



THE DOWNS

TOWN CENTER NORTH & HAIGIS DISTRICTS CONCEPTUAL MASTER PLAN

FINAL REVISION | AUGUST 2020



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FINAL REVISION | AUGUST 2020

Prepared By:
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Nick Aceto | na@acetola.com

August 6, 2020

Jay Chace, Planning Director
Scarborough Town Hall
259 Route 1, PO Box 360
Scarborough, ME 04074

RE: Conceptual Master Plan - Town Center North & Haigis Districts

On behalf of Crossroads Holdings, LLC, Aceto Landscape Architects, and Gorrill Palmer Consulting Engineers, we are pleased to provide this Conceptual Master Plan Resubmission for the Haigis and Town Center North Planned Development Areas within the Crossroads Planned Development (CPD) zoning district. This resubmission is intended to address final staff comments and conditions of approval as stipulated in the **Notice of Decision dated April 16, 2020 and as negotiated during the April 15, 2020 workshop.**

We are excited to continue working with staff and the board through subsequent subdivision and site plan review to further refine the plans. We are particularly appreciative of the Board and staff's effort in providing thoughtful comments and timely review during these challenging times.

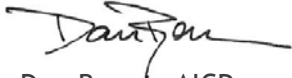
In this document we've provided the following elements and exhibits:

- Site Locus and Context
- Preliminary Infrastructure Plan
- Open Space & Connectivity
- Conceptual Master Plan
- Space and Bulk Standards for the Haigis District and Town Center North District
- Community Patterns
- Response to Comments Letter

Should you have any questions or require additional information, please feel free to contact us.

Thank you again.

Sincerely,



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Development Director
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1.0 PLANNING BOARD APPLICATION

TOWN OF SCARBOROUGH, MAINE

Planning Board Application Form

All applications submitted for consideration by the Planning Board shall include:

- checkbox application form, checkbox payment of application fees, checkbox electronic file, checkbox submission materials

Project Name: Downs-TCN & HD Master Plan Project Type: Planned Development
Project Location (physical address): Scarborough Downs Road
Assessors Map & Lot Number: RO-52 Lot 4 Zoning District: CPD

Applicant: Crossroads Holdings, LLC. Phone: 207 494 1150 E-mail: roccy@risbara.com
Mailing Address: PO Box 485, Scarborough, ME 04070
Evidence of standing? [x] Ownership [] Option [] Lease [] Purchase and sales contract [] Other

Property Owner: Crossroads Holdings, LLC. Phone: 207 494 1150 E-mail: roccy@risbara.com
Mailing Address: PO Box 485, Scarborough, ME 04070

Consultant/Agent: Nick Aceto, ALA Phone: 207 221 3390 E-mail: na@acetola.com
Mailing Address: 565 Congress Street Suite 310, Portland, ME 04102

Billing Contact Information
Name: Dan Bacon Phone: 207 494 1150 E-mail: dbacon@mr.holdings
Address: PO Box 485, Scarborough, ME 04070

Application Authorization

I hereby make application to the Town of Scarborough for the above-referenced property(ies) and the development as described. The Town of Scarborough Planning Board and/or town employees are authorized to enter the property(ies) for purposes of reviewing this proposal and for inspecting improvements as a result of an approval of this proposal.

Signed: [Signature] Date: 02/14/2020

Printed name: []

Please identify yourself (check one): Agent* [x] Applicant/Property Owner []

*(If you are an agent, written authorization must be attached to this form.)

For Official Use:
Application Fee _____ Electronic File _____ 15 Copies _____
Received By _____ Date _____

2.0 PROJECT NARRATIVE

INTRODUCTION

The Haigis (HD) and Town Center North (TCN) districts consists of approximately 190 Acres. The planning area is bisected along the north-south direction by the approximately 10-acre Willowdale Brook Conservation Easement which divides the area into two planning districts; the Haigis and Town Center North Districts. The development blocks within these two districts are defined primarily by the more than 100-acres of wetland and open space areas



Overall 510-Acre Plan Depicting Proposed Town Center North District (blue) with Route 1 and the completed Mill Village District to the south (right) and Innovation District to the north (left).

to the north and south. Further east and south the TCN District is bounded by the existing grandstands building and associated inner race track. The Town Center North District abuts the Town Center Residential District further south and east of the Willowdale Conservation easement along the existing Scarborough Downs Road alignment.

The overall concept for these districts will focus on creating a dense, vibrant, mixed use corridor connecting Haigis Parkway along the sites western boundary, to the east, intersecting a re-aligned Scarborough Downs Road with a diverse mix of commercial, office, residential, and community-oriented uses woven into a network of open space and trails. Building typologies are expected to include large-scale office, hotel, sports and community center uses as well as moderate to high density residential and complimentary small office, retail and restaurant uses.

The neighborhood street grid and block pattern is designed to provide connectivity to current and future development phases to the north and south as well as efficient utility runs and

adequate public safety and maintenance vehicle maneuvering while integrating natural traffic calming measures such as on-street parking, curb extensions, and street trees. The district will feature highly-attractive building design unique to and reflective of the Downs brand and aesthetic along with thoughtfully-designed streetscapes and public park spaces which promote a sense of place and articulate the overall Downs brand and more modern building vernacular.

MASTER PLAN

An overall conceptual master plan for the 525-Acre Downs property was presented to the board and approved along with a Conceptual Master and Infrastructure Plan in the Winter of 2018. The Downs initial residential phase, now known as the Mill Village District comprised of Mill Commons condominiums, Carriage Walk apartments, and the Grist Mill single family homes has been very well-received and is close to full occupancy as of this application. Additionally, to the north, the Innovation District has also garnered much interest from various businesses and light industry and is well under way. The most recently planned Town Center Residential District (Conceptual Master Plan approved January, 2020) is currently in the planning stage with an expected groundbreaking in the Spring of 2020.



Preliminary concept sketch depicting a traditional mixed-use center with characteristic main street commercial and residential development which addresses the street and public spaces.

Coupled with what is anticipated by the Crossroads Planning District zone (CPD)(Section. XX.C.II.C & D), the proposed development for the HD and TCN Districts are planned with a range of mixed commercial, office, higher density residential, retail, and community-oriented and recreational uses. This mixed-use center will be within a convenient walking distance to adjacent neighborhoods and serve as a vibrant commercial, employment, and entertainment hub for residents living within The Downs community and beyond.

GUIDING PRINCIPLES & VISION

The HD and TCN District's design and planning are guided by the overall master plan's original intent to provide a social and economic hub for the Town of Scarborough and The Downs community, supporting the development's 'Live, Work, and Play' framework. The TCN District in particular will employ placemaking principles which seek to prioritize the design and planning of unique, memorable urban environments through thoughtful consideration of public space.

The mixed-use development that is proposed for both the HD and TCN Districts will meet the

planned development standards of the Crossroads Planning District (CPD). More details on the specific standards are discussed in the Development and Design Standards section later in this submission. The following is a summary of the District standards and how the proposed development complies.

The (CPD) District development standards (Section. XX.C.II.C & D) anticipates a mix of uses planned on a compact scale that uses public sewer and water and accommodates multimodal forms of transportation. The proposed development meets this standard, as the site is served by public water and sewer and exhibits an interconnected street design that accommodates pedestrians and bicycles, and opportunities for access to bus routes as well. Further, the buildings are planned in a compact, clustered pattern and will integrate a wide mix of building types and uses. The expectation of this next phase of development is to build a walkable, pedestrian oriented place with buildings close to the street, and a safe and pleasant streetscape, to create a contemporary town center character. This Town Center North development is a logical and effective place to continue advancing the long-term and larger vision for the Downs as a mixed-use community in the geographic center of town. New streets and the conservation of natural resources will make evident the District's objectives in creating street and open space networks in this area of the town.



District diagram illustrating primary collector street alignments (orange) with the Town Center sub-area shown in purple (top) to the east of Willowdale Brook and the Haigis Parkway sub-area depicted to the west (bottom)

The planned development standards for Town Center North, included herein, support conformance with the Crossroads District, specifically ensuring the appropriate relationship

of buildings to the street and a street design that accommodates pedestrians, bicycles and on-street parking. Furthermore, the standards require the provision of affordable housing.

STREET GRID & BLOCK FRAMEWORK

The District will be organized along a tree lined, interconnected, street-grid with a block pattern designed to promote walking and transit. The District will be accessed by a re-aligned Scarborough Downs Rd. from the south, generally following the easterly edge of the Willowdale Brook Conservation Easement. From the west a new collector street provides access directly from Haigis Parkway, bisecting Blocks G and F to the north and south, respectively. Continuing east, the proposed collector will cross Willowdale Brook along an existing culvert and intersect Scarborough Downs Road at a point approximately 1500' east of Haigis Parkway and north of the Grandstands. These two collector streets are consistent with the vision illustrated in the overall master plan and vital to the creation of an active Town Center framework. Additionally, these two collectors will serve as important infrastructure corridors bringing water, sewer, electric, and gas utilities to the town center as well as future project phases. A trail system is contemplated to connect through the site and between current and future project phases. The trail system will mainly follow existing upland corridors where building development is less feasible.



Conceptual massing model depicting Edge Sports Group facility anchoring the corner of Market and Center Streets.



Conceptual sketch of Main and Market Street

BICYCLE-PEDESTRIAN & TRAILS CONSIDERATIONS

The overall Downs trail system is envisioned to connect and weave together the more than 130 Acres of project open space, neighborhoods, and parks as well as potential opportunity for off-site connection to abutting properties and town facilities, including existing sidewalks, multi-use paths, transit stops, and other trail systems.

Streets and roadways will be designed to accommodate multiple transportation modes and thoughtful considerations for the bicycle and pedestrian environment. Many streets will include bicycle lanes or other facilities in addition to ample sidewalk space and include

integrated traffic calming measures such on-street parking, curb extensions, and protected crossings.

NEIGHBORHOOD IMPACT MITIGATION PLAN

The Haigis District is located adjacent to the Haigis Parkway commercial corridor to the west. This District will be developed as a commercially-oriented, mixed-use gateway transitioning to a more compact, mixed use pattern heading east into the Town Center North District. A substantial portion of the westerly and southwesterly extents of the District will remain undisturbed open space and wetland habitat with a small development block (Block H).

FUTURE INTERSECTION AND OFF-SITE TRANSPORTATION IMPROVEMENTS

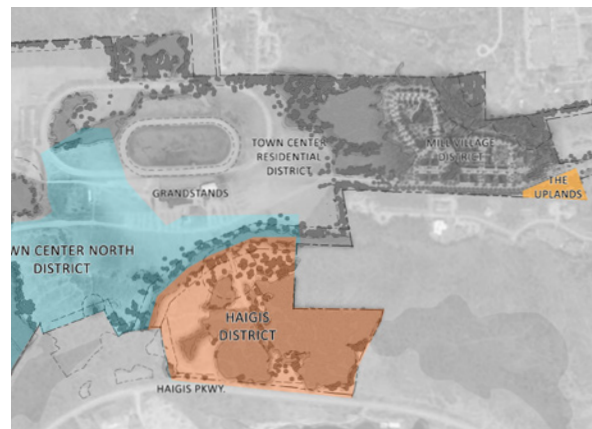
Concurrent with the Planned Development and then subdivision/site plan review process for development within these districts, the applicant has applied for their first modification to the Maine Department of Transportation (MDOT) Traffic Movement Permit (TMP). Scoping meetings have occurred for this TMP, and the applicant, MDOT Staff and Town Staff and the Town's traffic peer review engineers are participating in this process to establish a framework and thresholds for when off-site transportation improvements and multi-modal measures are triggered.

This TMP application specifically includes the traffic generation and transportation needs forecasted for these next mixed-use districts. It also includes projected traffic and transportation demands expected for the next few phases of development in the coming 5 years in order to establish and permit a master plan for off-site transportation improvements that will create predictability on when various intersection improvements and multi-modal mitigation are necessary.

This is a significant permitting process for the applicant and is being reviewed both locally and by Maine DOT while subdivision and site plan review(s) occur for this next phase. Concurrently with this permitting process, the applicant continues to coordinate with the area transit agencies to determine when and how it may be possible to build on the project's early success for transit access that is already provided in the Mill Village District (Phase 1).

AFFORDABLE HOUSING

Affordable housing may be incorporated into the Town Center North District as necessary to meet the standard within the overall project should other phases of the project not provide the requisite percentage of



The Uplands at The Downs planned affordable senior site location (orange). The Uplands project proposes 77 affordable senior housing units over two phases.

affordable units.

The Downs specifically approached Developers Collaborative to work with the team and create up to 77 affordable senior housing units over two phases. These are the type of affordable units the Town has generally been interested in. These units will create a surplus of affordable units to meet the 10% affordable requirement for this next master plan area and beyond. As market rate residential development occurs, we will work with the Town to track compliance with the 10% affordability requirement.

ENVIRONMENTAL ASSESSMENT

The areas shown as suitable for development have been determined by avoiding the impacts to sensitive natural areas associated with the large contiguous wetland system both to the north and south as well as maintaining a significant buffer to Willowdale Brook. Given the quantity of wetlands, this plan is designed to avoid these sensitive areas and conserve them as open space that can also offer recreational opportunities through biking or walking trails. Further, these natural areas create a framework for a greenway throughout the project as well as act as natural breaks and gateways between development phases.

The HD and TCN District developments will avoid and minimize impacts to the significant and large wetland areas and maintain them as open spaces. The Willowdale Brook stream corridor will be maintained as a functional riparian corridor and area for wildlife habitat and will be incorporated into the project's greenway system that will also include a multi-use pathway that will extend to the south to connect with the Town Center Residential Phase as the project develops.

PHASING

This HD and TCN Districts of the overall Downs master plan will likely occur in several sub-phases and based on demand and timing of key commercial end-users, including the WEX office building and ESG sports complex.

We have intentionally designed this next phase to avoid the inner race track in the short term, while indicating how the street-grid system may be phased and extended south and east based on our initial road alignments and consistent with the zoning.

This is a matter of phasing to respect the current lease arrangement with the harness racing group and also to give the development team more time to work with



An early conceptual illustrative depicts a central park defined by active storefronts, office, residences and other uses. Public space is a key component of future town center planning and will serve as an amenity for residents of Scarborough.

the Maine Historic Preservation Commission on various details of the grandstand and track facility.

OPEN SPACE

This phase of development will include active and passive open space which will serve current plan proposes open space area well in excess of the 10% minimum requirement with approximately 100 acres of preserved wetland and passive open space area in addition to approximate 4-5 acres of active open space and park area.

Specific regard will be given to the Willowdale Brook Conservation Easement and Stream Corridor so as to minimize development impact through the use of expanded open space buffers, integrated BMP features, as well as promoting active stewardship of the resource by incorporating interpretive park program and placemaking elements along the corridor. Please refer to the Open Space Plan, Page 27, this document as well as the site section illustrations on page 31 for more information on open space areas.



Early conceptual rendering depicting solar orientation of Market Street.

HISTORIC OR ARCHAEOLOGICAL RESOURCES

Files at the Scarborough Downs Historical Society were reviewed and no historic or archaeological resources were identified. Historic or archaeological resources identified by the Town's Comprehensive Plan or in Section VII.H. Historic Preservation Provisions of the Town of Scarborough's Zoning Ordinance have not been found to exist on the Town Center North or Haigis District site.

ALTERNATIVE ENERGY

Similar to the Mill Village District, this next phase is being designed with the future of energy in mind. As we layout the various commercial and mixed use sites and blocks, we will identify appropriate locations for electric vehicle (EV) charging stations.

The development team is continuing to plan for integration of solar and other forms of alternative energy sources in the design of this and future phases.

3.0 PLANS & EXHIBITS









LEGEND

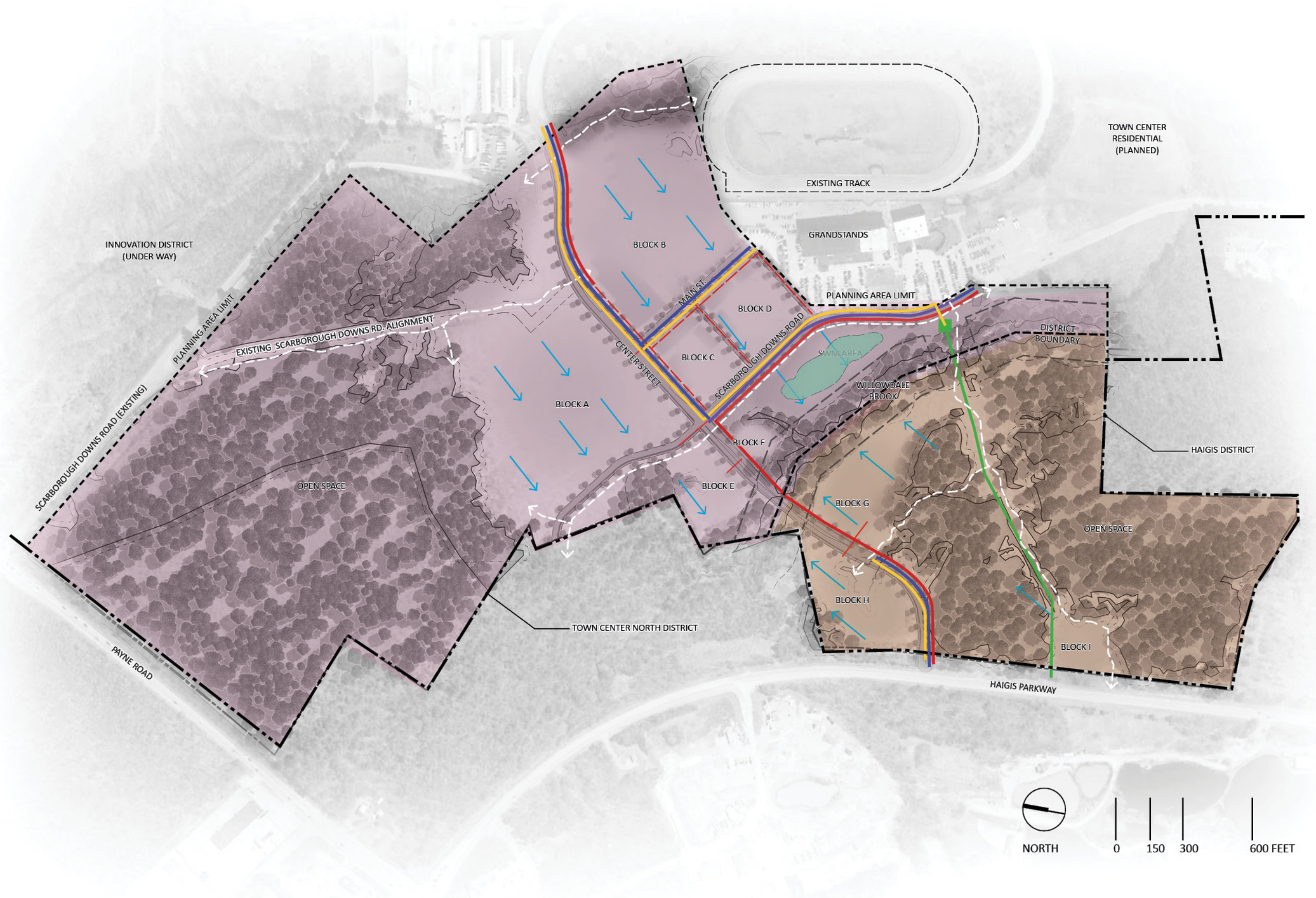
- HAIGIS COMMERCIAL / MIXED-USE
18-32 DU/ACRE
- TOWN CENTER MIXED-USE
COMMERCIAL OFFICE ANCHOR
- TOWN CENTER MIXED-USE
MAIN STREET COMMERCIAL / RESIDENTIAL 18-32 DU/ACRE
- PARKS & PROMENADES
- STORMWATER MANAGEMENT
- EXISTING WOODLAND TO REMAIN/
WETLAND AREA



PRELIMINARY INFRASTRUCTURE & PHASING PLAN









LEGEND

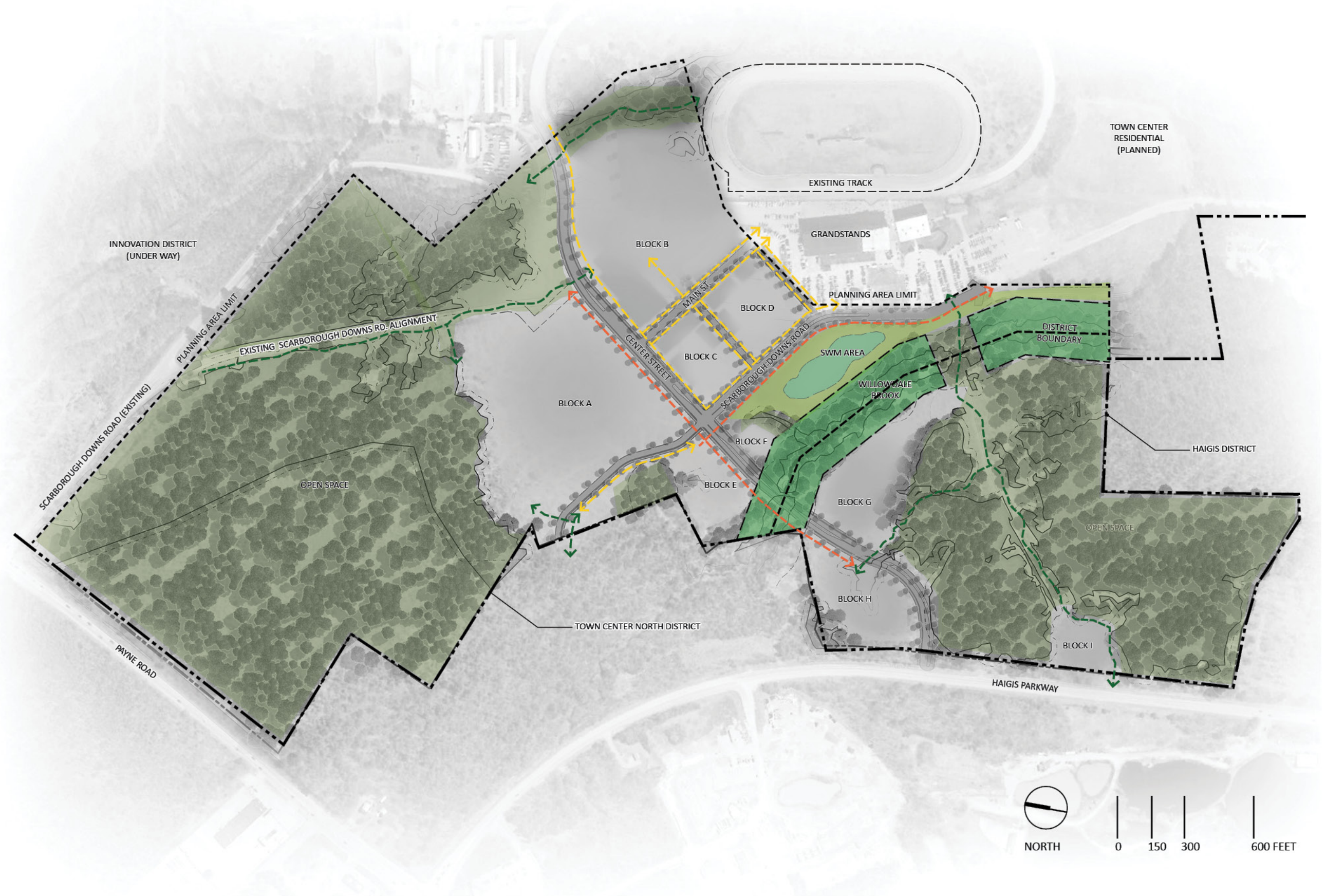
-  OVERHEAD ELECTRIC (MAINLINE POWER/COMM/FIBER)
-  UNDERGROUND ELECTRIC
-  SEWER FORCE MAIN
-  SEWER GRAVITY MAIN
-  WATER MAIN
-  SURFACE RUNOFF/HYDROLOGY
-  TOWN CENTER SUB-AREA
-  HAIGIS PARKWAY SUB-AREA














OPEN SPACE PLAN

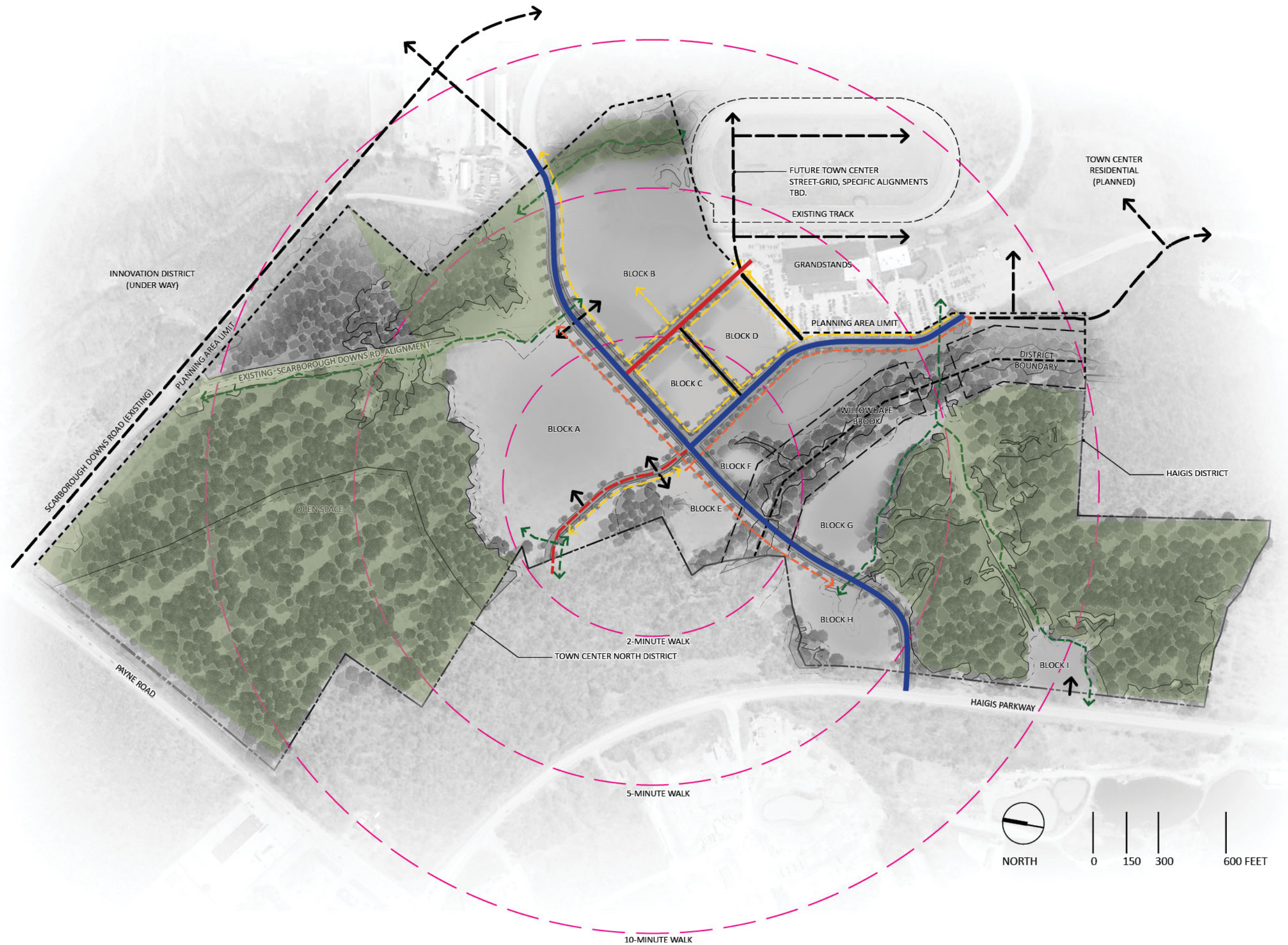
LEGEND

-  100' BUFFER
-  SIDEWALKS
-  PUBLIC TRAIL CORRIDOR
-  MULTI-USE PATH
-  PRESERVED OPEN SPACE (UPLAND)
-  OPEN SPACE/WETLAND
-  STORMWATER AREA
-  NEIGHBORHOOD GREEN SPACE

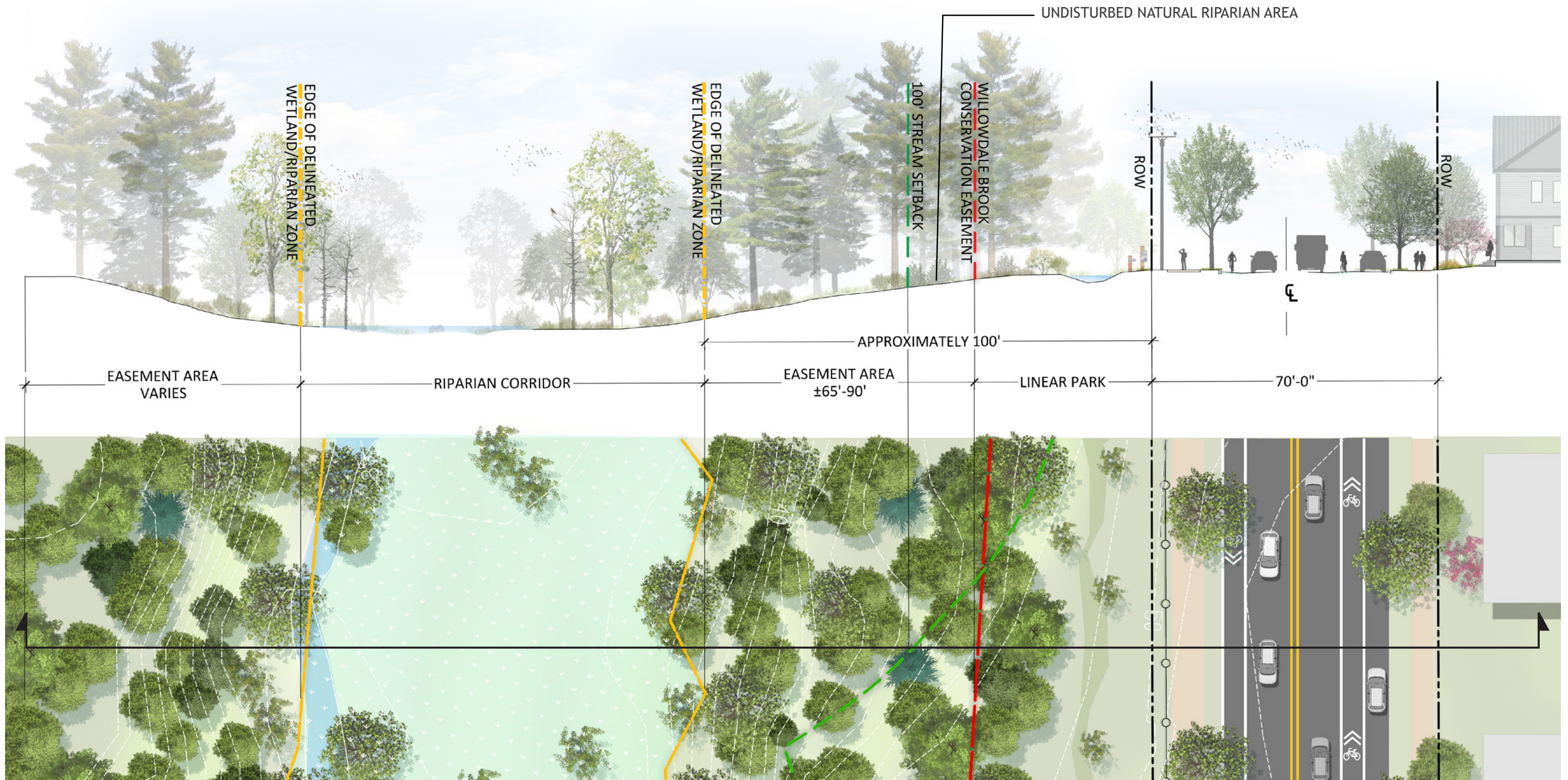


LEGEND

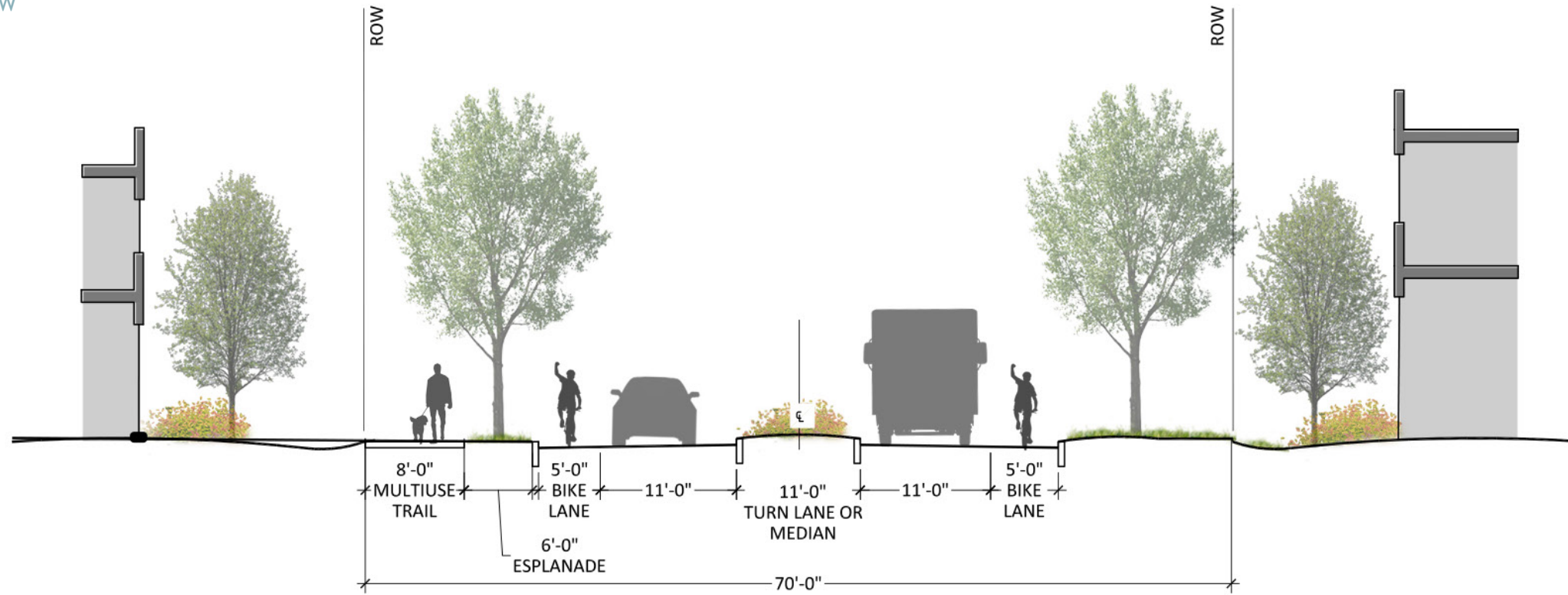
-  WALKING-SHED
-  SIDEWALKS (HARD SURFACE TYP.)
-  TRAILS (SOFT SURFACE TYP.)
-  MULTI-USE PATH
-  DOWNS ROAD/
CENTER STREET (PRIMARY)
-  MAIN ST./ MARKET STREET
(SECONDARY)
-  POTENTIAL CONNECTION
-  TERTIARY STREET/
PRIVATE DRIVE
-  FUTURE CONNECTION
-  ALLEY/LANE
-  WOODLAND/WETLAND/
LIMITED DEVELOPMENT AREA



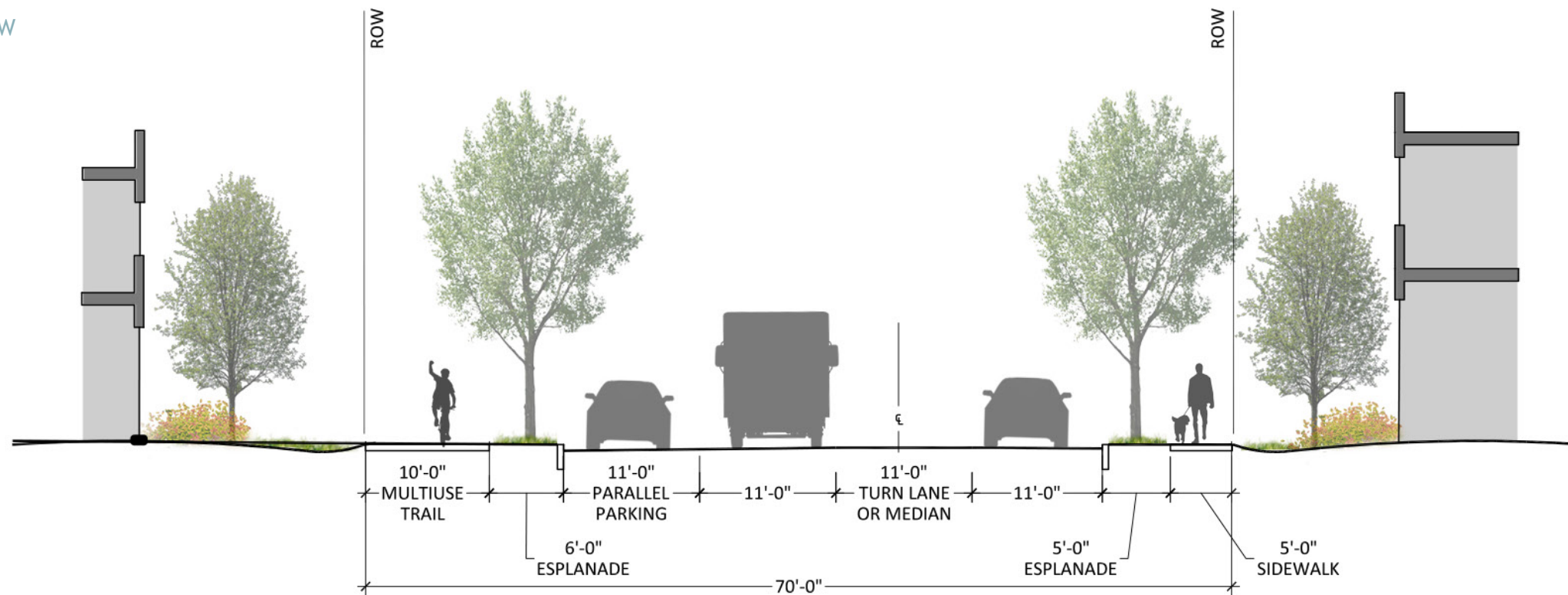
TYPICAL SITE PLAN & SECTION AT WILLOWDALE BROOK CORRIDOR AND DOWNS ROAD



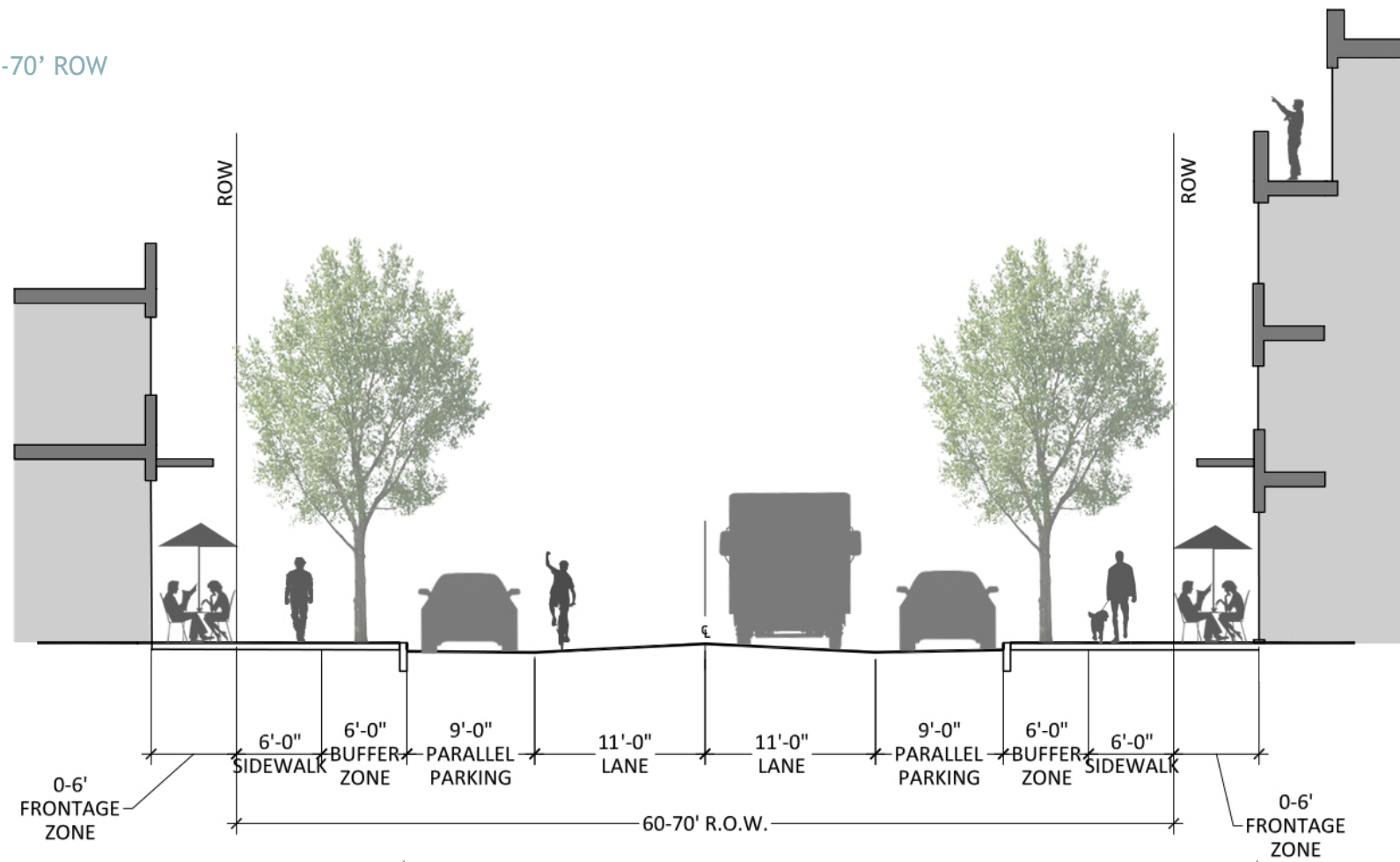
CENTER STREET - 70' ROW
HAIGIS TO DOWNS ROAD



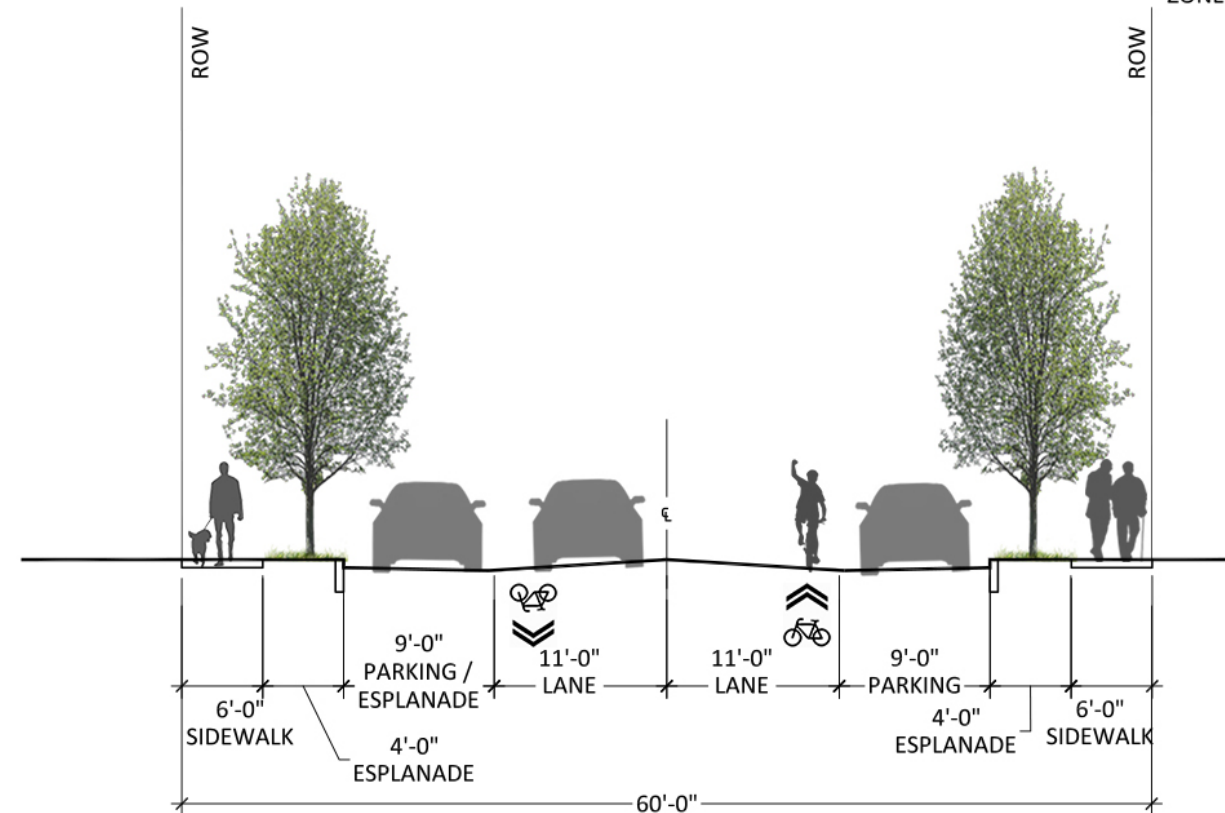
CENTER STREET - 70' ROW
DOWNS ROAD EAST



MAIN STREET(S) (SECONDARY) 60-70' ROW

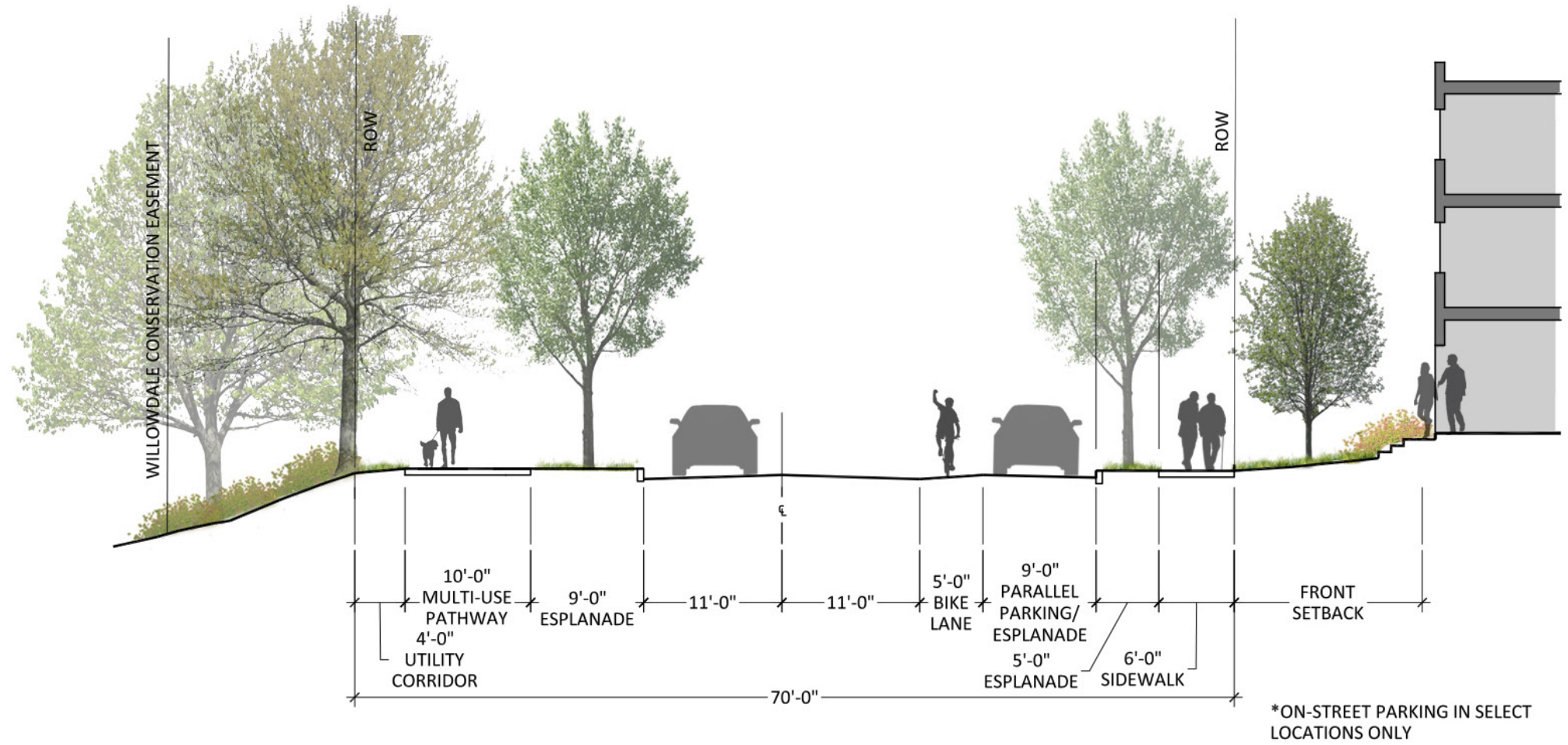


TERTIARY STREET 60' ROW



Note: Final Main Street Cross-Section layout to be finalized at Subdivision Review. Conceptual only - to be further reviewed during subdivision to ensure adequate spacing and functionality

DOWNNS ROAD (PRIMARY) 70' ROW



4.0 SPACE & BULK REGULATIONS

4.1 | SPACE & BULK REGULATIONS

The proposed space, bulk and design standards for both the Town Center North and Haigis Districts have been structured to enable a compact, mixed-use development pattern and that allows for a mix of commercial, office, residential, and community-oriented uses and are consistent with the overall Crossroads Planned Development District. As outlined in this Master Plan, the character of these districts will be more commercially focused (while also accommodating residential and mixed-use) and will include larger scale buildings and off-street parking areas, while maintaining a compact, walkable environment. To achieve a compact, mixed-use pattern, building setback standards and lot sizes are minimal with guidance provided in our design and performance standards and neighborhood patterns.

The specific lot sizes, lot dimensions and yard standards for each lot within the Town Center North and Haigis Districts will be determined on the subdivision plan approved by the Planning Board and will include building envelopes that define the development area for principle and accessory structures within each lot to ensure orderly development within the districts.

The following Space and Bulk Regulations are applicable to development within the **TOWN CENTER NORTH & HAIGIS DISTRICTS** of the Scarborough Downs Crossroads Planned Development as depicted on the attached Master Plan.

HAIGIS DISTRICT:

The Haigis District shall be designed as one of the prominent gateways for the Downs development. The character of development will enable a transition from the adjacent Haigis Parkway (HP) District into the center of the Downs, and like the HP District, will allow for a mix of commercial and residential development. As outlined below, non-residential and residential uses are permitted in this district with the exception of single-family and two-family dwellings. Given the character of this district, no more than 50% of the development floor area (building square footage) within the district will be dedicated to residential use. Additionally no residential uses shall immediately front Haigis Parkway.

a. Minimum Lot Area, Dimensions and Yard Standards

Housing & Use Type	Lot Area (square ft)	Lot Frontage (ft.)	Min. Front Yard (ft.)	Min Side Yard (ft.)	Min. Rear Yard (ft.)
Non-Residential ⁴	10,000	200 ¹ , 50 ² , 0 ³	25 ¹ , 15 ^{2,7} 10 ³	5	5 ⁶
Multi-Family, Multiplex ⁴	5,000	200 ¹ , 50 ² , 0 ³	N/A ^{1,7} 15 ^{2,7} 10 ³	5	5 ⁶
Townhouses ⁴	2,500	200 ¹ , 50 ² , 0 ³	N/A ^{1,7} 15 ^{2,7} 10 ³	5 ⁵	5 ⁶

¹ Frontage abutting Haigis Parkway

² Frontage abutting Center Street

³ Frontage abutting all other streets

⁴ Multiple buildings and dwelling units shall be allowed on the same lot subject to the space and bulk requirements

⁵ 5' Side Yard setback is required between separate, detached buildings only. This standard does not apply to individual attached townhouse units

⁶ 5' Rear Yard setback may be reduced to 0' for garages and other accessory structures if a minimum distance of 10' is maintained to structures on abutting lots. Rear Yard setback may be reduced to 0' for all structures (principle and accessory) when abutting an open space or common. Rear Yard setback may be reduced to 2' for garages and other accessory structures when abutting an alley

⁷ 10' for awnings, overhangs, building entries, stairs and other building elements that help the building engage with the sidewalk and street.

**Maximum Building Height: Non-Residential or Mixed-Use: 6 Stories (75 ft.)
Residential: 4 Stories (50 ft.)**

Maximum Percent of Lot Coverage By Buildings and Other Impervious Surface: 75%

Impervious Surface Ratio of 75% per Individual Lot, and no greater than an overall 75% ratio within the Planned Development District land area

Maximum Net Residential Density permitted is 20 units per net residential acre and the Residential Density Factors under Section VIIC. of the Zoning Ordinance can apply.

Buffering Standards: A minimum 25' Buffer Strip shall be maintained along Haigis Parkway frontage and 15' minimum buffer strip along Center Street. Landscaping and streetscape buffer strips shall be used throughout the district to reinforce the parkway landscape, provide an attractive streetscape on any new streets, and provide buffering and screening between uses and development sites. To this end, a landscaped or naturally vegetated buffer strip shall be established and/or maintained along the property line(s) of a lot where it abuts a street. The width of the buffer strip shall be a minimum of twenty-five (25) feet when it abuts Haigis Parkway and a minimum of fifteen (15) feet along Center Street, and shall be designed to separate the development from the street, enhance the visual environment, and help screen parking from view from the street. The buffer strip shall be maintained as a naturally vegetated area with native, non-invasive vegetation where it is adjacent to water bodies, wetlands, or other areas with significant natural resource value unless an alternative treatment is approved by the Planning Board as part of the site plan review. In other areas, the buffer strip must be landscaped in accordance with the Site Plan Review Ordinance and Design Standards for Scarborough's Commercial Districts. The buffer strip may be crossed by access roads or driveways and may include pedestrian and public utility facilities provided that the buffer function of the strip is maintained. Parking, internal roadways, structures, and storage or service facilities may not be located within the buffer strip.

All of the permitted uses in the underlying Crossroads Planned Development (CPD) District, Section XX.C of the Scarborough Zoning Ordinance, are permitted uses within the Haigis District, except the following:

- Single-family dwellings
- Two-family dwellings

TOWN CENTER NORTH DISTRICT:

The Town Center North District shall be designed as the prominent northern mixed-use, commercial hub of the Downs Development. The character of development in this district will include a mix of predominantly multi-story commercial, office, and residential uses with building massing designed to engage with and help define streets and public spaces. As outlined below, non-residential and residential uses are permitted in this district with the exception of single-family and two-family dwellings. Given the character of this district, no more than 50% of the development floor area (building square footage) within the district will be dedicated to residential use.

a. Minimum Lot Area, Dimensions and Yard Standards

Housing & Use Type	Lot Area (square ft)	Lot Frontage (ft.)	Min. Front Yard (ft.)	Min Side Yard (ft.)	Min. Rear Yard (ft.)
Non-Residential ⁴	5,000	0	0 ⁴	5	5 ³
Multi-Family, Multiplex ⁴	5,000	0	0 ⁵	5	5 ³
Townhouses ⁴	2,500	0	0 ⁵	5 ²	5 ³

¹ Multiple buildings and dwelling units shall be allowed on the same lot subject to the space and bulk requirements

² 5' Side Yard setback is required between separate, detached buildings only. This standard does not apply to individual attached townhouse units

³ 5' Rear Yard setback may be reduced to 0' for garages and other accessory structures if a minimum distance of 10' is maintained to structures on abutting lots. Rear Yard setback may be reduced to 0' for all structures (principle and accessory) when abutting an open space or common. Rear Yard setback may be reduced to 2' for garages and other accessory structures when abutting an alley

⁴ 0' for awnings, overhangs, building entries, stairs and other building appendages that engage with the sidewalk and street. Increase to 6' to face building (non-entry areas or overhangs)

⁵ 0' for porches, stoops, stairs or other building entry types. Increase to 4' to face of building

(non-entry areas)

Maximum Building Height: 6 Stories (75 feet)

Maximum Percent of Lot Coverage By Buildings and Other Impervious Surface: 75%

Impervious Surface Ratio of 85% per Individual Lot, and no greater than an overall 75% ratio within the Planned Development District land area

Maximum Net Residential Density permitted is 20 units per net residential acre and the Residential Density Factors under Section VIIC. of the Zoning Ordinance can apply.

All of the permitted uses in the underlying Crossroads Planned Development (CPD) District, Section XX.C of the Scarborough Zoning Ordinance, are permitted uses within the Town Center North, except the following:

- Single-family dwellings.
- Two-family dwellings.

DESIGN AND PERFORMANCE STANDARDS

1. **Interconnected Streets** - Developments shall be designed in a pattern of substantially interconnected streets as defined by buildings, landscape design and streetscapes, natural features, and pedestrian ways that establishes a traditional village design. The Town Center North District will utilize a connected block-grid network as well as connected park and open space corridors.
2. **Street Design and Width** - Developments shall include low-volume streets designed for lower vehicle speeds and on-street parking to maintain a compact, pedestrian-oriented character. In order to achieve these design standards, the Planning Board shall have the authority to reduce the pavement width of local residential streets to 22 feet. Streets approved by the Planning Board under this Section shall be deemed to comply with the Street Acceptance and Subdivision Ordinances.
3. **Street Right-of-Ways** - In order to enable low-volume streets and a compact, pedestrian-oriented character a development design may include a minimum right-of-way width of 50 feet. Streets approved by the Planning Board under this Section shall be deemed to comply with the Street Acceptance and Subdivision Ordinance.
4. **Walkable, Pedestrian Design** - Streets shall be generally designed with sidewalks with shade trees that provide for pedestrian movement and safety throughout the development. Trails and pathways may be provided as an alternative to sidewalks to achieve the same goals.
5. **Alleyways**- The development may incorporate “private alleyways” to provide access to parking facilities for various residential units. These alleyways may be a minimum of 14

feet in pavement width with an additional 6 feet of non-paved drivable surface (totaling 20 ft.), in accordance with Scarborough Fire Department requirements. These alleyways shall be owned and maintained by a homeowners association or other private entity and shall be subject to an easement allowing Town use and access. These alleyways shall not be considered streets under the Town's Zoning Ordinance, the Street Acceptance Ordinance, or the Scarborough Subdivision Ordinance.

6. Lot and Dwelling Access - Although lot frontage is not required for individual lots and dwellings, each lot and dwelling shall be provided reasonable pedestrian and vehicular access and parking, that may include access via a street, alley, driveway, sidewalk and/or a combination.
7. Building Design - Buildings will be sited in a manner that engages with the street or common open space with doorways, front porches and other architecture features and fenestration that is human scale and connected to the sidewalks within the neighborhood(s).
8. Signage and Lighting - The development will incorporate coordinated lighting and signage that establishes a design theme within the neighborhood(s). The lighting will be designed with a human-scale that corresponds with the neighborhood and street design
9. On-street Parking - In accordance with the CPD, this Phase will be designed with on-street parking to provide parking that supplements the off-street parking for the various residential and non-residential uses. In addition, on-street parking is intended to act as a buffer to pedestrians using the sidewalk, serve as a traffic calming measure, and lessen the need for larger, separate parking lots.
10. Open Space - Town Center North District will be designed with natural areas that will remain open space as well as pocket parks that will provide active green spaces within the neighborhoods. These open spaces will exceed the 10% requirement of the CPD.
11. Affordable Housing - As per the CPD District, the overall Downs development project will provide for at least ten percent (10%) of the dwellings as affordable in accordance with the Zoning Ordinance's definition for affordable housing. This 10% requirement will be met cumulatively as different phases are developed within the overall Downs project. Affordable housing may be incorporated into the Town Center North District as necessary to meet this standard within the overall project should other phases of the project not provide the requisite percentage of affordable units.
12. Streetscape Treatment - The development will incorporate street tree planting on both sides of all public streets where adequate growing conditions are present, including proper space for root growth, adequate clearance from overhead and/or underground utilities or other obstructions and in locations where the plantings do not interfere with sight lines along roadways or present other hazards.
13. Off Street Parking- Parking shall be screened and located to the side or rear of buildings to the greatest extent practicable.

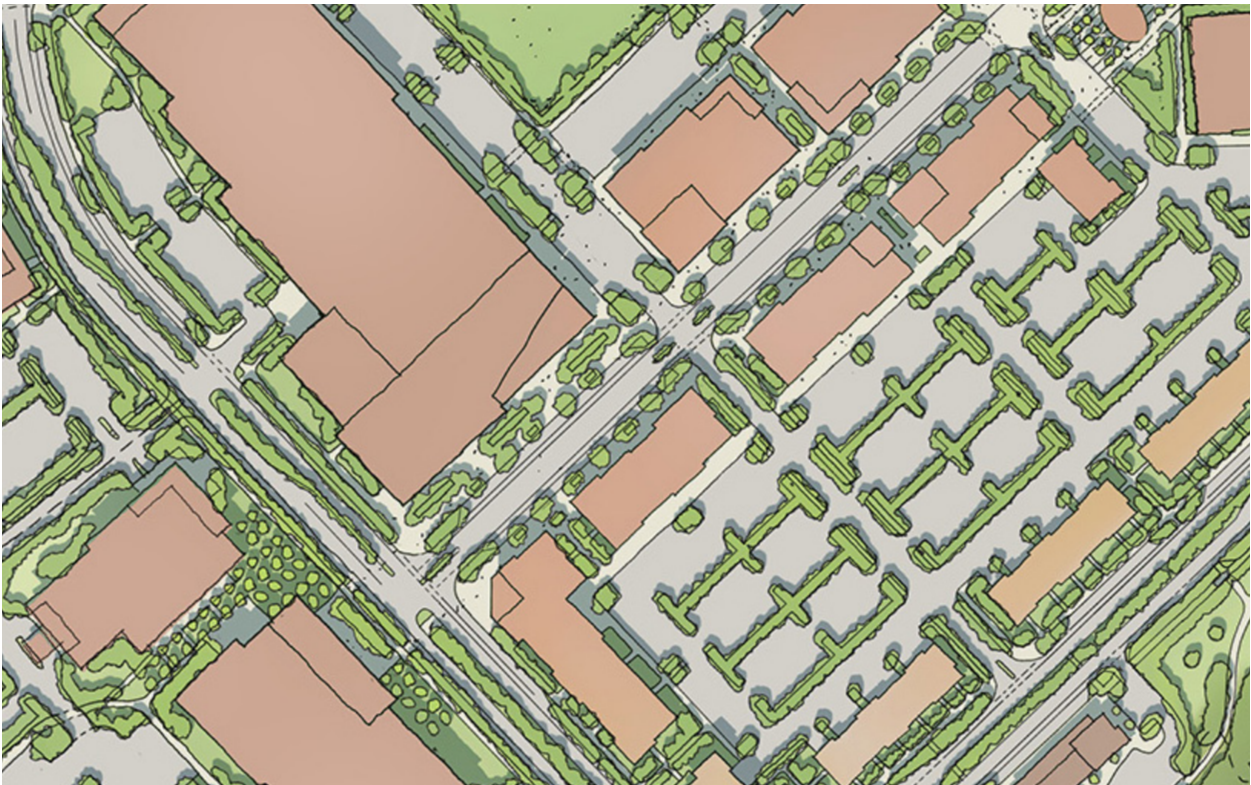
INTRODUCTION & PURPOSE

In addition to the Space and Bulk and Zoning Performance Standards, the applicant has provided the following “Community Patterns” section for the Town Center North District.

This section has been included to provide design guidance on the general lot and block layouts, building orientations, and development form and pattern planned for the Town Center North District Blocks A, B, C, D, E, and F. These neighborhood patterns shall serve as general design guidelines for development but are not proposed as zoning standards and shall not be regulated as such.

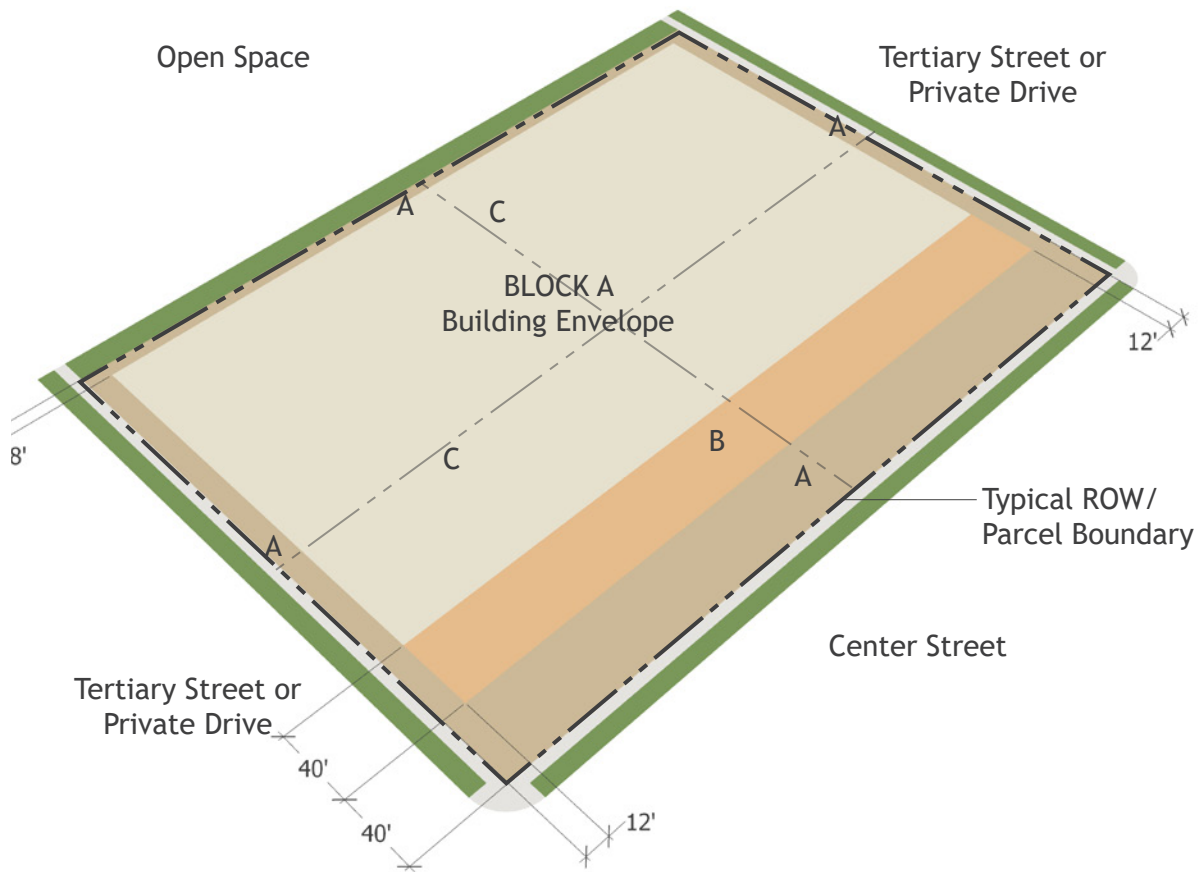
Supplemental Notes and Guidelines for this section:

1. All layer dimensions as measured from edge of Right-of-Way unless otherwise denoted.
2. Diagrams are intended to convey design intent only. Please refer to subdivision plans for final block, lot, and setback configurations.
3. Block ‘A’ Pattern may be used for buildings planned to be in excess of 4 stories.
4. Block ‘A’ (Alternative) Pattern may be used for buildings planned in the 1-4 story height range.



Concept Sketch illustrating a walkable, mixed-use block pattern with building frontage addressing streets and public spaces.

4.4 | BLOCK A PATTERN



LOT LAYERS

A. Frontage Layer -

- Center Street 0' to 40'
- Tertiary Street 0' to 12'
- Open Space 0 to 6'

Planting, patios/terraces, walkways outdoor seating, steps/stoops, site walls, fencing/scrim, signage, and attached awnings may be located in this layer. Parking May be allowed in this layer when generally located along the side of building and adequately screened from street with planting, scrim, site walls, or other site elements.

B. Facade Layer-

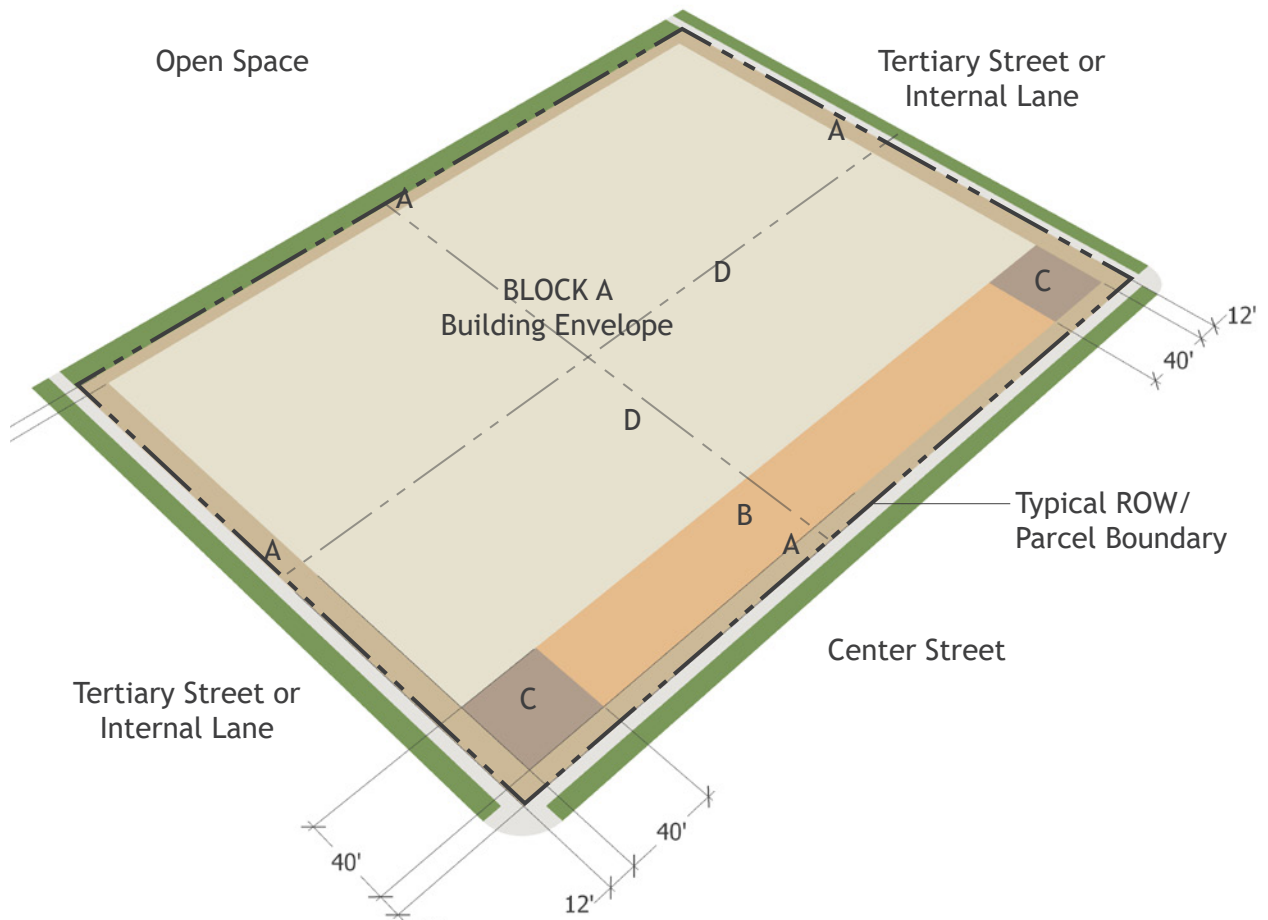
- Downs Road N/A
- Main Street N/A
- Center Street 40' to 80'
- Tertiary Street 0'

Minimum 60% of Front Edge of Building(s) Ground Floor Facade shall occupy or be directly adjacent to this layer.

C. Side and Rear Layers -

- All Streets 0'-5'

4.5 | BLOCK A PATTERN (ALTERNATIVE)



LOT LAYERS

A. Frontage Layer -

- Center Street 0' to 40'
- Tertiary Street 0' to 12'
- Open Space 0 to 6'

Planting, patios/terraces, walkways outdoor seating, steps/stoops, site walls, fencing/scrims, signage, and attached awnings may be located in this layer. Parking May be allowed in this layer when generally located along the side of building and adequately screened from street with planting, scrim, site walls, or other site elements.

B. Facade Layer-

- Downs Road N/A
- Main Street N/A
- Center Street 40' to 80'
- Tertiary Street 0'

Minimum 60% of Front Edge of Building(s) Ground Floor Facade shall occupy or be directly adjacent to this layer.

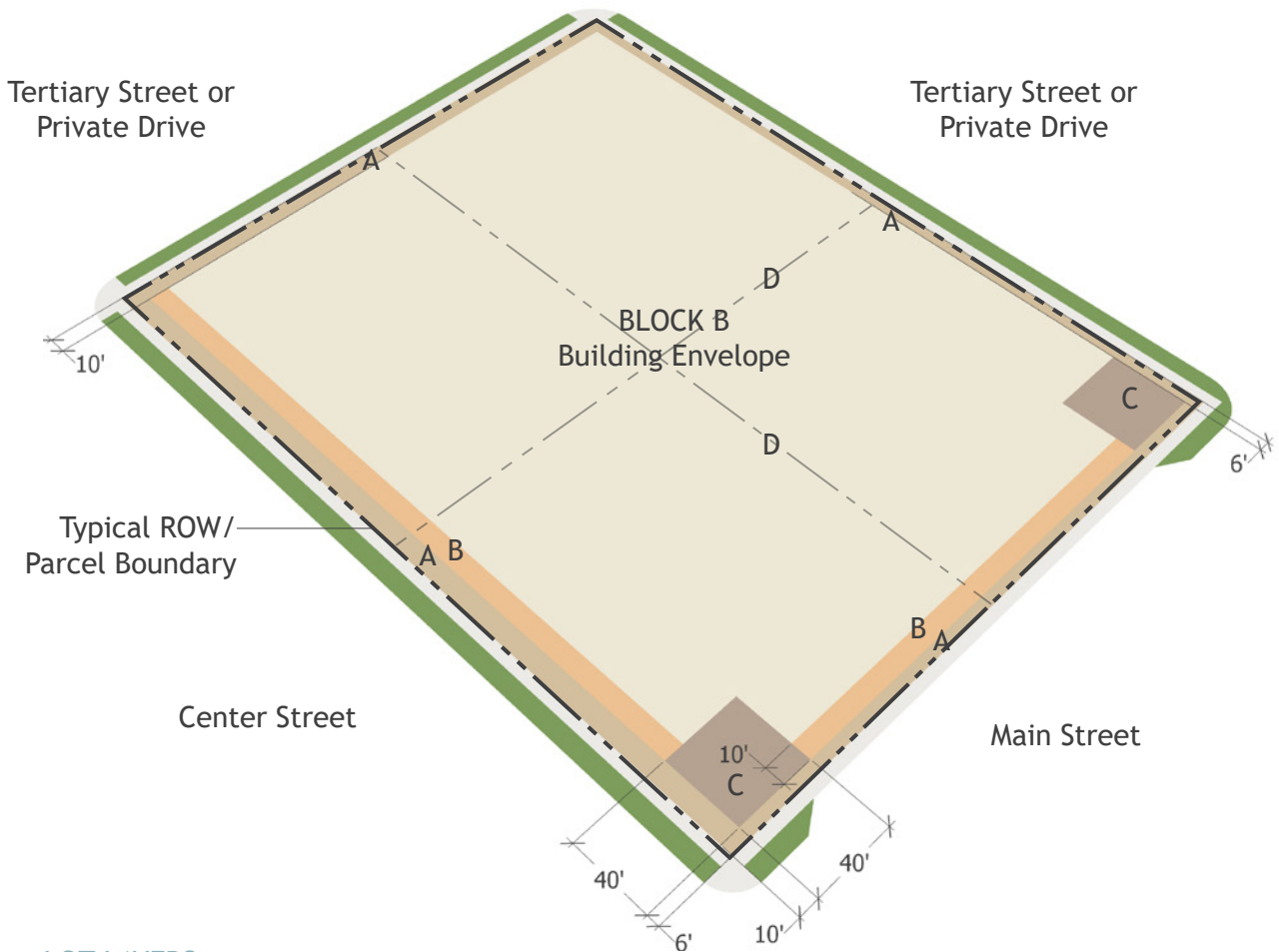
C. Corner Layer -

- Center/Tertiary 40' Square

D. Side and Rear Layers -

- All Streets 0'-5'

4.6 | BLOCK B PATTERN



LOT LAYERS

A. Frontage Layer -

- Downs Road N/A
- Main Street* 0' to 6'
- Center Street 0' to 10'
- Tertiary Street N/A

Planting, patios/terraces, walkways outdoor seating, steps/stoops, site walls, fencing/scrims, signage, and attached awnings may be located in this layer.

B. Facade Layer-

- Downs Road N/A
- Main Street* 6' to 16'
- Center Street 10' to 20'
- Tertiary Street N/A

Minimum 60% of Front Edge of Building(s) Ground Floor Facade shall occupy or be directly adjacent to this layer on Main Street Frontage, 25% for all other frontages as applicable.*

C. Corner Layer -

- All Streets* 40' Square

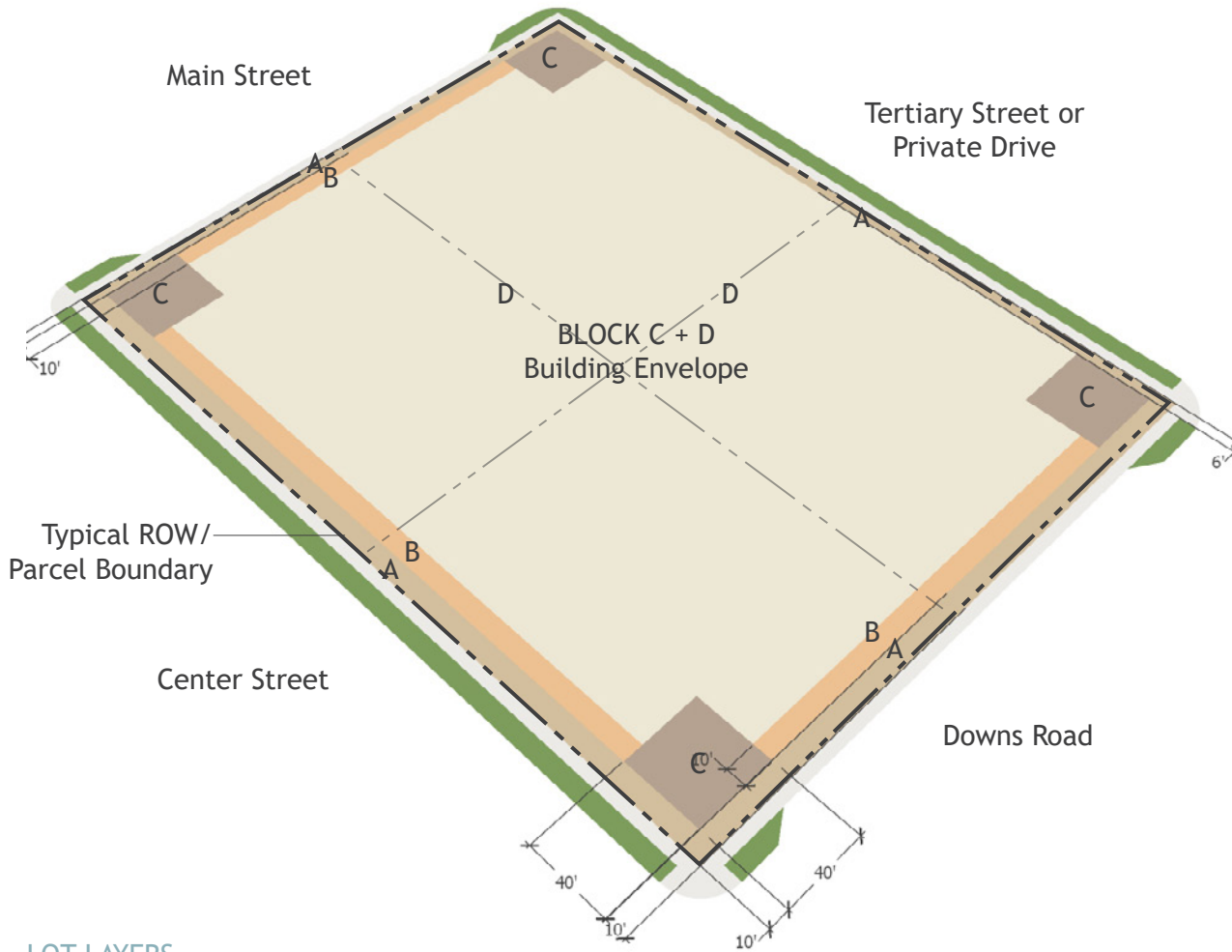
Minimum 25% of this layer area shall be occupied by Building.

D. Side and Rear Layers -

- All Streets* 0'-5'

*Main Street Layers Subject to revision upon final Cross-Section design and ROW configuration.

4.7 | BLOCK C + D PATTERN



LOT LAYERS

A. Frontage Layer -

- Downs Road 0' to 10'
- Main Street* 0' to 6'
- Center Street 0' to 10'
- Tertiary Street 0' to 6'

Planting, patios/terraces, walkways outdoor seating, steps/stoops, site walls, fencing/scrims, signage, and attached awnings may be located in this layer.

B. Facade Layer-

- Downs Road 10' to 20'
- Main Street* 6' to 16'
- Center Street 10' to 20'
- Tertiary Street 0'

Minimum 60% of Front Edge of Building(s) Ground Floor Facade shall occupy or be directly adjacent to this layer on Main Street Frontage, 25% for all other frontages as applicable.*

C. Corner Layer -

- All Streets* 40' Square

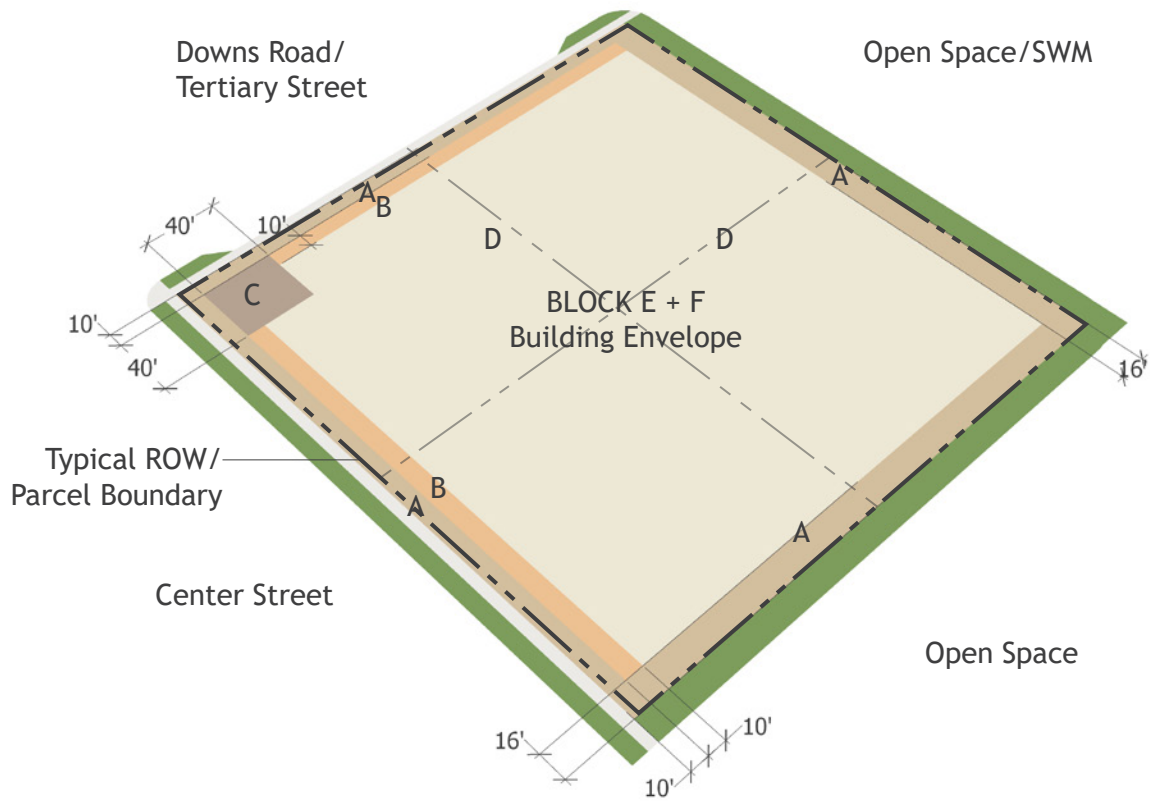
Minimum 25% of this layer area shall be occupied by Building.

D. Side and Rear Layers -

- All Streets* 0'-5'

*Main Street Layers Subject to revision upon final Cross-Section design and ROW configuration.

4.8 | BLOCK E + F PATTERN



LOT LAYERS

A. Frontage Layer -

- Downs Road 0' to 10'
- Open Space 0' to 16'
- Center Street 0' to 10'
- Tertiary Street 0' to 10'

Minimum 60% of Front Edge of Building(s) Ground Floor Facade shall occupy or be directly adjacent to this layer.

Planting, patios/terraces, walkways outdoor seating, steps/stoops, site walls, fencing/scrims, signage, and attached awnings may be located in this layer.

C. Corner Layer -

- All Streets 40' Square

Minimum 25% of this layer area shall be occupied by Building.

B. Facade Layer-

- Downs Road 10' to 20'
- Open Space N/A
- Center Street 10' to 20'
- Tertiary Street 10' to 20'

D. Side and Rear Layers -

- All Streets 0'-5'

5.0 COMMENT RESPONSES

Main Elements Staff Identified for Consideration by the Board:

HAIGIS DISTRICT COMMENTS:

The applicant has provided proposed space & bulk regulations for the development. Staff offers the following comments in regards to this element: •

Staff Comment:

In an effort to maintain consistency in design along the Haigis Parkway, staff recommends that the applicant revise the following portions of the proposed space & bulk regulations within this district: The buffering standards set forth in Section XVIII.B.II.B.4. (minimum of a 25-foot buffer strip along Haigis Parkway frontage & 15-foot buffer strip along all other streets) should also be included in this district's space & bulk regulations.

Response: The buffer strip standard has been included in the space and bulk regulations and coordinated with the yard standards.

Staff Comment:

The minimum front yard standard (proposed to be 10-foot minimum) should be revised to be coordinated with the buffering standards noted above (25-foot front setback along Haigis Parkway & 15-foot front setback along all other streets).

Response: The yard standards have been revised.

Staff Comment:

Footnotes 7 & 8 appear to contradict the proposed minimum setback requirement. These should be modified to coordinate with the setbacks

Response: Footnote 7 has been revised and Footnote 8 has been removed.

Staff Comment:

Consistent with the expectation for higher intensity uses in this district, staff questions the inclusion of single-family and two-family dwellings as permitted uses within this district.

Response: Single-family and two-family have been eliminated as permitted uses.

Staff Comment:

The applicant has proposed no more than 50% of the development area within the district will be dedicated to residential uses. Staff would like to note that the Haigis Parkway Zoning District allows for 40% of gross square footage to be dedicated for residential uses. Staff recommends that the applicant modify this language to mirror the Haigis Parkway Zoning District standards as noted above. Further refinement of how the agreed upon percentage of use types will be calculated should be discussed as the current language is ambiguous and may cause challenges down the road (this occurred with the Haigis Parkway language before it was recently modified).

Response: During the April 15, 2020 workshop staff and the applicant agreed to limit residential development to no more than 50% gross floor area for the district and no residential uses directly fronting Haigis Parkway. The applicant has revised the standards in this document to reflect those conditions.

TOWN CENTER NORTH DISTRICT COMMENTS:

Staff Comment:

Staff recommends that the applicant incorporate the design guidance included within the “Community Patterns” section of the submission materials into the Space & Bulk regulations as an additional section (Section 4.2). This would clarify for future record that the “Community Patterns” were and are part of the approved Standards for the District. Staff also recommends that the applicant explain these exhibits in detail with the Board.

Response: The Community Patterns guidelines have been included as a subsection within the Space & Bulk regulations section.

Staff Comment:

The applicant has proposed no more than 50% of the development area within the district will be dedicated to residential uses. Staff recommends that the applicant modify the language to square footage as a measurement instead of “development area.”

Response: The language has been modified as recommended and additional language has been provided to clarify how the proportion of residential use will be calculated

After reviewing the revised street network and cross-sections staff has offered the following for further consideration to assist with traffic calming and enhancements to the bicycle-pedestrian mobility:

As requested, the applicant has modified the street cross-section of Center Street to include an 8-foot wide multi-use path from the intersection with Haigis Parkway to the intersection with Scarborough Downs Road and a 10-foot wide multi-use path along the portion of roadway to the east of Scarborough Downs Road. Staff offers the following comments in regards to this element:

Staff Comment:

The multi-use path is labeled as a soft surface trail. Since this deviation from a traditional paved surface has not been vetted through the Public Works Dept., the details related to the surface treatment should be discussed during the subdivision phase of the project. Staff recommends that this should be depicted as a paved surface within the right-of-way until this can be properly reviewed and approved to by the Town Engineer and Public Works Director.

Response: Plans have been updated to depict this trail as a paved surface.

Staff Comment:

During prior discussions it had been noted that the 11-foot turn lane depicted on the street cross-section of “Downs Road East” section of Center Street would likely be a mix of center

median as well as a turn lane. For clarify of record this label should be updated to state both designs.

Response: The cross-section has been updated.

Staff Comment:

The concept depicted on the “Main/Market Street(s)” street cross-section of the wide amenity zone that can be actively utilized by business customers as well as passerby appears to be in keeping and promoting the vibrancy sought by the zoning. While the proposed 18-foot (+/-) of the area would appear to enable full functionality, staff does question if the proposed 6-foot wide privately-owned amenity zone would actually enable functional usage of restaurant seating and other outdoor uses as depicted. The private / public interplay at the edge of the “Main/Market Street” right-of-way remains a question that will need to further reviewed and considered as this project moves forward to subdivision review.

Response: The applicant will address this issue during subdivision review.

Staff Comment:

Staff continues to recommend that the right-of-way lines be depicted from curb line to curb line. The Designer has responded that they have included the proposed sidewalk in the right-of-way, however it has been noted in previous discussions that the space in front of the buildings along this street could be used for café tables, and other amenities for the tenants of the commercial spaces. In this case, there is no differentiating line that would indicate where the edge of the right-of-way is located. The Planning Board has approved similar layouts elsewhere in Town with the right-of-way going from curb line to curb line to avoid complications that stem from building owner expectations within the private and public areas of the sidewalk.

Response: The applicant agrees to address this issue during subdivision review.

Staff Comment:

It was determined during Phase 1 of The Downs project that due to the dense layout, having the back of the sidewalk also act as the right-of-way line can be problematic in the field. In that instance, primarily because of monumentation and private service connections, a gap between the sidewalk and the right-of-way was provided during construction, which modified the roadway layout. It would seem that this situation would be similar, and due to the intensity of the development, this accommodation would be easier to implement during this master plan and subdivision phase of the project.

Response: The applicant agrees to address this issue during subdivision review.

Staff Comment:

Staff would like to note that sidewalks are recommended to be a minimum of 5-1/2-feet wide if being measured from face of curb to allow ample room for future sidewalk plowing operations. The proposed sidewalks depicted on the “Tertiary Street” cross-section should be revised accordingly. Also, it was noted during the last workshop that the buildings along these streets would most likely be located at the right-of-way line and therefore, it should also be noted that any mechanical or utility service equipment will be required to be outside of the future public right-of-way.

Response: The 'Tertiary Street' cross-section has been revised to reflect a 6' width sidewalk and 4' esplanade.

Staff Comment:

Section XX.C.I.D.2. - CPD Space & Bulk Regulations (CPD Zoning Ordinance) • Minimum Setbacks with Adjacent Zoning Districts. The standards require a 100-foot setback between residential and natural resource districts. While the Willowdale Brook Conservation Easement is not specifically considered a "Natural Resource District," staff continues to recommend that the applicant maintain a 100-foot buffer adjacent to the easement to help preserve and maintain the health of the stream.

Response: As discussed with the Board and staff during TC Residential, and TC North, the applicant is providing a 100' buffer to the stream per MDEP and in places a greater buffer is provided via the Conservation Easement as shown by the diagram.

Staff Comment:

Staff recommends that the applicant provide bus shelters throughout the project where appropriate.

Response: The applicant is actively evaluating transit options for the project and intends to continue to seek viable locations for transit stops and/or plan for future stop locations. The applicant agrees to address this issue during subdivision review.

Staff Comment:

The applicant's narrative indicates that they will be constructing trails that will connect to other trails within the CPD Zoning District along with off-site connections to pedestrian amenities as well. The standards seek to develop a network of trails that connect open spaces and developments within the CPD Zoning District. Staff is encouraged by the applicant's proposal to provide a trail network that will connect to other pedestrian amenities, however, it appears that some of these trails may cross wetlands and will need to be designed and permitted accordingly.

Response: The applicant is actively evaluating specific trail alignment options and intends to pursue necessary permitting through the subdivision review process.

Staff Comment: It appears that the connection between Main/Market St and the Downs Rd to the east and west of Block D is depicted on the conceptual master plan as requested by the Board to ensure that there would not be dead-end roadways within this portion of the project. The connectivity plan continues to depict these as "future connections." To be consistent, staff recommends that the applicant modify the connectivity plan accordingly.

Response: The connectivity plan has been modified to clarify future connections, tertiary streets and/or private drives.

Staff Comment:

In accordance with Section XX.C.II.D.3. in the Zoning Ordinance, planned developments shall create an interconnected network of streets that avoid dead ends or cul-de-sacs. It appears that the applicant is proposing a dead-end design for Center Street and the street along the

westerly edge of “Block A.” As requested, the applicant has modified the Connectivity Plan to depict proposed and future connections associated with the entire Downs development. The specific design of temporary dead-end streets with turnarounds is an element that will need to be reviewed and approved by the Planning Board during the formal subdivision review process.

Response: The applicant agrees to address this issue during subdivision review.

Staff Comment:

Staff continues to recommend that the applicant include a plan that designates the proposed public and private streets. The plan should also include all of proposed street / alley names.

Response: The applicant has revised the connectivity plan to indicate public streets and private drives. The applicant agrees to provide further clarification and proposed street names during subdivision review.

Staff Comment:

The applicant’s narrative indicates that there is road named “Market Street” within the development but staff is unable to find this street on the plans. The applicant should revise the plans accordingly.

Response: The plans have been revised to clarify street naming.

Staff Comment:

Staff is still unclear about the proposed ownership of the roadway located to the west of “Block A.” The applicant should provide details about the proposed ownership and design of this road.

Response: The specifics of this connection will be determined during future review.

Staff Comment:

The standard calls for at least 20% of the total land area within the CPD district and at least 10% of the land area within an individual planned development to be set aside as preserved open space. The applicant has indicated that the open space in the development will exceed the 10% requirement and will buffer existing wetlands on the property. Given the size of the identified wetlands, staff recommends that the applicant include a robust buffer to ensure minimal impacts to the natural resources.

Response: Specific buffer standards will be provided during review of individual lots.

Staff Comment:

Relationship of buildings to the street. This standard requires buildings to be located close to streets with parking located to the side and / or rear of buildings and for the proposed development standards result in a development that has “village character.” Staff continues recommend that the applicant require off-street parking to be located to the side and / or rear of buildings when preparing the formal subdivision / site plan applications. This should be reflected in the proposed design and performance standards.

Response: The applicant has added this standard.

Staff Comment:

Streetscape Treatment. The standard requires streets within a planned development to be designed with street trees on both sides of the roadways. Staff continues to recommend that a standard be added requiring street trees along both sides of all roads within the proposed development in the proposed Design and Performance Standards.

Response: The applicant intends to incorporate a robust streetscape program and incorporate street trees on both sides of all public streets to the greatest extent possible. Streetscape Treatment has been added as a standard.

Staff Comment:

Walkable, Pedestrian-Oriented Design. The legend on the Connectivity Plan indicates a multi-use pathway will be included within the proposed development, however it appears to be missing on the plan. The proposed multi-use paths along Scarborough Downs Road and Center Street should be added to the Connectivity Plan.

Response: The plans have been revised to include these pathways.

Staff Comment:

The proposed multi-use path along Center Street should be extended to the intersection with Haigis Parkway on the Open Space Plan.

Response: The multi-use pathway along Center Street will connect to a pedestrian path leading to Haigis Parkway as depicted on the Connectivity and Open Space Plans.

Staff Comment:

The applicant should coordinate with MaineDOT about the proposed trail connection to Haigis Parkway given that this roadway is a limited access highway.

Response: The applicant intends to actively coordinate with MDOT as necessary.

Staff Comment:

Place Making. The standard requires that a planned development must include a number of common spaces where people can gather and meet, such as a community green or common, plaza, court, square or some variation of each. It appears that the applicant is proposing several areas within the development that will meet the intent of this standard. These specific areas will need to be included with the formal subdivision / site plan submissions to the Board.

Response: The applicant agrees to address this issue during subdivision review.

Staff Comment:

Dimensional Standards. The applicant's proposed design and performance standards references "residential developments" within the "Interconnected Streets" and "Street Design & Width" standards. Given that the proposed development appears to be more of a mixed-use project, these standards should be revised accordingly.

Response: The dimensional standards language has been revised accordingly.

Staff Comment:

The applicant should reference the TCN and Haigis Districts within the “Affordable Housing” standard (and not the Town Center Residential area).

Response: The ‘Affordbale Housing’ language has been revised accordingly.

Staff Comment:

The applicant should delete, “larger, separate parking lots” at the end of the “Affordable Housing” standard.

Response: This language has been revised.

Staff Comment:

Provision of Affordable Housing. In accordance with the Affordable Housing provisions of the CPD (Section XX.CII.D.13 of the Zoning Ordinance), the Master Plan for planned developments shall address how the 10% of dwelling units qualifying as affordable units, as defined by the Town, will be met. The applicant’s narrative indicates that the affordable housing development (77 units total) proposed within Phase I will be counted towards the 10% requirement for this development. While staff is generally comfortable with this approach, this proposed housing development will need to be approved prior to subdivision / site plan approval for this proposed development to ensure the affordable housing requirement will be met.

Response: The proposed affordable housing development within Phase I has since been approved.

Staff Comment:

Earthwork, Material Extraction and Construction Activities Incidental to Site Development. The applicant should ensure that the performance standards will be met.

Response: Understood.

Staff Comment:

Section VII.E.E.2.b. Conceptual Master Plan (Planned Developments Ordinance). Staff continues to recommend that the future design of any lots with lawn areas and grades be specified to avoid confusion during the construction phase (this is an example of a lesson learned from the Phase I mixed-residential development).

Response: The applicant agrees to address this issue during subdivision review.

Staff Comment:

Section VII.E.E.2.c. Preliminary Infrastructure Plan (Planned Developments Ordinance). The preliminary infrastructure plan should be revised to include water and sewer utilities along the streets between Main Street and Scarborough Downs Road.

Response: Water and sewer utilities have been included on the map where proposed.

Staff Comment:

The plan continues to depict underground electric utilities transitioning to overhead electric along Center Street. As discussed with the Board, it is recommended that the electrical lines remain underground to the end of this phase along Block B toward the Innovation District.

Response: The applicant is actively evaluating feasibility for burying electric utilities along Block B and intends to address this issue further during subdivision review.

Staff Comment:

As requested, the applicant has provided a plan depicting the entire Downs development, which includes a general summary of development to date. Staff would like to note that Board members requested the total wetland impacts for each of the approved and proposed phases be depicted on the summary plan. The totals identified on the plan for units, open space, developed area, and wetland impacts of the approved project phases should be shown in a matrix to accompany the plan to clearly identify the accumulative impacts and contributions.

Response: This has been provided to the staff and board.

Staff Comment:

In the conceptual cross sections for Willowdale Brook Corridor, the left side of the easement appears to vary in length (65 feet to 90 feet). The plans also appear to depict stormwater BMPs, proposed grading, and placemaking features within the protected corridor. The applicant should provide details related to what is being proposed within the protected Willowdale corridor.

Response: The applicant intends to limit impacts within the protected corridor. The illustrative section indicates potential BMP's and placemaking program outside the conservation easement boundaries.

Staff Comment:

While the applicant has provided some narrative related to the desire to locate electric vehicle charging stations within this portion of the project, there has not been any more discussion related to the large flat roofs that are proposed in the project. The applicant should be prepared to discuss what other alternative energy measures have been or will be explored within the project.

Response: The applicant has not determined the architectural style and roof forms for this district. It is the applicants intention that alternative energy options and architectural form be evaluated through the site plan review process.

Staff Comment:

Similar to the energy discussion, the overall stormwater management approach can benefit from a less than conventional design that incorporates the large roof areas.

Response: The applicant has not determined the architectural style and roof forms for this district. It is the applicants intention that alternative energy options and architectural form be evaluated through the site plan review process.

Staff Comment:

The applicant should coordinate with the Police Department in regards the proposed street names within the development.

Response: The applicant will coordinate with the Police Department.

Staff Comment:

The applicant should coordinate with the Fire Department in regards to fire suppression and fire lanes required within the development.

Response: The applicant will continue to coordinate with the fire department.

Staff Comment:

The applicant should coordinate with the Scarborough Sanitary District about the proposed development as it will require their approval.

Response: The applicant will continue to coordinate with the Scarborough Sanitary District.

Staff Comment:

In addition to the required application materials, a revised submission should also include a response to comments letter addressing the staff review comments.

Response:

Responses have been provided.

6.0 APPENDIX

Exceptional Specimen Tree Survey Memo

Date:	August 15, 2019
To:	Dan Bacon (M&R Holdings)
From:	Jared Boyle (Flycatcher LLC)
CC:	Rich Jordan (Flycatcher LLC); Nick Aceto (ALA)
Subject:	Exceptional Specimen Tree Survey and Mapping – The Downs – Scarborough, Maine

Dear Dan,

In August 2019 I visited portions of the Downs properties to perform the Exceptional Specimen Tree Survey as requested by you per the Town of Scarborough’s Chapter 405 Zoning Ordinance, Section VIIIE(D)(2)(b)(7). The ordinance states that development plans must show “...the identification of any exceptional specimens including any trees with a diameter at breast height of more than twenty-four inches.” No further description of what constitutes an “exceptional specimen” is provided in the ordinance, other than the diameter criteria. Thus, we focused our survey on identifying trees that met this size limit, but also searched the Survey Area for trees that could be considered “exceptional” due to regional rarity (e.g. American chestnut (*Castanea dentata*) or black gum (*Nyssa sylvatica*)).

In summary, many (i.e. approximately 77) white pine trees (*Pinus strobus*) greater than 24 inches in diameter at breast height (DBH) were identified and GPS-located. The majority of these were 24 inches DBH with the largest being approximately 29 inches DBH. Although these white pine trees met the diameter criteria noted in the ordinance, due to their local prevalence and fast-growing nature, we would not consider them “exceptional” other than due to size. One pitch pine (*Pinus rigida*), One red maple (*Acer rubrum*), and three red oaks (*Quercus rubra*) that met the size criteria were also located. The pine, maple, and oaks identified were approximately 28 inches DBH. These tree species are also common locally and regionally. None of these trees had particularly large crowns or other unique or notable features that would indicate exceptionalness. Their location data have been included in the attached GIS files.

The following sections provide a brief description of methods used for the survey.


Survey Area: The Exceptional Specimen Tree survey was conducted within the Survey Area as depicted on Figure 1. In general, the Survey Area consists of all uplands on the site, and wetland areas within approximately 100 feet of the wetland/upland boundary.

Survey and Data Collection: The Survey Area was investigated via meander transects that allowed visual review of the entire Survey Area. Any living trees observed that appeared close to the required 24 inches DBH were measured. Trees that measured greater than 24 inches DBH were geo-located using a mapping grade global positioning system (GPS) unit.

Data: The data were collected using real-time correction and standards specified by the GPS manufacturer to achieve sub-meter accuracy. All GPS data collected for the project will be provided in the form of ESRI GIS shapefiles (attribute data, coordinate systems/datum will be included with the delivery of this report).

Please let me or Rich know if you have any questions or need more information. Thank you.

Respectfully submitted,



Jared Boyle, PWS



- Legend**
- SURVEY AREA
 - ACER RUBRUM
 - QUERCUS RUBRA
 - PINUS RIGIDA

FIGURE 1: TREE SURVEY RESULTS



nt Path: D:\Flycatcher\Projects\TheDowns\TheDowns_TreesSurvey.mxd