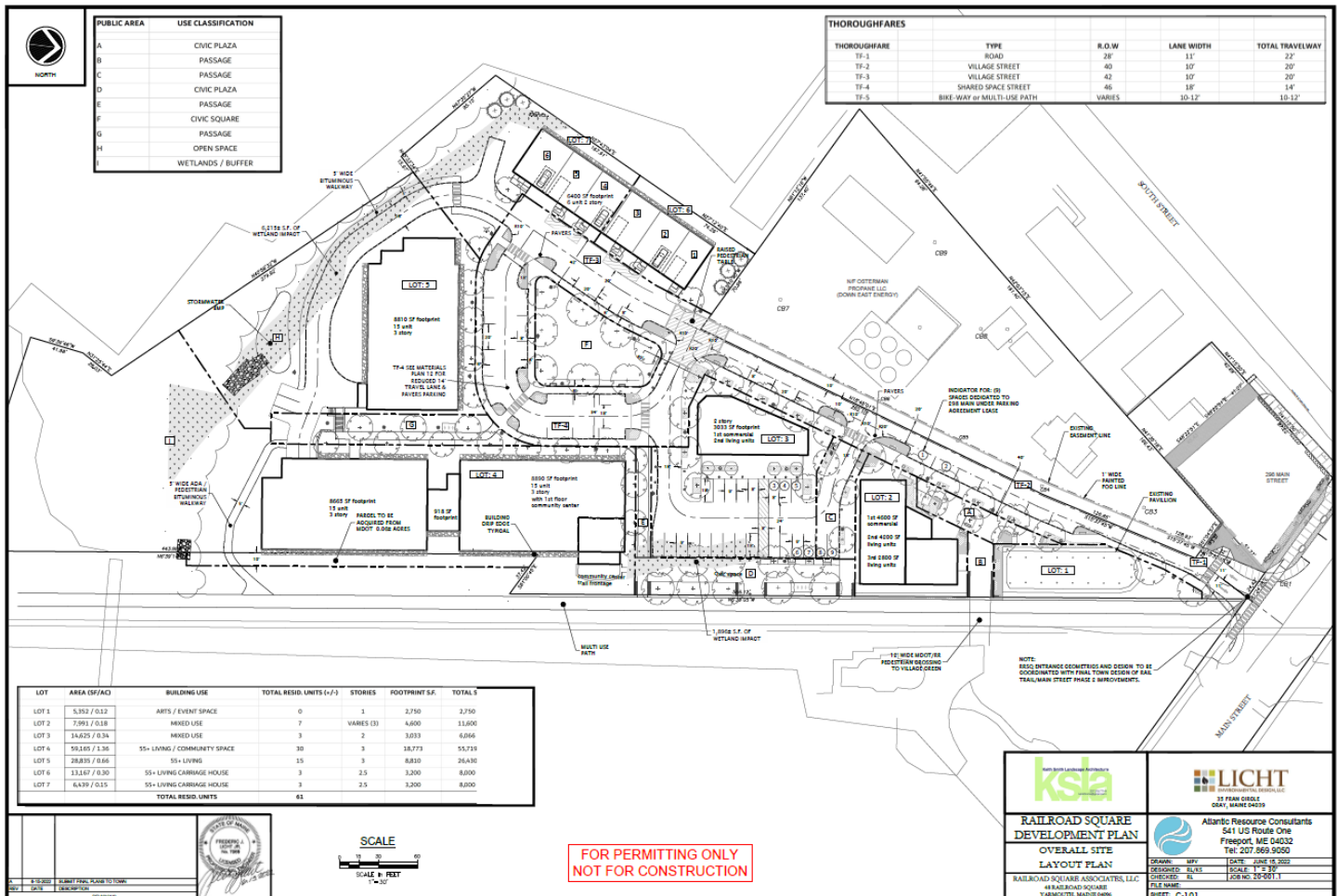
Uses in Vicinity: The surrounding neighborhood consists of: **South Street** – to be redeveloped structure at the corner of Main Street and South Street, Consolidated Communications, a bicycle shop, several 3-unit residential, many single family homes up to Cumberland Street, and 2 two-family homes. **Railroad Square** – Down East Energy (adjacent), Strong Bodies fitness, Bickford Education Center, Artascope, antique truck pavilion. **Main Street (east)** – Village Green Park, Gorham Savings Bank in Depot Building, Hancock Lumber, Dunkin Donuts, Chinese Restaurant, Brickyard Hollow, Peoples United Bank, office building, InterMed and other office uses, office/commercial, Irving gas station, Peachy's Smoothies (across street). **Main Street (west)** – 298 Main Street redevelopment property, Sacred Heart Church and Parish, 3-family residential, mixed commercial, 3-unit residential, office, 317 Main Community Music Center, 2-family residential, mixed-use commercial. **Yarmouth Crossing** – Hancock Kitchen Center, Whilde Tutoring School, River School, Farmhouse Florist, offices. **Mill Street** – single family, 2-family, single family.

V. Character Based Development Code Review

The project is subject to the Character Based Development Code (CBDC) and the applicant shall address all applicable standards. As noted in the earlier section, the Railroad Square Master Plan is the first Development Plan to be reviewed under Chapter 703 Article 6. As described in Chapter 703, a Development Plan applies to the following parcels of land (Article 6.A.1):

1. Which either alone or together with one or more other parcels under a common development scheme, program or plan is five (5) gross acres or more; or
2. With respect to the development of which any new Thoroughfare or extension or change of the design of any existing Thoroughfare will be made or proposed; or
3. With respect to which any Character District designation, Special District designation or general Thoroughfare alignment is proposed to be changed by a Regulating Plan amendment.
4. Which constitutes a subdivision under Chapter 601 (Subdivision).

The proposed Railroad Square Master Plan triggers the Development Plan as there are new Thoroughfares proposed and the proposal would constitute a subdivision. The following is the final Development Plan provided in the application materials. As can be seen in the screen shot below, the proposed lots, uses, and thoroughfares are identified.



Final Railroad Square Development Plan

The Planning Board has met with the applicant at six public hearings, including the July 20th meeting, over the past 7 months. The first meeting in January was introductory, and each subsequent meeting was topic-based in order to focus the discussion with the Planning Board through the review process. Those topics include traffic, the development plan design, thoroughfare (road), lots, and parking, green spaces and pedestrian and bicycle connectivity, architectural design, and final meetings to bring everything together. A site visit at the property occurred on May 25, 2022. The Preliminary Development Plan and Subdivision Plan was approved on June 8, 2022, including two waivers that were identified. A waiver of the Lot Frontage requirement was approved to accommodate the pre-existing condition on Lot 1 with the pavilion which requires 170 feet of frontage due to the size of the existing structure and lot shape. The second waiver approved is for the pre-existing condition of the site driveway, which is constrained and does not fit any allowed Thoroughfares for the CD-4 District.

VI. Development Plan Requirements (Article 6.D)

As further described by Article 6, the following materials are required for a Development Plan. The status of each item is provided below.

1. Existing and any proposed Thoroughfares, including any extension or change of design;

Provided in a final form that responds to comments from Town staff on the preliminary plan. The Development Plan proposes new Thoroughfares. No existing Thoroughfares will be extended or changed as a result of the proposal.

2. Thoroughfare Types and Standards;

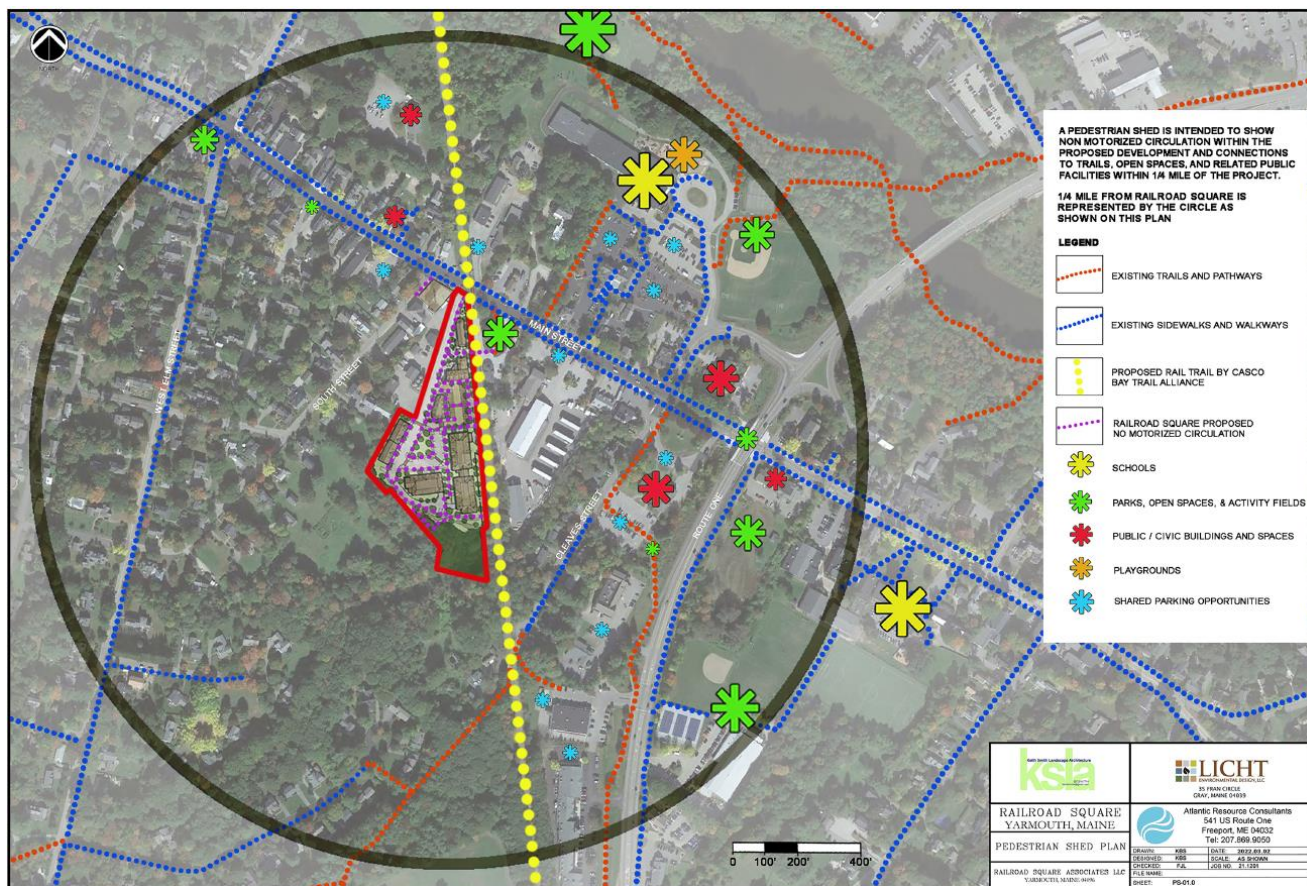
Provided in a final form that responds to comments from Town staff on the preliminary plan.

3. Thoroughfare sections and specifications consistent with Chapter 601, (Subdivision, Technical Appendix, Roadway Design and Construction Chart), if applicable, or subject to the approval of the Town Engineer if not otherwise specified;

The Thoroughfare and Lot Plan is provided as a final plan. The Town Engineer previously wrote, *"It is also important to note that while this project requires both CBDC and Chapter 601 Subdivision review and approval, generally the Character Based Code supersedes other existing codes, except in specific cases. Generally, I support the thoroughfare design as proposed which is generally in conflict with the Chapter 601 Technical Standards as it pertains to right of way width, road paved width and other geometric design parameters."* A full subdivision plan set has been provided with this submission.

4. Pedestrian Sheds and their respective Common Destinations;

A Pedestrian Shed illustration was presented and discussed at the March 9, 2022 meeting. The applicant wrote, *"This plan provides a context of all trails and walkways – existing and proposed, open spaces and civic buildings within ¼ mile of the project. What can be identified from the plan is that the RRSQ neighborhood is both centrally located adjacent to existing sidewalks and the proposed rail-trail and is directly or indirectly linked to the Town Hall, Library, William Rowe School and the Village Green to name a few locations. This plan demonstrates again, the strength of Railroad Square as a walkable-bikeable neighborhood located in the heart of Yarmouth Village."* The following is the applicant's Pedestrian Shed illustration.



Railroad Square Pedestrian Shed

The staff agreed with the applicant's assessment and find the Pedestrian Shed illustration to be acceptable. The Village is the heart of the community, and the proposed development will be well-connected to the existing network for pedestrians and bicyclists to access the Common Destinations present in the Village.

5. Existing and any required or proposed Civic Spaces and Civic Buildings;

Civic Squares, Civic Plazas, and Open Space as defined by the CBDC are proposed for the Development Plan. No Civic Buildings are proposed.

6. Existing and any proposed Character Districts;

The Development Plan is located within the CD-4 Village Center Character District. No new character districts are proposed.

7. Existing and proposed Special Districts, if any;

The Development Plan is located within the CD-4 Village Center Character District. No new special districts are proposed.

8. Existing and proposed Special Requirements, if any;

Special Requirements are identified in Chapter 703, Article 6.I. The Special Requirements include retail frontage, terminated vistas, cross block passage, buildings of value, and residential development. The Planning Board may want to defer the discussion on retail frontage to each specific Building & Lot Plan/Major Site Plan Review application. It appears that the other special requirements are met.

9. The proposed mix of uses and residential density per Character District. A Development Plan with three or more Building and Lot Plan sites in any mixed-use Character District (all variations of CD4) is encouraged to include a mix of residential and commercial functions;

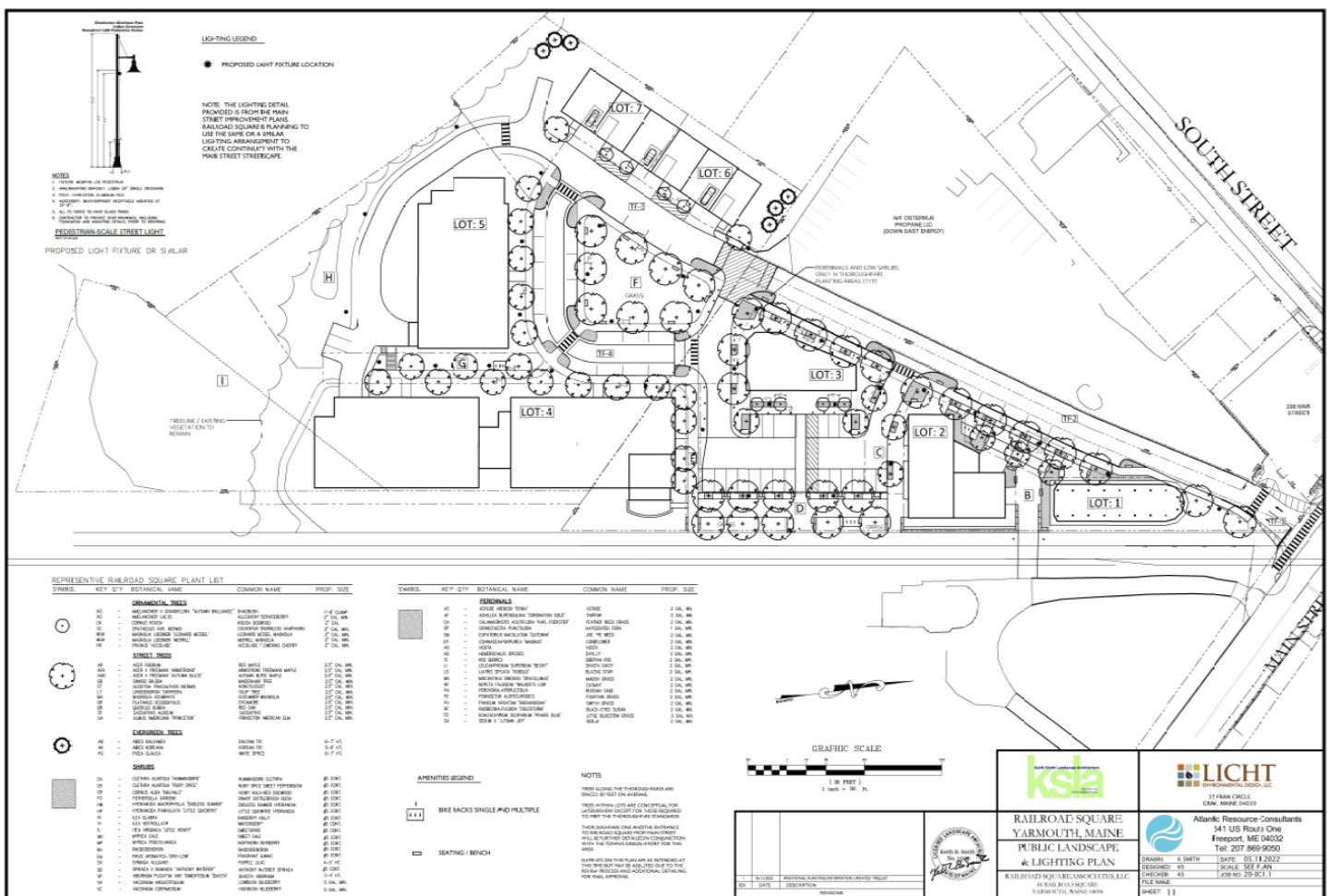
As documented in the application materials, the Development Plan provides information on the mix of uses and the residential density. A mix of uses are proposed.

10. The proposed Block Structure for the site in compliance with applicable Block Perimeter Standards, if the Development Plan site is 5 gross acres or more;

The Development Plan site is less than 5 gross acres. Railroad Square is 4.4 acres total, and even if 298 Main Street were included, the total acreage is 4.62 acres. This standard is not applicable.

11. Public Landscaping;

A public landscaping and lighting plan has been provided:



12. A conceptual or illustrative Building and Lot Plan for a first phase of Development;

During the review, the Planning Board received conceptual information for the first phase of the development. In addition, the applicant has provided information regarding the project and design goals for each of the individual buildings that intend to convey the general architectural character, building massing, and the differences in uses and frontages.

13. If associated with a Regulating Plan Amendment, a massing diagram of the proposed or allowable Development;

A Regulating Plan Amendment is not required for the Railroad Square Master Plan.

14. All existing and proposed Preserved or created Open Space; and

Provided with the Final Development Plan. Note that Article 6.H, Open Space, is reserved with no standards. The applicant indicates that the approximately 0.5-acre wood wetland at the rear of Railroad Square will be preserved as open space and buffer.

15. All Buildings of Value present on the site.

There are no Buildings of Value as identified by Chapter 701, Article IX, present on the site.

VII. Development Plan Review Standards (Article 6.E)

Article 6.E.2.a, b, and c. Thoroughfare Standards

Thoroughfare standards are identified in Chapter 703, Article 6.E.2 as follows:

Thoroughfares shall be intended for use by vehicular and non-vehicular traffic and to provide access to Lots and Open Spaces.

Staff Comments: Based on the Thoroughfare and Lot Plan, the Thoroughfares proposed, the Thoroughfare Sections, and the application materials, it appears that vehicular and non-vehicular traffic will be allowed on each Thoroughfare and access to Lots and Open Spaces are provided. Additional pedestrian and bicycle connectivity are proposed and should be refined over the subsequent review process for each building and lot through the review of Building & Lot Plan and Major Site Plan applications.

It appears that the applicant has addressed the overlapping (and sometimes divergent) concerns of the Town Staff, in particular the Fire Chief, the Town's traffic peer reviewer, the Planning Board comments, and public comments. At that meeting, the Planning Board identified several refinements to improve non-vehicular access without impeding emergency access such as the use of mountable curbs at wider curb radii as recommended by the Bike and Pedestrian Committee. Additional refinements are seen on the Final Development Plan and Subdivision Plan

The applicant has indicated that the homeowner's association would be responsible for snow storage and would most likely need to haul away any snow. However, the applicant has identified a potential snow storage area at the end of TF-3 on Lot 7. It is anticipated that each Building & Lot Plan could identify lot specific areas for snow storage as necessary.

Thoroughfares shall consist generally of vehicular lanes, Sidewalks, Bikeways and Public Frontages.

Staff Comments: The proposed thoroughfares include Roads, Village Streets, Shared Space Streets, and Multi-Use Path. Vehicular lanes, sidewalks, bikeways and public frontages are all elements of these Thoroughfares. The sections provided show compliance with this standard, and the submittal of a public landscaping and lighting plan illustrate further compliance with the requirements.

Thoroughfares shall be designed in context with the urban form and desired design speed of the Character Districts through which they pass.

Staff Comments: It appears that the selection of Thoroughfares is appropriate for the urban form and desired design speed of the overall CD-4 Village Center Character District. The Planning Board on June 8, 2022, approved a waiver to use the Road Thoroughfare (TF-1) even though it is a Thoroughfare type allowed in the SD-1 District only, rather than the CD-4 District. The Planning Board found it is likely the best fit to apply Thoroughfare standards to this existing condition

at the intersection of Railroad Square and Main Street and for the first 120 feet of the access into Railroad Square, which is constrained by the pavillion and Down East Energy access easement.

The Public Frontages of Thoroughfares that pass from one Character District to another shall be adjusted where appropriate or, alternatively, the Character District may follow the alignment of the Thoroughfare to the depth of one Lot, retaining a single Public Frontage throughout its trajectory.

Staff Comments: The Development Plan spans only a single Character District. It appears that there is an appropriate relationship between the Public Frontages and the Thoroughfares.

Pedestrian access, circulation, convenience, and comfort shall be primary considerations of the Thoroughfare, with any design conflict between vehicular and pedestrian movement generally decided in favor of the pedestrian.

Staff Comments: At the intersection of TF-4, TF-3, TF-2, and the parking area on Lot 3, there is concern about conflicts between motorized and nonmotorized traffic. This standard suggests that pedestrian access should be prioritized. The applicant has incorporated a raised table at this intersection which may mitigate the wider curb radii to support emergency vehicles, and a detail has been provided for this raised table and crosswalk illustrating the appropriate and safe separation between vehicles and pedestrians in this location.

Additionally, the Department of Planning & Development and other Town staff have engaged with a consultant to focus on this intersection and the relationship to the upcoming Phase 2 of the Main Street streetscape project. The Department of Planning and Development and other Town Hall colleagues have brought forward two concepts for the intersection. Both utilize traffic calming measures such as curb extensions to physically narrow the roadway and textured roadway treatments to visually narrow the roadway. Existing curb cuts remain as is, although the second driveway at Peachy's features a mountable curb for their continued access to owner/employee parking and solid waste removal. Some drainage work will need to be coordinated in the future with construction of the private development projects and Phase 2 Main Street Streetscape project. It is anticipated that the applicant would continue to work with Town staff as the concept is advanced to preliminary design and the applicant would incorporate some of these features into their plan for the intersection. This is recommended as a condition of approval.

The Bike and Pedestrian Committee previously noted that there are two crosswalks in close proximity to each other at the site entrance. One crosswalk carries the sidewalk across Railroad Square Drive parallel to Main Street. The second crosswalk was required as part of the approval for 298 Main Street to safely cross residents from the residential entrance to the sidewalk where residents would access the remote parking. The Committee writes, *"Crosswalks in such close proximity are likely to each other are likely to cause compliance issues, as motorists will not expect the second, downstream crosswalk. MaineDOT states that a midblock crossing should not be less than 400 feet from an intersection; while YBPC doesn't necessarily agree with this metric in all cases, in this case, the close spacing of crosswalks presents potential safety issues."*

The Committee recommended one of the following measures (in order of preference):

- The driveway be raised up to sidewalk level ahead of the first crosswalk, allowing pedestrians to continue along the sidewalk without ramping down and back up; the driveway could remain at this raised elevation through the footprint of the second crosswalk. If this approach is used, the entire area should be treated as a crossing. The raised crossing area can ramp back down to the plan elevation downstream of the second crossing shown.
- The entire area, inclusive of both crosswalks, may be striped as one, large crossing. This would boost awareness of pedestrians crossing in the area while continuing to convey that people may be crossing anywhere within these two areas. It should be noted that ramps should continue to be provided as currently shown if this option is chosen.
- The crossing located within the site, and associated ramps, should be deleted from the plan.

The concepts for the intersection recommend that the first crosswalk be raised up to the sidewalk elevation as suggested by the Committee in the first priority recommendation.

No revisions have been made for the Final Development Plan and Subdivision Plan. As a result, the Planning Board may want to hear from the applicant about the relationship between 298 Main Street, the easement requirements, and the applicant's thoughts, and appropriately direct the applicant to incorporate the Committee's recommendation, or this coordination and layout can be part of the required coordination for the intersection plan as a condition of approval.

As recognized by the applicant and called out by the Bike and Pedestrian Committee, there is a pinch point along the edge of the pavilion and the road where the sidewalk width may be reduced. The applicant has shown the sidewalk at 6 feet adjacent to the pavilion, and the edge may blend into the base of the pavilion. An easement is shown on the Final Plan and executing that easement is recommended as a condition of approval.

Thoroughfares shall be designed to define Blocks not exceeding any applicable perimeter size prescribed in Table 6.F (Block Perimeter Standards), measured as the sum of Lot Frontage Lines and subject to adjustment by Waiver at the edge of a Development Parcel.

Staff Comments: As noted in Article 6.D.2, which outlines the requirements for a Development Plan, the Block Perimeter Standards are required if the Development Plan site is 5 or more gross acres. Railroad Square is 4.4 acres total, and even if 298 Main Street were included, the total acreage is 4.62 acres. This standard is not applicable.

Thoroughfares shall terminate at other Thoroughfares, forming a network, with internal Thoroughfares connecting wherever possible to those on adjacent sites.

Staff Comments: The proposed Thoroughfares in the Development Plan contribute to the larger network of Thoroughfares throughout the CD-4 District. Based on the final plan and the layout of the adjacent properties and neighborhood, although Thoroughfares that provide primarily vehicular access do not connect to the larger network, pedestrian and bicycle connections help to advance a network in the Village. Within the Development Parcel, the arrangement of Thoroughfares for vehicles, pedestrians, and bicyclists is such that a network is created.

Cul-de-sacs and dead end Thoroughfares are not allowed unless approved by Waiver to accommodate specific site conditions, and except that one single Lot may Enfront a dead end Throughfare to create a back Lot.

Staff Comments: The arrangement of the proposed Thoroughfares ensures that there are no dead ends or cul-de-sacs. When considering the entire extent of the CD-4 District, the proposed arrangement of Thoroughfares is consistent with the development pattern of the Yarmouth Village. When layering the bicycle, pedestrian, and vehicular access within the Development Plan as well as considering the shape of the Development parcel, the network created ensures that there are no dead ends or cul-de-sacs. The staff previously recommended one-way clockwise circulation through the parking area at Lot 3 as well as designating that area as a Thoroughfare in order to create the sense of a New England village green or town center around Civic Space F and Lot 3. This change has been incorporated by the applicant and this area is designated as a woonerf (although not a Thoroughfare as it is still just a general parking lot).

Each Lot shall Enfront a vehicular Thoroughfare, except that 20% of the Lots may Enfront a Passage.

Staff Comments: The Final Development Plan indicates that Lot 4 utilizes this provision, and it appears to be consistent.

Thoroughfares shall conform to the Thoroughfare Standards of Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards). See Illustration 6.E.1 (Turning Radius).

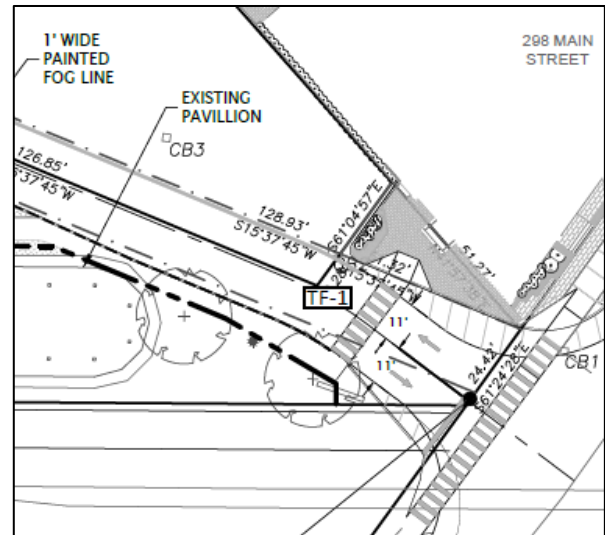
Staff Comments: The following sections describe the different Thoroughfare Assemblies and Standards proposed for Railroad Square. The applicant submitted final Thoroughfare sections with the next submittal where we would anticipate receiving detailed information regarding sidewalk widths and materials.



See Table 6.E.2B for detailed design requirements.

Thoroughfare TF-1: The Road Thoroughfare is technically not a Thoroughfare option for the CD-4 District, where Railroad Square is located, as only SD-1 appears in the heading of Table 6.E.2B (see the illustration above). However, it is likely the best fit to apply appropriate Thoroughfare standards to this existing condition at the intersection of Railroad Square and Main Street and for the first 120 feet of the access into Railroad Square. The Planning Board agreed and granted a waiver with the Preliminary Development Plan and Subdivision Plan for its use.

The condition is along the shared easement with Down East Energy, two 10-foot shared travel lanes, and one 6-foot sidewalk is proposed. The applicant indicated in its submission for the April 27th meeting that these travel lanes would be reduced to 10 feet. The Final Plan and Sections still show 11 foot travel lanes. This needs to be corrected.



No parking is proposed on either side of the roadway. No planter type is provided, although the existing conditions on both sides (Down East Energy and the pavilion) likely make this difficult to comply with this standard. As noted by the Bike and Pedestrian Committee there is a pinch point between the pavilion and the roadway. The applicant has shown the sidewalk at 6 feet adjacent to the pavilion, and the edge may blend into the base of the pavilion. An easement is shown on the Final Plan and executing that easement is recommended as a condition of approval.

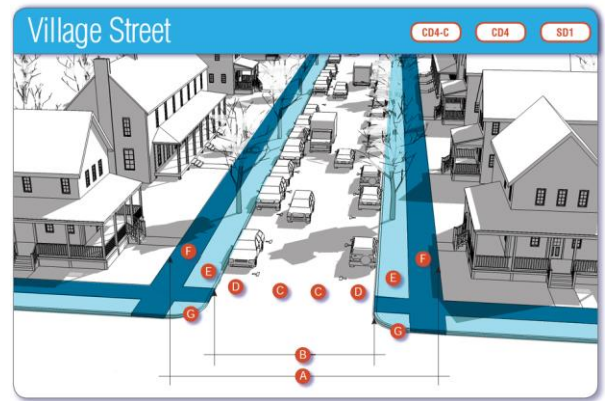
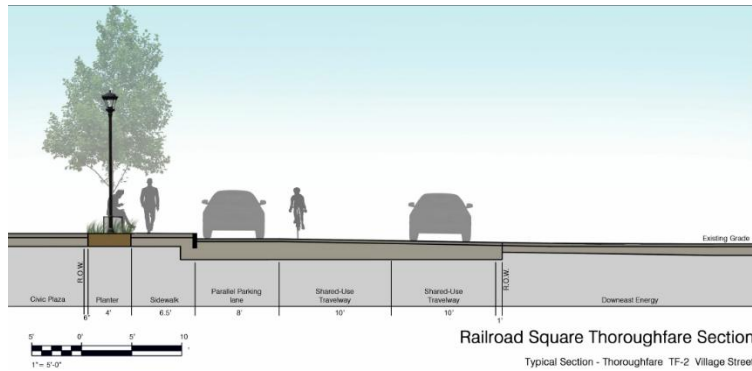
The Bike and Pedestrian Committee previously pointed out the double crosswalk condition at the site entrance. As noted above, the Committee's first priority recommendation is to create an extended table at sidewalk level through these two crosswalks. The Planning Board may want to hear the applicant's reaction to this recommendation during the meeting on July 20, or this coordination and layout can be part of the required coordination for the intersection plan as a condition of approval.

As noted in the introduction, the Department of Planning & Development and other Town staff have advanced a concept for the Railroad Square/ Main Street intersection to a preliminary design. It is anticipated that the applicant would continue to work with Town staff as the concept is advanced to preliminary design and the applicant would incorporate some of these features into their plan for the intersection. This is recommended as a condition of approval.

As noted elsewhere in this report, the condition along Down East Energy needs more thought to ensure that appropriate delineation and control/management of movements is provided. As noted by the peer reviewer, *"Otherwise the roadway appearance may promote higher speeds and vehicle turn conflicts (similar to a wide open parking lot without delineation)."* The peer reviewer has consistently stated that the painted line as a strategy to mitigate concerns regarding the open roadway edge is insufficient. While the applicant previously suggested that a

painted fog line would be used, the Final plan suggests the use of a stamped or bituminous pavement with a textured design. However, this is not shown on the Final plans and must be corrected.

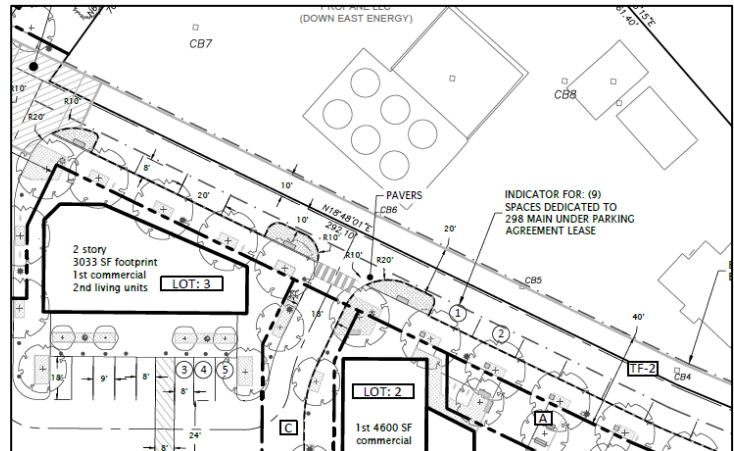
Upgrades may be appropriate depending on the response of Down East Energy. A recommended condition of approval is to actively reach out to Down East Energy and document their interest or non-interest in altering the edge.



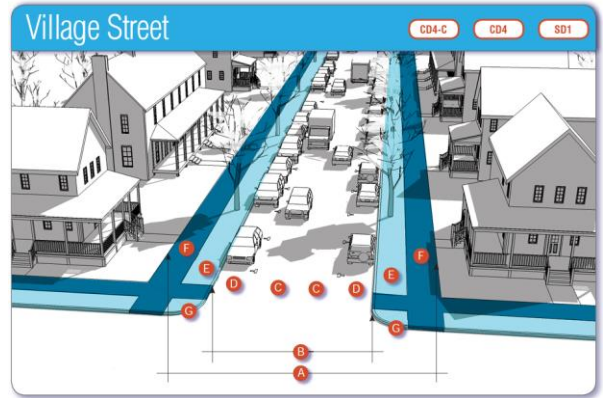
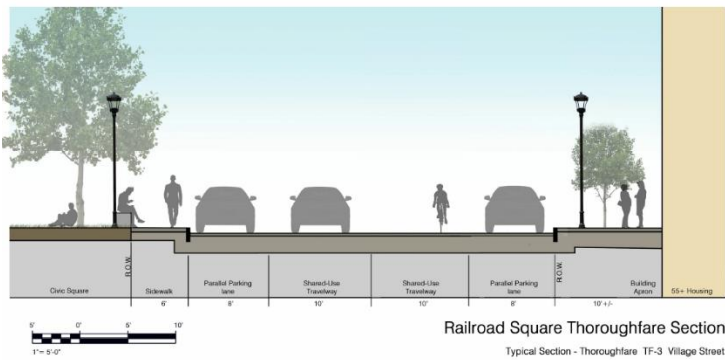
See Table 6.E.2F for detailed design requirements.

Thoroughfare TF-2: The Village Street is a Thoroughfare type allowed in the CD-4 District. The section provided in the March 23 materials meet the requirements for a Village Street as outlined in Table 6.E.2F, including for the type, assembly, planter, and walkway. Lane widths have been reduced to 10 feet from the previously proposed 11 feet. The curb radius for a Village Street is 5-10 feet; the developers are showing 10 feet and 20 feet. Pavers are used to narrow the radius to the 10 feet.

The Town's peer reviewer is now satisfied that the 6-foot sidewalk will be sufficient given the sidewalk amenities illustrated in the. Based on the updated Development Plan materials, the applicant located the street trees, bike racks, and light poles to the back of the 6 foot sidewalk, and final Thoroughfare sections confirm that condition. Parallel parking is proposed and is an allowed element in the Village Street Thoroughfare.



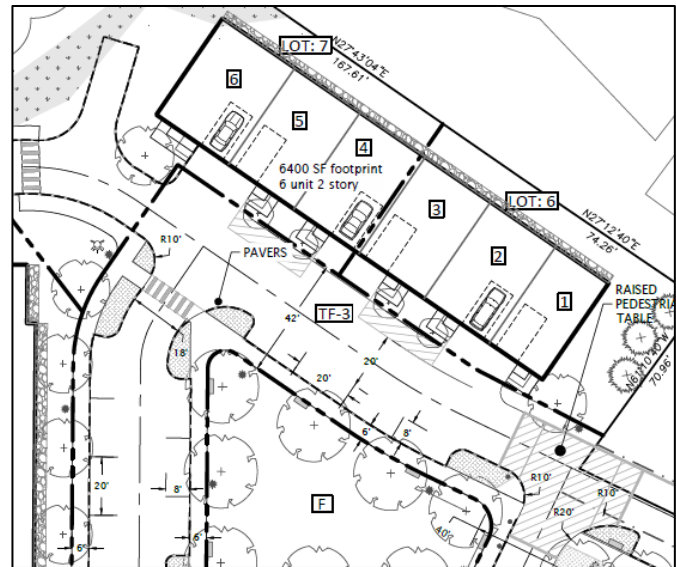
As shown on the Final Development Plan, the TF-2 includes curb extensions at the Passage C and where TF-2, TF-3, and TF-4 meet. The applicant has incorporated a raised table at the intersection of TF-2, TF-3, and TF-4 meet, and a detail has been provided for this raised table and crosswalk illustrating the appropriate and safe separation between vehicles and pedestrians in this location.



See Table 6.E.2F for detailed design requirements.

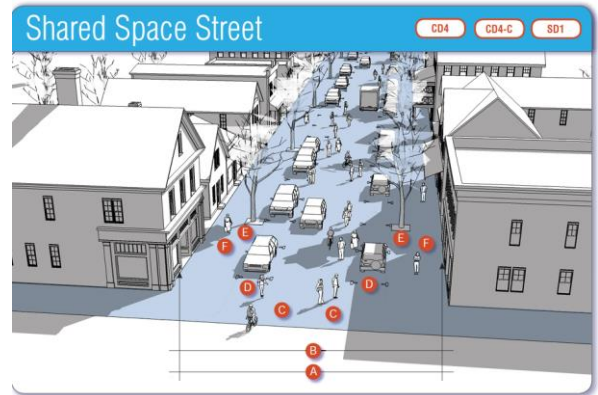
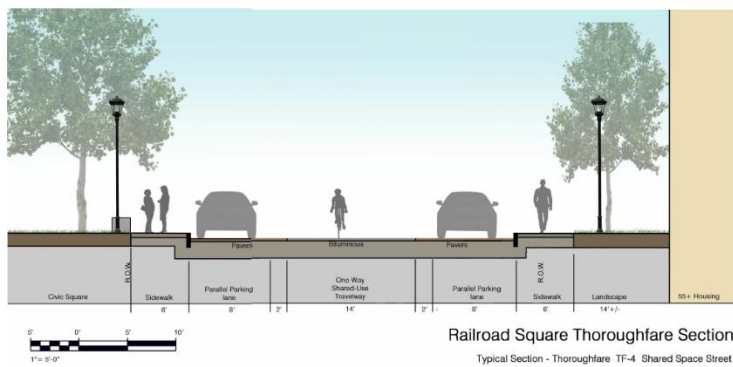
Thoroughfare TF-3: TF-3 also utilizes the Village Street. The section provided in the March 23 materials meet the requirements for a Village Street as outlined in Table 6.E.2F, including for the type, assembly, planter, and walkway. Lane widths have been reduced to 10 feet from the previously proposed 11 feet. The curb radius for a Village Street is 5-10 feet; the developers are showing 10 feet and 20 feet. Pavers are used to narrow the radius to the 10 feet.

TF-3 spans the area between the Civic Square and the six carriage house units on Lot 6 and Lot 7. It also intersects with the driveway to the underground parking serving Lot 4 and Lot 5 as well as the TF-4 Shared Space Street on the opposite side of the Civic Square. The Town's peer reviewer previously suggested that the 6-foot sidewalk width on the west side may not be sufficient given the Public Frontage amenities, but with the additional 4-foot building apron it should be acceptable. The Planning Board discussed this condition at the April 27th meeting and appeared to find consensus that the Board members did not think it was necessary. The peer reviewer continues to suggest that these areas become raised with a mountable curb so that they do not simply become parking areas.



The Planning Board previously discussed how the rear of Railroad Square becomes primarily residential and private. At the intersection with the driveway to the underground parking, the transition from public to private is more stark as it only provides access to private parking. The driveway was narrowed to 18 feet, and resulted in some loss of parking, but a revised parking table was submitted with the Preliminary Plan illustrating that there continues to be compliance with the required parking amounts. Should a non-resident travel down the driveway, there are spaces available for a driver to turn around.

At the transition to TF-4, a change in the pavement, a change in canopy with street trees proposed on both sides of the Thoroughfare, and the Public Frontage amenities should suggest to motorized and nonmotorized traffic that there is a distinct residential appearance. A raised pedestrian crossing is not specified at this location, but a paver apron is shown to reduce the curb radius.

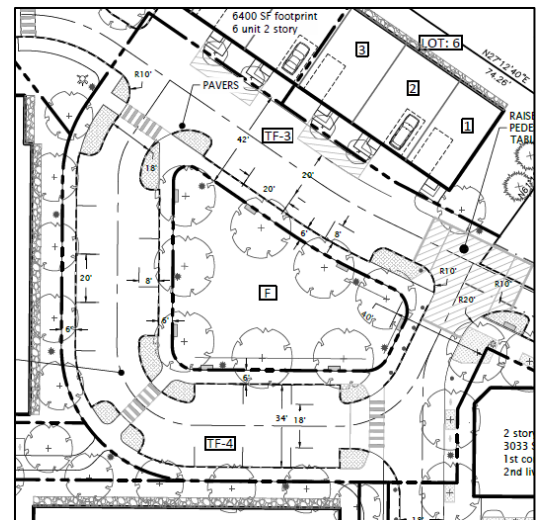


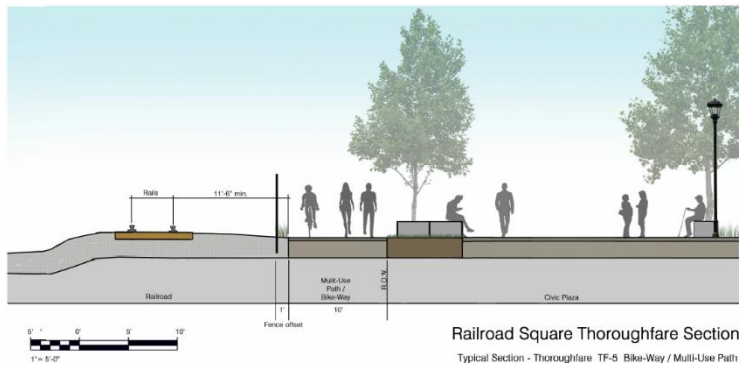
See Table 6.E.2H for detailed design requirements.

Thoroughfare TF-4: TF-4 utilizes the Shared Space Street, another Thoroughfare type allowed in the CD-4 District. The section provided in the application materials meet the requirements for a Shared Space Street as outlined in Table 6.E.2F, including for the type, assembly, planter, and walkway. The one-way condition is not necessarily envisioned in the CBDC but supports the intention of the Thoroughfare type. Also note that the sidewalk is curbed, so it does not provide exactly the freeflowing motorized and nonmotorized traffic envisioned for a Shared Space Street (see the illustration above) since the sidewalk is still separated from the travel and parking lanes.

The Fire Department previously indicated that there needs to be 20 feet of obstructed width per the NFPA regulations. After much discussion on this Thoroughfare, the applicant has adjusted the paved width to 14 feet (one-way) and extended the 8-foot parking aisle pavers out an additional 2 feet, so that the 14-foot drive aisle is flanked by 10-foot parking aisles as shown on the materials plan. The CBDC identifies a pavement width of 30 to 76 feet for a Shared Space Street; at 34 feet, the proposed TF-4 is consistent.

At the intersection of TF-4, TF-3, TF-2, and the parking area on Lot 3, there is concern about conflicts between motorized and nonmotorized traffic. One of the other Thoroughfare standards suggests in cases where there may be conflicts, the pedestrian access should be prioritized. The applicant has incorporated a raised table at the intersection of TF-2, TF-3, and TF-4 meet, and a detail has been provided for this raised table and crosswalk illustrating the appropriate and safe separation between vehicles and pedestrians in this location.





See Table 6.E.3D for detailed design requirements.

Thoroughfare TF-5: TF-5 is a multi-use path proposed along the existing railroad between Cleaves Street and Main Street. Note that this is not located on Railroad Square property, but the applicant has been supportive of the Bike and Pedestrian Committee’s efforts to establish a demonstration trail along this stretch in advance of the creation of the Casco Bay Trail.

At the end of February, the Town Council passed a resolution endorsing an application to MaineDOT to request approval to install the trail under the trail until rail concept. At the same time, MaineDOT has convened an Advisory Council to study the St. Lawrence and Atlantic right of way for trail and/or rail use. Town staff and other advocates have worked to advance this demonstration trail, but MaineDOT representatives indicated that any recommendation on an application, even for a demonstration trail, will be to wait until the Advisory Council makes its recommendations at the end of 2022. The Town, advocates, and the applicant are still working jointly to advance this portion of trail.

The Multi-use Path is a Thoroughfare type allowed within the CD-4 District. It is shown on the section as a 10-foot wide path, but as noted in the presentation to the Town Council for their endorsement, the demonstration trail concept includes:

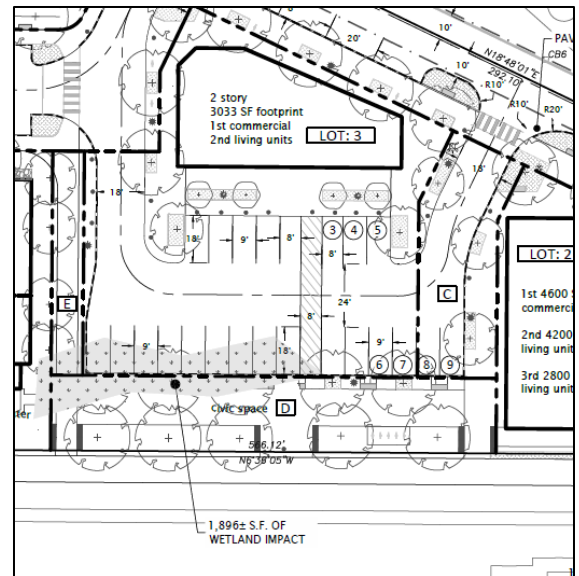
- A 12-foot wide asphalt pathway approximately 1,250 feet in length and would be aligned with the siding rail in this stretch. This location was selected as it has the least amount of grade changes within the rail right-of-way cross-section.
- A small retaining wall and fence would be required along approximately 400 feet of steep bank along the right of way.
- A fence is also required for separation from the main rails under MaineDOT policy. However, it is anticipated that a request will be made to withhold installation of the fence until such time that there is tariff traffic pending on the line.

Because of the approvals needed from MaineDOT and the request to wait until the completion of the Advisory Council process, the demonstration trail may be constructed with a different timeline than the rest of Railroad Square. This is a key connection for the Crosstown Pathway and for the Casco Bay Trail, as well as for the Railroad Square development. The applicant has continued to be a partner to the Town and a condition of approval to continue supporting and coordinating is recommended.

Parking Area on Lot 3 (Not a designated Thoroughfare)

The Planning Board noted that there is a tension between this area Lot 3 serving as general parking as well as remote parking for 298 Main Street and the looser woonerf concept. The circulation was revised to provide a clockwise one-way circulation as recommended in prior staff reports and at prior meetings. This area is not technically a Thoroughfare, and the applicant has indicated that they intend to use a variety of pavement materials to delineate parking from shared spaces. The Final Development Plan illustrates the remote parking spaces (numbered) and provides a striped separation between these dedicated spaces and the rest of the parking area. Executing this agreement will be a condition of approval.

The applicant has reduced the entrance and exit lanes to 18 feet wide with a 24-foot aisle between the parking stalls. Diagonal spaces were considered and rejected.



Driveway to Underground Parking (Not a designated Thoroughfare)

The driveway section is not designated as a Thoroughfare. As noted elsewhere, this driveway is more distinctly private than anywhere else in Railroad Square. The driveway was narrowed to 18 feet, and resulted in some loss of parking, but a revised parking table was submitted with the Preliminary Plan illustrating that there continues to be compliance with the required parking amounts. Should a non-resident travel down the driveway, there are spaces available for a driver to turn around.

Standards for any new types of Thoroughfares, if any, within proposed new Special or Character Districts associated with a Regulating Plan Amendment shall be established as part of the Regulating Plan Amendment approval and all Thoroughfares within such a Special or Character District shall conform to existing or any such new Thoroughfare Standards.

Staff Comments: A Regulatory Plan amendment is not necessary to advance this Development Plan within the existing CD-4 District.

Thoroughfares may be public (dedicated for Town ownership) or private;

Staff Comments: It appears that the developer intends to keep the Thoroughfares in private ownership but open for public access. As noted by the Town Engineer and the DPW Director, the entire property needs an association that clearly outlines all roles and responsibilities, both operationally and financially, for the sewer infrastructure, road and sidewalk infrastructure and open space infrastructure to the satisfaction of Town staff. Additionally, the association agreement shall include a binding clause requiring approval by the Town Engineer for any potential future changes to the agreement. Once approved, no changes to the association agreement may be made without explicit consent from the Town of Yarmouth. A draft association agreement has been provided, which includes provisions for private ownership, and a condition of approval is recommended to the final association agreement for review and approval by the Town.

All Thoroughfares in any mixed-use district (all variations of the CD4 districts), whether publicly or privately owned and maintained, shall be open to the public.

Staff Comments: It is anticipated that the Thoroughfares will be open to the public. A draft association agreement has been provided, which includes provisions for public access, and a condition of approval is recommended to the final association agreement for review and approval by the Town.

All Thoroughfares shall comply with the Complete Streets Policy adopted by the Town.

Staff Comments: Based on the review, it appears that the mix of Thoroughfares proposed and the goals established for the Development Plan is consistent with the Complete Streets Policy. The Complete Streets Policy states, *“The Town of Yarmouth seeks to provide for all of its residents and visitors a transportation network that is safe, efficient, interconnected, and sustainable for all modes of travel. Doing so will help the Town remain competitive in economic growth and investment, and help appeal to a diverse, healthy, and motivated population and workforce that values transportation options and sustainability. A Complete Street is one that safely accommodates the needs of all street users – pedestrians, wheelchair users, bicyclists, transit users and motor vehicle users.”*

The Thoroughfare requirements of providing space for motorized and nonmotorized travel within the Thoroughfare right of way is consistent with the Complete Streets Policy. It appears that the project is compliant with the Complete Streets Policy.

Thoroughfare design and construction standards shall adhere to Chapter 601 (Subdivision) Technical Appendices (Infrastructure Specifications), as determined to be the closest fit by the review authority, provided that the specifications of Table 6.E.2A - 6.E.2I shall pertain where in conflict with such Chapter 601 provisions.

Staff Comments: The Thoroughfare and Lot Plan is provided as a final plan. The Town Engineer writes, *“It is also important to note that while this project requires both CBDC and Chapter 601 Subdivision review and approval, generally the Character Based Code supersedes other existing codes, except in specific cases. Generally, I support the thoroughfare design as proposed which is generally in conflict with the Chapter 601 Technical Standards as it pertains to right of way width, road paved width and other geometric design parameters.”* A full subdivision plan set has been provided with this submission. The Planning Board has reviewed in detail the Thoroughfares with the applicant, and while there are still some lingering comments from the Town Engineer and Traffic Peer Reviewer, Town staff support the Thoroughfare design.

Thoroughfares may include vehicular lanes in a variety of widths for parked and for moving vehicles, including bicycles, subject to the standards for vehicular lanes shown in Tables 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards).

Staff Comments: As noted above, it appears that the Thoroughfares meet the standards for vehicular lanes as documented in Tables 6.E.2A-6.E.2I. For TF-4, the Fire Department previously indicated that there needs to be 20 feet of obstructed width per the NFPA regulations. After discussing with the Fire Department, the applicant adjusted the width of TF-4 to 14 feet with 10 feet parallel parking lanes (see the discussion above). The CBDC identifies a pavement width of 30 to 76 feet for a Shared Space Street; at 34 feet, the proposed TF-4 is consistent.

A bicycle network consisting of Multi-Use Paths, Buffered Bicycle Lanes, Protected Bicycle Lanes, and Shared Use Lanes should be provided throughout the area, with Bicycle Routes and other Bikeways being marked and such network being connected to existing or proposed regional networks wherever possible. See Table 6.E.3 (Bikeway Types).

Staff Comments: The application materials suggest that the Development Plan will provide strong bicycle connections to the larger network through the support of the multi-use pathway demonstration project along the adjacent rail line. Although difficult to read on the Public Landscaping and Lighting Plan, larger bike facilities are provided on Lot 2, at Passage C, and at Passage G. Additional single racks are located along TF-2 outside of the 6-foot sidewalk. With 114 parking spaces proposed on the site, 18 bike racks are proposed with the capacity for two bikes per rack, exceeding the requirement for 1 bike rack with capacity for 2 bikes per 20 parking spaces per Article 5.K.

The Bike and Pedestrian Committee previously recommended that bicycle parking should be provided for long-term (covered and secured for residents and employees) and short-term (immediately accessible for visitors) users, and it is anticipated that additional detailed information about long-term bicycle parking would be provided with future Building & Lot Plan and Major Site Plan applications.

Advisory bike lanes are bicycle priority areas delineated by dashed white lines. The automobile zone should be configured narrowly enough so that two cars cannot pass each other in both directions without crossing the advisory lane line. Motorists may enter the bicycle zone when no bicycles are present. Motorists must overtake with caution due to potential oncoming traffic. See Table 6.E.3F. Such lanes are also beneficial to pedestrians in areas without dedicated sidewalks.

Staff Comments: Advisory lanes are not included in the Development Plan, so this standard is not applicable.

Pedestrian accommodations for all users shall be provided in all Development in keeping with the Complete Streets Policy. Walkways or Sidewalks along all Thoroughfares, trails and/or maintained paths or other pedestrian infrastructure shall be provided.

Staff Comments: As noted above, it appears that the project is compliant with the Complete Streets Policy. As Building & Lot and Major Site Plan applications come forward for individual or groups of buildings, the applicant shall incorporate ADA compliance and universal access design throughout the Development Parcel, and specifically within Thoroughfares and Public Frontages.

Pedestrian paths of travel to and within all sites shall be delineated in all Development Plans and Building and Lot Plans, with direct, convenient, and protected access to all Building entrances and site amenities.

Staff Comments: It appears that the Development Plan identifies the potential pedestrian paths of travel in the Final Thoroughfare and Lot Plan.

Where Thoroughfares require Sidewalks, equivalent or better alternative means of pedestrian access may be considered by the reviewing authority.

Staff Comments: The Planning Board has been interested in the Thoroughfare edge along the Down East Energy property for an appropriate treatment. As noted by the peer reviewer, *"Otherwise the roadway appearance may promote higher speeds and vehicle turn conflicts (similar to a wide open parking lot without delineation)."* The peer reviewer has consistently stated that the painted line as a strategy to mitigate concerns regarding the open roadway edge is insufficient.

Town staff agree in concept that controlled access to the Down East Energy property is a desirable condition, but also recognize that the developer's ability to affect change on Down East Energy's property is limited. While the applicant previously suggested that a painted fog line would be used, the Final plan illustrates the use of a stamped or bituminous pavement with a textured design. However, this is not shown on the Final plans and must be corrected.

Upgrades may be appropriate depending on the response of Down East Energy. A recommended condition of approval is to actively reach out to Down East Energy and document their interest or non-interest in altering the edge.

Article 6.E.3. Public Frontages

Public Frontage standards are identified in Chapter 703, Article 6.E.3 as follows:

The Public Frontage shall contribute to the character of the Character District or Special District, and include the types of Sidewalk, Curb, planter, bicycle facility, and street trees, allocated within Character Districts and designed in accordance with Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards), Table 6.E.3 (Bikeway Types), Table 6.E.4 (Public Planting), and Table 6.E.5 (Public Lighting).

Staff Comments: The applicant has provided a public landscaping and lighting plan. The applicant submitted final Thoroughfare construction sections, which should include the arrangement of bike facilities, public plantings, and public lighting. ADA and universal design elements need to be incorporated as well.

Within the Public Frontages, the prescribed types of Public Planting and Public Lighting shall be as shown in Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards), Table 6.E.4 (Public planting), and Table 6.E.5 (Public Lighting); provided that the spacing may be adjusted by Waiver to accommodate specific site conditions.

Staff Comments: The applicant has provided a public landscaping and lighting plan. It appears that the Final Development Plan applies the appropriate landscaping spacing required by Article 5.N of Chapter 703, and no waivers have been requested at this time. The plant list does not include any species identified in Article 5.N that are prohibited but departs somewhat from the list of approved plantings in Table 6.E.4. The applicant has made updates to respond to the Tree Advisory Committee's comments.

It also appears that the public lighting is appropriately applied and the photometrics do not exceed the requirements and no waiver is requested.

It should be noted that comments have been received relative to public lighting and the proximity of adjacent residential areas in the Village. Article 5.P, which is relevant to Building and Lot Plans, and Chapter 702, Site Plan Review, include specific lighting and intensity standards that will need to be met as the phases of development seek approval from the Planning Board. Included in these requirements is documentation that there will not be light trespass over the property line. The Parks and Lands Committee recommends utilizing dark sky compliant fixtures.

The introduced landscape shall consist primarily of durable native species and hybrids that are tolerant of soil compaction and require minimal irrigation, fertilization and maintenance.

Staff Comments: The plant list does not include any species identified in Article 5.N that are prohibited but departs somewhat from the list of approved plantings in Table 6.E.4. The Tree Advisory Committee expressed support for the planting list and the larger street trees. The applicant has made updates to respond to the Tree Advisory Committee's comments.

The Tree Advisory Committee also requests confirmation regarding adequate depth and width of quality soil and drainage to support the root zone growth of mature trees. Soil amendments are likely and the use of permeable surfaces around the tree area is encouraged. Coordination with the Yarmouth Tree Warden is recommended as a condition of approval.

The Public Frontage shall include trees planted in a regularly-spaced Allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story.

Staff Comments: Based on the Final plan, it appears that street trees will be planted in a regularly-spaced Allee pattern. Regarding the height, the Fire Chief commented that the planting selections must be carefully considered so that the upper windows and floors of any building are not obstructed by vegetation as this can impede rescue operations during a fire.

Article 6.E.4. Public Landscaping

Public Landscaping standards are identified in Chapter 703, Article 6.E.4 as follows:

Thoroughfare Trees and any other landscaping within the Public Frontage shall comply with the standards of Article 5.N (Private Lot Landscape Standards).

Staff Comments: The applicant has provided a public landscaping and lighting plan. It appears that the Final Development Plan applies the appropriate landscaping requirements of Article 5.N. The plant list does not include any species identified in Article 5.N that are prohibited but departs somewhat from the list of approved plantings in Table 6.E.4. The Tree Advisory Committee expressed support for the planting list and the larger street trees. The applicant has made updates to respond to the Tree Advisory Committee's comments.

Article 5.N outlines a number of standards regarding placement, horizontally and vertically, from upper story building elements, underground and aboveground utilities, and pavement surfaces. In particular, the Fire Chief commented that the planting selections must be carefully considered so that the upper windows and floors of any building are not obstructed by vegetation as this can impede rescue operations during a fire. The NFPA regulations are set forth specific unobstructed vertical access around Fire Department access roads, although the requirement to setback street trees and regular maintenance of such landscaping by the association will ensure that the NFPA regulations will be met. When Building & Lot Plan and Major Site Plan applications are advanced, the applicant must take care to ensure that the various requirements are met.

Thoroughfare Trees shall be placed minimally two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter; or with such placement as described in Article 5.N.1.b.

Staff Comments: It appears that the Final Development Plan applies the appropriate landscaping requirements of Article 5.N. Trees will be spaced 30 feet on average and are located at least 6 feet from the pavement edge. Trees will be planted within an 8-foot by 4-foot planter at grade. The proposed sizes meet the requirements of Article 5.N, and any additional locational requirements would be applied through the Building & Lot Plan and Major Site Plan applications. The plant list does not include any species identified in Article 5.N that are prohibited but departs somewhat from the list of approved plantings in Table 6.E.4.

The soil structure of planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

Staff Comments: These construction details do not appear in the Final plans and should be added. A recommendation condition of approval is to provide a detailed construction management plan for the project.

VIII. Block Perimeter Standards (Article 6.F)

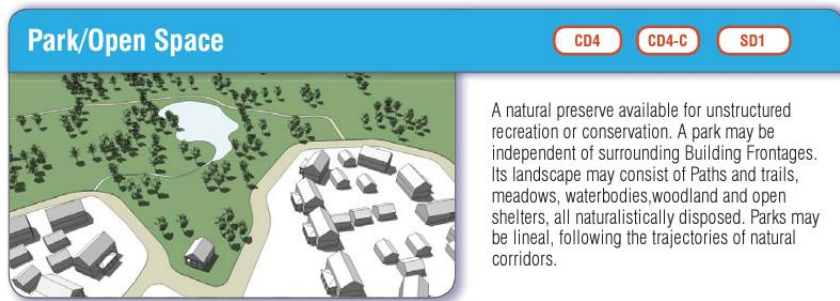
Each Block shall conform to the applicable Block Perimeter Standards. The CD-4 standard is a maximum of 2,000 feet.

Staff Comments: As noted in Article 6.D.2, which outlines the requirements for a Development Plan, the Block Perimeter Standards are required if the Development Plan site is 5 or more gross acres. Railroad Square is 4.4 acres total, and even if 298 Main Street were included, the total acreage is 4.62 acres. This standard is not applicable.

IX. Civic Space Standards (Article 6.G)

Each Pedestrian Shed of which the area covered by the plan is a part shall contain at least one Main Civic Space conforming to one of the types specified in Table 6.G (Civic Spaces), unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location. Civic Spaces should connect to existing Civic Spaces, trails, Paths, or other bike/ped connectors.

Staff Comments: The applicant previously submitted a Pedestrian Shed illustration and for the March 23rd meeting, submitted a Landscape, Buffer, and Open Space Plan. The Development Plan for Railroad Square includes a variety of Civic Spaces, including Civic Square, Civic Plaza, and Open Space. These proposed spaces are appropriately located along the main Thoroughfare and at locations with bicycle and pedestrian connections exist or plan to be provided as shown on the Pedestrian Shed illustration. The proposed Civic spaces are in addition and complement the existing Civic Spaces in Yarmouth Village.



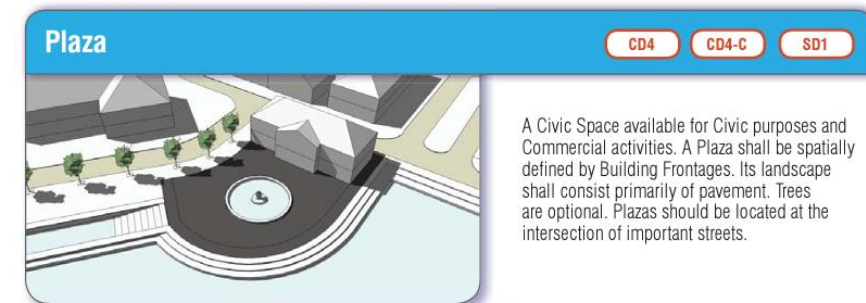
The Open Space area is designated as H on the Development Plan, and the applicant has indicated that it will feature a trail connection for passive recreation:



The Civic Square is designated as F on the Development Plan, a public green and square with canopy trees:



Two Civic Plazas are proposed, designated as A and D on the Development Plan, connected to other elements of the Development Plan through sidewalks, shared spaces, and passages:



The staff believe that the proposed Civic Spaces are appropriate for the scope of Railroad Square. It also appears that the proposed Civic Spaces generally meet the standards identified in Table 6.G as shown above. The exact details regarding pavement, amenities, pathways, and landscaping would be detailed with future Building & Lot Plans and Major Site Plan applications.

Within 1/4 mile (1,320 feet) of every Lot in Residential use, a Civic Space designed and equipped as a Playground conforming to Table 6.G (Civic Spaces – Playground) shall be provided;

Staff Comments: The CBDC describes a playground as: *“A Civic Space designed and equipped for the recreation of children. A playground may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within parks and greens.”*

The Development Plan does not include a playground on the Railroad Square property proper, but the Pedestrian Shed illustration indicates that an existing playground is located at the Rowe School, within ¼ mile of the lots proposed to be residential use. Yarmouth Community Services describes the Rowe School playground as being designed for kindergarten and first grade students.

The staff believe that the availability of this playground within a ¼ mile of the property meets the intent of this standard.

Each Civic Space shall have a minimum of 50% of its perimeter enfronting a Thoroughfare, except for Playgrounds.

Staff Comments: This calculation has not been provided with the Final plans. Based on a visual review of the plans submitted, the Civic Square and the Civic Plazas appears to meet this standard.

Any Civic Building provided or required should be located within or adjacent to a Civic Space, or at the axial termination of a significant Thoroughfare;

Staff Comments: No Civic Buildings are provided or required.

X. Open Space (Article 6.H)

Staff Comments: Although the CBDC reserves this section for future amendments, the Parks and Lands Committee provided comments regarding open space. In particular, the Committee recommends that the applicant submit a deed restriction (or other regulating document) naming the responsible party and identifying the perpetual maintenance of the following elements:

- Wood wetlands and preservation of their natural states;
- Trail connections and maintenance of trails and amenities;
- Impacts of runoff from the site's impervious surfaces and related stormwater control structures or bioswales;
- Minimization of current and potential nuisance and invasive species (such as honeysuckle, multiflora rose, and bittersweet); and
- Erosion into the wetland due to steep slopes.

The Tree Advisory Committee also recommends that this area be managed to remove invasive species and replace with native species.

As noted by the Town Engineer and the DPW Director, the entire property needs an association that clearly outlines all roles and responsibilities, both operationally and financially, for the sewer infrastructure, road and sidewalk infrastructure and open space infrastructure to the satisfaction of Town staff. Additionally, the association agreement shall include a binding clause requiring approval by the Town Engineer for any potential future changes to the agreement. Once approved, no changes to the association agreement may be made without explicit consent from the Town of Yarmouth. The elements recommended by the Parks and Lands Committee should be included in this agreement.

A draft association agreement has been provided, and a condition of approval is recommended to the final association agreement for review and approval by the Town as it does not appear the elements recommended by the Parks and Lands Committee have been included.

XI. Special Requirements (Article 6.I)

Retail Frontage. Block frontages may be designated for mandatory and/or recommended Retail Frontage requiring or advising that each Building satisfy the Frontage Buildout requirement with a Shopfront Frontage at Sidewalk level along the entire length of the Private Frontage, except at any allowed Driveways or Streetscreen areas. The Shopfront Frontage shall be no less than 70% glazed in clear glass and shaded by an awning overlapping the Sidewalk as

generally illustrated in Table 5.H.2 (Private Frontage Types) and specified in Article 5. The first floor shall be confined to Retail Principal Use through the depth of the Second Lot Layer. See Illustration 5.F.1 (Lot Layers).

Staff Comments: Within the mixed-use blocks, the applicant has identified that some spaces may be utilized for offices, retail, restaurant, or other commercial uses. The Planning Board may want to defer the discussion on retail frontage to each specific Building & Lot Plan/Major Site Plan Review application.

Terminated Vistas. Designations for mandatory and/ or recommended Terminated Vista locations, may require or advise that the Building or Structure that terminates the vista be provided with architectural articulation of a type and character that responds visually to the location, as approved by the Planning Board.

a. Architectural features required at a Terminated Vista shall intersect the centerline axis of the view to which they respond, and may encroach into the front setback if necessary.

b. Terminated Vista features may comprise a Cupola, chimney, steeple, entry feature, tower, or other significant architectural features.

Staff Comments: As defined in Chapter 703, a Terminated Vista is *“a location at the axial conclusion of a Thoroughfare or other visual axis. A Building located at a Terminated Vista designated on a Regulating Plan is required or recommended to be designed in response to the axis.”* It does not appear that the Regulating Plan adopted with Chapter 703 identified any Terminated Vistas within the Railroad Square property. It also does not appear that the Development Plan would create any Terminated Vistas.

Cross Block Passage. A designation for Cross Block Passages, requiring that a minimum 10-foot-wide pedestrian access be reserved between Buildings.

Staff Comments: It appears that the Development Plan includes appropriate Cross Block Passages of the appropriate width.

Buildings of Value. Buildings and Structures of Value may be altered or demolished only in accordance with the provisions of Chapter 701 (Zoning), Article IX, (Demolition Delay).

Staff Comments: There are no buildings within the Railroad Square Master Plan that have been deemed Buildings of Value per Chapter 701, Article IX. Additionally, the project site is not located within either the Upper Village Historic District or the Lower Village Historic District as recently incorporated into Chapter 701 as Article X.

Residential Development. A Development Plan with three or more Building and Lot Plan sites in any mixed-use Character District (all variations of CD4) is encouraged to include a mix of residential and commercial functions.

Staff Comments: As documented in the application materials, the Development Plan provides information on the mix of uses and the residential density. A mix of uses are proposed.

XII. Subdivision Review (Chapter 601)

The proposed Railroad Square Development Plan will trigger Major Subdivision Review, not only that it creates 3 or more lots, but also due to the multifamily units proposed.

The Town Engineer writes, *"It is also important to note that while this project requires both CBDC and Chapter 601 Subdivision review and approval, generally the Character Based Code supersedes other existing codes, except in specific cases. Generally, I support the thoroughfare design as proposed which is generally in conflict with the Chapter 601 Technical Standards as it pertains to right of way width, road paved width and other geometric design parameters."*

A Final Subdivision Plan has been submitted.

- 1. Will not result in undue water or air pollution. In making this determination it shall at least consider: The elevation of land above sea level and its relationship to the flood plains, the nature of soils and sub-soils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable State and local health and water resources regulations;**

Applicant Response: The project will include a comprehensive stormwater management system consisting of an under drained soil filter, bio swales, underground storage, tree well or Focal Point ®systems and pervious paver systems to control and treat stormwater. The current site has no formal BMP treatment systems and stormwater from the primarily impervious gravel and pavement - south half of the site drains untreated into the adjacent wetlands.

The project does not propose any discharge of airborne pollutants over and above that associated with typical residential development. Fugitive dust will be controlled with street sweeping and water during construction periods.

The project will not result in undue water or air pollution.

Staff Comments: It is unlikely that the project will result in undue water or air pollution. Additional permitting through the Maine DEP and the USACE is identified as required. The applicant has submitted to the DEP, and evidence of these approvals must be submitted prior to any site work. Additionally, the applicant previously indicated that the site is subject to a Voluntary Response Action Program (VRAP) through the MaineDEP, a tool that is used to encourage the cleanup and redevelopment of contaminated properties.

A stormwater management plan was submitted with the Final Development Plan and Subdivision Plan. This is the first time the Town Engineer has reviewed the stormwater management plan and asked Acorn Engineering to review as well. Both the Town Engineer and Acorn Engineering have provided detailed comments on the content of the plan. These comments must be addressed prior to the Planning Board giving final approval.

Further, the Town Engineer indicates that all stormwater BMPs and the maintenance of the BMPs shall remain the responsibility of the application per Town of Yarmouth Ordinances Chapter 330. This ongoing responsibility will also be a requirement of the homeowner's association. An Operations & Maintenance (O&M) Manual has also been provided. The DPW Director notes that sand is referenced in the O&M Manual, and notes that the use of sand is not necessarily compatible with the use of pervious pavers. He recommends that sand not be permitted in the development.

Finally, the applicant has submitted a soils report for the site. The Town Engineer recommends that each proposed structure a soils report from a Professional Engineer licensed in the State of Maine evaluate the in-situ soils and provides guidance for foundation design of the proposed structures.

- 2. Has sufficient water available for the reasonably foreseeable needs of the subdivision;**

Applicant Response: The project is estimated to require approximately 16,000 gallons per day of domestic water. All buildings will be serviced by public water from the Yarmouth Water District from an 8-inch main extension in Railroad

Square. Fire and domestic needs for the commercial and residential units will be met with the new services to the buildings. All senior residential units will have sprinkler systems installed and all commercial units will meet NFPA and Town of Yarmouth fire protection standards. A request has been made to the Yarmouth Water District for the ability to serve the project which will be forwarded to Planning Staff.

Staff Comments: The Yarmouth Water District Superintendent indicated that there is capacity to serve the project in his comments dated May 27, 2022. The Superintendent has consulted with the applicant and has indicated that the system has the capacity. The Superintendent also reviewed with the Utility Master Plan submitted for the March 23rd meeting. He found that there was generally proper separation between the proposed water system and other utilities, the hydrant locations would need approval from the Fire Chief, and there needs to be separate domestic service from the proposed eight-inch main for each meter as the Water District does not submeter. Fire service connections are billed by the size tapped into the eight-inch main and one bill is issued for the building. The Superintendent makes these comments to point out that the developer must be prepared to determine how the association will define roles and responsibilities, both operationally and financially, for domestic service, fire service, and hydrants, echoing comments from the Town Engineer. Easements for the Water District infrastructure will also be necessary, and the applicant plans to submit an easement plan.

The Superintendent also notes that a phased project will require a series of valves to allow service to flow to occupied buildings as other buildings are under construction.

Before final approval by the Board, the applicant must review the utility plan with the Superintendent.

3. Will not cause unreasonable burden on an existing water supply and the project can be served as planned, if one is to be utilized;

Applicant Response: The project will be serviced by public water from the Yarmouth Water District from an 8-inch main extension on Railroad Square. See Item 2 above regarding a capacity to serve letter from the Yarmouth Water District.

Staff Comments: The Superintendent indicated that there is capacity to serve the project in his comments dated May 27, 2022, but before final approval by the Board, the applicant must review the utility plan with the Superintendent. See the comments above.

4. Will not cause unreasonable soil erosion or reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;

Applicant Response: The project final plans will include an Erosion and Sedimentation Control (ESC) plan prepared in accordance with DEP and local standards. Erosion controls will be installed prior to construction of each phase of the development and monitored by site inspectors. With adherence to the ESC Plan the project will not cause unreasonable erosion.

Staff Comments: Although construction of any element of the Railroad Square Master Plan would be in the future, the applicant will be required to provide an Erosion and Sedimentation Control Plan for any initial work in order to prepare the site for construction. The plan shall meet all requirements of Chapter 500 Stormwater requirements and MDEP Erosion and Sedimentation Control (ESC) measures. During construction erosion and sedimentation control Best Management Practices (BMPs) shall be installed prior to construction activities and shall be maintained by the contractor until permanent stabilization.

Acorn Engineering provided some comments regarding the ESC plan that must be addressed.

5. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed and shall adhere to the street connectivity requirements of Article I.E.7, Street Access to Adjoining Property, herein. If the proposed subdivision

requires driveways or entrances onto a state or state aid highway located outside the urban compact area of an urban compact municipality as defined by MSRA Title 23, section 754, the Department of Transportation has provided documentation indicating that the driveways or entrances conform to Title 23, section 704 and any rules adopted under that section;

Applicant Response: A Traffic Impact Study dated 05-04-22 has been submitted by Diane Morabito, PE, PTOE of Sewall which concludes that the project will have minimal impacts to the adjacent street capacities and that there are no high crash locations in the vicinity of the project which would be impacted by the subdivision.

Staff Comments: The applicant previously submitted the full traffic analysis as required by the Town for this project. As requested in prior public hearings, the study includes spring 2022 traffic counts and any currently planned development along Main Street. The scope of the study extends from East/West Elm Street easterly to the Main Street, Cleaves and School Street intersection. The Mill/Main Street intersection was also included as suggested by the Planning Board.

As summarized by the applicant in previously submitted materials, the study makes the following findings and conclusions based on both the RRSQ and the 298 Main projects as a common scheme of development and includes vehicles and pedestrian movements:

- The combined developments will generate from 26 AM to 80 PM peak hour trips, after taking a credit for current/prior trips attributable to 298 Main.
- An MDOT Traffic Movement Permit (TMP) is not required as the peak hour net trips are less than 100 trips.
- The RRSQ project will have minimal impact on the South/Main Street intersection which will continue to operate at a level of service (LOS) A to B.
- The Main Street/RRSQ intersection currently operates at a Level of Service (LOS) A and will drop to a LOS B for the exiting vehicle traffic from RRSQ and remain at LOS A for other movements– showing no capacity concerns in the fully built out project.
- The Yarmouth Crossing/Gorham Savings Bank drives currently operate at a LOS B or better and are projected to operate at a LOS C (due in part to the projected development and growth outside of RRSQ along Main Street). This intersection shows no capacity concerns.
- The Mill/Main Street intersection operates at a LOS A in the exiting and build conditions, again showing no capacity concerns.
- There are no high crash locations in the vicinity of the project indicating no safety concerns.

The Town's traffic peer reviewer generally found that the methods and contents of the Study are acceptable, that the analysis assumed other approved developments representing a cumulative build-out analysis, that a safety analysis is not required, and that adequate sight distance exists. Confirmation from Maine DOT regarding the need for a Traffic Movement Permit will be required, and a letter has been sent to Maine DOT requesting concurrence.

The traffic peer reviewer also found the updated parking table to be reasonable. A parking management plan was provided by the applicant with the materials for June 8. To ensure that the parking plan meets the reality of parking conditions, annual or per phase parking analysis will be completed in conjunction with the Yarmouth Planning Department. This analysis will continue until full build out of the project. The Bike and Pedestrian Committee also previously noted that the Metro BREEZ bus stop at Town Hall is just 1,000 feet from Railroad Square. The applicant should consider how they can capitalize on their proximity to transit by including measures such as: posting schedule and fare payment information in common areas, displaying real-time arrive information on an interior screen in common areas, provision of transit passes to all residents, "Ride to Work" day incentives, and other measures.

Additionally, the intersection of Railroad Square with Main Street is an important element. As noted by Mr. Errico previously, *"The access road intersection with Main Street will need to be designed with consideration of vehicle movements (passenger cars and trucks), pedestrian movements (crossing both Main Street and the driveway and ADA compliance), and bicyclists. It is a complicated location when considering multi-modal conditions, proximity of*

nearby driveways and traffic volumes both on Main Street on entering and exiting the site.” The Bike and Pedestrian Committee expressed similar sentiment in their comments issued throughout the review.

The Department of Planning and Development and other Town Hall colleagues have brought forward two concepts for the intersection. Both utilize traffic calming measures such as curb extensions to physically narrow the roadway and textured roadway treatments to visually narrow the roadway. Existing curb cuts remain as is, although the second driveway at Peachy’s features a mountable curb for their continued access to owner/employee parking and solid waste removal. Some drainage work will need to be coordinated in the future with construction of the private development projects and Phase 2 Main Street Streetscape project. It is anticipated that the applicant would continue to work with Town staff as the concept is advanced to preliminary design and the applicant would incorporate some of these features into their plan for the intersection. This is recommended as a condition of approval.

The Bike and Pedestrian Committee previously noted that there are two crosswalks in close proximity to each other at the site entrance. One crosswalk carries the sidewalk across Railroad Square Drive parallel to Main Street. The second crosswalk was required as part of the approval for 298 Main Street to safely cross residents from the residential entrance to the sidewalk adjacent to the pavilion where residents would access the remote parking. The Committee writes, *“Crosswalks in such close proximity are likely to each other are likely to cause compliance issues, as motorists will not expect the second, downstream crosswalk. MaineDOT states that a midblock crossing should not be less than 400 feet from an intersection; while YBPC doesn’t necessarily agree with this metric in all cases, in this case, the close spacing of crosswalks presents potential safety issues.”*

The Committee recommends one of the following measures (in order of preference):

- The driveway be raised up to sidewalk level ahead of the first crosswalk, allowing pedestrians to continue along the sidewalk without ramping down and back up; the driveway could remain at this raised elevation through the footprint of the second crosswalk. If this approach is used, the entire area should be treated as a crossing. The raised crossing area can ramp back down to the plan elevation downstream of the second crossing shown.
- The entire area, inclusive of both crosswalks, may be striped as one, large crossing. This would boost awareness of pedestrians crossing in the area while continuing to convey that people may be crossing anywhere within these two areas. It should be noted that ramps should continue to be provided as currently shown if this option is chosen.
- The crossing located within the site, and associated ramps, should be deleted from the plan.

The concepts for the intersection recommend that the first crosswalk be raised up to the sidewalk elevation as suggested by the Committee in the first priority recommendation. No revisions have been made for the Final Development Plan and Subdivision Plan. As a result, the Planning Board may want to hear from the applicant about the relationship between 298 Main Street, the easement requirements, and the applicant’s thoughts, and appropriately direct the applicant to incorporate the Committee’s recommendation, or this coordination and layout can be part of the required coordination for the intersection plan as a condition of approval.

6. Will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized;

Applicant Response: The project is estimated to create approximately 12,000 gallons per day of wastewater which will be discharged to the municipal sanitary system via a private gravity sewer main extension and onsite private wastewater pumping station to service the senior buildings on lots 4 and 5. The system will be designed and implemented in accordance with the Town of Yarmouth Chapter 304 Sewerage Ordinance. A capacity to serve letter is being requested from the Town Engineer and Wastewater Superintendent.

Staff Comments: The Town Engineer reviewed the information provided with previous submittals and finds that there is adequate capacity in the Town sewer system to accept sewage flow from the project. Sewer connection

permits and fees must be paid and will likely be future conditions of any Building & Lot Plan and Major Site Plan applications. During construction of the infrastructure, all work must be inspected by the Town staff prior to backfilling and all sewer work shall be constructed per Yarmouth Town Standards.

In previous comments, the Town Engineer note that he will require that all sewer infrastructure, including the sewer main, manholes, services, cleanouts, and the pump station shall remain privately owned and the applicant shall create an association to own, operate, maintain, and capitalize the sewer infrastructure. The association shall be acceptable to the Town Engineer and Planning Director and shall be tied to each property deed and registered in the Cumberland County Registry of Deeds. The association agreement shall clearly outline all roles and responsibilities, both operationally and financially, including fair cost allocation and assessment, for the sewer infrastructure, road and sidewalk infrastructure and open space infrastructure to the satisfaction of Town staff. Additionally, the association agreement shall include a binding clause requiring approval by the Town Engineer for any potential future changes to the agreement. Once approved, no changes to the association agreement may be made without explicit consent from the Town of Yarmouth.

Regarding the sewer pump station in particular, the Town Engineer recommended consulting with the Superintendent of Wastewater and the Town Engineer as the pump station design is developed. The comments from the Town Engineer are focused on the type of pump station, design calculations, back up generator power, operations and maintenance, inspections, and an emergency operation plan. These must be addressed in future submittals.

Finally, the Town Engineer recommends that Down East Energy be connected to the proposed sewer infrastructure as the existing sewer connection to Down East Energy is located within the Development Parcel and will need to be adjusted with construction.

This summarizes the comments issued by the Town Engineer on March 7, 2022, which much be incorporated into the final drawings.

7. The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized;

Applicant Response: The project will subcontract solid waste removal to a private contractor for disposal at ecomaine or other licensed facility. There will be no burden on the Town's solid waste facility.

Staff Comments: Although the applicant has indicated that a private contractor will be remove any solid waste, the Town staff recommend that a solid waste management plan that provides for residential recycling and waste minimization should be developed. The applicant indicated that the final sources of solid waste removal (internal or external, dumpster, totes, etc.) will be coordinated with each Building & Lot Plan and Major Site Plan review as the project is potentially permitted in phases in the future.

The DPW Director issued detailed comments regarding solid waste removal for the future residences and businesses. The Town is transitioning to a "Pay As You Throw" system which will be significant change for the community and it will likely impact the proposed solid waste removal plan. The applicant will need to consider the implications on the community and include in their association documents.

8. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;

Applicant Response: The site has been in use for over 100 years as an industrial site and with the exception of the southern wetlands and wooded areas is completely developed as gravel or pavement surfaces with some lawn areas and includes three structures. The proposed adaptive re-use development of the site will provide attractive a neighborhood of attractive buildings, robust landscaping where none exists today, pedestrian ways and other

amenities to complement the existing neighborhoods and Main Street vicinity. A stormwater management system will control and treat stormwater prior to discharge to the existing wetlands in the southern portion of the site in accordance with DEP and Town of Yarmouth standards.

The current buildings onsite are not listed by the Town of Yarmouth as buildings of value as defined by the Chapter 701-Article IX Ordinance and are not listed as significant historical sites.

The subdivision will not have an adverse effect on scenic or natural beauty, aesthetics, historical sites or significant wildlife habitat or rare natural areas.

Staff Comments: None of the buildings on the site are Buildings of Value and the properties are not included in the Upper Village Historic District or the Lower Village Historic District. The property is almost entirely impervious and will require approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection Act and the Chapter 500 Stormwater Rules. The applicant has submitted to the DEP, and evidence of these approvals must be submitted prior to any site work.

9. It is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any. In making this determination, the Planning Board may interpret these ordinances and plans;

Applicant Response: The project has been designed to comply with all standards of the Character Based Development Code, Chapter 703 which per CBDC Article Section C.2 is “..the exclusive and mandatory regulation in the Character-Based Zoning District...” except as otherwise provided for in the CBDC. The application has presented evidence that the project complies with all applicable ordinances including the relevant sections of the Site Plan Review Ordinance, Chapter 702 and Subdivision Ordinance, Chapter 601 and is consistent with the goals of Comprehensive Plan.

Staff Comments: An excerpt from the 2010 Comprehensive Plan is attached to this staff report. The 2010 Comprehensive Plan did not envision proposed development at Railroad Square, but discusses Village in general and goals for the Village (page 18-19):

- *Maintaining Main Street as a truly mixed-use area with viable businesses and services, community and educational facilities, and people who live there...*
- *Ensuring that new construction or the modification of buildings along Main Street is done in a way that is compatible with the visual character and development pattern of the Village...*
- *Accommodating additional residential uses within the Village in ways that reinforce the concept of a walkable village and expand the diversity of housing available...*
- *Increasing the diversity of the housing available in Yarmouth and, therefore, increasing the diversity of the Town's population.*

The 2010 Comprehensive Plan goes on to identify the Vision for the Village as (page 19):

Yarmouth Village will continue to be a highly desirable, walkable New England Village with a vibrant, mixed-use center along Main Street. The Village will continue to offer a wide variety of housing from large, historically significant single-family homes, to smaller, more modest homes for both older residents and young families, to apartments and condominiums, to small flats in mixed-use buildings or older homes. Main Street or the Village Center will be a vibrant, pedestrian friendly, mixed-use street where people can live, work, shop, and take care of their other daily needs. A balance between residential and nonresidential activities in the Village Center will be maintained.

Ultimately, as directed by the 2010 Comprehensive Plan, the Character Based Development Code (Chapter 703) was adopted in response to the strategies identified to maintain the architectural and visual character of the Village. The proposed Railroad Square project is designed to be consistent with Chapter 703 and is consistent with the goals laid out for the Village.

It should be acknowledged that the Town is embarking on an update to the Comprehensive Plan, which would update the vision for the Village, and certainly the Town as a whole. It is also acknowledged that the scope of the proposed project may seem out of scale with the Yarmouth Village. The Planning Board will need to assess whether the scale and scope and proposed design expands the Village network into this underutilized and unproductive property in the heart of the community.

10. The subdivider has adequate financial and technical capacity to meet these standards of this ordinance;

Applicant Response: The application includes documentation of the ability of the developer to finance the project and a description of the project team professionals. The developers have an extensive history of completing sustainable, smart growth projects. The applicant has provided sufficient information to meet this standard.

Staff Comments: Although the applicant has indicated that evidence of financial and technical capacity has been submitted, in reviewing the previous submittals, it does not appear that this evidence has been submitted. The applicant should submit evidence, although as the developers are familiar to the Planning Board, the Board may not find this information is necessary at this point.

11. Whenever situated, in whole or in part, within the watershed of any pond or lake or within two hundred fifty (250) feet of any wetland, great pond or river as defined in Title 38 M.R.S. §436-A, will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water;

Applicant Response: The project is located within the Brickyard Hollow watershed and is adjacent to a wetland system and stream which drain under the adjacent MDOT Railroad through a box culvert. A portion of the wetlands will be filled and/or culverted and submitted to the DEP under a Tier 1 NRPA application. The project will implement stringent erosion controls during construction, will include a stormwater management plan and post construction monitoring to ensure compliance with all stormwater regulations.

The subdivision will not adversely affect the wetlands or stream onsite.

Staff Comments: The project requires approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection. The applicant will be required to submit evidence of these approvals prior to the start of any site work.

12. Groundwater. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;

Applicant Response: The project will not utilize any groundwater and will provide increased treatment of stormwater over current conditions using porous paver systems over a portion of the site where pavement currently exists, by adding landscaping around the building and adding landscaping and trees throughout the site. These improvements will both treat stormwater and increase groundwater recharge over current conditions. The project will not have an adverse impact to groundwater.

Staff Comments: It is not anticipated that the proposed project will adversely affect the quality or quantity of groundwater, but the stormwater analysis is still pending and must be submitted. The Parks and Lands Committee also suggests that if the monitoring wells are on the site to monitor groundwater, it would be appropriate to continue the monitoring through construction and occupancy.

13. Flood areas. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a

condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;

Applicant Response: Exhibit 7 contains a copy of FEMA -FIRM Map Panel No. 230055-0537 which shows that the project is not located in a FEMA Zone A. This standard does not apply to this project.

Staff Comments: This standard is not applicable.

14. Freshwater wetlands. All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district;

Applicant Response: The site contains a small isolated wetland located adjacent to the railroad ROW which is essentially a drainage collection area for the site and the railroad and a larger wetland system located in the southern portion of the site. This wetland system includes a narrow urban drainage channel which collects stormwater from properties on South Street. All wetlands have been delineated by Mark Hampton Associates and located by GPS and shown on the Site Plans and Existing Conditions survey (previously submitted).

Staff Comments: The project requires approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection Act. The applicant will be required to submit evidence of these approvals prior to the start of any site work.

15. Farmland. All farmland within the proposed subdivision has been identified on maps submitted as part of the application. Any mapping of farmland may be done with the help of the local soil and water conservation district;

Applicant Response: The site does not include any mapped farmland. This standard does not apply to this project.

Staff Comments: This standard is not applicable.

16. River, stream or brook. Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in 38 M.R.S. §480-B (9)

Applicant Response: As noted above, the southern portion of the site contains a small stream which flows from the areas to the west towards Holbrook Street and discharges through a granite box culvert under the MDOT railroad ROW and continues easterly then northerly behind Hancock Lumber down Cleaves Street to the town drainage system. The stream has been located and is shown on the Site Plans and Existing Conditions plans.

Staff Comments: The project requires approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine's Natural Resources Protection. The applicant will be required to submit evidence of these approvals prior to the start of any site work.

17. Storm water. The proposed subdivision will provide for adequate storm water management, as per Chapter 601(IV) (L), and Chapters 320 and 330 of the Town Code.

Applicant Response: The site is located within the Town's MS-4 system. The project will include a comprehensive stormwater management system consisting of an under drained soil filter, bio swales, underground storage, tree well or Focal Point ®systems and pervious paver systems to control and treat stormwater. The current site has no formal BMP treatment systems and stormwater from the primarily impervious gravel and pavement - south half of the site drains untreated into the adjacent wetlands.

The stormwater management plan will be submitted to the Town for review and the Department of Environmental Protection for approval under the Chapter 500 Stormwater Management Rules. Under the MS-4 program, post

construction monitoring will be included as a requirement within the Stormwater Management and Maintenance Plan.

Staff Comments: A stormwater management plan was submitted with the Final Development Plan and Subdivision Plan. This is the first time the Town Engineer has reviewed the stormwater management plan and asked Acorn Engineering to review as well. Both the Town Engineer and Acorn Engineering have provided detailed comments on the content of the plan. These comments must be addressed prior to the Planning Board giving final approval.

Further, the Town Engineer indicates that all stormwater BMPs and the maintenance of the BMPs shall remain the responsibility of the application per Town of Yarmouth Ordinances Chapter 330. This ongoing responsibility will also be a requirement of the homeowner's association. An Operations & Maintenance (O&M) Manual has also been provided. The DPW Director notes that sand is referenced in the O&M Manual, and notes that the use of sand is not necessarily compatible with the use of pervious pavers. He recommends that sand not be permitted in the development.

It is also recommended that the private roads include an underdrain to provide drainage of the base gravel material. It will improve the life cycle of the roadway infrastructure.

The DPW Director notes that the applicant indicates that the ravine behind Buildings B-1 and B-2 will be culverted. The DPW Director indicated that there is a culvert that connects the Development Parcel to Hancock Lumber. This culvert, when it was last inspected, was nearly plugged or had partially failed. It has become a control point for all of the water in the ravine west of the railroad tracks which eventually drains behind Brick Yard Hollow. The applicant should investigate the condition of this culvert if it will be incorporated into the future stormwater management on the site.

Any stormwater BMPs and their maintenance will remain the responsibility of the Applicant and thought should be given to future maintenance of the BMPs. Future submissions should also include post construction operation and maintenance plans for any proposed stormwater management BMPs.

Lastly, the overall development should be assessed for the total impervious area that is being redeveloped. Depending on the final redeveloped impervious area, the project may necessitate a Stormwater Law Permit from the Maine Department of Environmental Protection, triggering the General Standards for water quality treatment.

- 18. Spaghetti-lots prohibited. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in 38 M.R.S. §480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1;**

Applicant Response: The project does not propose any new lots which front on a river, stream or brook. This standard does not apply to this project.

Staff Comments: This standard is not applicable.

- 19. Lake phosphorus concentration. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision;**

Applicant Response: The project does not lie within the watershed of a Great Pond or freshwater body. This standard does not apply to this project.

Staff Comments: This standard is not applicable.

- 20. Impact on adjoining municipality.** For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located; and

Applicant Response: The project does not cross any municipal boundary. This standard does not apply to this project.

Staff Comments: This standard is not applicable.

- 21. Lands subject to liquidation harvesting.** Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to 12 M.R.S. §8869(14). If a violation of rules adopted by the Maine Forest Service to substantially eliminate liquidation harvesting has occurred, the municipal reviewing authority must determine prior to granting approval for the subdivision that 5 years have elapsed from the date the landowner under whose ownership the harvest occurred acquired the parcel. A municipal reviewing authority may request technical assistance from the Department of Agriculture, Conservation and Forestry, Bureau of Forestry to determine whether a rule violation has occurred, or the municipal reviewing authority may accept a determination certified by a forester licensed pursuant to 32 M.R.S. §5501 et seq. If a municipal reviewing authority requests technical assistance from the bureau, the bureau shall respond within 5 working days regarding its ability to provide assistance. If the bureau agrees to provide assistance, it shall make a finding and determination as to whether a rule violation has occurred. The bureau shall provide a written copy of its finding and determination to the municipal reviewing authority within 30 days of receipt of the municipal reviewing authority's request. If the bureau notifies a municipal reviewing authority that the bureau will not provide assistance, the municipal reviewing authority may require a subdivision applicant to provide a determination certified by a licensed forester.

For the purposes of this subsection, "liquidation harvesting" has the same meaning as in 12 M.R.S. §8868(6) and "parcel" means a contiguous area within one municipality, township or plantation owned by one person or a group of persons in common or joint ownership. This subsection takes effect on the effective date of rules adopted pursuant to 12 M.R.S. §8869(14).

Applicant Response: The 4.1 acre project site does not contain any harvested areas of timber which may have been harvested in violation of applicable rules and statutes. This standard does not apply to this project.

Staff Comments: This standard is not applicable.

XII. Motions – Development Plan and Major Subdivision

Town staff are not prepared to recommend final approval at this time. As noted in the introduction, this submission represents the first time staff have had a chance to see a complete plan set in its entirety as well as the complete stormwater management plan, and as the Planning Board will see there are many comments and updates necessary. We anticipate that the applicant will address all of these comments, and the staff can recommend approval at a September meeting.

The items that need to be addressed generally include (not inclusive as there may be other items identified by the Planning Board at the July 20th meeting or staff in the course of the review):

- All comments from the Town Engineer, the DPW Director, and Acorn Engineering in their respective comment letter attached to this staff report.
 - This includes the Town Engineer's March 7th comments regarding the sewer system that must be included on the final plans.
- Updates to TF-1, TF-2, and TF-3 as outlined in the section on the CBDC Standards:
 - Previously the applicant committed to 10-foot travel lanes for TF-1. The plans and sections show 11 feet.
 - The edge of TF-1 and TF-2 still show a fog line whereas the narrative suggests a textured treatment.
 - The Traffic Peer review recommends mountable islands in front of the carriage houses on TF-3.
- Coordinate a review with the Yarmouth Water District Superintendent on the proposed water system.
- Submit Right, title, and interest documents.
- Updated homeowner's association documents that address the following:
 - The applicant previously noted that short-term rentals would be prohibited. It is not evident in the draft.
 - The draft must provide for the Town of Yarmouth to give consent for any changes in the future.
 - The Parks and Lands Committee provided detailed recommendations regarding the open space parcel which have not been addressed.
 - The language around households of 55+ is vague and could be strengthened. The applicant is aware of this item and has addressed it.
 - Impacts of Pay as You Throw on the future residents.

Recommended future conditions of approval generally include (not inclusive as there may be other items identified prior to a final vote of the Planning Board and the Town's standard conditions are not listed):

- Coordination with the Town regarding the intersection of Railroad Square and Main Street.
- Coordination with the Town regarding the multi-use trail on the railroad corridor.
- Continued outreach to Down East Energy regarding edge treatment.
- Submittal of other approvals prior to any site work.
- Construction management plan.
- Coordination with the Yarmouth Tree Warden.
- Executing an easement for the sidewalk at the pavilion.
- Executing the parking agreement with 298 Main Street.
- Requirements for future Building & Lot and Major Site Plan applications:
 - Compliance with all applicable standards of Chapter 703 and Chapter 702.
 - Snow storage
 - Bicycle parking
 - Lighting
 - Updates traffic study and parking management plans coordinated with 298 Main Street
 - ADA compliance and universal design

A. FINAL DEVELOPMENT PLAN

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated XXX for a Preliminary Development Plan and Major Subdivision, Railroad Square Associates, LLC, Applicant; Railroad Square, Map 37 Lots 28 and 29A, regarding the compliance with the applicable regulations of Chapter 703, Character Based Development Code, the Planning Board hereby finds and concludes that the Final Development Plan **[meets/does not meet]** the required standards and is therefore **[approved/not approved]** subject to the following conditions of approval:

Such motion moved by _____, seconded by _____,
and voted _____ in favor, _____ opposed, _____.
(note members voting in opposition, abstained, recused, or absent, if any).

B. FINAL SUBDIVISION PLAN

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated XXX for a Preliminary Development Plan and Major Subdivision, Railroad Square Associates, LLC, Applicant; Railroad Square, Map 37 Lots 28 and 29A, regarding the compliance with the applicable standards and regulations of Chapter 601, Subdivision, the Planning Board hereby finds and concludes that the Final Subdivision Plan **[meets/does not meet]** the required standards and is therefore **[approved/not approved]** subject to the following conditions of approval:

Such motion moved by _____, seconded by _____,
and voted _____ in favor, _____ opposed, _____.
(note members voting in opposition, abstained, recused, or absent, if any).

Attachments:

1. Steve Johnson, Town Engineer – Memo 6/30/2022
2. Erik Street, Public Works Director – Memo 7/6/2022
3. Michael Robitaille, Fire Chief – No Further Comments 6/21/2022
4. Thomas Errico, TY Lin, Traffic Peer Review – Letter 6/30/2022
5. Aubrey Strause, Acorn Engineering, Civil/Site Peer Review – Letter 7/6/2022
6. Mike Tremblay, Bike and Pedestrian Committee – Email 7/13/2022
7. Public Comment – Ken Anderson 7/6/2022
8. Public Comment – Robert Anderson 6/13/2022
9. Excerpt from 2010 Comprehensive Plan

Memo

To: Erin Zwirko, AICP, Director of Planning and Development
From: Steven Johnson, P.E., Town Engineer
CC: Erik Street, Nick Ciarimboli, Chris Cline, Wendy Simmons, Karen Stover, Julie Dubovsky
Date: June 30, 2022
Re: Initial Final Major Site and Subdivision Plan Application: 1 and 48 Railroad Square

Erin:

I have reviewed the subject application from Rick Licht of Licht Environmental Design, LLC on behalf of Bickford Transportation for redevelopment of 1 and 48 Railroad Square dated June 15, 2022. After review, it appears to me that there is substantial work required to bring the design plans to level that can be considered a final application submittal. As you recall, the preliminary submission did not include substantial information regarding the utilities, stormwater infrastructure and road design, which would have normally been submitted at the preliminary stage. The information provided in this submission will require major updating that should really be presented in another final review before the Board.

That said, I have the following technical comments on the application:

1. General: As noted in my prior memos, the applicant is proposing to redevelop an existing industrial site under Chapter 703 Character Based Development Code Article 6 Development Plan. The parcels will be divided into seven (7) lots that will include arts/event space, mixed use, community space and 55+ residential units. The existing lots are located in the Village Center (CD4) District. This project will be developed as part of a common scheme of development with the 298 Main project and I understand that each lot development will require review and approval separately.
2. Rights, Title: The applicant has yet to submit adequate right, title, and interest in the property to perform the project. This is a requirement and should be submitted as part of the final submission.
3. Solid Waste: The applicant has provided a solid waste management plan that appears appropriate which includes service by contracted waste hauler and private use of the Town Transfer Station. I anticipate that Erik Street, Public Works Director, will also weigh in on the plan.
4. Water: Domestic and fire suppression water services for the new development will be served by a proposed new 8" water main extension from Main Street. The applicant has indicated that the capacity to serve from the Yarmouth Water District (District) was

submitted via e-mail and was included in your report to the Planning Board dated June 2, 2022.

5. Traffic\Parking: The applicant has provided a traffic analysis and parking information previously. The submission has been reviewed by Tom Errico, P.E., of TY Lin, the Town's third-party traffic engineer and I believe the applicant has generally addressed Tom's concerns. Please see Tom's letter to me dated June 30, 2022.
6. Sewers: The applicant has indicated that the project is projected to generate 12,132 GPD of sewage from the new buildings at full build out and is proposing to serve the new building from a new sewer pump station and main extension.
 - A. As noted, before, there is adequate capacity in the Town sewer system to accept sewage flow from the project.
 - B. A sewer connection permit application and fee for each building/service will be required before the issuance of the building permit.
 - C. It should be noted that during construction of all sewer infrastructure, all work must be inspected by Town staff prior to backfilling and all sewer work shall be constructed per Yarmouth Town Standards.
 - D. Additionally, please note my comments noted below and in Acorn Engineering's review comments
 - E. As a condition of approval, the requirements noted in my comment number three noted in my memorandum to you dated March 7, 2022, regarding the proposed pump station shall be incorporated in the final drawings and submissions. Additionally, the applicant shall submit a sewer system Operations and Maintenance plan for the sewer infrastructure that will help guide the HOA to manage the system.
7. Storm Drains: All storm drain infrastructure must conform to Yarmouth Town Standards. Additionally, all connections to Town infrastructure shall be per Town requirements.
8. Drainage, Stormwater Management:
 - A. A formal pre- and post-stormwater analysis has been submitted as was reviewed by Acorn Engineering. Please see Aubrey Strauss, P.E., comments noted in her letter dated June 30, 2022. I concur with her comments.
 - B. Additionally, all stormwater BMP's and their maintenance shall remain the responsibility of the applicant and thought should be given to future maintenance of the BMP's. The applicant's attention is called to Chapter 330 of Yarmouth's Code of Ordinances, *Post Construction Stormwater Management Ordinance*. This ordinance will apply to this project. This responsibility has been incorporated into the Homeowner's Association (HOA) documents.
 - C. The applicant has submitted a site-specific Operations and Maintenance Manual (O&M Manual) for the stormwater BMPs used on this project.
 - D. It appears that the project will require environmental permitting from the Maine DEP. Prior to the issuance of building permits or start of construction, the applicant shall forward to the Town all final environmental permits. This shall be a condition of approval.

9. Erosion and Sediment Control: The required ESC Best Management Practices for the project have been included in the drawings and shall meet MDEP standards. The Town expects that during construction the applicant and their construction manager/contractor perform the required inspections and enforcement of the ESC plan per MDEP requirements, including weekly inspections and documentation of all inspection work. In addition, the Town will be performing site inspections and will be reviewing the inspection records per the Town's NPDES MS4 General Permit. It is also very important that the BMP's be installed prior to the disturbance of site soils and vegetation. Additionally, the project may require coverage under the Maine Construction General Permit.
10. Soils: The applicant has submitted a soils report for the site in a prior submission and as noted before, the existing soils appear to be Made land (Md), Elmwood fine sandy loam (EmB) and Suffield silt loam (SuC2). Also, a fair amount of Made land, (which can be unclassified fill material), exists on the site, particularly where the new buildings are proposed. As part of the final submissions for each building site the applicant shall provide an adequate soils report from a Professional Engineer licensed in the State of Maine that evaluates the in-situ site soils and provides guidance for foundation design of the proposed structures.
11. Site Plan/Ordinance Requirements:
 - A. The applicant has proposed several bike racks on site for public use.
12. Lighting: The applicant has submitted an adequate photometric plan for the roadway and public space. For future building sites, all specified lighting should be cut off fixtures to ensure light emissions do not spill onto abutting properties.
13. Waivers: The applicant has not requested any waivers at this time.
14. Off-site Improvements: The applicant is proposing to provide off-site improvements including a multi-use trail segment as well as potential improvements to the Main Street/Railroad Square intersection. See B1 below.
15. Plan Review Comments:
 - A. Project Notes and Legend Plan, Sheet C-1
 1. General Utility Notes, Note 11 references the Beth Condon Path. This note should be updated to remove the Beth Condon Path reference, however, should remain and require bicycle and pedestrian access per MUTCD standards.
 2. Utility Plan Notes, Note 2 should be amended to include the following: "All sanitary sewer main shall be installed using a pipe laser per Town Standards".
 3. I would recommend that any pertinent information regarding VRAP requirements for the site, if any, be added to the sheet.
 4. A note should be added that during construction access shall be maintained for Down East Energy and their customers including all vehicles, bicycles, and pedestrians per MUTCD standards.
 - B. Overall Site Plan, Sheet C-101
 1. The proposed offsite improvements including the proposed rail trail and Main Street frontage improvements have been left off the plan. I assume that as part of the final plan an

agreement regarding either the construction of the improvements or contribution in lieu will be considered.

- C. Proposed Subdivision Plan Sheets 1-3
 - 1. The drawings have been plotted in color, which makes it easy to read on bond paper, however I am not sure how that will affect clarity when plotted on mylar. The applicant may have to perform minor linework changes to provide a readable mylar for recording.
- D. Grading and Drainage Plan, Sheet C-102
 - 1. General overall comment: The line type for proposed infrastructure is thin and appears to be gray tone so it is VERY difficult to see and understand the design. In all cases the proposed infrastructure line type and thickness should be bolded and thickened to allow clear understanding of the design intent.
 - 2. It appears that DMH-6 is missing several invert in elevations. I would suggest that the applicant perform a full QA/QC review to confirm slopes, sizes, elevations, etc. to help minimize construction issues in the future.
 - 3. While not required, I strongly recommend that the applicant consider the installation of underdrain to provide road base material drainage. This will likely provide a much longer life to the road system.
- E. Utility Plan, Sheet C-103
 - 1. The proposed utilities at the entrance of the development are fairly close and do not appear to meet the required six (6) feet of separation between water, natural gas, and sewer mains. The applicant shall make every effort to maintain a six foot or greater separation where possible.
 - 2. A paved service area for the sewer pump station should be included to allow a service truck to park adjacent to the pump station for system checks and maintenance.
- F. Materials Plan, Sheet 12
 - 1. The Materials Plan does not seem to agree with the Grading and Drainage plan. The plan should be updated to reflect the proposed pervious pavers vs regular pavers, etc.
 - 2. It appears that the lot for Down East Energy is shown to be pervious pavers based on the number 4 icon. I assume this is a mistake and should be removed.
- G. Plan and Profile I, Sheet C-200
 - 1. The proposed road profile has several segments with a grade of less than the Town standard of 0.50% and even less than 0.35%, which is the minimum AASHTO recommended profile grade. I am concerned that the road will not drain and will pool water cause both an icing issue and road maintenance issues. I would recommend that this be reviewed by the designers and address if possible.
- H. Plan and Profile II, Sheet C-201
 - 1. The plan view of Station 40+00 to 43+05 appears to have overlapped baselines.
 - 2. The corresponding profile view appears to have less than 3 feet of cover over the pipe crown, based on the centerline profile and the rim invert elevations. There should be at least 3 feet of cover over the pipe to protect from freezing.
 - 3. It appears that the catch basins are designed with a four-foot sump, which is acceptable, however a bit excessive and expensive. Yarmouth's standard is a four-foot diameter basin with a two-foot sump.
 - 4. The proposed storm drain system and sewer force main are not shown in the plan/profile and should be.
 - 5. The profile for Station 20+00 to 23+20 does not show the storage BMP or storm drain lines.
 - 6. It should be noted that once the existing septic tank and septic field is removed to construct the road and stormwater BMP's the existing buildings served by that system cannot be occupied since there is no sewer service. This should be considered by the applicant.
- I. Site Civil Details I, Sheet C-302
 - 1. Detail F Curb and Sidewalk Detail: The concrete compressive strength may be reduced to 3,000 psi from 4,000 psi if desired.
- J. Site Civil Details II, Sheet 303
 - 1. Detail A Cast Iron Truncated Dome Detail: The detail should note the dome field installed to the full width of the ramp opening per ADA standards.
- K. Site Civil Details III, Sheet 304

1.4

1. Detail C Typical Roadway/Thoroughfare Section Detail: The sidewalk cross slope should be noted as 2% Maximum per ADA standards.
- L. Site Civil Details IV, Sheet C-305
1. Detail E Outlet Control Structure OCS-1: The structure is not drawn in conformance with the plans and Detail B.

16. I reserve the right to provide additional comments on future submissions. If you have any questions or require additional review, please see me.

Town of Yarmouth ME

Director of Public Works

MEMORANDUM

To: Erin Zwirko -AICP, LEED AP - Director of Planning & Development

From: Erik S. Street, Director of Public Works



CC: Steve Johnson, PE, Town Engineer, Wendy Simmons, Karen Stover

Date: 7/6/22

Re: 1 & 48 RR Square - Major Site Plan & Subdivision – Meeting 6 Review

-
1. **General:** Applicant is proposing to divide the parcels into 7 lots to develop mixed use space, event /art /community space and residential space for 55+ age group.
 2. **Rights, Title:** I believe the applicant still needs to provide information.
 3. **Easements:** No Concerns.
 4. **Homeowner Associations / Road Maintenance Agreements.** Applicant has provided Draft HOA documents, Stormwater Maintenance Plan, Solid Waste Management Plan, and RR Decree.
 5. **Financial Capacity:** No Concerns.
 6. **Technical Ability:** No Concerns.
 7. **Solid Waste:** See Separate E-mail. Overall, I support their management plan if they can implement it. In addition to trash and recycling, I would also encourage food waste collection as 34% of household trash is food Waste. I would be happy to discuss further with the applicant or with any future association as the parcels are developed.
 8. **Water:** No Concerns.
 9. **Traffic / Parking:** A traffic analysis has been provided and reviewed by the Towns third party engineer – No Concerns.

10. **Storm Drains:** All the storm drain infrastructure must meet Town standards. The infrastructure will be considered private and will be maintained by the association(s) through O&M plans and HOA documents.

11. **Drainage, Stormwater Management:** A pre & post stormwater analysis was provided and reviewed by Acorn. All infrastructure and BMP's will be considered private and will be maintained by the association(s) through O&M plans and HOA documents. A stormwater maintenance plan has been provided.

There is a section in the plan that talks about Driveways, Walkways and paved areas and states that "accumulations of winter sand along paved surfaces shall be cleared at least once a year". Applicant is proposing to use pervious pavers in different areas. To keep the pervious pavers operating correctly, I would strongly recommend not permitting sand to be used in this complex. Even if not used in the paver areas, track out from vehicles and plowing will carry the sand throughout the complex.

12. **Sewers:** No Concerns.

13. **Erosion and Sediment Control:** The plan supports ESC BMP's. Standard required inspections by the Town apply. All controls associated with that parcel or area under development must be in place before work begins.

One issue we have run into on large development sites with multiple contractors is track out from the work area. Whoever is responsible for managing a parcel during construction should be responsible for the contractors coming and going. A note should be added to the plans supporting this.

14. **Soils:** No Concerns.

15. **Site Plan / Ordinance Requirements:** No Concerns.

16. **Lighting:** No Concerns at this time.

17. **Waivers:** None Requested.

18. **Off-Site Improvements:** Applicant is proposing to make improvements to their Main Street entrance and provide a multi-use trail and possible drainage upgrades to South Street.

19. **Site Plan Drawing:**

C-1 General Notes

#8 – refers to Beth Condon Pathway and RT.

Would add that Town approved working hours ate 7AM to 7PM Monday through Friday – Saturday with Town permission.

Earth Work Notes

Add a note that states that whoever is (GC) managing the parcel during construction is responsible for all contractors coming and going from the site regarding track out.

Utility Plan Notes

7 – after “Utility Location Permit” add “/Right of Way Permit”

C-102 Grading & Drainage Plan

Comment - The Two outfalls on the southerly end of the project dump into a wetland gully area. Downstream from there is a culvert under the tracks that regulates this flow, and ultimately dumps out behind Hancock Lumber. When I last looked at this culvert several years ago it was $\frac{3}{4}$ plugged. The deep gully provides enough storage, so the limited flow works. I only point this out as it may be a concern for the project in the future.

Noticed there is no underdrain in the proposed road system. Without ditches, I would strongly suggest 6” UD be added to ensure maximum life of the roadway system.

No other comments at this time. If you have any questions, please let me know.

Attachment 3

From: [Mike Robitaille](#)
To: [Wendy Simmons](#)
Subject: RE: Request for Comment - Railroad Square, Hancock Lumber, 90 Main St. - Deadline 6/30
Date: Tuesday, June 21, 2022 1:42:04 PM

Wendy,

I have no further comments then what has been previously written

Michael S. Robitaille
Chief of Department
Yarmouth Fire Rescue

From: Wendy Simmons <WSimmons@yarmouth.me.us>
Sent: Thursday, June 16, 2022 3:26 PM
To: Andrew Dolloff <andrew_dolloff@yarmouthschools.org>; Dan Gallant <DGallant@Yarmouth.me.us>; Eric Gagnon <egagnon@yarmouthwaterdistrict.org>; Erik Donohoe <edonohoe@yarmouth.me.us>; Karyn MacNeill <kmacneill@yarmouth.me.us>; Lisa Small <small.elizabeth@gmail.com>; Mike Robitaille <MRobitaille@Yarmouth.me.us>; Mike Tremblay <mtrem225@gmail.com>; Nat Tupper <ntupper@Yarmouth.me.us>; Ron Dupuis <fish_doc12@comcast.net>; Scott LaFlamme <slaflamme@yarmouth.me.us>
Subject: Request for Comment - Railroad Square, Hancock Lumber, 90 Main St. - Deadline 6/30

For your review:

https://yarmouth.me.us/index.asp?SEC=629E1BD4-C041-417B-BBBD-FE8E3715114C&DE=7148CB15-DAF8-45B1-AE05-A1DE8BCE6E5D&Type=B_BASIC

Thanks. Wendy

Wendy L. Simmons, SHRM-CP (she, her, hers)
Administrative Assistant
Planning, Code Enforcement and Economic Development
Town of Yarmouth
200 Main St.
Yarmouth, ME 04096
Phone: 207.846.2401
Fax: 207.846.2438
www.yarmouth.me.us



June 30, 2022

Steven Johnson, P.E.
Town Engineer
Town of Yarmouth
200 Main Street
Yarmouth, Maine 04096

Subject: Railroad Square Development Master Plan (CBDC Development Plan –Submittal #6 – Architectural Design and Thoroughfare & Lots Updated Plan) – Traffic Peer Review

Hi Steve:

In accord with your request, TYLin is pleased to submit our traffic peer review comments with respect to the Railroad Square Development Master Plan project. My review is based on the CBDC Development Plan –Submittal #6 – Final Development and Subdivision Plan dated June 15, 2022, prepared by Licht Environmental Design, LLC. My comments are noted as a status update of my May comments and responses to relevant updates outlined in the submission.

1. TF-1 and TF-2 (Road and Village Street) – I find these roadway sections to be acceptable with the following comments:
 - Additional detail needs to be provided for the western edge that abuts Downeast Energy. I recommend delineation and control/management of movements along the open edge. Otherwise, the roadway appearance may promote higher speeds and vehicle turn conflicts (similar to a wide open parking lot without delineation). As I have noted in previous comments, I would also like to understand how pedestrians from the 298 Main Street project will be accommodated given direct walking routes.
Current Status: The applicant is proposing a 1-foot green painted line along the edge. I do not find this change to be substantial enough to address my noted concerns.
Final Status: Given easement complications I find the proposed imprinting/stamped paver pattern to be acceptable with some type of contrasting color. The details shall be provided for review and approval by Town staff. I would suggest that a condition of approval be included that requires the applicant to actively engage the abutter regarding a more robust edge treatment and documentation to be provided before construction permits are issued by the Town.

- For TF-2, The 6-foot sidewalk width may not be sufficient given streetscape amenities. It does appear that in locations where the civic plaza space abuts the sidewalk sufficient space appears to be provided. I assume a public easement will be provided for the civic plaza space.

Current Status: A response or changes have not been noted.

Final Status: The applicant has provided details and I find conditions to be acceptable.

- TF-3 (Village Street) – I find this roadway section to be acceptable with the following comment:

- The 6-foot sidewalk width on the west side may not be sufficient given streetscape amenities, although with the 4-foot building apron it should be acceptable. I would support 10-foot travel lanes to attain improved sidewalk facilities, although this would need to be acceptable to other Town departments. Current Status: I do think a sidewalk in front of Lots 6 and 7 has benefits and could connect to a crosswalk at the Raised Pedestrian Table. It does help to define the edge of the roadway as the painted striped area in front of Lots 6 and 7 may not be as visible. I do support the idea of a material change across the driveways.

Final Status: If a sidewalk is not to be provided, I do suggest that the two painted areas become raised with landscaping (or a different material that is mountable– the vehicle turning template information indicates that area is needed for maneuvering). That will help to define the edge of the roadway. Otherwise, it would become parking areas.

- TF-4 (Shared Space Street) – I find this roadway section to be acceptable from a traffic circulation and multi-modal perspective.

Final Status: I have no comment.

- TF-5 (Bike-Way/Multi-Use Path) – Ten feet is considered to the minimum width of a shared use path according to national guidelines. Given anticipated use, different mode types and connectivity, I would recommend that the path be a minimum of 12-feet wide. Additionally, the 1-foot offset to the fence should be checked for meeting lateral clearance requirements.

Final Status: It is not unusual for a private project to dedicate space to improve the design of an abutting pathway or sidewalk project. The comment was intended for the applicant to explore opportunities for an enhanced pathway. While I believe a wider pathway will improve the user experience, the proposed

10-foot pathway does meet minimum design standards and I find conditions to be acceptable knowing the design of the path is a future effort.

5. My comments only include a review of the typical sections of the proposed street types. Vehicle turning template analyses will be required to demonstrate the adequacy of vehicles to circulate through the site.

Current Status: Outstanding.

Final Status: The applicant has provided vehicle turning graphics. I find it to be acceptable but would note that an access easement across DEE will be required as a large truck turns from TF-4.

6. My review does not include an evaluation of the Site Drive and Main Street intersection. That review is pending the submission of the traffic study.

Final Status: Comments are provided later in this letter.

- TF-2: Reducing lane widths from 11 feet to 10 feet and adding a one foot Fog or painted green line to delineate the right side of the travel way with Down East Energy (DEE). This maintains the current street centerline at one foot offset to the west of the Bickford Transportation/DEE common property line. The east side of the common access and utility easement will coincide with the paint line.

Current Status: I find the proposed lane width change to be acceptable. As noted previously, I do not find a painted line as a strategy to mitigate concerns expressed regarding the open roadway edge.

Final Status: See Comment #1.

- TF-2/Passage C: The curb radii are 20 feet to the north and 10 feet to the south to accommodate fire apparatus entering the one-way Passage C.

Final Status: I find this to be acceptable.

- TF-2, 3 & 4 Intersection: A raised table has been added. Curb radii are required to be 20 feet to support fire apparatus.

Current Status: Conceptually I support the idea of a raised intersection. Design details will need to be reviewed.

Final Status: A detail has been provided and I find it to be acceptable.

- TF-3 : Lane widths have been reduced to 10 feet (20 feet overall). Additionally with further analysis the need for a sidewalk directly in front and 5 feet off the face of the 6 Carriage House units on Lots 6 & 7 did not seem applicable as the public would tend to use the left side walk at the Civic green and in keeping with complete street policies, the residents of the Carriage House units would tend to walk directly across TF-3 to walk to Main Street or to other areas of the neighborhood. The two oversized

parking spaces in front (30 ft. by 8 ft.) and other driveways would be designated with the use of material variations to keep more of a pedestrian feel.

Final Status: see Comment #2.

- TF-4 and Civic Square F: In response to the Fire Chief's comments the one way TF-4 has been revised to 18 feet with 8 foot parallel parking on both sides. The entrance radii have been increased to 20 feet at TF-3 but would include at grade pavers or cobbles to create the visual effect of a 10 foot radius.

Final Status: I find this to be acceptable.

- Lot 3: The entrance and exiting lanes to Lot 3 have been reduced to 18 feet wide while the parking woonerf lot must maintain a 24 foot aisle to accommodate 90 degree parking.

Current Status: I find conditions to be acceptable. I would note that diagonal parking could be explored to reduced overall pavement width.

Final Status: I find the parking layout to be acceptable.

- Senior Buildings 1-3 (Lots 4 & 5): Per review with the Fire Chief, the driveway has been reduced to 18 feet wide.

Final Status. I find this to be acceptable.

- A Traffic Impact Study was prepared by Sewall dated May 4, 2022 and my comments are noted as follows.
 - I generally find the methods and contents of the Study to be acceptable.
 - The Study notes that the trip generation estimate, assuming allowable trip credit, does not require a MaineDOT Traffic Movement Permit. I concur with this conclusion, but the applicant shall provide a letter from MaineDOT confirming this conclusion.
 - I reviewed the traffic volume count data and compared the volumes collected with historical volumes. I find the volumes collected to be reasonable.
 - The volumes on Main Street between Railroad Square and South Street do not balance. The applicant shall investigate if any changes should be incorporated.
 - A capacity analysis was performed at the study area intersections and concluded intersections will operate at acceptable levels of service. The applicant shall provide the Synchro model files for review and approval. I would note that the analysis assumed other approved pending developments in the area and thus represents a cumulative build-out analysis.
 - A safety analysis was conducted and determined that there are no High Crash Locations, or locations with high crash incidents. I concur that a safety analysis is not required.

pg. 5

Railroad Square Traffic Peer Review

- As noted in the study, the Railroad Square approach to Main Street meets sight distance requirements and I find conditions to be acceptable.

Final Status: The applicant has transmitted a letter to MaineDOT requesting confirmation that a Traffic Movement Permit is not required. A response from MaineDOT is pending.

- I would note that review of the design details at the Main Street/Railroad Square intersection will be required. This will include a review of:
 - ADA compliance,
 - Pedestrian facilities (the concept plan depicts two crosswalks on Railroad Square Drive near Main Street, which is a concern).
 - Curb radii.

Final Status: The Town is developing a concept plan for implementation. I have no further comment.

- I have reviewed the parking estimate and I find it to be reasonable. A parking management/regulation plan should be provided that documents how the spaces will be regulated (particularly on-street and Lot 3).

Final Status: I have no further comment.

Please contact me if you have any questions.

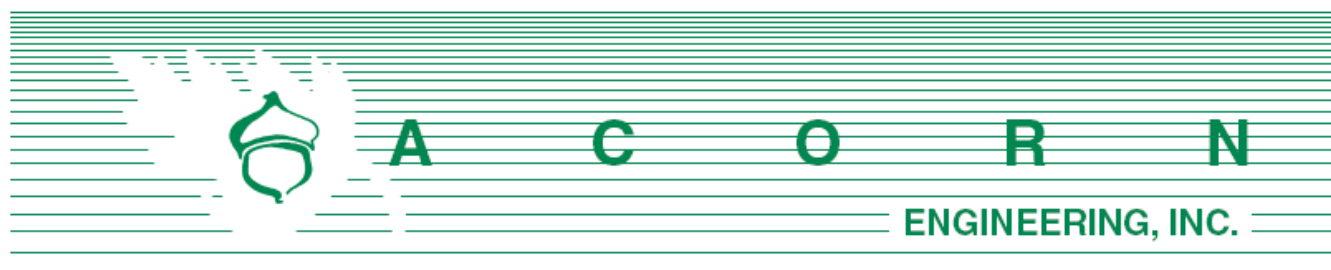
Best regards,

T.Y. LIN INTERNATIONAL



Thomas A. Errico, PE

Senior Associate / NE Traffic Engineering Director



Town of Yarmouth
Steven Johnson, PE
300 Main Street
Yarmouth, Maine 04096

June 30, 2022
Rev. July 6, 2022

RE: Railroad Square Redevelopment – Final Development and Subdivision Plan Submission
Stormwater Peer Review

Dear Steve:

Acorn Engineering, Inc., (Acorn) has reviewed the Site Plan Application as it relates to stormwater for the Railroad Square mixed-use development provided by Licht Environmental Design, LLC on behalf of Railroad Square Associates LLC. The review included the original application materials dated June 15, 2022, including a stormwater management design and related plans prepared by Atlantic Resource Consultants.

Acorn reviewed this application as a Site Plan Since the project proposes individual residences, it is also subject to Yarmouth's Subdivision ordinance.

A. Materials Reviewed

The following materials were evaluated as part of this peer review:

- Cover letter, dated June 15, including:
 - Draft Declaration of Easements, Restrictions, and Covenants (with Exhibits);
 - Stormwater Management Report and O&M Plan;
 - Sheet D-100, Pre-Development Drainage Plan
 - Sheet D-101, Post-Development Drainage Plan
 - Solid Waste and Recycling Plan;
 - Maine DOT Rail Crossing License Approval Letter; and
 - The applicant's responses to Staff/Town Review Comments;
- Railroad Square Development Plan (24 sheets), specifically:
 - Sheet C-103: Utilities Plan
 - Sheet C-104: Erosion Control Plan
 - Sheet C-300: Erosion Control Notes
 - Sheet C-301: Erosion Control Details
 - Sheet C-304: Site Civil Details III
 - Sheet C-305: Site Civil Details IV
 - Sheet C-306: Site Civil Details V
 - Landscape Details (Sheet 1 of 2)

Acorn did not receive or review a Site Plan Application Form as part of this submittal.

On behalf of the Town, Acorn had also performed the peer review of the Sketch Plan level submission

for the applicant's mixed-use development at 298 Main Street that is related to the Subject Project. We also considered our comments from that review, dated November 23, 2020, and refer to them where appropriate in this Memo.

B. Focus of this Review

At the Town's request, our review focused on providing a comprehensive evaluation of the proposed stormwater management system design, to include selection of treatment and storage Best Management Practices (BMPs), design of each BMP, pre- and post-development HydroCAD model, condition of points to which the proposed system would discharge, and whether long-term inspection maintenance of each proposed BMP was thoroughly addressed.

C. References

Acorn used the following references to perform this review:

- Maine Department of Environmental Protection (Maine DEP) Rule Chapter 500 Stormwater Management
- Yarmouth Stormwater Discharge Ordinance (Chapter 320), amended 6/18/15
Yarmouth Post-Construction Stormwater Management Ordinance (Chapter 330), adopted 5/21/2009.
- Yarmouth Subdivision Ordinance (Chapter 601), amended 3/15/18
- Yarmouth Zoning Ordinance (Chapter 701), amended 7/25/19; and
- Yarmouth Site Plan Review Ordinance (Chapter 702), amended 6/15/17
Yarmouth Character Based Development Code (Chapter 703), adopted 4/12/18

D. General Comments

Soils

The Application Requirements (Section G) of Yarmouth's Site Plan Review Ordinance (Chapter 702) state that a medium-intensity soil survey is required at the Final Site Plan stage of application, and the application does include a USDA NRCS Soil Report as an attachment to the Stormwater Management Report. However, the nature of the proposed design requires that preliminary soil borings provide accurate information on soil strata, potential ledge, and depth to groundwater, all of which are critical for design of stormwater infrastructure. Site-specific soil information will be required for review by the Maine DEP and is also vital for the Town of Yarmouth to consider the selection and design of stormwater BMPs.

1. Site-specific soil information shall be provided in the Final Site Plan application package. Other comments in this Memo will provide specificity on where site-specific information is necessary.

Maine DOT Coordination

The Applicant has indicated that they are working with the Maine DOT on design of the rail trail and the 12-foot wide pedestrian/bike link.

2. More information shall be provided in the Final Site Plan application package, including cross sections, maintenance responsibilities, right/title/interest, etc.

Maine DEP Permits

The applicant acknowledges that a Maine DEP Stormwater Management Law license and a Tier 1 Natural Resources Protection Act (NRPA) permit will be required.



3. Please provide copies of the Stormwater Management license and the Tier 1 NRPA Permit in the Final Site Plan application package.

Federal Permits

4. Please provide a copy of the United States Army Corps of Engineers (USACE) authorization for the proposed wetland impacts.

E. Site Plan Review Criteria

The following sections address Review Criteria that are required to be included in a Site Plan level application.

Where noted, additional review is necessary to evaluate if the comments below are addressed in the Applicant's subsequent submission(s).

Conformance with Comprehensive Plan

Acorn did not review the wastewater infrastructure elements of the application.

Traffic

Acorn commented on the Traffic elements of this project in our November 2020 Memo, and we address it in this Memo for consistency. The applicant's June 15, 2022 Response to Comments states that a Traffic Impact Study that combined the RRSQ and 298 Main Street project was completed by Sewall and is dated May 4, 2022. The applicant states that per the results of this TIS, a MDOT Traffic Movement Permit is not required.

5. Please provide a copy of this TIS in the Final Site Plan application package.

Parking and Vehicle Circulation

Acorn commented on the Parking and Vehicle elements of this project in our November 2020 Memo, and we address it in this Memo for consistency. ADA-compliant parking spaces shall be provided onsite and accounted for within the parking tabulation. ADA parking spaces have been added to the project narrative but do not show up on the plans.

6. Please revise the Site Plan (or other appropriate plan) to show the locations of these ADA-compliant spaces.

Sanitary Sewerage

Acorn did not review the wastewater infrastructure elements of the application.

Water

Acorn did not review the drinking water elements of the application.

Fire Safety

Acorn did not review the fire safety elements of the application.

Buffering

Acorn did not review buffering of the site within the application.



Natural Areas

Acorn did not review the impacts to wetland areas associated with this project, but will review future submissions to determine if all impacts have been addressed in the impacts approved by Maine DEP and USACE, and to determine if stormwater BMPs have been sited appropriately with respect to the natural resources.

Lighting

Acorn commented on Lighting elements of this project in our November 2020 Memo, and we address it in this Memo for consistency.

7. A lighting and photometric plan will be required as part of future submissions.

Stormwater Management

Acorn's review of the Stormwater Management portions of the application is included in the following subsections:

- Redevelopment Standard
- Water Quantity
- Water Quality
- Stormwater Best Management Practices (BMPs)
- Required Treatment
- Post-Construction Inspection and Maintenance

Redevelopment Standard

This project is eligible for the Redevelopment Standard in Maine DEP Chapter 500 Section 4.C.2(d). The applicant included a pre- and post-development pollutant loading calculation table, which was reviewed by Acorn.

8. Pre- and Post-development subcatchment areas were checked against the values used within HydroCAD and were found to match. Redevelopment HydroCAD calculations were checked as part of this review. Only a portion of the total land area will be redeveloped; as such areas that are undeveloped and will remain so, should be removed from the model to more accurately reflect the change in pollutant ranking for the redeveloped portion of the site. In this case, approximately 0.75 acre (32,592 SF in the redevelopment calculation table) of "Forest/Meadow" is proposed to remain "Forest/Meadow" and should be removed from the redevelopment calculations. When this adjustment is made, Acorn recalculated the "Ranked impact change due to development" will be 0.16 instead of 0.06 as shown in the application. This value is still between 0 and 1, so treatment of 60% of developed area continues to be appropriate.
9. Pre- and post-development pollutant ranking figures were not included in the submission. Please provide figures depicting the areas of the site and their associated pollutant ranking to allow comparison with the pollutant ranking calculation.

Water Quantity

Applicant provided a stormwater management plan including drainage calculations, and a drainage plan, for pre- and post-development conditions for 2-, 10-, 25-, and 100-year storm events.



10. Condition and additional capacity of the stone culvert that passes under the adjacent railroad must be ascertained in order to ensure there is no hydraulic loading resulting in ponding or backup of stormwater near SP-2, and that the culvert is structurally sound.
11. Detail A on Sheet C-305, Detail A on Sheet C-306, and other similar focused plan views shall be revised to more clearly indicate existing vs proposed infrastructure, using different linetypes to improve legibility.
12. The configuration of the outlet pipe in Detail E on Sheet C-305 for outlet control structure #1 (OCS-1; outlet 90-degrees from inlet) does not match the configuration shown in Detail A on the same sheet (outlet 180-degrees from inlet). Please revise the appropriate detail for consistency and constructability.

Water Quality

The project area is 7.04 acres, much of which is currently undeveloped. The following table summarizes proposed land use in the existing and proposed conditions.

Land Use	Existing (acres)	Proposed (acres)	Total (acres)
Impervious Area	2.44	0.09	2.53
Landscaped Area	0.77	1.01	1.78
Developed Area	3.21	1.1	4.31

13. Acorn will provide a comprehensive review of total proposed impervious and developed areas in the Final Site Plan application package, once comments in this Memo have been addressed.

Stormwater Best Management Practices (BMPs)

The application proposes to use the following stormwater BMPs to provide treatment and storage of developed area:

- Four (4) roof drip edge filters
- One (1) underdrained soil filter (UDSF)
- Three (3) areas of porous pavers
- One (1) Subsurface sand filter, with R-Tank chambers to provide storage

14. Sheet C-103 and others show a feature south of proposed Building 2 that is not identified. If this feature is a proposed UDSF BMP, please provide calculations for the BMP, identify it on this sheet, and revise the narrative. If this feature is a proposed level lip spreader, please provide calculations for it and include it in the Post-Construction inspection and maintenance plan.
15. Revise Sheet C-103 to label each of the stormwater BMPs. For example:
 - a. The four roof drip edge filters are not labeled as stormwater BMPs on this sheet, but the applicant is using them to provide the required treatment. These BMPs should be labeled as DF-1, DF-2, DF-3, and DF-4.
 - b. The sheet shows four areas of porous pavers, not three, but based on HydroCAD, the applicant may be combining the porous paver areas north of Building 1 as one BMP. These BMPs should be labeled as PP-1, PP-2, and PP-3.
 - c. Label the UDSF as UDSF-1.



- d. Label the subsurface sand filter.

Review of the design of these stormwater BMPs is provided in the sections below.

Roof Drip Edge Filters

Roof drip edge filters have been adequately addressed in the Post-Construction inspection and maintenance plan.

16. Calculations are provided only for DF-1, DF-2, and DF-3. Please also provide a calculation table for DF-4.

Underdrained Soil Filter

The UDSF filter has been adequately addressed in the Post-Construction inspection and maintenance plan and the detail for this BMP (on Sheet C-306) specifies installation of an HDPE (impermeable) liner.

17. Sheet C-101 suggests that the proposed UDSF will be constructed entirely within a delineated wetland – a practice prohibited per Section 2(b) of Appendix E of Maine DEP Rule Chapter 500 and ineligible for coverage by NRPA Permit-by-Rule. Acorn will review future submissions to verify that Maine DEP (and USACE) have authorized this siting and the rationale provided for the approval.
18. The calculation table provided for this BMP suggests that it's a chamber system. Please correct this table.
19. Sizing calculations for this BMP are consistent with HydroCAD, but there appears to be a disconnect between the treated water quality volume shown in the Stormwater Treatment Summary with the water quality volume of the treatment depth in HydroCAD. Please review how the cumulative volume for this BMP is represented in HydroCAD.
20. The UDSF detail on Sheet C-306 does not include an exterior perimeter drain to mitigate force against the impermeable liner in the event of high groundwater. Please provide information on seasonal high groundwater on the site, and include a perimeter drain in the design of this BMP if required.
21. Construction of this BMP will require a low-permeability fill material placed around the liner and compacted to prevent seepage through the embankment. Review of this fill material should be included in Engineering review/approvals.

Porous Pavers

Porous paver BMPs are proposed in three locations.

22. Sheet C-103 shows four areas of porous pavers, not three. HydroCAD suggests that the applicant may be combining the porous paver areas north of Building 1 as one BMP (in which case there are three areas of proposed porous pavers), but the Proposed Treatment Summary shows four areas of porous pavers. Please clarify the number and locations of proposed porous paver BMPs.



23. Sheets C-304 and Landscape Sheet 1 of 2 provide two different details for the porous paver BMP. It is unclear if this was intentional; please clarify.
 24. Neither detail provided for the pervious pavers BMP specifies installation of an impermeable liner, suggesting that these are intended to be infiltration BMPs. As noted previously, no site-specific soil investigation data was provided, and the applicant has not provided information to demonstrate that the BMP satisfies the requirements of Section 4b or 4c of Appendix E of Maine DEP Chapter 500, which the Department uses to review proposed soil filters (including porous pavement) designed *with* an underdrain but *without* a liner. If infiltration is proposed, please provide supporting justification that satisfies this sections or Appendix D of Maine DEP Chapter 500.
 25. If the applicant is intentionally proposing two different designs for porous paver BMPs, Sheet C-103 shall clearly indicate to the contractor which cross-section shall be installed in which area.
 26. The porous paver areas shown on the Materials Plan (Sheet 12 of the set) are inconsistent with locations of porous and other (non-porous) pavers shown on Sheets C-200, C-102, C-103, C-201, and the landscaping plan on Sheet 11 of the plan set. Please revise plans for accuracy.
 27. Post-construction maintenance of porous pavement requires an executed five-year maintenance agreement with a vendor that can perform vacuum or regenerative air sweeping of this material. Please include this agreement in the Final Site Plan application package, stating the equipment that will be used by the vendor.
- Subsurface Sand Filter with Storage Chambers (R-Tanks)*
28. The Subsurface Sand Filter/Chamber System on sheet C-305 does not include an exterior perimeter drain to mitigate force against the impermeable liner in the event of high groundwater. Please provide information on seasonal high groundwater on the site, and include a perimeter drain in the design of this BMP if required.
 29. Care should be taken to correctly label different products used in construction. Specifically, geotextile is referred to as woven when it is non-woven and vice versa. Please review details and modify materials, where appropriate.
 30. The calculation table provided for this BMP suggests that it's an UDSF. Please correct this table.
 31. Please provide a certification from the R-Tank manufacturer (ACF Environmental/Ferguson) stating that the BMP was designed appropriately.
 32. Post-construction maintenance of the R-Tanks will require an executed five-year maintenance agreement with a vendor authorized by the manufacturer. Please include this document in the Final Site Plan application package.

Required Treatment

33. The applicant included a Stormwater Treatment Summary in the application, but many comments in this Memo apply to elements. Acorn will provide a more comprehensive review of



proposed treatment calculations in the Final Site Plan application package, once comments in this Memo have been addressed.

Post-Construction Inspection

A Stormwater Maintenance Plan was included as part of this submission including a section for post-construction inspection and maintenance.

Except where noted in BMP-specific comments, this plan addresses the required annual recertification of post-construction stormwater BMPs with the Town of Yarmouth, as well as the 5-year recertification requirement with the MDEP.

34. Acorn will perform a review of the Post-Construction Inspection and Maintenance plan included in the Final Site Plan application to ensure that all BMPs have been adequately addressed.

Erosion and Sedimentation Control

The erosion and sedimentation control plans and details were reviewed. Proposed erosion and sedimentation controls are appropriate for the site conditions and follow recommendations from MDEP Erosion and Sedimentation control BMP manual, with the following exception.

35. If Dirtbags will be used to provide treatment of dewatering, please show the proposed locations of these BMPs on a plan, to allow for review of distance from delineated wetlands, distance from Town-owned stormwater infrastructure, and accessibility for removal of the BMP after construction.

Buildings

Acorn did not review proposed buildings to be located on site.

Existing Landscaping

Acorn did not review existing landscaping elements of the application.

Infrastructure

Acorn did not review connections to off premises infrastructure elements of the application.

Advertising Features

Acorn did not review the advertising feature elements of the application.

Design Relationship to Site and Surrounding Properties

Acorn did not review the relationship to site and surrounding properties within the application.

Scenic Vistas and Areas

Acorn did not review the proposed scenic vistas and areas elements of the application.

Utilities

Acorn did not review utilities other than stormwater infrastructure associated with the site.



Technical Standards

Acorn did not review this project with regards to the Yarmouth Technical Standards.

Route One Corridor Design Guidelines

Acorn did not review this project with regard to Route One Corridor standards.

Right, Title, Interest

Acorn did not review the Right, Title, or Interest of the applicant with regard to the site.

Technical and Financial Capacity

Acorn did not review the Technical and Financial capacity of the applicant.

Off-site Improvements

No offsite improvements are proposed by the Applicant at this time.

We look forward to discussing this project further and would be happy to clarify any of the comments within our review.



Aubrey L. Strause, P.E.
Municipal Services Coordinator
Acorn Engineering, Inc.



Erin Zwirko

From: Mike Tremblay <mtrem225@gmail.com>
Sent: Wednesday, July 13, 2022 3:02 PM
To: Wendy Simmons
Cc: Erin Zwirko; Juliana Dubovsky; Colin Durrant; dostrye@gmail.com; matherben@yahoo.com; Todd Patstone; Tina West; nancykleahy@gmail.com
Subject: Re: Request for Comment - Railroad Square, Hancock Lumber, 90 Main St. - Deadline 6/30

Wendy,

Here are the comments from the YBPC:

On Hancock Lumber:

1. YBPC strongly supports and appreciates the removal of the northerly driveway. Improved access management and removal of conflict points will improve safety and comfort for all road users on Main Street.
2. The remaining driveway should ramp up to sidewalk level (i.e. the sidewalk should remain at a continuous level through the driveway rather than forcing ramps down to street level), if possible. If it is not possible to achieve a fully continuous sidewalk, a "meet in the middle" solution should be possible, where the sidewalk drops 2-4 inches rather than 6-7 inches.
3. The driveway is designed to have 3 lanes, two exiting and one entering. Aside from the width required to turn into and out of the site (which may affect lane width but should not affect the number of lanes required), it is unclear why three lanes is necessary. If two vehicles are exiting the site at the same time, it seems likely that a vehicle in the left lane would block the sightline of a vehicle in the right lane. Do exiting volumes warrant two exit lanes? If not, YBPC recommends that the driveway be narrowed, with one exit lane, to the minimum width required to support vehicles turning into and out of the site.
4. Verify that the landscaping will not obstruct sightlines of exiting vehicles from the stop bar. Vehicles should not be forced into stopping ahead of the stop bar (i.e. in the sidewalk) in order to safely look for gaps in traffic.
5. YBPC appreciates that this project appears to reduce the impervious area of the current site.

On 90 Main Street:

1. It does not appear that this development has considered the site's driveways in the design. Driveways are the most critical aspect of a site's interaction with the public street. As there are no design details for the driveway at all, this typically assumes that the driveway would slope at a steady grade between the edge of road and the site ([as it is today](#)), almost certainly in violation of ADA. This outcome would be unacceptable. Driveways for a site like this one should prioritize people walking along the sidewalk. Vehicles should ramp up to sidewalk level, rather than forcing pedestrians to ramp down to street level. In any case, the sidewalk must remain ADA-compliant through the driveway. YBPC urges that this project not be approved without detailed designs for the driveways that are ADA-compliant and appropriately prioritize pedestrians. A driveway apron should be buildable between the gutterline and the second curbline.
2. This section of Main Street features a double curb, with two separate levels of sidewalk, presumably to help solve a grading issue between the buildings and the curbline. This layout does present some potential accessibility and safety issues. YBPC asks that additional consideration be given to this unorthodox and possibly unsafe layout.

6.1

3. It does not appear that any bicycle parking is proposed on-site. It is likely that any bicycle parking required by residents would instead use bike parking in the Town ROW nearby, either at public racks or sign posts. YBPC strongly recommends that the site have dedicated bicycle parking for residents, as well as some public bicycle spaces (within the site or along the sidewalk) for public use for visitors and business patrons.

On Railroad Square (previously submitted in May, but newest submittal does not appear to address these comments):

1. There are several elements of the site entrance that raise concern, including the closely-spaced crosswalks, the corner radii, and a sidewalk pinch point caused by the corner radii. YBPC understands that the site entrance design is being incorporated in the intersection design, so we will not focus comments on the site driveway at this time. That said, full comments were provided on the site driveway in May.

2. It is not clear on the site plan what areas are proposed to be sidewalk/hardscape vs. landscaping. All sidewalks should be called out, with proposed widths, and materials. The landscape plan has some of this information, but not all.

Thank you,
Mike Tremblay
Vice Chair, Yarmouth Bike Ped Advisory Committee

On Thu, Jun 16, 2022 at 3:25 PM Wendy Simmons <WSimmons@yarmouth.me.us> wrote:

For your review:

https://yarmouth.me.us/index.asp?SEC=629E1BD4-C041-417B-BBBD-FE8E3715114C&DE=7148CB15-DAF8-45B1-AE05-A1DE8BCE6E5D&Type=B_BASIC

Thanks. Wendy

Wendy L. Simmons, SHRM-CP (she, her, hers)

Administrative Assistant

Planning, Code Enforcement and Economic Development

Town of Yarmouth

200 Main St.

Yarmouth, ME 04096

Phone: 207.846.2401

6.3

Fax: 207.846.2438

www.yarmouth.me.us

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Mike Tremblay

From: Ken Anderson aka66@gwi.net
Subject: Fwd: Railroad Square
Date: Jul 6, 2022 at 2:39:46 PM
To: info@kismetspace.com

From: Ken Anderson <aka66@gwi.net>
Date: July 6, 2022 at 12:58:22 PM EDT
To: Railroad Square <rrsqyarmouth@gmail.com>
Cc: info@kismetspace.com
Subject: Railroad Square

To whom it may concern,
I have looked at the Railroad Square website and think it will be a good project for Yarmouth. It provides some much needed housing in a location that people can walk too and from while enjoying the many amenities of the town.

I have lived in Yarmouth over forty years and support this re-development project.



Ken Anderson
32 Balsam Lane
Yarmouth

Sent from my iPad

13 June 2022

Dear Planning Board,

Thank you for all you do for our town, you clearly dedicate a lot of time and thought into the important work. I've attended only a half dozen or so meetings over the years and they invariably run late mostly because the Board is patient and open to all comments. A wonderful slice of civility in the current political climate.

It feels like Yarmouth is struggling with our identity. We all love the historic charm and small-town character. Yet, as a desirable place to live, we are growing at what feels like a breakneck pace. I see housing and development popping up everywhere. I worry that at some point we will cross a line of too much growth. At some point, the character and desirability of our town will be lost. I'm sure plenty of folks feel we've already crossed it.

Our family has chosen to live in an historic home in need of constant upkeep. We budget significant funds for repairs every year because it is important to us. We feel as much like caretakers for our old home as we do owners. We have an emotional desire to care for this old home, this old property, and by extension this old town.

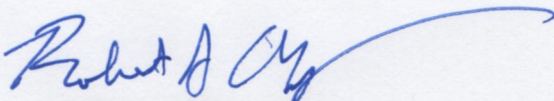
Much like we are the caretakers for our home, you are the caretakers for our town.

The important decisions you make will change the town for decades or even centuries. As long as Yarmouth remains desirable and as long there is the tiniest parcel to develop, developers will be knocking on your door. And, by extension, our doors.

Respectfully, I did not get the sense at the June 8th 2022 meeting that The Board has tackled the question of when enough is enough. Maybe that's an impossible question, I don't know. I worry that Yarmouth is slipping away from us with every new project, house, streetlight, mechanical unit, and parking lot.

When is enough, enough? Maybe it's time to pause and tackle that question for a while. The town and future generations are counting on you to make the best, most informed decisions.

Sincerely,



Robert Anderson
40 Church St
Yarmouth, ME 04096
207-318-6438

remain in place during this period and that major policy changes be undertaken as part of the transition. This may result in some inconsistencies between the Town's policies and land use regulations during that period. A fundamental strategy for implementing this Plan is to fund and undertake the background work needed to adopt Form-Based Codes.

C. THE VILLAGE

1. BACKGROUND

The "Village" – ask any two residents what Yarmouth Village is and you are likely to get two different responses. For some people, the Village is Main Street and the historic homes adjacent to it. For others, the Village is the older built-up area of the Town that includes Main Street and the residential



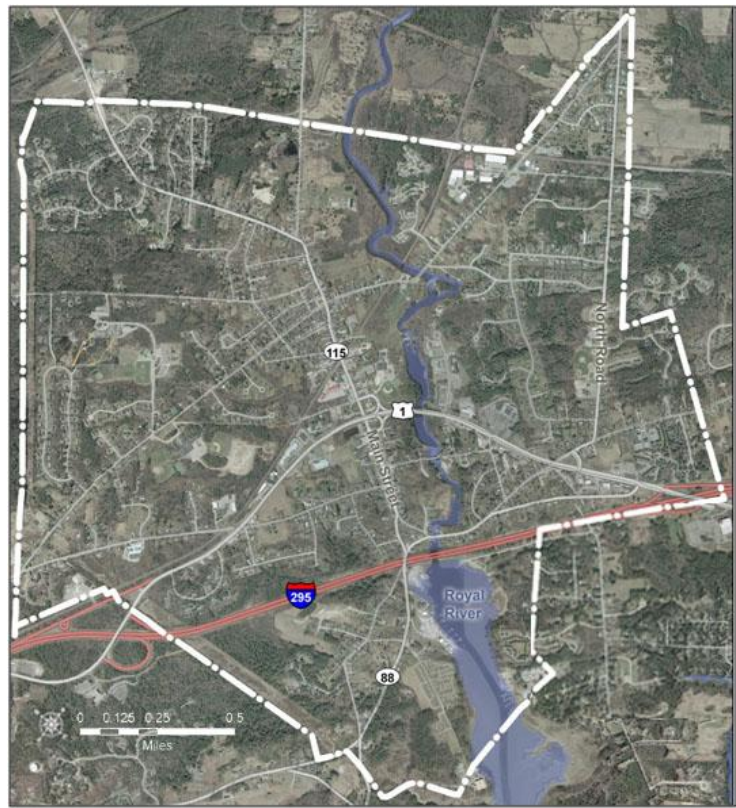
areas developed before 1970 where the lots are small and people can easily walk around. And for some people, the Village includes most of the town except for the coast and the islands.

For the purpose of this plan, the "Village," in conceptual terms, is considered to include the following:

- Main Street
- the historic residential neighborhoods adjacent to Main Street
- the older residential neighborhoods developed through the 1960s
- the newer, more suburban residential areas developed since the 1970s on the fringe of the older portion of the Village.

This “Village” area encompasses the area that potentially is an integrated walkable community. This concept of the “Village” is larger than what some people currently consider the village to be. It includes the area that is currently zoned Village I & II along Main Street, the entire Medium Density Residential Zone, and the commercial areas along Route One. This “Village” extends, generally, from the town line with Cumberland on the south to North Road/East Main Street on the north, and from the railroad line on the west to I-295 on the east including the Pleasant Street neighborhood east of I-295 (see Figure 1-3). When this plan talks about the “Village,” it refers to this area.

FIGURE 1-3: THE “VILLAGE”



Historically the Village offered residents a full lifestyle. You could live in the Village, send your children to school in the Village, do much of your shopping on Main Street, work in the Village or nearby coastal areas, go to church in the Village, and do most of what you needed to do in the Village. In the 1970s, Yarmouth began to change and the Village changed with it. That pattern of change continued and even accelerated in the 1980s. The construction of I-295 fueled the transformation of Yarmouth into a bedroom community. The grocery store on Main Street was replaced by a supermarket on Route One. Vacant land on the fringe of the older village was transformed into housing developments, single-family subdivisions and apartments at first, and later condominium developments. Yarmouth became an “upper class suburb.” Older homes along Main Street were converted into offices and other non-residential uses. Fewer people lived in the center of the Village.

The Town responded to these changes and tried to manage or limit the change. The required lot size for housing in the village area and fringes was gradually increased to the one acre per unit that is the current requirement to try to control new residential development. The zoning for Main Street, the Village-I Zone, limited the conversion of homes to non-residential uses and prohibited new infill commercial buildings as a way of “protecting” the older homes and trying to maintain a residential base in the center of the Village. In the process of trying to manage the change in the community, many older homes were made non-conforming and the ability of property owners to use their homes “creatively” was limited. Investment in non-residential property along Main Street was limited.

Recently, the Town has been working to address some of these concerns. Adjustments have been made in some of the zoning requirements to reduce the number of properties that are nonconforming. The provisions for home occupations and accessory dwelling units have been liberalized. The Town has used contract zoning to accommodate desirable development and expansion of nonresidential uses along Main Street.

During the preparation of this revision of the Town’s Comprehensive Plan, a number of key issues emerged with respect to the Village including:

- Maintaining Main Street as a truly mixed-use area with viable businesses and services, community and educational facilities, and people who live there.
- Ensuring that the historic homes along Main Street are not demolished or inappropriately modified to allow commercial development.
- Ensuring that new construction or the modification of buildings along Main Street is done in a way that is compatible with the visual character and development pattern of the Village.

Contract or Conditional Zoning

Contract or conditional zoning is an approach to zoning that allows the Town to create special zoning requirements that apply to a particular property. It is a technique to allow a use or development that might not otherwise be allowed by imposing additional requirements on it to make it acceptable. In many cases, the provisions of the contract or conditional zone establish additional requirements on the use and development of the property beyond what are typically addressed in traditional zoning standards such as design requirements or limits on the types of occupants of the building. A contract or conditional zone must be consistent with the Town’s adopted Comprehensive Plan. Once a contract or conditional zone is established, the development and future use of the property must follow the detailed requirements of the “contract” or “conditional” zone.

- Reducing the amount of non-conforming situations resulting from the Town's zoning provisions.
- Allowing the owners of older homes some flexibility in the use of their property to allow them to continue to maintain them.
- Accommodating additional residential uses within the Village in ways that reinforce the concept of a walkable village and expand the diversity of housing available.
- Increasing the diversity of the housing available in Yarmouth and, therefore, increasing the diversity of the Town's population.

2. *VISION*

Yarmouth Village will continue to be a highly desirable, walkable New England Village with a vibrant, mixed-use center along Main Street. The Village will continue to offer a wide variety of housing from large, historically significant single-family homes, to smaller, more modest homes for both older residents and young families, to apartments and condominiums, to small flats in mixed-use buildings or older homes.

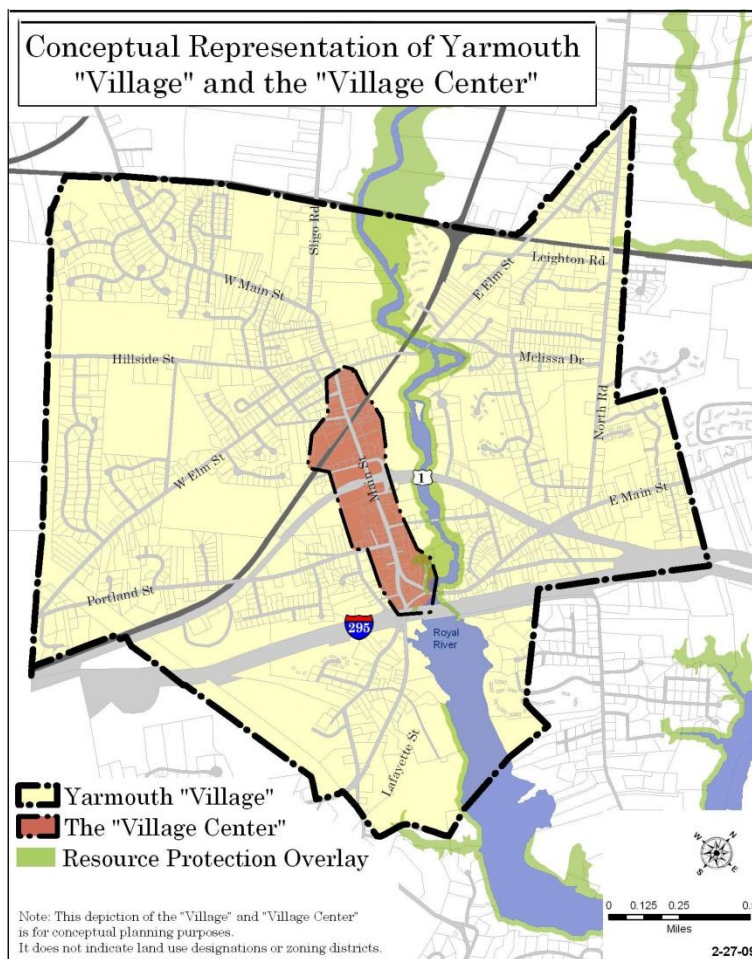
Main Street or the Village Center will be a vibrant, pedestrian friendly, mixed-use street where people can live, work, shop, and take care of their other daily needs. A balance between residential and nonresidential activities in the Village Center will be maintained. Historic properties will be well maintained and their historic character preserved while allowing for the creative use of these properties. New buildings or modifications of existing buildings shall be of similar scale, form, and disposition to the Village's historic buildings and development pattern, thereby maintaining the visual integrity, livability and walkability of Main Street. Parking will be improved to support a financially viable core of businesses and services but without detracting from the residential livability of the Village Center or adjacent residential neighborhoods and parks. Key municipal, community, and educational facilities will continue to be located in the Village Center. Pedestrians and bicyclists can move easily and safely throughout the Village Center and to and from the Village residential neighborhoods.

The older Village Residential neighborhoods will continue to be desirable, walkable areas. Historic residential properties will be well maintained and their



historic character preserved. Sidewalks, pedestrian paths, and bicycle facilities will be improved to provide universal accessibility and allow safe movement within the neighborhood as well as movement to and from the Village Center and community facilities such as the schools and recreation areas. Well-designed infill development will occur at density, scale, form and disposition that is compatible with the historic pattern of development. The types of housing and the availability of affordable housing may be expanded through creative use of existing buildings. Property owners in these neighborhoods will have flexibility to use their properties creatively as long as the use is compatible with the neighborhood and new development standards are satisfied.

FIGURE 1-4 CONCEPTUAL REPRESENTATION OF YARMOUTH "VILLAGE"



The Village Fringe areas that experienced lower-density suburban style development will become more integrated into the Village. Sidewalks, pedestrian paths, and bicycle facilities will be improved to allow universal accessibility and safe movement from these areas to the Village Center and community facilities such as the schools and recreation areas. Infill development will occur at higher densities than 1 unit per acre and property owners outside of the larger subdivisions will have flexibility to use their property creatively.

3. POLICIES AND STRATEGIES

For the Town to achieve this vision, we must establish clear policy directions that will guide both the Town's land use regulations and its day-to-day decisions about operations and expenditures and identify the actions that the Town will need to take to implement those policies.

Policy C.1. Ensure that the immediate Main Street area that is the Village Center continues to be a vibrant mixed-use area with residential uses, businesses, services, and municipal and community facilities.

Strategy C.1.1 – Adopt a formal policy that key municipal uses that are used by the public continue to be located in the Village unless no viable option exists.

Strategy C.1.2 – Revise the current zoning requirements for the Village I and II Districts (and consider renaming them Village Center I and II) to allow existing buildings to be converted to nonresidential use or modified or expanded to create additional nonresidential space, and new buildings to be constructed that include nonresidential space provided that there are provisions for residential occupancy within the building.

Strategy C.1.3 – Revise the current zoning requirements for the Village I District and the nonconforming use provisions to allow existing nonresidential uses that might not otherwise be allowed in the Village Center to modernize and expand as long as they become more conforming with the village character as defined by the study proposed in Strategy C.2.2.

Strategy C.1.4 – Develop a strategy for marketing and promoting the Village Center as a desirable business location for offices, service businesses, and small-scale, low-intensity retail uses.

Strategy C.1.5 – Adopt a “renovation code” for older properties to allow modifications that are consistent with the age of the property while ensuring basic standards of safety and accessibility.

Strategy C.1.6 – Consider revising current zoning requirements of Village I and II District to allow for construction of new infill commercial structures.

Form-Based Codes

Form-Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. These codes are adopted into city or county law as regulations, not mere guidelines. Form-Based Codes are an alternative to conventional zoning. Form-Based Codes typically address both site design and building design considerations to establish a relatively consistent development pattern. Further explanation of Form Based Code can be found beginning on page 76.

Policy C.2. Maintain the architectural and visual character of the Village Center as a New England village and ensure that renovations/expansions of existing buildings as well as

new buildings reflect this character both in the design of the building as well as the location of the building, parking, and other improvements on the lot.

The goal of this policy is to ensure that the scale, massing, and treatment of the building and the location of the building with respect to the street are consistent with the village character as defined by the study proposed in Strategy C.2.2. It is not the goal to require that new buildings or changes to existing buildings that are not of historic significance be designed to look like “old New England buildings.”

Strategy C.2.1 – Establish “Form-Based” development standards for the Village I and II Districts that focus on the design and placement of the building on the site with less emphasis on the specific use of the property to ensure that the modification/expansion of existing buildings and the construction of new buildings including the replacement of existing buildings conform to the visual character and traditional development pattern of Main Street.

Strategy C.2.2 – Adopt design standards for the Village I and II Districts. These standards should address site design, building configuration and disposition, landscaping, pedestrian movement and bicycle facilities, signage, low-impact lighting and similar elements of the built-environment. The proposed standards should be based on a study/analysis of the visual characteristics of the Village center to identify the features and patterns that should be incorporated into the proposed standards. The proposed standards should be consistent with the proposed revisions to the zoning requirements (see Strategy C.2.1.).

Policy C.3. Work with property owners to maintain the exterior appearance of historically significant properties while allowing these owners the opportunity to improve and update the buildings in ways that respect their historical importance (see historic character section for additional details and strategies).

This character includes both the exterior of the building and the public frontage (portion of the lot between the building and public street(s)). The following strategy is also included in Section E that addresses historical character.

Strategy C.3.1 – See Strategy E.2.2.

Policy C.4. Allow residential use of property within the Village in ways that are more similar to the historic pattern of development and intensity of use than is allowed by the current zoning requirements.

This policy supports increasing the allowed density of residential use within the Village but with two important limitations:

- 1) New residential units within the Village (in either new buildings or modifications of existing buildings) be designed and built to be compatible with the character of the village (density, scale, form, and disposition) and minimize impacts on adjacent properties.
- 2) Property owners who take advantage of the opportunity for higher density pay an offset fee to be used by the Town to protect open space, make infrastructure improvements, enhance the village character such as with streetscape improvements, the upgrading of pedestrian and bicycle facilities, or adding pocket parks, or provide for affordable housing by either setting aside units as “affordable housing” or paying an affordable housing offset fee to the Town to be used for maintaining or creating affordable housing (see housing diversity section for additional details).

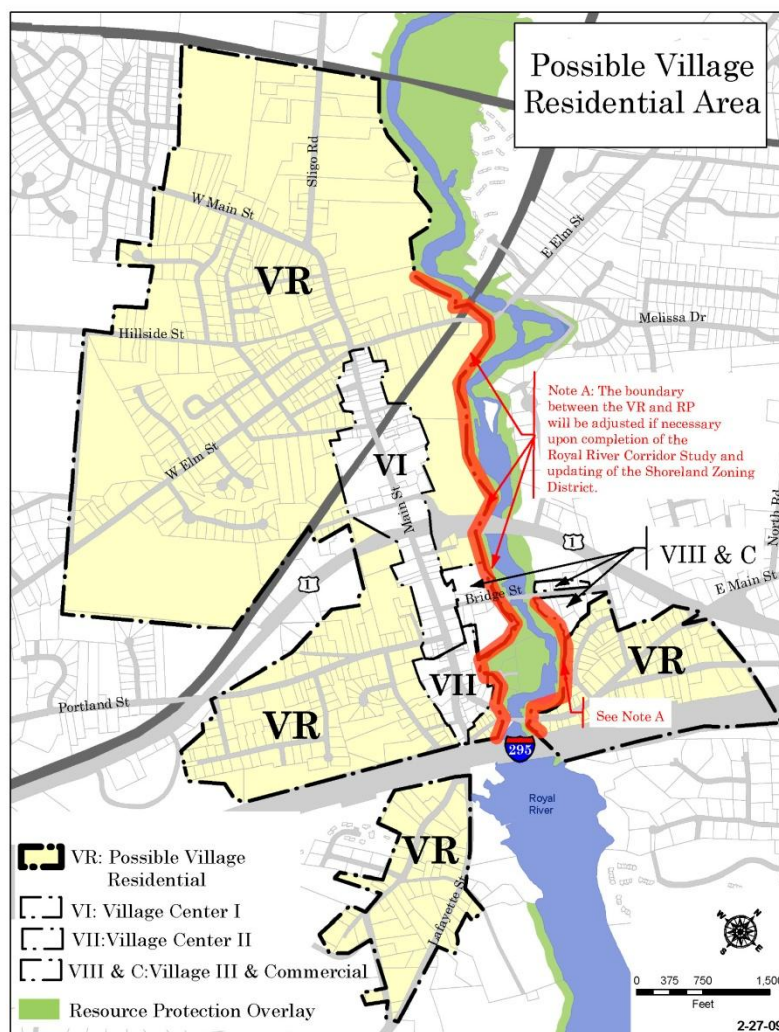
Strategy C.4.1– Create a new Village Residential (VR) zone out of part of the current Medium Density Residential District. The new VR District should include the older built-up areas of the Village. Figure 1-5 on the following page shows the possible boundaries of the proposed VR area. The final location of the boundaries will need to be determined when this proposal is implemented and will need to take into consideration the ongoing planning process of the Town including the Royal River Corridor Study and the updating of the Town’s Shoreland Zoning. The major objectives in creating this new zone are to reduce the number of existing lots/buildings that are nonconforming in terms of the Town’s zoning requirements and to allow residential uses (including infill development and more flexible use of existing properties) at higher densities than the current one acre per unit requirement of the MDR District. In return for allowing increased density in this area of the Village, the new VR District should include expanded development standards (excluding architectural design standards) to ensure that new buildings or modifications to existing buildings occur in a manner that is compatible with the village character and minimizes impacts on adjacent properties.

Strategy C.4.2 –Revise the development standards for the MDR District. Consider incorporating the MDR into the new “Village Residential” district. The major objectives in revising these requirements are to reduce the number of existing lots/buildings that are nonconforming in terms of the Town’s zoning requirements and to allow residential uses (including infill development and more flexible use of existing properties) at higher densities than the current 1 acre per unit requirement of the MDR District. The revised MDR District should include expanded development standards to ensure that new buildings or modifications to existing buildings occur in a manner that is compatible with the village character and minimizes impacts on adjacent properties. To accomplish this strategy, the Town shall:

- Analyze existing land use development patterns to determine appropriate adjustments in development standards, including but not limited to block size, street assemblies, density, building configuration and disposition, setbacks, lot occupation, and standards for conversion of single-family homes.

Policy C.5. Ensure that the Village is “walkable” and “ADA compliant” so that all people can easily and safely travel within their neighborhood as well as being able to walk or bike to the Village Center and other key centers of activity such as the schools and recreation areas.

FIGURE 1-5 POSSIBLE VILLAGE RESIDENTIAL AREA



Strategy C.5.1 – Develop and implement a plan to provide appropriate pedestrian and bicycle facilities and link the various parts of the Village including the established residential areas in the existing MDR zone.

Strategy C.5.2 – Revise the Town’s development standards to require that new development in the Village be “pedestrian and bicycle friendly” in terms of site layout, pedestrian and bicycle facilities and circulation to/from/within the site.

Policy C.6. Improve the availability and management of parking in the Village Center in a manner that does not detract from the essential character of the surroundings to maintain an attractive, diverse, and vibrant mixed-use area.

Strategy C.6.1 – Conduct a parking study in the Village Center to determine the actual use of existing public and customer parking, identify deficiencies in the supply or management of parking, identify opportunities to encourage alternative transportation and explore ways to improve parking in the Village Center in a way that is compatible with the character of the area.

Strategy C.6.2 – Explore possible approaches for funding parking improvements in the Village Center including the creation of a parking district, the use of impact fees, and similar techniques.

Strategy C.6.3 – Establish reduced parking standards for development or redevelopment in the Village Center if the parking study determines that the actual demand for parking is less than that required by the current parking standards.

D. DIVERSITY OF THE POPULATION

1. BACKGROUND

Historically, Yarmouth was “home” to a wide range of people – young families and elderly residents; people who worked in the community and people who commuted elsewhere; people of relatively modest means and those who were more affluent. The population of Yarmouth is getting older. The number of residents over 45 years of age is projected to increase significantly while those under 45 are projected to decrease. The number of younger households has been decreasing and is projected to continue to decrease. The number of Yarmouth residents between 30 and 44 years old dropped by almost 15% during the 1990s and is projected to drop another 20% by 2015. Similarly, the number of school aged children is projected to drop over 5% between 2000 and 2015.