



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

Planning Board Report
Railroad Square Master Plan
Concept 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: March 3, 2022; Planning Board Date: March 9, 2022



Due to the length of this Staff Report and the incremental submittals received, please look for this star icon to identify sections that have been updated with new information for the March 9, 2022 meeting.

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 conceptual master plan as presented in the application materials:

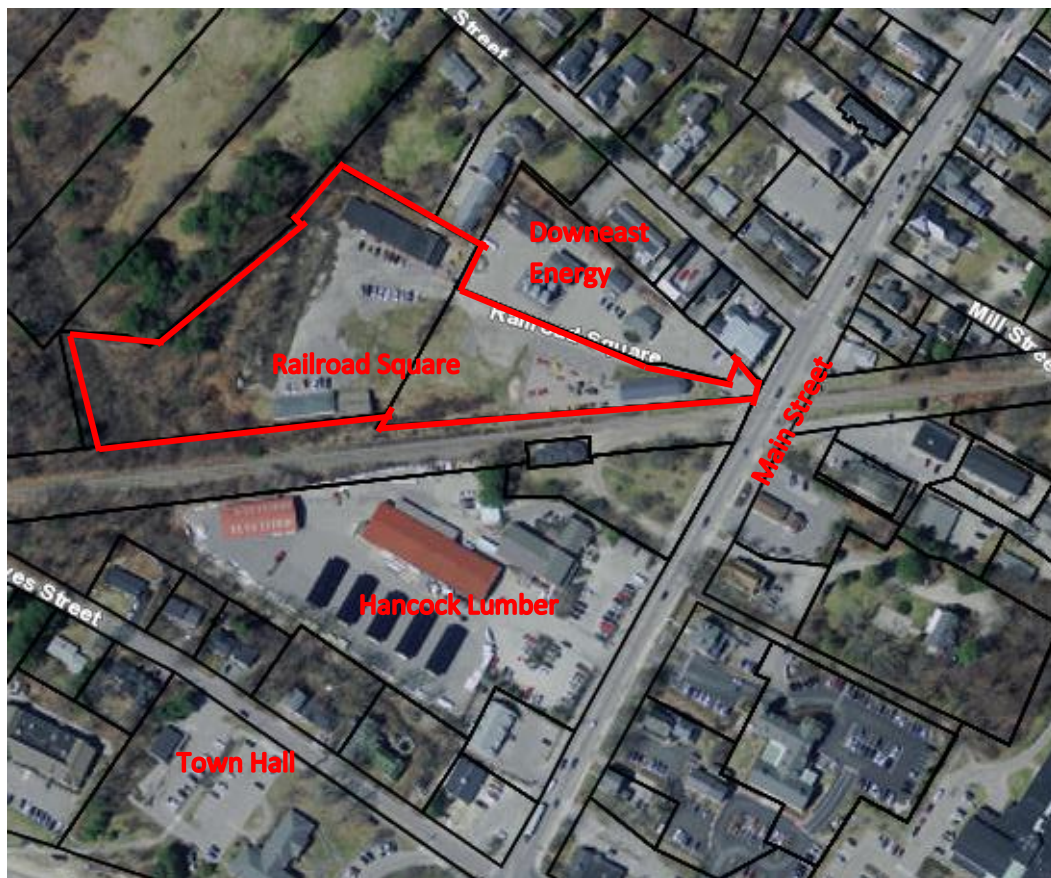


Conceptual Railroad Square Master Plan

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.

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 will engage with a consult to bring forward a conceptual plan for this important intersection coinciding with the review of the Railroad Square Master Plan.



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

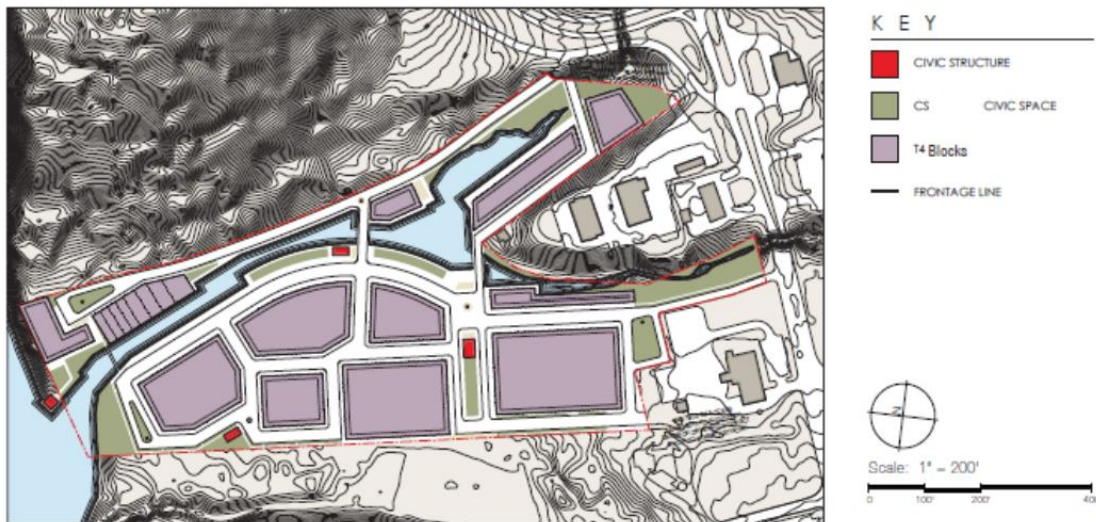
II. Project Review Process and Timeline

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 application materials set forth a proposed review schedule with the Planning Board over the next six months. There are at least 5 meetings with the Planning Board identified, and with the exception of the January 12th meeting which was introductory, the subsequent meetings will be 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. As discussed in later sections of this staff report, a Development Plan really 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. The Planning Board may want to identify a good time during the review process to schedule a site visit to the property.

This staff report is organized in the same format as the staff reports that the Planning Board typically receives. However, the section on the Character Based Development Code (CBDC) focuses on the standards for Development Plans, primarily the thoroughfares and the blocks, rather than the form of buildings. As the applicant submits basic information about the architectural design, the CBDC section may expand to include basic CBDC consistency information for the buildings. In general, however, additional information will be necessary from the applicant to fully assess compliance with Chapter 703 and Chapter 601. It is anticipated that this information will be provided at future meetings for the Town staff and the Planning Board to fully assess the Railroad Square Master Plan.

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. Should there need to be amendments to the Development Plan that come to light due to further developing each building and lot, the applicant would need to request those Development Plan 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 and the US Army Corps of Engineers under Maine's Natural Resources Protection Act and the Chapter 500 Stormwater Rules. A traffic analysis is necessary to determine whether a Maine DOT Traffic Movement Permit will be required.



III. Meetings and Engagement

March 9, 2022 Planning Board Meeting

For the March 9, 2022 meeting, the applicant will present 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. That project was ultimately approved by the Planning Board on August 11, 2021.

Community Engagement

Community meetings have been held on January 5 and March 3, 2022. The neighborhood meetings are intended to cover the topics that would be discussed at the Planning Board meeting following each scheduled neighborhood meeting.

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

Notices of the March 9, 2022 public hearing were sent to 76 property owners within the vicinity (within 500 feet) of the proposed development. For the March 9, 2022 meeting, we have comments from one individual.

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** – Downeast 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, Peachies 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.

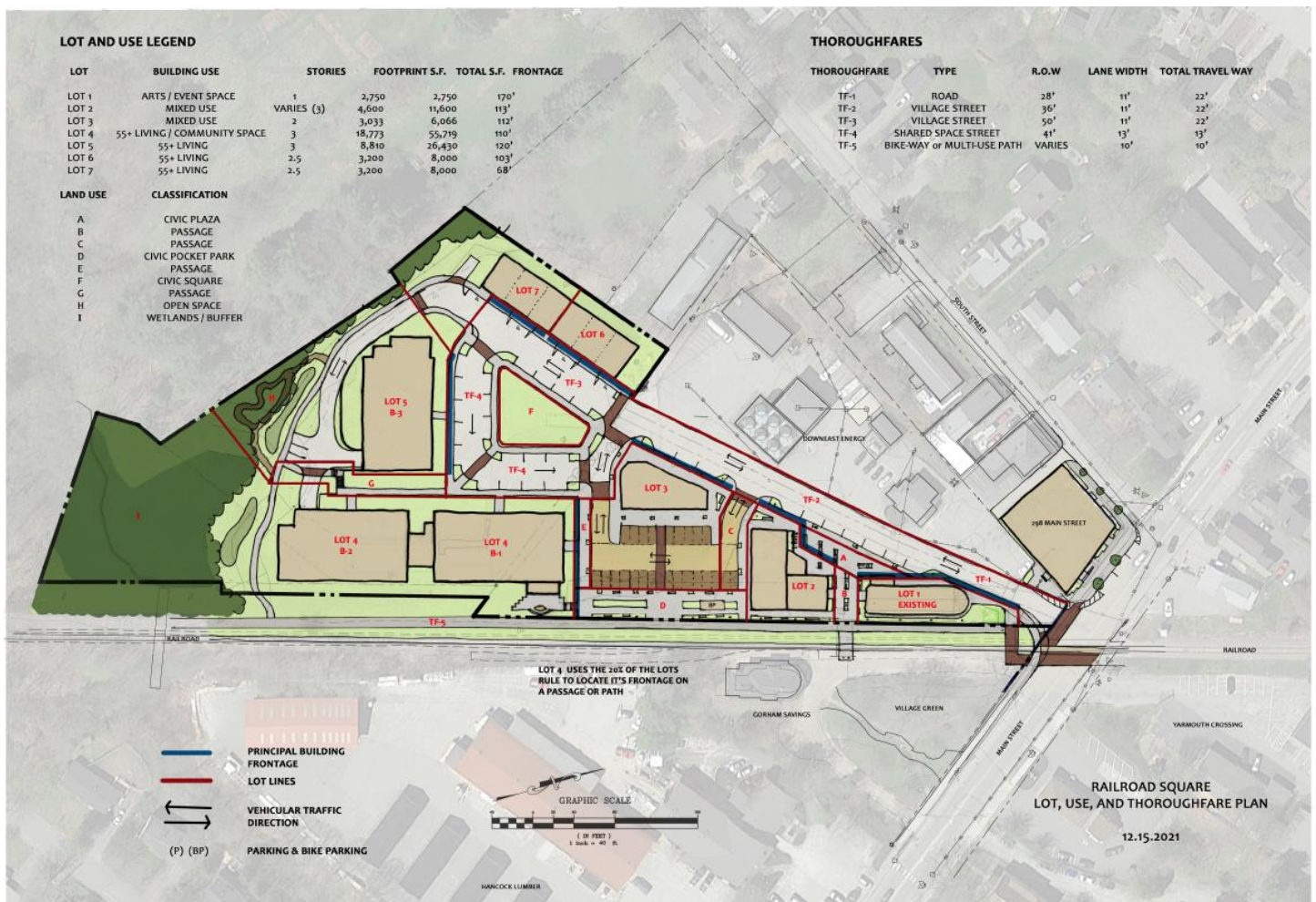
V. Character Based Development Code Review

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 conceptual Development Plan provided in the application materials. As can be seen in the illustration below, the proposed lots, uses, and thoroughfares are identified.



Proposed Railroad Square Development Plan



The meeting on March 9, 2022, is the second meeting with the Planning Board, and the first meeting on January 12, 2022 was an introductory meeting. Conceptual information is likely acceptable, but as the review becomes more detailed, more detailed plans and an assessment of compliance with the applicable standards will be required from the applicant. In the sections that follow, the staff has provided the initial assessment for the Planning Board's consideration, but in summary, the applicant will be required to provide more detailed information, in particular, the Thoroughfare arrangement and sections that illustrate the pedestrian, bicycle, and vehicular accommodations and connections, public landscaping, public lighting, and the public frontages. The Thoroughfare arrangement and sections are particularly important in order to determine compliance with the Chapter 601, Subdivision. Additional details about Civic Spaces must also be provided. With these additional details, Town staff will be able to more fully assess consistency with the requirements of Chapter 703.

The applicant has identified the need for at least one waiver from the CBDC standards. A waiver of the Lot Frontage requirement may be required 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 staff support this minor waiver, and the Planning Board should provide feedback to the applicant on the request. Additional waivers may be identified as additional details are provided.

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 conceptual form. Additional details are required to assess consistency.

2. Thoroughfare Types and Standards;

Provided in conceptual form. Additional details are required to assess consistency.

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;

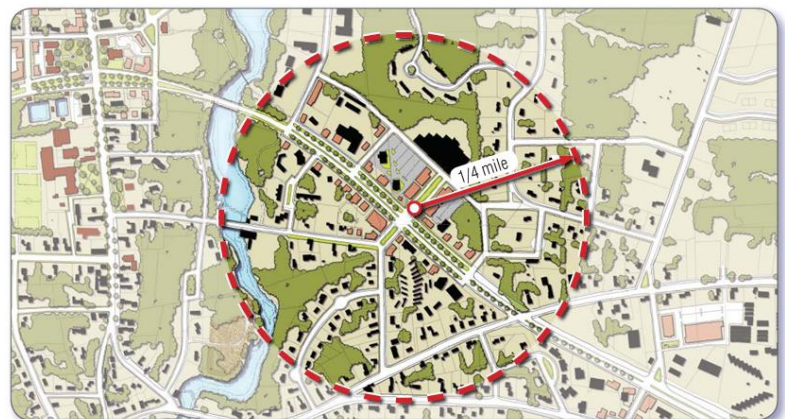
Additional details are needed for the Town Engineer to review for compliance with Chapter 601.

4. Pedestrian Sheds and their respective Common Destinations;

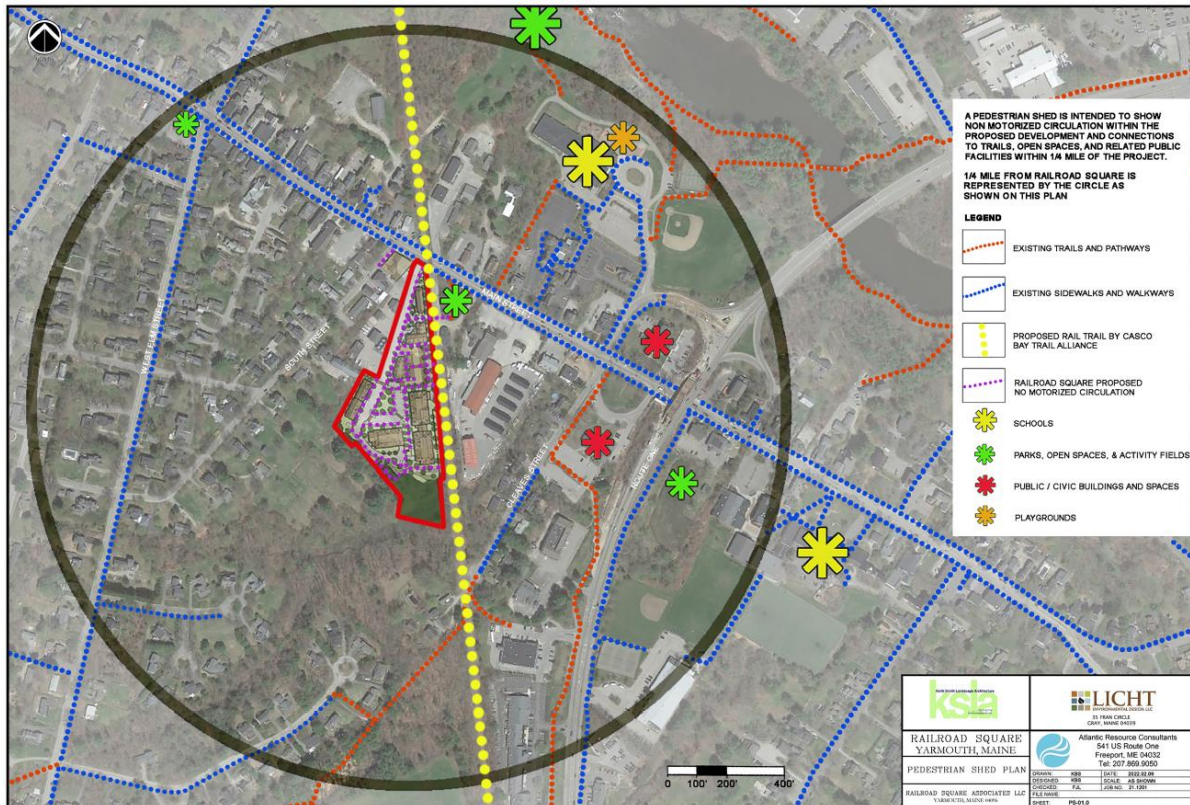


Per Article 6.D, Pedestrian Sheds and their respective Common Destinations must be shown on the Development Plan. The section goes on to state, *"Any proposed Development Plan shall include demonstration of connections and creation of non-motorized pathways and circulation systems within the Development Plan Pedestrian Shed(s) and demonstrate connection to any existing or planned trails, Open Spaces, or related public facilities in the vicinity."*

ILLUSTRATION 6.D STANDARD PEDESTRIAN SHED



A Pedestrian Shed illustration has been provided with the submittal for the March 9, 2022 meeting. The applicant writes, *“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 agree with the applicant’s assessment and find the Pedestrian Shed illustration to be adequate, although may be missing some Common Destinations in the Village. Those locations that may be missing is the NYA Campus, the Route One bridge, the Log Cabin, trails within Royal River Park, 317 Main Music Center, the Community Center at the Masonic Hall, the Old Meeting House, the Center Street Island, and the Butterfly Park and Beth Condon Memorial. 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 spaces and Civic buildings are identified in conceptual form.

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. Additional information is required to determine consistency.

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.

11. Public Landscaping;

Provided in conceptual form. Additional details are required to assess consistency.

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

Provided in conceptual form. Additional details are required to assess consistency.

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. However, it is anticipated that massing diagrams will be provided.

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

Provided in conceptual form. Additional details are required to assess consistency.

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 conceptual Development Plan, the Thoroughfares proposed, 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 review process.

It does appear that the parking area on Lot 3 could be designated as a Thoroughfare. The application materials identified as a shared street (woonerf), but since it provides circulation through the Development Parcel, it may be appropriate to designate it as such. Additional details may be needed to make a determination on whether it would be appropriate to designate it as a Thoroughfare.

It should be noted that the Town Staff, including the Fire Chief, the Town Engineer, and the DPW Director, previously stated that providing emergency access to each of the lots will be critical and must meet the requirements of the Fire Department and the various regulations such as Chapter 601 and the National Fire Prevention Association Codes. Additionally, it is important to be proactively thinking about providing space to store snow and locations for trash and recycling within the Development Plan.

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 Bikeway/Multi-Use Path. Vehicular lanes, sidewalks, bikeways and public frontages are all elements of these Thoroughfares. Additional details may be necessary to assess this standard.

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 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. Additional details may be necessary to assess this standard.

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: In particular, the intersection of TF-4 that circles the Civic Space F at Lot 3 may need further consideration to favor the pedestrian. It may be that the circulation through the parking area at the rear of Lot 3 should be one-way so as to avoid potential conflicts between vehicular movement and pedestrian movements.



Additionally, the intersection of Railroad Square at Main Street will require further detailed review. As noted in the introduction, the Department of Planning & Development and other Town staff will focus on this intersection and the relationship to the upcoming Phase 2 of the Main Street streetscape project. This effort is planned to coincide with the review of the Development Plan. The town's traffic peer review also notes in his memo dated February 18, 2022, that the intersection of Railroad Square and Main Street is a complicated location when considering the multi-modal conditions, proximity of nearby driveways, and traffic volumes. The peer reviewer recommends that the applicant complete a detailed review of the intersection as part of the final traffic study. Further discussion on the traffic study and its elements is discussed in the section on Chapter 601.

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: Additional details are needed to assess this standard.

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 conceptual 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 recommend considering one-way clockwise circulation through the parking area at Lot 3 as well as potentially 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.

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

Staff Comments: The conceptual plan indicates that Lot 4 utilizes this provision, and while additional details may be necessary to document the allowed use of the provision, it appears to be consistent. However, as noted in a comment letter received prior to the January 12th Planning Board meeting, there may be another approach to Lot 4 that could be assessed in balance with the other requirements for a Development Plan and future Building & Lot plans.

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: Based on the conceptual plan, it appears that the proposed Thoroughfares are consistent with the requirements for each thoroughfare type. However, cross sections and additional details regarding each Thoroughfare type will be necessary to document compliance with not only this standard but also the standards of Chapter 601.

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: Additional details will be necessary to determine whether the Thoroughfares meet the Town standards to be accepted as a public way.

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: Although not explicit in the application materials, it is anticipated that the proposed Thoroughfares will be open to the public.

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

Staff Comments: Based on the conceptual review, it appears that the mix of Thoroughfares proposed and the goals established for the Development Plan is consistent with the Complete Streets Policy. Additional details may be necessary to confirm this compliance.

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: Additional details regarding each Thoroughfare type will be necessary to document compliance with the standards of Chapter 601.

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 Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards).

Staff Comments: Based on the conceptual plan, it appears that the proposed Thoroughfares are consistent with the requirements for each thoroughfare type. However, cross sections and additional details regarding each Thoroughfare type will be necessary to document compliance with not only this standard but also the standards of Chapter 601.

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 a demonstration project along the adjacent rail line. Additional information about bicycle facilities on the Thoroughfares and the inclusion of covered bicycle storage for residential uses and outdoor bicycle racks for general usage is desired.

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: Based on the conceptual review, advisory lanes may not be appropriate for the Development Plan, perhaps with the exception of the driveway to the underground parking. Additional details and assessment may be necessary to make a final determination.

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: Additional details are needed to determine compliance with this standard, in particular, information regarding ADA compliance and universal access design is necessary.

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 conceptual plan. Additional details may be necessary for a full assessment.

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



Staff Comments: Cross sections of the proposed Thoroughfares are necessary to make a determination. In particular, the Planning Board may want to take a close look at the Thoroughfare that abuts the Downeast Energy property for an appropriate treatment. This comment is echoed by the Town's traffic peer reviewer in his memo dated February 18, 2022. With future submittals, the applicant should provide specific details on how vehicle and non-motorized movements are integrated along Downeast Energy and 298 Main Street.

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: In order to fully assess this standard, more detailed plans depicting the various Thoroughfares are necessary to determine whether the proposed Public Frontages contribute to the overall character of the CD-4 District. The proposed Public Frontages should also be assessed for compatibility with the Main Street streetscape plan, which provides an accepted arrangement of bike facilities, public plantings, and public lighting. Various sections of Chapter 703 detail the requirements for these elements which the applicant should consult in the preparation of more detailed plans.

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: As noted above, additional details are necessary to fully assess the arrangement of public plantings and public lighting along Public Frontages. The development of the public frontages should be complementary to the Main Street streetscape plans. Until such details are provided, the need for a waiver is unknown. The Development Plan should provide the appropriate scale of public plantings and public lighting in order to be integrated within the existing Village Center. In particular, significant trees and pedestrian scale lighting is appropriate for this location.

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: It is anticipated that the landscape plan will consist of native plants. Additional details are required.

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: The proposed Development Plan should provide a well-defined canopy of trees that provide an attractive and comfortable streetscape.

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 with the Public Frontage shall comply with the standards of Article 5.N, (Private Lot Landscape Standards).

Staff Comments: Once additional details are provided regarding street trees and landscaping within the Public Frontages (and throughout the Development Plan), staff will provide an assessment of consistency with the standards of Article 5.N.

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: As noted above, once additional details are provided regarding street trees within the Public Frontages (and throughout the Development Plan), staff will provide an assessment of consistency with this particular standard and the standard identified in Article 5.N, which provides detailed information about the spacing required. (Note that the reference in the standard above should be 5.N.2.b.)

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: It is anticipated that in conjunction with the preparation of detailed plans for the Thoroughfares, construction details for the proposed landscaping will be provided.

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: Additional details are needed to assess this standard. However, 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.

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's submitted a Pedestrian Shed illustration. The Development Plan includes a variety of Civic Spaces, including Civic Square, Civic Plaza, Civic Pocket Park, 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.

More detailed plans depicting the Civic Spaces proposed are necessary to fully assess the amenities that will be provided within the spaces.

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 meet the intent of 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. 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. Although the review of individual Building and Lot Plans will come in the future, the applicant, in consultation with the Planning Board, may want to identify and designate the appropriate locations for Shopfront Frontages on the proposed mixed-use buildings based on the layout of the Thoroughfares and Civic Spaces as well as the logical oriented of future buildings.

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, but a more detailed plan will confirm this requirement.

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.

XI. 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 applicant will need to provide the Subdivision Application Form for a future meeting as well as the corresponding subdivision plans that meet the requirements of Chapter 601 and a response to the subdivision criteria identified below.

As discussed in the previous sections on the CBDC, additional detailed plans will need to be provided, and in particular, there is a relationship between the Thoroughfares proposed and the subdivision regulations. It will be important for the Town Engineer and others to be able to review compliance with the subdivision regulations. At this stage in the review, where there are applicable Town staff comments, those have been identified below.

- 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;**

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. 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. Additional details may be necessary to fully assess this standard.

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

Staff Comments: The applicant will need to consult with the Yarmouth Water District, Town Engineer, and the Fire Department regarding the anticipated build out of the project and domestic and fire water infrastructure, including any necessary hydrants.

- 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;**

Staff Comments: As noted above, consultations with the Yarmouth Water District, Town Engineer, and the Fire Department are necessary to assess this standard.

- 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;**

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 (BMP's) shall be installed prior to construction activities and shall be maintained by the contractor until permanent stabilization.

- 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;**



Staff Comments: The March 9, 2022 Planning Board meeting will include a presentation of the initial trip generation data. The Town has been engaged with Tom Errico, of TY Lin, over the last year to provide peer reviews of traffic impact analyses of major projects within the village, and as a result, will be able to provide input into the development of the traffic analysis prepared for the Railroad Square Master Plan. Mr. Errico and Steve Johnson, the Town Engineer, provided an initial review of the materials provided.

Regarding the initial trip generation data, Mr. Errico found that the initial methodology was acceptable with the following comments, which are supported by the Town Engineer. Those specific comments include, and should be wrapped into the final traffic analysis that will be submitted at a later date:

1. It is appropriate to continue developing trip generation estimates for both Railroad Square and for 298 Main Street;
2. The trip generation analysis takes a “credit” for the previous trip generating uses (fitness center and art studio) and to appropriately document for the final analysis, the applicant shall demonstrate that these previous uses have been active for the last 10 years; and
3. The applicant shall obtain a letter from Maine Department of Transportation concurring that a Traffic Movement Permit (TMP) will not be required based on the estimated trips.

It should be noted that there is a relationship between the credit and the need for a TMP. If the uses operating at Railroad Square have not been operating for at least 10 years and there is sufficient documentation to provide the estimated trip generation credit, then a TMP will likely not be necessary with MaineDOT concurrence. However, to document the 10-year span may be difficult if the applicant cannot produce traffic data. Discussing this with the Town Engineer, the applicant may be able to provide lease documentation and class information and attendees stretching back 10 years. This credit is not a given and must be proved by the applicant.

The above 3 assumptions shall be incorporated into a final traffic analysis prepared by the applicant. Traffic counts will be taken in April or later consistent with MaineDOT requirements. Mr. Errico recommends that the study area include the project driveway, School Street, Elm Street, and South Street. The analysis should include an evaluation of intersection capacity, pedestrian and bicycle conditions, safety capacity, and neighborhood traffic impacts to South Street. Finally, the study should evaluate the cumulative impacts of other approved projects in the area.

Additionally, the intersection of Railroad Square with Main Street is an important element. Efforts from the Department of Planning & Development in conjunction with Town staff will take a closer look at that intersection over the course of the review as well as anticipation of funding for the Phase 2 of the Main Street streetscape project. As noted by Mr. Errico, *“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. A detailed review will be required as part of the Traffic Study.”* The Pedestrian and Bicycle Committee expressed similar sentiment in their comments issued for the January 12th Planning Board meeting.

The applicant has provided a parking supply calculation based on the requirements of Chapter 703, Character Based Development Code (CBDC). For residential uses, the CBDC allows a minimum of 1 space per unit and a maximum of 2 spaces per unit. The calculation includes a minor adjustment relative to shared parking for the commercial uses and documents the residential parking ratio of 1.3 spaces per residential unit. Mr. Errico notes that the Institute of Transportation Engineers (ITE) parking generation data and other precedent data supports this ratio, and there would likely be on-street parking supply to support the commercial uses. Although this criteria and Section 601 does not discuss parking requirements (it defers to the zoning requirements), the Town Engineer and the Traffic Peer Reviewer recommend that the applicant be required to submit a Transportation

Demand Management Plan/Parking Management Plan as understanding how parking will be utilized can contribute to an overall understanding of congestion.

The comments from the peer reviewer and the Town Engineer must be incorporated into the preparation of a full traffic analysis.

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

Staff Comments: Similar to the comments above about water supply, the applicant will need to consult with the Town Engineer to determine the appropriate methods to serve the proposed Railroad Square Master Plan. The applicant has identified the potential density and uses of the proposed buildings and may be able to determine projected flow calculations in order to determine whether the existing sewer main has the required capacity to serve the new building.

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;

Staff Comments: The DPW Director notes that many of the residential units are proposed to be condominiums and those future owners will be eligible to utilize the Yarmouth Transfer Station/Recycling Center. The applicant may want to think through whether these types of services will be privately provided through an association and where trash and recycling can be accommodated.

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;

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.

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;

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 (age 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;

Staff Comments: Additional information is necessary to assess this standard.

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;

Staff Comments: This standard is not applicable.

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

Staff Comments: It is not anticipated that the proposed project will adversely affect the quality or quantity of groundwater, but additional details are required to fully assess this standard.

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;

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;

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. Additional information may be necessary to assess this standard.

- 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;**
- 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)**
- Staff Comments: The project also requires approvals from Maine Department of Environmental Protection and the US Army Corps of Engineers under Maine’s Natural Resources Protection.
- 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.**
- Staff Comments: The Applicant must complete a stormwater management plan, including drainage calculations for pre- and post-development, a drainage plan, and an assessment of any pollutants in the stormwater runoff. The Town strongly encourages the design team to consider the implementation of Low Impact Development (LID) in its design strategy.
- Additionally, 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;**
- 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;**
- 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**
- 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).

Staff Comments: This standard is not applicable.

XII. Motions – Development Plan and Major Subdivision

At this concept stage, a motion is not recommended for the Planning Board. Ultimately, the proposed motion may be more detailed than what is outlined below.

A. DEVELOPMENT PLAN AND SUBDIVISION

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 XXXX for 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, and the applicable regulations and standards of Chapter 601, Subdivision, the Planning Board hereby finds and concludes that the Development Plan and Major Subdivision **[meets/does not meet]** the required standards and is therefore **[approved/not approved]** subject to the following conditions of approval:

1. Conditions...

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 2/22/2022
2. Erik Street, Public Works Director – Memo 2/23/2022
3. TY Lin, Traffic Peer Review – Letter 2/18/2022
4. Erin Zwirko, Planning Director – Memo 2/17/2022
5. Public Comment – Ed Ashley, 2/27/22
6. Excerpt from 2010 Comprehensive Plan

Steven S. Johnson, P.E., LEED AP, Town Engineer
E-Mail: sjohnson@yarmouth.me.us

Tel: 207-846-2401
Fax: 207-846-2438



TOWN OF YARMOUTH
INTERNAL MEMORANDUM

TO: Erin Zwirko, AICP, Director of Planning
FROM: Steven S. Johnson, P.E., Town Engineer
DATE: February 22, 2022
RE: Railroad Square Traffic Review

Erin:

I have reviewed a traffic analysis comment letter from Tom Errico, P.E., of TY Lin dated February 18, 2022, for the Railroad Square project and I have the following comments.

In general, I concur with all of Mr. Errico's comments and fully support his recommendations. I do want to point out that Mr. Errico has specifically noted several items that the applicant should provide, including, but not limited to the following:

- Documentation of the Trip Credit for uses within the last 10 years;
- A letter from MDOT confirming that a TMP will not be required;
- A TDM/Parking Management Plan for the project.

If you have any questions, 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: 2/23/2022

Re: Railroad Square – Major Site Plan & Subdivision – Traffic & Parking Review

Erin,

After reviewing the provided documents, I have no comments, questions, or concerns at this time.

Thank you



February 18, 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 – Traffic and Parking) – Traffic Peer Review

Hi Steve:

In accord with your request, T.Y. Lin International (TYLI) 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 – Traffic and Parking submission dated February 9, 2022, prepared by Licht Environmental Design, LLC. My comments are noted as follows.

1. The applicant has conducted a Trip Generation Analysis and I generally find the methodology to be acceptable with the following specific comments:
 - Given the relationship between this project and the approved 298 Main Street project, the trip generation estimate accounts for both projects.
 - As it relates to the determination of triggering a MaineDOT Traffic Movement Permit, the project is permitted to apply credit for previous trip generating uses that have been active within the last ten years. This credit adjustment is permitted. I request that information be provided documenting that the previous uses meet the ten year requirement.
 - It is estimated that the project will generate 74 AM peak hour trips, 109 PM peak hour trips and 71 Saturday peak hour trips. Following the reduction of the pre-existing trip credit, the site would generate 54 AM peak hour trips, 80 PM peak hour trips and 56 Saturday peak hour trips. Based upon this estimate a MaineDOT Traffic Movement Permit is not required. It is recommended that the applicant obtain a letter from MaineDOT concurring that a TMP is not required.
2. While the project does not appear to require a MaineDOT Traffic Movement Permit, a traffic study is required evaluating impacts from the project. To meet MaineDOT requirements for conducting traffic counts, it is recommended that the counts be collected in April or after. The study would be expected to include a study area that includes the project driveway, School Street, Elm Street and impacts to South Street. The study will be expected to include an evaluation of intersection capacity, pedestrian/bicycle conditions and neighborhood traffic impacts on South Street. In addition, the study will be required to investigate safety conditions in the study area. Lastly, the study will evaluate the cumulative impacts of other approved projects in the area.
3. The applicant has provided parking supply calculations. The calculations are based on CBDC requirements assuming minimum parking generation rates. The calculation assumes a minor adjustment for the influence of shared parking but assumes the minimum residential parking rate of 1.3 spaces per unit, when the maximum rate is 2

Steven Johnson, P.E.
February 18, 2022
Page 2 of 2

spaces per unit. Accordingly, I reviewed parking generation information from ITE, and that data supports the rate and supply being proposed. I would also note that for the commercial uses, on-street parking spaces will likely be available based on prior parking studies. With that said, I do recommend that the applicant be required to provide a TDM/Parking management plan.

4. From a site circulation perspective, the design of the access road and how both Downeast Energy and 298 Main Street are integrated will be important. This includes both vehicle and non-motorized movements. Specific details are required to review this item.
5. 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. A detailed review will be required as part of the Traffic Study. Specific details are required to review this item.
6. The project proposes several different roadway types. Specific details are required to review this item.
7. The pedestrian shed graphic highlights the significant network of facilities that support walking and biking in the vicinity of the site. As noted previously, a key review item will be the design of the driveway at Main Street when considering all modes of transportation.

Please contact me if you have any questions.

Best regards,

T.Y. LIN INTERNATIONAL

A handwritten signature in black ink that reads "Thomas A. Errico". The signature is written in a cursive, flowing style.

Thomas A. Errico, PE
Senior Associate / NE Traffic Engineering Director



Erin Zwirko, AICP, LEED AP
E-mail: ezwirko@yarmouth.me.us

Tel: 207-846-2401
Fax: 207-846-2438

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

To: Chair Holden and Members of the Yarmouth Planning Board
From: Erin Zwirko, Director of Planning & Development
Re: Railroad Square Master Plan – Development Plan and Major Subdivision Meeting 2
Date: February 17, 2022

Overview

The purpose of this memorandum is to give the Planning Board a preview of the next Railroad Square Master Plan review scheduled. The meeting on March 9, 2022, continues the review 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.



Conceptual Railroad Square Master Plan

The application materials set forth a proposed review schedule with the Planning Board over the next six months. There are at least 5 meetings with the Planning Board identified. With the exception of the first introductory and concept

4.1

meeting on January 12, 2022, the next several meetings will be 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.

Ultimately at the end of the review, the Planning Board will be asked to approve the Development Plan and Major Subdivision Plan. A Development Plan and Subdivision Plan are similar to each other as they both focus on the layout of new roads, new blocks, and new lots. The Development Plan ensures compliance with the CBDC standards for Thoroughfares (roads), lots, and the public realm, and references compliance with the Subdivision . The Subdivision Plan ensures compliance with the Town's technical standards for the layout of roads, utility connections, transportation network connections, trees, open space, and trail connectivity. The reviews are concurrent and overlap to a large extent

On March 9, 2022, the Planning Board will review the initial traffic analysis, parking, and the pedestrian shed. These documents are available on the Planning Board's portion of the Town's website.

Traffic Analysis

A traffic analysis is typically required for a Subdivision Plan to confirm compliance with the review standards of Chapter 601, but it also informs the type of road required, which is outlined in Chapter 601 and is relevant to the Thoroughfare Standards of the CBDC. Chapter 601, Article I.D.5, Review Standards; Traffic, states (page 4):

"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;"

The applicant has submitted an initial trip generation analysis for both the approved 298 Main Street project and the proposed Railroad Square Master Plan. Note that although 298 Main Street was approved separate from the Railroad Square Master Plan, due to the shared parking arrangement, the 298 Main Street project must be incorporated into consideration for traffic analysis purposes. The applicant intends to perform another field traffic count in the Spring consistent with Maine Department of Transportation (MDOT) standards, so the Planning Board will receive an updated report later in the overall review. The analysis will also inform whether a future Traffic Movement Permit (TMP) will be required by MDOT.

As with all of the recent projects, the Town's third-party traffic engineer is reviewing the applicant's traffic submittals and will provide comments to the Planning Board for the March 9th meeting. Thomas Errico, TY Lin, has discussed with the applicant's traffic engineer, Diane Morabito, the basis for developing the full analysis, including considering how other recently approved projects (i.e., the 317 Main Street expansion) will affect the transportation network in Yarmouth. This question in particular has been a common concern over the last year and the Planning Board will have the chance to see the wider, holistic view.

Finally, should the Planning Board 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). The applicant has committed to revisiting the traffic analysis for each of these future submittals.

Parking

Providing adequate parking is a consideration of the CBDC, and although is not a required element of the Development Plan or a Subdivision Plan, is an element of the Railroad Square Master Plan that has been brought up as a concern in the past. Under the CBDC, parking typically becomes an element to review when the Planning Board is reviewing the

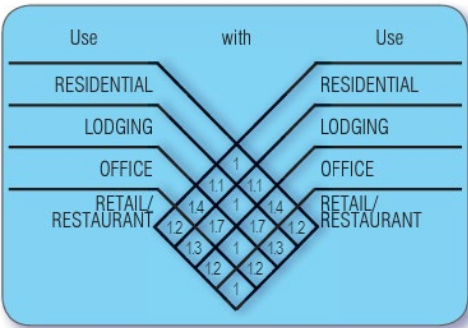
Building & Lot Plan. The applicant has provided an overview of the parking across Railroad Square and at 298 Main Street (as noted earlier there is a shared parking agreement).

Article 5.K of the CBDC outlines parking requirements and shared parking allowances (page 68). The following charts from Article 5.K are informative to review and understand to fully understand how the Railroad Square Master Plan utilizes a shared parking factor.

TABLE 5.K.1 PARKING REQUIREMENTS

PRINCIPAL USE	Parking maximum and minimum range:
Residential	1 per dwelling unit Min; 2 Max.
Lodging	1 per 2 bedrooms Min; 1 per bedroom Max
Office	2 per 1,000 sf, Min; 4 per 1,000 sf Max
Retail	2 per 1,000 sf Min; 4 per 1,000 sf Max
Restaurants	1 per 4 seats Min; 1 per 2.5 seats Max
Other	3 per 1,000 sf or as per use Parking Analysis

TABLE 5.K.2 SHARED PARKING FACTOR



The applicant provided a parking chart within the materials submitted for the March 9th meeting. In the parking chart provided, each building proposed in Railroad Square and 298 Main Street are listed. The proposed uses and square footage for each building is listed as these characteristics factor into the parking ratios as shown in Table 5.K.1 above. Following the allowance of Table 5.K.2 as shown above, a shared parking factor has been applied to the mixed-use buildings only, and only for the commercial uses. The shared parking factor is not applied to residential uses. Ultimately, the parking chart illustrates that the number of parking spaces provided meets the requirements of the CBDC. Planning Board members will want to review this chart and confirm whether it is compliant with the requirements of the CBDC.

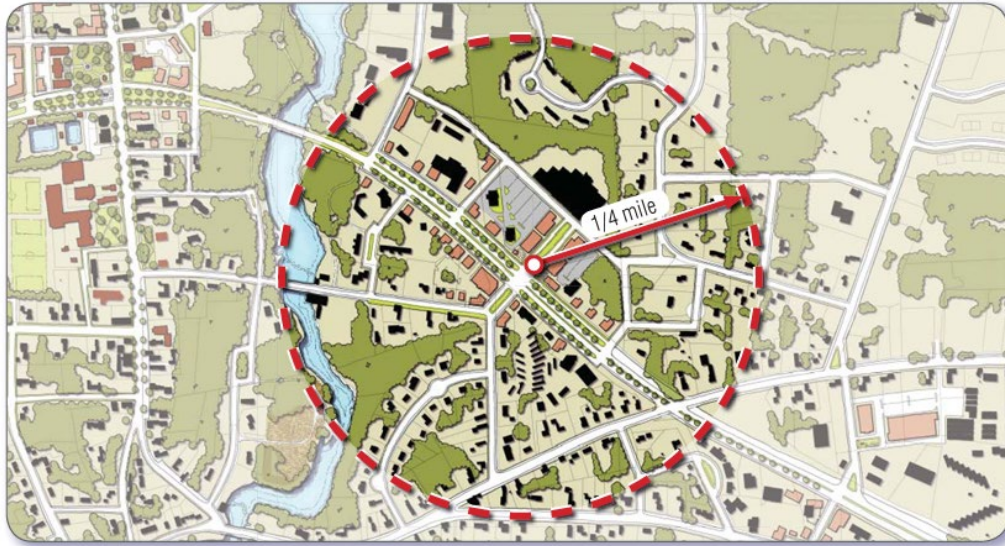
The Planning Board has the ability to reduce the number of parking spaces further, and could exercise that option with the preparation of a Transportation Demand Management Plan: *“Such management plans provide a framework for shared or episodic parking solutions, and for TDM plans a comprehensive strategy to reduce parking demand through a combination alternative commute arrangements such as ride-sharing, car-sharing, transit, bicycling, walking, etc. A TDM plan shall include a program narrative, designation of a TDM coordinator, a user survey, parking reduction targets, alternative commute strategies and related infrastructure, incentives and inducements, education, and monitoring and reporting. Failure to achieve target parking reductions shall require remedies to revise the program or provide more parking.”*

Additional information is provided on the shared parking spaces approved by the Planning Board for 298 Main Street. As Planning Board members may recall, the approval allowed some parking for 298 Main Street to be accommodated in Railroad Square.

Other requirements of Article 5.K include provisions for bike racks and electric chargers. These are typically items the Planning Board sees with the detailed Major Site Plan/Building & Lot Plans; however, it is anticipated that the applicant will present information about bike racks at a future meeting when we discuss bicycle connectivity. Ultimately, the applicant will be required to provide both at the ratio required.

Pedestrian Shed Plan

Per Article 6.D, Pedestrian Sheds and their respective Common Destinations must be shown on the Development Plan (page 109). The section goes on to state, *“Any proposed Development Plan shall include demonstration of connections and creation of non-motorized pathways and circulation systems within the Development Plan Pedestrian Shed(s) and demonstrate connection to any existing or planned trails, Open Spaces, or related public facilities in the vicinity.”* The following image is provided in the CBDC to give context.

ILLUSTRATION 6.D STANDARD PEDESTRIAN SHED

The following plain language descriptions may help the Planning Board understand the capitalized terms from the CBDC:

1. **Common Destination:** CBDC defines it as an area of focused community activity. Railroad Square itself could ultimately become a Common Destination, but certainly the existing pavilion could be a Common Destination as it supports the Farmers Market seasonally. Other more easily identified Common Destinations in the area could be Town Hall, the Library, Latchstring Park or the Center Street Island as a proxy for the Village business district, Royal River Park, Rowe School, the future Community Center, among others owned/operated by non-profits or the government. Churches are not necessarily Common Destinations.
2. **Pedestrian Sheds:** The CBDC identifies three types of pedestrian sheds: long, linear, or standard. The standard pedestrian shed is an average $\frac{1}{4}$ mile radius around the Common Destination. Typically, $\frac{1}{4}$ mile is the distance most people are comfortable walking. The long pedestrian shed is 1 mile. The linear pedestrian shed is focused on a corridor, say if we considered Main Street from Marina Road all the way to Elm Street a Common Destination, then its pedestrian shed is $\frac{1}{4}$ mile off the corridor.

The requirement for a Development Plan is to identify those Common Destinations around a project and their relative pedestrian sheds so that the Planning Board can make a determination whether the project meets the intent of the CBDC to have compact and pedestrian-oriented development in the Village. The applicant has provided a Pedestrian Shed in the submittal for March 9th.

Questions

Planning Board members can be in touch with me to discuss these elements and how it fits into the larger Development Plan and Major Subdivision Plan Review.

Chapter 703, Character Based Development Code, is found online:

[https://yarmouth.me.us/vertical/sites/%7B27541806-6670-456D-9204-5443DC558F94%7D/uploads/CBDC_As-Passed_04-12-18_CD4_CD4-C\(1\).pdf](https://yarmouth.me.us/vertical/sites/%7B27541806-6670-456D-9204-5443DC558F94%7D/uploads/CBDC_As-Passed_04-12-18_CD4_CD4-C(1).pdf)

Chapter 601, Subdivision, is also found online: https://yarmouth.me.us/vertical/sites/%7B27541806-6670-456D-9204-5443DC558F94%7D/uploads/601_Subdivision.pdf

Previously Submitted Materials (January 12, 2022): https://yarmouth.me.us/index.asp?SEC=629E1BD4-C041-417B-BBBD-FE8E3715114C&DE=B728284F-D418-4EBB-B7C9-18ABEA6344CB&Type=B_BASIC

Erin Zwirko

From: Edward Ashley <eashley@maine.rr.com>
Sent: Sunday, February 27, 2022 11:46 AM
To: Rick Licht
Cc: Matt Teare; Erin Zwirko
Subject: Railroad Square Pedestrian Shed Plan

Hi Rick-

After reviewing your Pedestrian Shed Plan it strikes me that you may be (or are) understating the reach of the Shed. Perhaps understatement is your preference at this point, but FWIW, I thought I would pass on some comments as to possible additions.

Moving counterclockwise around the Shed circle, and beginning at the southeast corner, I think you could add:

- the NYA playing fields and hockey arena, with a large green asterisk
- at the Route One bridge over Main Street, the Log Cabin is the longstanding meeting place for the Planning Board and the Council, as well as other public meetings and gatherings of the Town; a red asterisk could go next to the green one.
- to the east/northeast, we have the ballfield and tennis courts, which would rate a green asterisk.
- Another green asterisk could go just outside the circle, into Royal River Park, where red trails connect with the long RR Park riverside trail.
- on the north of center, at Yarmouth Crossing, there is a pre-school (The River School), next to the Irving station, and that could have a small yellow asterisk.
- to the north/northwest, at Mill St., we have the 317 Main Music Center, and further out on Mill St. the new Community Center location (Masonic Hall), both of which could rate a red asterisk.
- we have Churches on Main St. within the shed, the Catholic Church and the Baptist Church. The UU Church and Congregational church are just outside the Shed, but within a reasonable additional walking distance. The Old Meeting House is just outside the Shed on Hillside St. at the head of Church St., a very short distance away. All of these could receive red asterisks.
- Within the Shed, at the junction of Center St. with Main St., there is a small pocket park, with a bench and historic object on a center island, awaiting the planting of a replacement shade tree, which could merit a small green asterisk.
- behind town hall, on the Beth Condon Pathway and adjacent to the rear Town Hall parking lot, is the Butterfly Park and Beth Condon Memorial, which could receive a green asterisk.

As I said, I am forwarding this on a FWIW basis, not pushing it, and leaving it up to you folks, but I think all of these could be added. You really are in an extremely central location, and easily walkable for seniors to many destinations within and just beyond the quarter mile shed. In fact if you increased the scale of that map, to cover more ground, more asterisks than even those listed above could be shown, e.g., the History Center, and the High School playing fields.

thanks for your attention,
 Ed

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



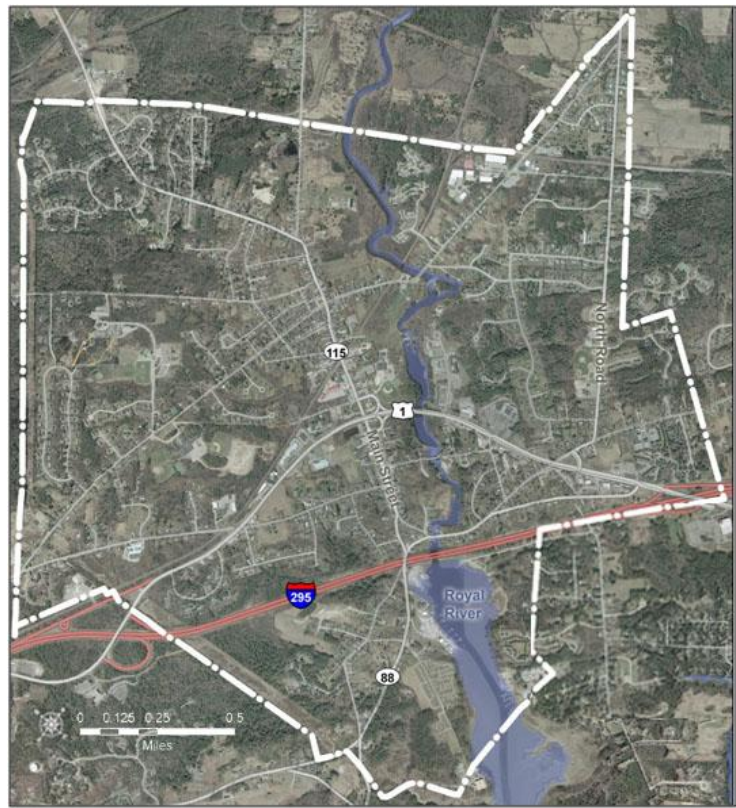
areas developed before 1970 where the lots are small and people can easily walk around. And for some people, the Village includes most of the town except for the coast and the islands.

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.

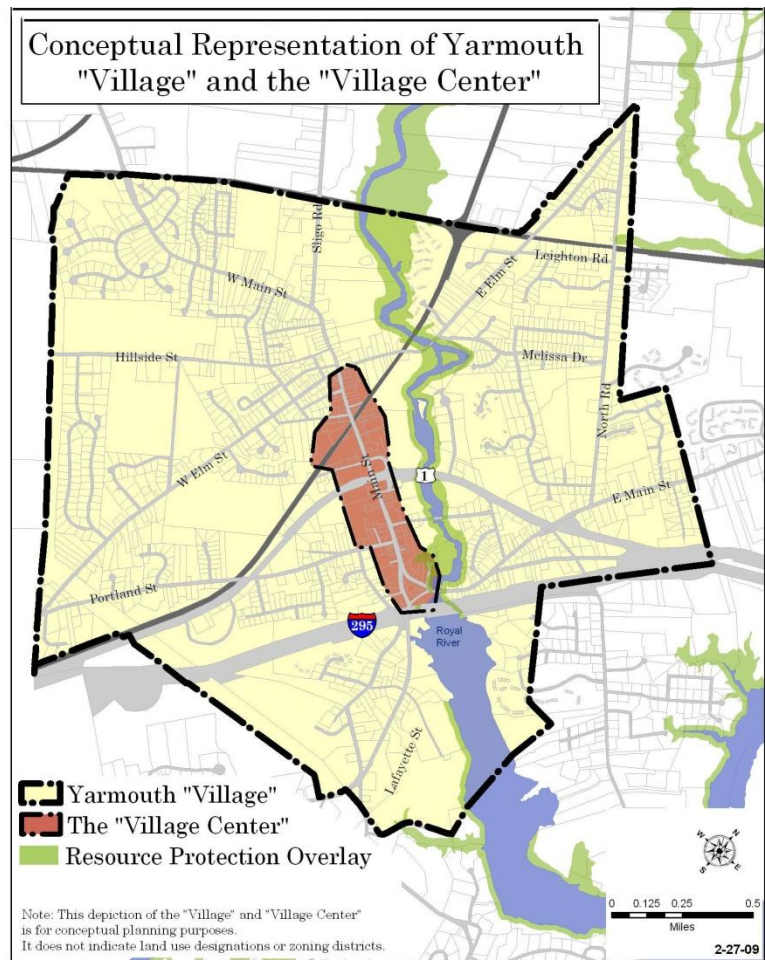
Main Street or the Village Center will be a vibrant, pedestrian friendly, mixed-use street where people can live, work, shop, and take care of their other daily needs. A balance between residential and nonresidential activities in the Village Center will be maintained. Historic properties will be well 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).

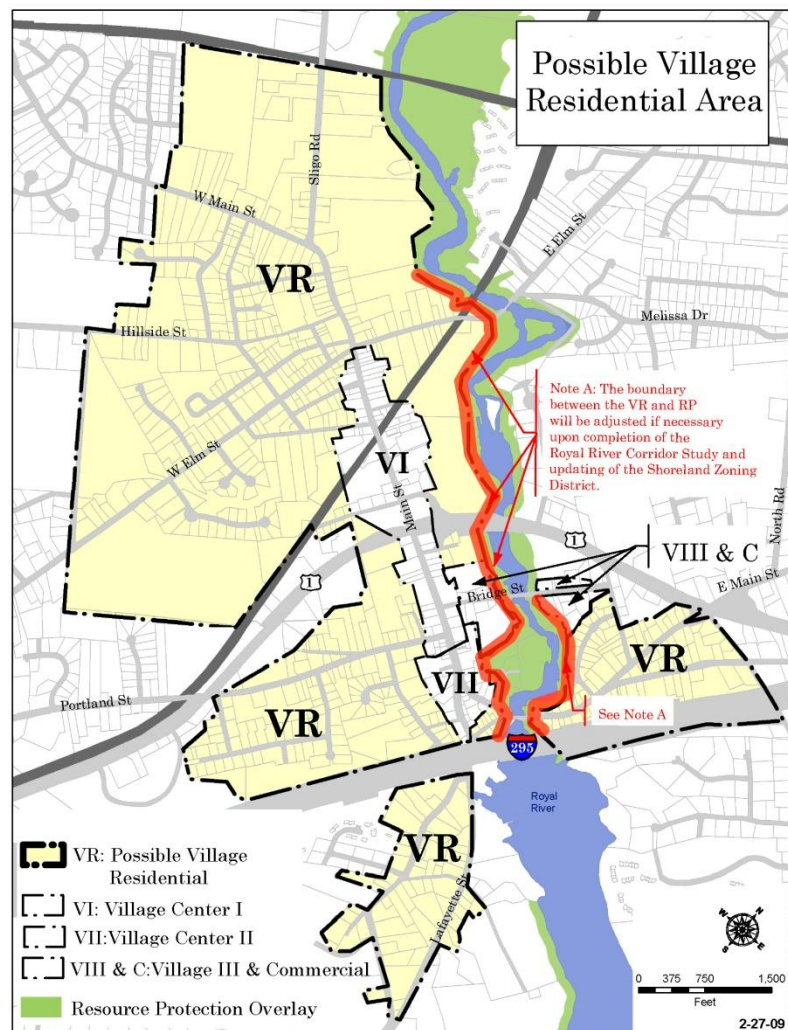
Strategy C.4.1– Create a new Village Residential (VR) zone out of part of the current Medium Density Residential District. The new VR District should include the older built-up areas of the Village. Figure 1-5 on the following page shows the possible boundaries of the proposed VR area. The final location 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.