MINUTES SCARBOROUGH TOWN COUNCIL WEDNESDAY – SEPTEMBER 4, 2024 HYBRID REGULAR MEETING – 7:00 P.M.

Item 1. Call to Order. Chairman McGee called the regular meeting of the Scarborough Town Council to order at 7:01 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager and Liam Gallagher, Assistant Town Manager, were also present. Councilors present:

Councilor April V. Sither - Vice Chair	Councilor Jean-Marie Caterina		
Councilor Donald W. Cushing, Jr.	Councilor Donald R. Hamill		
Councilor Karin B. Shupe	Councilor Jonathan E. Anderson		
Chairman Nicholas S. McGee			

There being no objection from the Town Council, Chairman McGee moved Resolution 24-004 prior to public comment.

Resolution 24-004. Act on the request to approve Resolution 24-004, honoring the 11U Boys All Star Little League Baseball Team. *[Councilor Anderson]* Councilor Anderson read Resolution 24-004.

Motion by Councilor Sither, seconded by Councilor Caterina, to move approval of Resolution 24-004, honoring the 11U Boys All Star Little League Baseball Team.

RESOLUTION 24-004 11U BOYS ALL STAR LITTLE LEAGUE BASEBALL TEAM

BE IT RESOLVED by the Council of the Town of Scarborough, Maine, in Town Council assembled that,

WHEREAS, Little League Baseball is a program of service to the youth of our community, dedicated to honoring its founding pillars of Sportsmanship, Courage and Loyalty, as well as furthering physical fitness and wellbeing through healthful community activity to provide valuable training for the participants and entertainment for the spectators; and

WHEREAS, the Town of Scarborough has one of the largest Little League programs in the State of Maine and competes in District 6, which includes some of the best Little League Baseball and Softball teams in the State of Maine; and,

WHEREAS, the Scarborough 11U Boys All Star Baseball Team endured daily practices in preparation, including in the rain, to compete against a variety of teams in District 6; and,

WHEREAS, the Scarborough 11U Boys All Star Baseball Team competed well in the District 6 tournament and ended up vying against Cumberland North Yarmouth (CNY) in the Championship Game. Scarborough prevailed and beat CNY 3 to 1, winning the 2024 11U District 6 Boys All Star Baseball Championship; and,

WHEREAS, the Scarborough 11U Boys All Star Baseball Team advanced to the 11U State Championship in Winterport, Maine, competing against the other District Champions in the State. The boys defeated the Capital Area Little League All Star Team 8 to 2 and were named the 2024 11U Boys All Star State Champions; and,

WHEREAS, the Scarborough 11U Boys All Star Baseball Team was invited to a Regional Little League Tournament in Beverly, MA. While the boys did not advance to the semi-final's game, they had a great time with their teammates and were able to interact with the other athletes from New England and the Mid-Atlantic states who participated in the tournament.

NOW, THEREFORE, BE IT RESOLVED, by the Scarborough Town Council, in Town Council assembled, that the following members of the 11U Boys All Star Baseball Team and their coaches are hereby recognized for the great honor they have brought to their team, their families and the Town of Scarborough:

Athletes:Finn Ketterick, Max Guite, Joey Redstone, Enzo Perlut, Tanner Ryan, Rory O'Donnell,
Zach Anderson, Victor Bozsik, John Deraspe, Mina Adel, Grady Jamison, Finn Lavoie

Manager: Mike O'Donnell

Assistants: Matt Redstone, Bryan Bozsik, and Ben Guite

Signed and sealed this 4th day of September, 2024, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by the Nicholas S. McGee, Council Chair and attested by Yolande P. Justice, Town Clerk.

Vote: 7 Yeas. Motion Passes.

Item 4. General Public Comments.

- Susan Hamill of Bay Street, commented about the Council agenda and why she felt that what the Council sees is not what the public sees.
- Stanis Moody-Roberts of County Road, spoke on the Gorham Connector and reviewed a handout [See attachment] that he presented to the Town Council. At the request of Councilor Hamill, the information provided will be added to the minutes.
- Denise Hamilton of Two Rod Road, spoke on the Light Industrial and her concerns on the process and the area in question should be revisited. She went on to asked that the Town Council to impose a Moratorium.
- Marvin Gates of Black Point Road, asked the Town Council, if possible, to raise the stipend amount that the Council receives.
- Tim Lambert of Iris Drive, commented on the MDOT Feasibility Study and the Gorham Connector.

Item 5. Minutes: August 21, 2024 - Town Council Meeting. Motion by Councilor Sither, seconded by Councilor Anderson, to move approval of the minutes from the August 21, 2024, regular Rown Council meeting.

Motion by Councilor Hamill, seconded by Council Sither, to move approval to amend the motion to include the information that had been handed out by Mr. Moody-Roberts at the August 21, 2024, Town Council meeting.

Vote on amendment: 6 Yeas [Councilor Caterina – Abstained as she was absent from the meeting]. Motion Passes.

Vote on Minutes as amended: 6 Yeas, [Councilor Caterina – Abstained as she was absent from the meeting]. Motion Passes.

Item 6. Adjustment to the Agenda. None at this time.

Item 7. Items to be signed: a. Treasurer's Warrants. Treasurer's Warrants were sign prior to the meeting.

Item 8. Town Manager's Report. Thomas J. Hall, Town Manager, gave the following updates:

• <u>Downs Project Update</u> -

- Site Walk September 9th, 4-6 PM
- \circ $\;$ Town Council Workshop $\;$ October 2nd $\;$
- Official Certification of Performance Standards in CEA

• Eastern Trail - Close The Gap -

- Agreement with CSX on Aerial Easement and Construction Agreement
- Application Fees paid to MDEP and Army Corps of Engineers
- Solicitation of Bids hopeful for late September 2024

• <u>Election Update</u> -

- Nomination papers due September 4 Candidates Identified
- Absentee Ballot Requests available

• <u>Tax Commitment</u> -

- Tax Rate set at \$10.93
- Tax bills have been mailed
- Assessor to present on Results of the Revaluation Process and Tax Commitment

• <u>Upcoming Workshops</u> -

- September 18th Gorham Connector
- October 2nd Downs Project Update
- October 16th Larrabee Farms Contract Zone Joint Meeting

Mr. Hall responded to questions from the Town Council and the public.

Order No. 24-071, 7:00 p.m. Public hearing and second reading for the request on the new request for a Cannabis Establishment License from Phuong Lac d/b/a Diamond Smoke, LLC, located at 3 Commercial Road, Unit 201-C, for a Medical Cannabis Cultivation Facility. [Assistant Town Manager] Liam Gallagher, Assistant Town Manager, gave a brief overview on this Order. Chairman McGee opened the public hearing. The following spoke on this Order:

- Paula Corbeau-O'Brien of Pond View Drive, spoke against this Order.
- Timothy O'Brien of Pond View Drive, also spoke against this Order.
- Phuong Lac owner Diamond Smoke, LLC, located at Commercial, spoke on this Order.
- Chris McNeil of Commercial Drive, spoke on this Order.

Chairman McGee noted that the following email had been received prior to the meeting from Shane and Mayra Chanpimol :

"Dear Scarborough Town Council,

My name is Shane Chanpimol. I live at 18 Pond View Dr, Scarborough, ME. On behalf of myself, my wife, and newborn daughter, I encourage the council to reject the license for marijuana growth in new areas of the Diamond Smoke facility. As I recall, the initial business license was contingent on adequate odor mitigation systems being in place. Until Diamond Smoke moved operations into unlicensed areas of the facility my family and I have not had significant issues with odor pollution. Unless Diamond Smoke can ensure similar odor mitigation systems are in place then I reiterate my dissent.

It is also my understanding that those abutting marijuana businesses are to be notified of licensure changes 3 times. Our family has only received 1 mailer regarding tonight's meeting.

Odor pollution of any kind threatens our property value, enjoyment and comfort of our own homestead. As a Scarborough resident, I trust that the council values me and my family's concern and will consider us in your ruling.

Best regards,

Shane and Mayra Chanpimol"

There being no further comments either for or against, the hearing was closed at 7:55 p.m.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading for the request on the new request for a Cannabis Establishment License from Phuong Lac d/b/a Diamond Smoke, LLC, located at 3 Commercial Road, Unit 201-C, for a Medical Cannabis Cultivation Facility.

Vote: 6 Yeas. 1 Nay [Councilor Hamill] Motion Passes.

Order No. 24-072, 7:00 p.m. Public hearing and second reading amending Chapter 311 Schedule of Fees, to add applicable impact fee sections. *[Planning Director, Town Engineer]* Autumn Speer, Planning Director, gave a brief overview on this Order. Chairman McGee opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:58 p.m.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading amending Chapter 311 Schedule of Fees, to add applicable impact fee sections, as follows:

CHAPTER 311 – TOWN OF SCARBOROUGH SCHEDULE OF LICENSES, PERMITS AND FEES

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes to Chapter 311 the Schedule of Licenses, Permits and Fees, of the Town of Scarborough, Maine, be and hereby is amended, as follows (additions are underlined; deletions are struck through):

Chapter 410 - Road Impact Fee Ordinance And Designating Approved Projects			
The following fees and	l charges are established for	or development and the f	Collowing projects are
designated as eligible f	for funding from the Highy	way Impact Fee Trust Fu	ı nd:
Fees	Peak Hour Trips		Cost of Trip
A. District 1	N	X	\$149.43
B. District 2	N	X	\$292.42
C. District 3	N	X	\$499.05
D. District 5	N	X	\$1,024.52

Where N = Estimated number of peak hour trips. Total trips generated during the p.m. peak hour for a development can typically be determined by trip rates presented in the most recent addition of the Institute of Transportation Engineers (ITE) "<u>Trip_Generation</u>" handbook, or estimated by field measurements collected at similar type developments. If, however, the ITE handbook does not have applicable rates, then the rates should be based on sufficient field data collected at a similar site. There are several types of development (i.e., fast food, shopping plazas, convenience stores, etc.) that simply redirect existing pass by trips already on the existing roadway system; these trips should not be included in the assessment system. Only "new" trips to the system roadways should be assessed a development fee. (amended 05/03/2023)

The total Impact Fee for a project shall be the sum of the fees for each district affected.

Projects eligible for funding from the Road Impact Fee Trust Funds are those projects depicted on the 100 scale aerial photographs titled "Long Range Transportation Improvement Program" (April 1989), prepared by Vanasse Hangen Brustling, Inc. as part of the 1988 Maine Mall/Jetport Area Traffic Study conducted for the Portland Area Comprehensive Transportation Study (PACTS) and the Maine Department of Transportation.

<u>Chapter 415 – Impact Fee Ordinance – School Impact Fees 2024 Amounts</u>				
Prior to the issuance of a building permit for any new dwelling unit, the Code Enforcement Officer				
shall collect a school impact fee according to the fo	llowing schedul	le		
Type of Dwelling		Fee Amou	<u>nt</u>	
Single family dwelling	\$5,390 per uni			
Two-family dwelling			<u>\$2,060 per unit</u>	
Multiplex			<u>\$1,360 per unit</u>	
Mobile home in a mobile home park			<u>\$1,360 per unit</u>	
Affordable housing unit			<u>\$2,710 per unit</u>	
School Impact J	Fee Exemptions			
A school impact fee is not required for a dwelling up	nit within a deve	elopment consis	ting of three or more	
dwelling units all of which are permanently restrict	ted by recorded	deed restriction	n or covenant and/or	
regulatory restriction to occupancy by elderly hous	eholds only. Fo	or this purpose,	"elderly household"	
means a household which includes at least one per	son aged 55 or	older and no o	ccupant less than 55	
years of age other than a full-time caregiver to or a	spouse or comp	anion of the eld	lerly person(s).	
Chapter 415 – Impact Fee Ordinance – Recreati	on Impact Fee	s 2024 Amount	S	
Prior to the issuance of a building permit for any new	w dwelling unit	the Code Enfor	cement Officer shall	
collect a recreation impact fee according to the follo	wing schedule.			
Type of Dwelling	Swing senedule.	- Fee Δmou	nt	
<u>Type of Dwennig</u>		<u>ree Amou</u>		
Single Family Dwelling	\$400 per bedroom, not to exceed \$1,600			
Two-Family Dwelling	<u>\$400 per bedroom, per unit</u>			
Multifamily	<u>\$400 per bedroom</u>			
Senior Housing Unit	<u>\$400 per bedroom</u>			
Affordable Housing Unit \$400 per bedroom				
The School and Recreation impact fees established	by the Town Co	<u>ouncil shall be a</u>	adjusted annually by	
the Town Treasurer to account for inflation on Febr	uary 1 ^{st.} The Tr	easurer shall in	crease each impact	
fee by the dollar amount (rounded to the nearest ten dollar increment) obtained by multiplying the				
amount of the fee then-in-effect by the inflation rate	e. The adjusted	impact fees sha	all apply to all	
building permits issued on or after February 1 st of e	<u>ach calendar, w</u>	hether or not th	e applications for	
building permits were filed prior to such dates.				
<u> Chapter 415 – Impact Fee Ordinance – Roadway Impact Fees</u>				
Any person who seeks a permit or approval for any development, activity or use described in Section				
V(A) of Chapter 415 is required to pay a road impact fee in the manner and amount set forth in Chapter 415				
Roadway Impact Fee District	Peak Hour		Fee Per Trin	
<u>Roadway impact i ce District</u>	<u>Trips</u>			
Dunstan Corner District	<u>N</u>	<u>X</u>	<u>\$1,402.00</u>	
Haigis Parkway / Route One District	<u>N</u>	<u>X</u>	<u>\$990.00</u>	
Payne Road District 5	N	X	<u>\$1,02</u> 4.52	

Payne Road / Ginn Road District	N	<u>X</u>	<u>\$2,227.00</u>	
Payne Road / Nonesuch River District	<u>N</u>	<u>X</u>	<u>\$2,866.00</u>	
Oak Hill	<u>N</u>	<u>X</u>	<u>\$755.00</u>	
Where N = Estimated number of peak hour trips. T	otal trips generation	ated during the	p.m. peak hour for a	
development can typically be determined by trip	rates presented	in the most re	ecent addition of the	
Institute of Transportation Engineers (ITE) "Trip Generation" handbook, or estimated by field				
measurements collected at similar type developments. If, however, the ITE handbook does not have				
applicable rates, then the rates should be based on s	ufficient field d	lata collected at	a similar site. There	
are several types of development (i.e., fast food, shopping plazas, convenience stores, etc.) that simply				
redirect existing pass-by trips already on the existing roadway system; these trips should not be included				
in the assessment system. Only "new" trips to the system roadways should be assessed a development				
fee.	<u> </u>		<u> </u>	

Vote: 7 Yeas. Motion Passes.

Order No. 24-073, 7:00 p.m. Public hearing and second reading on the proposed amendments to Chapter 302A – the Town of Scarborough Town Committees/Boards Manual. [Rules and Policies Committee] Councilor Hamill gave a brief overview on this Order. Chairman McGee opened the public hearing. The following spoke on this Order:

• Susan Hamill of Bay Street, suggested that there be a contact available for all committees/boards.

There being no further comments either for or against, the hearing was closed at 8:02 p.m.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading on the proposed amendments to Chapter 302A – the Town of Scarborough Town Committees/Boards Manual.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval to divide the question and take each recommendation separately.

Vote: 6 Yeas, 1 Nay [Councilor Cushing]. Motion Passes.

Councilor Sither noted a point of Order in that a motion needs to be made on the proposed recommendation before Town Council discussion.

Motion by Councilor Caterina, seconded by Council Sither, to move approval of the second reading on the proposed amendments to Chapter 302A – the Town of Scarborough Town Committees/Boards Manual, as follows:

Starting on January 1, 2025, committee/board members shall serve not more than three (3) consecutive full terms of office and until your vacancy is filled on all committees/boards with one (1) year off before they can apply to the same committee/board.

Motion by Chairman McGee, seconded by Councilor Anderson, to move approval to amend the motion to include the following language:

Following the effective date of this change, committee/board members actively serving more than three (3) consecutive full terms, will be permitted to complete their term prior to requirement of the twelve (12) month break in service.

Vote on amendment: 6 Yeas. 1 Nay [Councilor Caterina]. Motion Passes.

CHAPTER 302A TOWN OF SCARBOROUGH TOWN COMMITTEES/BOARDS MANUAL

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes to Chapter 302A – Town of Scarborough Town Committees/Boards Manual, for the Town of Scarborough, Maine, be and hereby is amended, as follows (additions are underlined; deletions are struck through):

ARTICLE I – PROCEDURES

Appointment/Re-Appointment

Once an application for a committee/board is received in the Town Clerk's Office, it is then copied and sent to the Appointments and Negotiations Committee for review. The Appointments and Negotiations Committee will then refer its_recommendation(s) to the Council. Pursuant to Section 201.00 of Chapter 302 – the Rules and Policies Manual for the Scarborough Town Council: "Appointments to town committee/boards must go through a two-meeting process. Name(s) of individual(s) will be posted at one Council meeting and approved at the next Council meeting. Current members will serve until a replacement is named by the Appointments and Negotiations Committee and certified by the Council."

Once names are posted, notices are sent notifying the individuals their names have been posted and that upon approval by the Town Council another notice will be sent notifying the individuals that they have been appointed, when their term expires and they must be sworn in before they can participate at the committee/board meetings.

New members will receive a copy of the members and the charge for the committee/board they are serving on

Starting on January 1, 2025, committee/board members shall serve not more than three (3) consecutive full terms of office and until your vacancy is filled on all committees/boards with one (1) year off before they can apply to the same committee/board. Following the effective date of this change, committee/board members actively serving more than three (3) consecutive full terms, will be permitted to complete their term prior to requirement of the twelve (12) month break in service.

Vote: 5 Yeas. 2 Nays [Councilor Caterina & Sither]. Motion Passes.

Motion by Councilor Caterina, seconded by Councilor Anderson, to move approval of the second reading on the proposed amendments to Chapter 302A – the Town of Scarborough Town Committees/Boards Manual, as follows: CHAPTER 302A TOWN OF SCARBOROUGH

TOWN COMMITTEES/BOARDS MANUAL

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes to Chapter 302A – Town of Scarborough Town Committees/Boards Manual, for the Town of Scarborough, Maine, be and hereby is amended, as follows (additions are underlined; deletions are struck through):

ARTICLE I – PROCEDURES

2. Broadcasting of Board and Committee Meetings [Adopted 10/20/2021]

All meetings of <u>any Committees and/or Boards, appointed by the Town Council</u> the Planning Board, Zoning Board of Appeals and the Long Range Planning Committee, whenever possible, shall be broadcast live and recorded for rebroadcast at a later date.

Vote: 7 Yeas. Motion Passes.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading on the proposed amendments to Chapter 302A – the Town of Scarborough Town Committees/Boards Manual, as follows: CHAPTER 302A

TOWN OF SCARBOROUGH TOWN COMMITTEES/BOARDS MANUAL

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council

assembled, that the following changes to Chapter 302A – Town of Scarborough Town Committees/Boards

Manual, for the Town of Scarborough, Maine, be and hereby is amended, as follows (additions are

underlined; deletions are struck through):

CONSERVATION COMMISSION

[Established 08/04/1979; Adopted 08/02/2000, Amended 07/18/2001; Amended 09/03/2008; Amended 04/06/2022]

Organization and/or Membership

The Conservation Commission shall consist of seven (7) members and two (2) alternate members appointed by the Town Council for three-year terms. Members whose terms expire shall continue to serve until their successors are appointed and qualified. The Town Council may appoint one of its members to serve as a Council liaison to the commission A representative from the Town Council and a representative from the Planning Board shall serve as Liaison and are non-voting members. The Town Manager or his/her designee shall serve as staff liaison to the Commission. Neither the Town Council liaison nor the Town Manager or his/her designee shall be a voting member of the Commission.

Vote: 7 Yeas. Motion Passes.

Order No. 24-074, 7:00 p.m. Public hearing and second reading on the request to approve the charge for the Ad Hoc School Building Committee – Phase 2. [Chairman McGee] Councilor Sither gave a brief overview on this Order. Chairman McGee opened the public hearing. The following spoke on this Order:

• Jim Pritchard of Maple Avenue, had questions regarding the employee participation piece.

As there were no comments either for or against, the hearing was closed at 8:25 p.m.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading on the request to approve the charge for the Ad Hoc School Building Committee – Phase 2, as presented in the Town Council Packet, as follows:

Ad-Hoc School Building Committee – Phase 2

BE IT RESOLVED, by the Town Council (Council) and Board of Education (BoE) of the Town of Scarborough, Maine (hereinafter "the Parties"), that,

WHEREAS, Scarborough schools currently have thirty (30) portables classrooms in operation and the physical condition of the three (3) primary schools is deteriorating; and,

WHEREAS, the Board of Education recommended a K-8 school solution that was derived from a citizenlead effort; and,

WHEREAS, in November 2023, the voters soundly defeated the proposed school solution; and,

WHEREAS, the Council and the BoE jointly created the School Building Advisory Committee (SBAC) in January 2024 which was originally comprised of over 70 residents who were charged with considering the need, validating the prior work and recommending a school solution that could garner voter support; and,

WHEREAS, the SBAC considered the results of a statistically valid community survey and recommended that four school building options be considered further; and,

WHEREAS, in an effort to advance this important project, the Parties wishes to draw upon the resources of the community and qualified consultants to consider the work of the SBAC and recommend a single solution to meet school needs with sufficient detail to seek voter approval.

NOW, THEREFORE, BE IT RESOLVED, by the Parties, that there is hereby an Ad Hoc School Building Advisory Committee – Phase 2 (SBAC2) created, and the membership, terms, offices and duties shall be as follows:

- 1. **Purpose.** The purpose of the SBAC2 is to continue the fine work of the SBAC by collaborating with staff and qualified consultants in an effort to advise the Council and BoE on the preferred site, design and probable cost estimates for a school solution that will meet the needs of students and staff that can be supported by the voters. Such recommendation shall be sufficient to serve the purpose of preparing to seek voter approval for the facility. The following is a general overview of the discussion points, expectations and deliverables the SBAC2 should consider in arriving at its recommendations:
 - **Review of Prior Work**-The SBAC2 shall familiarize itself with all prior work accomplished for the project. Specifically, the SBAC2 should review the four options identified by the SBAC and rely on consultants and school staff input.
 - **Consultant Selection** The SBAC2 shall be involved in the review and selection of qualified consultants to support the work. The SBAC2 Leadership Team is responsible for establishing a workflow process and communicating with the Consultant.
 - **Deliverables-** The work and final recommendations should include the following elements:
 - 1. **Site Selection-** Conduct a complete site selection process that considers all reasonable options for locating the facility, including public and private property;
 - 2. **Space Needs Analysis-** A complete evaluation of space needs for removal of all portable classrooms and related support facilities and consider pace required to accommodate expected growth in student enrolment.
 - 3. **Construction Modes:** Assess the pros and cons of various construction modes like off-site or on-site construction options;
 - 4. **Schematic Design** Prepare a conceptual design, including lot layout and building elevations, that will provide sufficient detail to describe the facility;
 - 5. **Probable Cost Statement** Prepare a probable cost estimate of the proposed facility with sufficient detail to forward to the voters for consideration.

- a. The SBAC2 shall commit to a solution that fits within the acceptable range of potential tax impact, which translates to a solution in the range of \$70-130 million, as indicated in the community wide survey conducted in 2024;
- 6. **Operating Costs** Evaluate the expected long-term and annual operating costs of the proposed solution.
- **Public Involvement** The SBAC2 shall incorporate public input into the process, which will culminate in a public presentation of its findings and recommendations to the Council and BoE.

Public involvement is the expectation that formal reporting will occur at progress checkpoints, outlined below.

- Scarborough Public Schools Employees (SPS)- The SBAC2 shall incorporate the expertise of SPS employees into the process. In its work to identify a solution that meets the needs of the school district, the SBAC2 will actively seek out and integrate feedback from Principals and school staff, ensuring that their expertise and insights are central to the process as solutions are vetted and further developed.
- **Best Practices** Research and review other similar projects to determine best practices that may be incorporated into the project. Tours of similar facilities are encouraged.

The SBAC2's powers and duties shall not exceed those prescribed, herein or otherwise restricted by Town Council or Board of Education Rules or Policies and the Charter of the Town of Scarborough.

2. <u>Membership</u>. The membership intends to capitalize on the expertise of the SBAC process and to provide fair representation of key stakeholders and unique expertise in the construction or development field. The Committee shall be limited to Scarborough residents and comprised of as many as twenty-three (23) members as follows:

Five (5) members from the SBAC – Phase 1 Subcommittee Chairs (or designee)

Four (4) members of the SBAC-Phase 1 Building Leadership Team

Four (4) members of the SBAC-Phase 1 Solution Subcommittee Chairs (or designee)

Three (3) Residents At-Large

Three (3) Alternate Members- Residents

Two (2) Members of the Town Council

Two (2) Members of the Board of Education

Although official membership is limited to twenty-three (23) members, the SBAC2 is encouraged to draw upon other resources and invite other key stakeholders to participate in their proceedings as they feel appropriate, particularly in the area of communication.

Subcommittee Chairs are identified as the Enrollment, Benchmarking, Finance, Infrastructure and Communication subcommittee Chairs from SBAC Phase 1.

Alternate members are expected to attend meetings, are privy to all information but shall not vote except in the event of absence or vacancy.

Establishment of an Application Process and Appointment Committee - Membership to the SBAC2 will be determined by an application and appointment process conducted by 2 members of the BOE, 2 members of the Council, the Town Manager, The Superintendent and the Chair of the SBAC Phase 1 Committee (herein designated as the Appointment

Committee). The appointment committee will base selections on the qualifications of applicants in accordance with the desired composition outlined in Section 2. The application committee has full flexibility to deviate from the desired composition, understanding that time constraints or other external factors may not allow certain community members to participate in the SBAC2. The Appointment Committee will develop an application, process and criteria for selection which will be distributed to the entire community no later than September 13, 2024 with appointments to be recommended and approved by the BOE and Town Council no later than October 18, 2024. In the event of timeline delays, public communication of any changes to the process will be made with a minimum of 2 weeks notice. Once the SBAC2 is seated, the Appointment Committee may be reconvened during the process as needed to fill vacancies.

- 3. <u>**Referendum Timeframe</u>** In order to be prepared for a November 2025 referendum, SBAC2 shall have a final recommendation for a solution by June 30, 2025.</u>
- 4. <u>Process Checkpoints</u> In order to keep the community and governing bodies well informed, the SBAC2 Leadership Team shall report on their progress at a joint workshops with the Parties on the following dates:
 - November 20, 2024
 - January 16, 2025
 - March 19, 2025
 - May 1, 2025
- 5. <u>Staff Resources Available</u> -School and Town staff will be made available to the SBAC2. Such involvement shall be coordinated by the Phase II Building Leadership Team through the Superintendent of Schools and the Town Manager.
- 6. <u>Consulting and Financial Support</u> It is understood that the Committee will require the services of qualified design professionals to conduct its work. Sufficient resources have been allocated for this purpose. Staff will initiate and oversee the selection process; however, the SBAC2 will be involved in the review and selection of qualified consultants to support the work. These monies will be under the control of the School Department who will be responsible for management of the consultant(s) and payment for services rendered.
- 7. <u>Vacancies and Removal</u>. Any vacancies shall be filled by action of the Parties. The Parties may remove any member of the Committee by vote of a majority of its members for misconduct or non-performance of duty.
- 8. <u>Officers</u>. The Committee shall elect a Chair, Vice-Chair and Recording Secretary from among its members. The Chair and Vice-Chair shall be counted to determine a quorum and shall have the same rights as other members of the Committee, including the right to vote. The officers will be part of the SBAC2 Leadership Team along with two (2) at large members selected from the SBAC2 membership, two (2) members of the Town Council and two (2) members of the Board of Education.
- 9. <u>Quorum and Voting</u>. A quorum shall consist of eleven (11) members. The concurrence of a majority of the members present and voting shall be necessary to decide any question before the Committee.
- 10. <u>Meeting and Records</u>. The Committee shall meet often enough to complete its responsibilities within the deadline set. The Committee shall televise and record all proceedings and allow for in-person or remote participation. It is expected that the SBAC2 will follow Roberts Rules to conduct meetings and proceedings, including public comment.

Vote: 7 Yeas. Motion Passes.

Order No. 24-080, 7:00 P.M. Public hearing and action on the following new requests for a Food Handlers license and a Liquor License from:

- Wildfire Restaurant Group, d/b/a Blaze Pizza, located at 451 Payne Road; and,
- Sawsea, LLC, d/b/a Anjon's Ristorante, located at 521 US Route One.

[Town Clerk] The Town Clerk gave a brief overview on this Order. Chairman McGee opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:27 p.m.

Motion by Councilor Cateina, seconded by Councilor Sither, to move approval on the following new requests for a Food Handlers license and a Liquor License from:

- Wildfire Restaurant Group, d/b/a Blaze Pizza, located at 451 Payne Road; and,
- Sawsea, LLC, d/b/a Anjon's Ristorante, located at 521 US Route One.

Vote: 7 Yeas. Motion Passes.

OLD BUSINESS:

Order No. 24-058. Second reading on the proposed amendments to Chapter 405B Site Plan Review, IV Performance and Design Standards, A. Site Utilization and Layout; B. Site Access; C. Internal Vehicular Circulation; D. Parking Areas; E. Pedestrian Ways, Space and Alternative Transportation; I. Architecture and Signage; and repeal in its entirety Chapter 405B-1 Design Standards for Commercial Districts. *[Planning Director]* Autumn Speer, Planning Director, gave a brief overview on this Order.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading on the proposed amendments to Chapter 405B Site Plan Review, IV Performance and Design Standards, A. Site Utilization and Layout; B. Site Access; C. Internal Vehicular Circulation; D. Parking Areas; E. Pedestrian Ways, Space and Alternative Transportation; I. Architecture and Signage; and repeal in its entirety Chapter 405B-1 Design Standards for Commercial Districts.

Motion by Councilor Hamill, seconded by Councilor Anderson, to move approval to amend the main motion to accept the Planning Board recommendations, as follows:

A. Site Utilization and Layout

4. Definitions

Access Management: Access Management is the planning, design and implementation of land use and transportation strategies in an effort to maintain a safe flow of traffic while accommodating the access needs of adjacent development.

6. <u>Internal Vehicular Circulation</u>

LAND USE	<u>ONE-WAY</u> <u>WIDTH</u> (FEET)	<u>TWO-WAY</u> <u>WIDTH</u> (FEET)
<u>Residential</u>	<u>12 to 14</u>	<u>20 to 24</u>
Commercial & Industrial generating between 10 - 50 truck trips per hour	<u>15 to 25</u>	<u>26 to 30</u>

8. Parking Lot Design

Queuing for drive-through lanes shall not interfere with the vehicle accessibility to the parking area for the site, neighboring sites, or public right of way.

12. <u>Alternative Transportation</u>

Provisions shall be made for alternative transportation if the site is located on a bus or designated bicycle route. Such provisions may consist of bus shelters, bicycle racks, or individual travel lanes for either mode of transportation.

13. Site Plan Waivers - Site Layout Requirements

f. The Planning Board may allow the payment of a fee-in-lieu for public sidewalk construction if recommended be the Town Engineer and Traffic Engineer due to site constraints or pending design plans.

Vote on amendment: 7 Yeas. Motion Passes

Main Motion as amended:

Chapter 405B Site Plan Review Ordinance

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following Chapter 405B Town of Scarborough Site Plan Review Ordinance is amended as recommended by the Planning Director, as follows (additions are underlined; deletions are struck through):

IV. Performance & Design Standards [amended 04/21/2021; 07/19/2023] [06/26/2024] [xx/xx/2024]

The following minimum performance and design standards shall apply to all site plans and shall serve as the minimum requirements for approval of any application. However, where the Planning Board or Town Planner (together the "Applicable Reviewing Authority") as applicable finds that due to the nature or special circumstances of a particular plan the requirements of certain standards are not requisite to the interest of public health, safety and general welfare, the Applicable Review Authority may waive such requirements, subject to appropriate conditions to achieve the intent of this ordinance. Requirements set forth in Chapter 419 Town of Scarborough Post-Construction Stormwater Infrastructure Management Ordinance and in Chapter 420 Town of Scarborough Erosion and Sedimentation Control at Construction Sites Ordinance are required by the Maine Department of Environmental Protection and the Environmental Protection Agency and are not waivable.

A. Site Utilization & Layout

The primary goal of the site plan review process is to produce attractive and functional sites that compliment and conform to both the natural and built environment in which they are proposed. To this

end, the built portions of a site shall be laid out in only the most environmentally suitable locations for development. Structures and impervious areas shall be designed around, and away from, resource areas such as wetlands, steep slopes, water bodies and other unique natural features. Once the build-able portion of a site is identified, the principal building(s) is the most critical amenity to orient and position, as it is the focal point of the site in regards to use, visitation, and aesthetics. The principal building(s) shall be oriented on the site in a way that is compatible with neighboring structures and the development pattern in the vicinity. The building(s) shall also be positioned to provide an aesthetic and functional relationship with surrounding streets and sidewalks to ensure attractive and efficient vehicle and pedestrian access. Parking areas, driveways, access points and sidewalks shall be designed around, and to serve, the principal building(s) and shall also compliment the neighboring development patterns and transportation networks as well as the Comprehensive Plan guidelines.

B. Site Access [amended 04/21/2021]

Vehicle access to and from the site shall be safe and convenient, shall minimize conflict with the existing flow of traffic, and shall be from roads that have adequate capacity to accommodate the additional traffic generated by the development. Access management techniques such as limiting the number of driveways and combining driveways preserves mobility and improves safety, and shall be incorporated to the extent feasible.

As used in this Section IV(B), the term "street or driveway" includes both public and private local, collector and arterial streets, as well as entrance roads.

1. Entrance Location & Design

a. Any street or driveway access shall be separated from any other street or driveway, existing or proposed, on-site or off-site, in accordance with the following table. The Applicable Reviewing Authority may relax these standards only upon finding, based on a traffic study, that the location of the street or driveway closer than these minimums is necessary for effective utilization of the site or to enable the sharing of an access with an adjacent lot to reduce the total number of necessary curb cuts, and will not cause unreasonable congestion or unreasonable safety hazards. Driveway separation shall be measured from the edge of the proposed street/driveway entrance to the edge of the alternative entrance, excluding the radii.

The location of the site's access shall also consider the existing location of driveways and entrances across a road or highway and shall attempt to meet the same separation standards established below. Entrances having the same centerline and situated directly across a road or highway from a proposed street or driveway shall not apply to this spacing requirement.

POSTED SPEED IN M.P.H.	SEPARATION IN FEET
25 or less	90 ,
30	105°
35	130'
4 0	175°
45	265°
50	350'

~ ~		
22	or	more
55	UI	more

- b. Any street or driveway access shall be so designed in profile and grading and so located as to provide the minimum sight distance measured in each direction as specified in the Maine Department of Transportation's "Entrance Rules Chapter 299, Part B" (as may be amended from time to time).
- c. Driveway grades at street intersections shall not be more than five percent (5%) up or down for the first fifty (50) feet from the street, unless otherwise approved by the Applicable Reviewing Authority.
- d. Streets and driveways shall be located not less than 125 feet from the tangent point of the curb radius of any intersection. However, a greater distance or movement restrictions shall be provided if necessary based on the results of a vehicle queuing analysis at the intersection.
- e. When serving an individual site, no part of any street or driveway shall be located within a minimum of ten (10) feet of a side property line. Alternatively, when a street or driveway serves two (2) or more adjacent sites, the Applicable Reviewing Authority may allow the street or driveway to be located on or within ten (10) feet of a side property line between the sites. The sharing of street or driveway accesses between sites should be incorporated whenever feasible to limit curb cuts.
- f. Where a site has frontage on two or more streets, the Applicable Reviewing Authority will require that the access to the site be provide off the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians. For developments with significant traffic volumes of 50 or more peak trips, the Applicable Reviewing Authority will consider access to more than one street, providing a traffic study clearly demonstrates a traffic safety and congestion benefit will result.
- g. There shall be no more than one full service street or driveway connection from any lot to any street, except when an additional entrance/exit must be provided to prevent traffic hazards or congestion. If two curb cuts are found to be necessary for congestion or safety reasons they shall be separated in accordance with the separation requirements in Section IV(B)(1)(a), above.
- h. Streets and driveways shall intersect the road at an angle as near to ninety (90) degrees as site conditions will permit and in no case less than seventy-five (75) degrees.
- i. Streets and driveways intersecting collector and arterial roadways shall be adequately lit.
- j. The level of service at a proposed signalized intersection shall be "D" or better. At an existing signalized intersection, the level of service shall not be reduced below "D" by the development. If an existing signalized intersection is operating below a LOS "D" predevelopment, then the development shall not increase the delay at the intersection, unless this standard is waived by the Applicable Reviewing Authority. At an un signalized intersection, if the level of service is forecasted to be less than a "D" post-development, than the installation of a traffic signal and/or additional turning lanes shall be investigated. If these improvements are found not to be warranted, then a level of service less than "D" may be acceptable.

C. Internal Vehicular Circulation [amended 04/21/2021]

The layout and circulation pattern within the site shall provide for the safe and convenient movement of passenger, service, and emergency vehicles through the site. The circulation layout shall also provide

a safe, accessible pedestrian environment as well as encourage intra-parcel travel, minimizing curb cuts and unnecessary roadway travel in keeping with the access management goals of section B.

1. Street and driveway dimensions. The dimensions of streets and driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated to visit the site on a daily basis. The required minimum and maximum dimensions for driveways are indicated below. Streets and driveways serving large volumes of daily traffic or truck traffic shall be required to establish high to maximum dimensions.

LAND USE	ONE-WAY WIDTH (FEET)	TWO-WAY WIDTH (FEET)
Residential	12 to 14	20 to 24
Commercial & Industrial generating between 10- 50 truck trips per hour	15 to 25	26 to 30
Commercial & Industrial generating 50 or more truck trips per hour	Maine DOT Criteria to Apply	Maine DOT Criteria to Apply

- 2. A site development access driveway profile shall be designed to conform to the natural topographic features of the site, to the extent feasible. Driveways serving residential development shall be between 0.75% and 15% up or down. Driveways serving commercial or industrial developments shall be between 0.75% and 8% up or down.
- **3.** The construction and materials used for a driveway, street, parking lot and drainage infrastructure shall comply with the latest standard specifications issued by The State of Maine Department of Transportation and as approved by the Applicable Reviewing Authority. Specific construction details for this infrastructure shall also be approved by the Applicable Reviewing Authority.
- 4. The layout and design of driveways and parking areas shall provide for safe and convenient circulation of vehicles throughout the site and shall provide the necessary curbing, directional markings, and signage to achieve this requirement. The layout, design and circulation pattern must also provide for pedestrians and cyclists as well as emergency, delivery, and service vehicles.
- **5.** Traffic calming measures shall be included where appropriate to discourage speeding within the site and between abutting sites. Measures may include speed tables, on-street parking, raised crosswalks, vertical curbing, curvilinear road alignments, roadside plantings, neck downs, curbed islands, signage or other traffic calming techniques.
- 6. Where feasible, connections between parking lots and driveways on adjacent parcels shall be provided to facilitate deliveries and minimize turning movements onto primary roads. Internal connections shall be designed to provide safe, direct access between adjacent lots in a manner that prevents their use as vehicle shortcuts. The site plan shall show stub outs, or other driveway or parking lot linkages, anticipating future vehicular connections to abutting undeveloped property.

- 7. Identifiable routes of access for emergency and service vehicles shall be provided to and around the buildings on the site.
- 8. Drive-through lanes shall minimize conflicts with pedestrian circulation routes. Motorists shall be made aware of pedestrians through signage, lighting, raised crosswalks, changes in paving or other devices. The site plan shall be designed to minimize queuing in parking lots or other areas which would cause congestion or unsafe conditions.
- **9.** Service drives shall be separated from internal walkways, parking areas, or pedestrian use areas by landscaped islands, grade changes or other devices to minimize pedestrian contact.

D. Parking Areas [amended 04/21/2021]

Parking lots shall be designed to complement adjacent buildings, the site, and the neighborhood by not being a dominant visual element. Every effort shall be made to reduce the scale of parking lots for aesthetic and stormwater reasons. Parking areas shall balance the needs of both vehicles and pedestrians. Parking lots shall be accessible and organized to serve the motorist, while being safe and pedestrian-friendly.

- **1.** Off-street parking shall conform to Section XI., Off-Street Parking & Loading Requirements, of the Zoning Ordinance.
 - a. If an applicant can demonstrate to the Applicable Reviewing Authority that the nature or operation of the proposed use will not necessitate the minimum parking space requirements found in Section XI., the Applicable Reviewing Authority shall have the authority to approve a site plan showing fewer parking spaces than are required. This allowance may only be provided, however, if the site plan incorporates a landscaped area that is feasible and adequate to accommodate the requisite parking under Section XI., should there be a future change in the nature or operation of the use necessitating the required parking.
 - b. The Board of Appeals may also permit a reduction in the required parking spaces as per Section XI(F) of the Zoning Ordinance.
 - c. For uses that experience high turn over traffic volumes (i.e. typical visitation is less than one-hour) the Applicable Reviewing Authority may require the dimensions of parking spaces in close proximity of the building entrance to be 10 feet wide by 20 feet long.
 - d. The Applicable Reviewing Authority may approve parking spaces for use by employees or residential parking to be 8 feet wide. All 8 foot wide parking spaces that are provided for employees and residential uses must be in physically segregated parking areas and the design of such parking areas must be shown on an approved site plan. No more than 10% of off-street parking spaces may be designed with a width of less than 9 feet.
- 2.<u>1.</u>There shall be adequate provisions for ingress and egress to all parking spaces. The following aisle widths shall be required to ensure adequate and safe access to parking spaces. Only one-way traffic shall be permitted in aisles serving single row parking spaces placed at an angle other than ninety (90) degrees.

PARKING ANGLE DEGREE	MINIMUM AISLE WIDTH (FEET)
0° parallel parking	<u>12'</u>
30°	12'

4 <u>5</u> °	13'
60°	18'
90° perpendicular parking	25°

- **3.** Parking lots shall be designed as part of the overall plan for the site, and shall be coordinated with building entrances, lighting, and landscaping.
 - a. Whenever feasible, the majority of parking areas shall be located at the rear or sides of the building(s) being served, except where parking would be located adjacent to a residential neighborhood or when the parking is part of a multi-building site.
- 4.2. There shall be adequate provisions made for handicap parking in accordance with the ADA Standards for Accessible Design and marked by the international symbol of accessibility. Handicap accessible spaces shall be designated in the closest located spaces on a site to the accessible entrances. Such spaces shall be provided in accordance with the following table and shall be designed in accordance with the ADA Design Standards.

TOTAL SPACES	TOTAL ACCESSIBLE SPACES REQUIRED COLUMN A	SPACES WITH 60" WIDE ACCESSIBLE AISLE	VAN ACCESSIBLE SPACES WITH 96" WIDE ACCESSIBLE AISLE
1 to 25	4	θ	1
26 to 50	2	4	1
51 to 75	3	2	1
76 to 100	4	3	4
101 to 150	5	4	1
151 to 200	6	5	4
201 to 300	7	6	4
301 to 400	8	7	4
401 to 500	9	7	2
501 to 1000	2% of total parking provided	7/8 of column A	1/8 of column A
1001 and over	20 plus 1 for each 100 over 1000	7/8 of column A	1/8 of column A

This table is in accordance with the ADA Design Guide, U.S. Department of Justice, Civil Rights Division, Disability Rights Section

- **5.** Parking areas with a single point of access are strongly discouraged. Dead-end parking lots shall not contain more than ten (10) spaces. Where dead end lots must be used, adequate space shall be provided to safely turn a vehicle around to avoid backing out.
- 6. Directional signage and markers shall be utilized in diagonal parking lot arrangements.

E. Pedestrian Ways, Space & Alternative Transportation

[amended 11/07/2007; 04/21/2021]

Developments shall provide attractive, safe, and functional walkways within the site and for connection of the site to the Town's sidewalk system when a public sidewalk exists or is planned in the vicinity of the site. Walkways shall be designed to direct pedestrians to the main entrances of the buildings from the public right-of-ways, abutting properties and businesses, and the parking areas on the site. Entrances to buildings shall also be designed to provide some outdoor space for pedestrian use, such as seating, dining, or lawn area.

- 1. Continuous internal walkways shall be provided from any existing or planned public sidewalk in the street(s) adjacent to the site to the principal customer entrances on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as transit stops, street crossings, and building entrances.
- 2. If a sidewalk does not exist in the street(s) adjacent to the site but the Town has identified the construction of a sidewalk for this portion of the street(s) in the Town Wide Transportation Study (March 2005) the applicant shall be responsible for the construction of a sidewalk along the full width of the frontage or in a location otherwise determined by the Applicable Reviewing Authority. The applicant shall not be responsible for the construction of a sidewalk in a location for which the Town Council has already adopted and funded a Sidewalk Capital Improvement Plan.
- **3.** If a sidewalk is required to be constructed, the sidewalk shall be located within the right of way of the public street unless the width of the right of way will not allow for this. In this case, the sidewalk shall be located on the parcel in the area immediately adjacent to the street right-of-way unless the topography or natural characteristics of the site or existing development make this impractical. When determining the location and alignment of new sidewalks, existing street trees shall be avoided and preserved to the extent possible.
- 4. If the sidewalk will be located outside of the street right of way, the applicant shall convey an easement to the Town for the sidewalk area.
- 5. When a sidewalk is constructed wholly within the street right-of-way it must conform to the design and construction requirements set forth in the Town's Street Acceptance Ordinance (Chapter 701) for the class of street. When a sidewalk is constructed wholly or partly outside of the street right of way the location and design of the sidewalk must be approved by the Applicable Reviewing Authority as part of the site plan approval.
- **6.** Internal walkways shall be a minimum of 4 feet in width for ADA compliance and shall be raised and separated from vehicular traffic by 6 inch curbing except at crosswalks and access areas.
- 7. Within larger parking lots where the main building entrance will be 50+ feet from at least half of the parking spaces, a network of walkways shall be provided. These walkways shall be separated from parking bays and travel aisles by raised curbing or landscape buffering and shall be aligned with the main entry or a focal point on the building for way finding. The width of

these internal parking lot walkways shall be five feet or more to enable the use of shopping carts or heavy pedestrian traffic.

- 8. Walkways shall be located where motorists can anticipate pedestrians. Likewise, walkways shall be designed to give pedestrians a view of oncoming vehicles and shall avoid bisecting drive-through lanes, access and service drives, and other high-traffic routes.
- **9.** Internal crosswalks shall be provided and marked by a change in pavement texture, pattern, or color to maximize pedestrian safety. The materials selected shall be highly durable and low maintenance. Raised crosswalks shall be considered at key locations as a traffic calming device as well as to make crosswalks more visible.

B. Site Utilization and Layout

1. Purpose

The primary goal of the site plan review process is to produce attractive, functional and pedestrian friendly commercial, multi-family and mixed-use development that compliments and conforms to both the natural and built environment in which they are proposed. To this end, the built portions of a site shall be laid out in the most environmentally suitable location, accommodate pedestrian movement, and provide for interconnected facilities.

2. <u>Applicability</u>

All commercial, multi-family and mixed-use structures constructed after the date of effect of this Ordinance shall comply with these requirements. This includes new construction, and expansion of any building footprint exceeding 50%, proposed through the Site Plan or Subdivision process.

- a. <u>The provisions of this section shall not apply to individual single and two-family dwellings</u> and their accessory buildings, structures and areas for parking.
- b. <u>The provisions of this section shall not apply to RF, R2, R3, R4 or R4A zoned developments.</u>
- c. <u>The provisions of this section shall not apply to Village Residential Districts.</u>
- d. <u>The provisions of this section shall not apply to Light Industrial (LI) or Industrial (I) zoned</u> <u>developments.</u>
- e. <u>The provisions of this section shall not apply to existing individual single and two-family</u> <u>dwellings and their accessory buildings, structures and areas for parking, regardless of</u> <u>zoning.</u>

3. General Standards

Structures and impervious areas shall be designed around, and away from, resource areas such as wetlands, steep slopes, water bodies and other unique natural features. Once the build-able portion of a site is identified, the principal building(s) is the most critical amenity to orient and position, as it is the focal point of the site in regards to use, visitation, and aesthetics.

The building(s) shall also be positioned to provide an aesthetic and functional relationship with surrounding streets and sidewalks to ensure attractive and efficient vehicle and pedestrian access. Buildings shall be located as close to the front property line as possible with the majority of parking located at the rear or side of the building. Moving parking lots to the rear concentrates people and places along the street, creating an environment that is more accessible, interesting, and safe for walkers and bicyclists.

Parking areas, driveways, access points and sidewalks shall be designed around, and to serve, the principal building(s) and shall also compliment the neighboring development patterns and transportation networks as well as the Comprehensive Plan guidelines.

All new and renovated facilities shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA), as revised.

4. <u>Definitions</u>

Access Management: Access Management is the planning, design and implementation of land use and transportation strategies in an effort to maintain a safe flow of traffic while accommodating the access needs of adjacent development.

Cross Easement: The reciprocal legal right to pass from one property to another.

Curb Cut: The opening along the curb line at which point vehicles may enter or leave the roadway.

Sight Triangle: A triangular shaped portion of land established at street intersections in which nothing is erected, placed, or planted that would limit or obstruct the motorists vision as they enter or depart the intersection.

Stacking Lanes: A designated area of a parking lot that accommodates the queuing of cars (for instance, at a drive-through restaurant).

5. <u>Site Access Location and Design</u>

Vehicle access to and from the site shall be safe and convenient, shall minimize conflict with the existing flow of traffic, and shall be from roads that have adequate capacity to accommodate the additional traffic generated by the development. Access management techniques such as limiting the number of driveways and combining driveways preserves mobility and improves safety, and shall be incorporated to the extent feasible.

All development activities shall be characterized by safe, user-friendly, and efficient traffic flow. Access management principles shall be followed to reduce the number of curb cuts, provide a safer vehicular and pedestrian environment, encourage intra-parcel travel, and minimize the number of trips on roadways.

As used in this Section IV(B), the term "street or driveway" includes both public and private local, collector and arterial streets, as well as entrance roads.

Any street or driveway access shall be separated from any other street or driveway, existing or proposed, on-site or off-site, in accordance with the following table.

Driveway separation shall be measured from the edge of the proposed street/driveway entrance to the edge of the alternative entrance, excluding the radii. The location of the site's access shall also consider the existing location of driveways and entrances across a road or highway and shall attempt to meet the same separation standards established below.

POSTED SPEED IN <u>M.P.H.</u>	SEPARATION IN FEET
25 or less	<u>90'</u>
<u>30</u>	<u>105'</u>
<u>35</u>	<u>130'</u>
<u>40</u>	<u>175'</u>
<u>45</u>	<u>265'</u>

<u>50</u>	<u>350'</u>
55 or more	<u>525'</u>

*Entrances having the same centerline and situated directly across a road or highway from a proposed street or driveway shall not apply to this spacing requirement.

Any street or driveway access shall be so designed in profile and grading and so located as to provide the minimum sight distance measured in each direction as specified in the Maine Department of Transportation's "Entrance Rules - Chapter 299, Part B" (as may be amended from time to time).

Driveway grades at street intersections shall not be more than five percent (5%) up or down for the first fifty (50) feet from the street, unless otherwise approved by the Applicable Reviewing Authority.

Streets and driveways shall be located not less than 125 feet from the tangent point of the curb radius of any intersection. However, a greater distance or movement restrictions shall be provided if necessary based on the results of a vehicle queuing analysis at the intersection.

When serving an individual site, no part of any street or driveway shall be located within a minimum of ten (10) feet of a side property line.

The sharing of street or driveway accesses between sites is required whenever feasible to limit curb cuts.

Where a site has frontage on two or more streets, the Applicable Reviewing Authority will require that the access to the site be provide off the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.

There shall be no more than one full service street or driveway connection from any lot to any street, except when an additional entrance/exit must be provided to prevent traffic hazards or congestion. If two curb cuts are found to be necessary for congestion or safety reasons they shall be separated in accordance with the separation requirements in Section IV(B)(1)(a), above.

Streets and driveways shall intersect the road at an angle as near to ninety (90) degrees as site conditions will permit and in no case less than seventy-five (75) degrees.

Streets and driveways intersecting collector and arterial roadways shall be adequately lit.

The level of service at a proposed signalized intersection shall be "D" or better. At an existing signalized intersection, the level of service shall not be reduced below "D" by the development. If an existing signalized intersection is operating below a LOS "D" pre-development, then the development shall not increase the delay at the intersection, unless this standard is waived by the Applicable Reviewing Authority. At an un-signalized intersection, if the level of service is forecasted to be less than a "D" post-development, than the installation of a traffic signal and/or additional turning lanes shall be investigated. If these improvements are found not to be warranted, then a level of service less than "D" may be acceptable.

6. Internal Vehicular Circulation

The layout and circulation pattern within the site shall provide for the safe and convenient movement of passenger, service, and emergency vehicles through the site. The circulation layout shall also provide a safe, accessible pedestrian environment as well as encourage intra-parcel travel, minimizing curb cuts and unnecessary roadway travel in keeping with the access management goals of section B.

The dimensions of streets and driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated to visit the site on a daily basis. The required minimum and maximum dimensions for driveways are indicated below. Streets and driveways serving large volumes of daily traffic or truck traffic shall be required to establish high to maximum dimensions.

LAND USE	ONE-WAY WIDTH (FEET)	<u>TWO-WAY</u> <u>WIDTH</u> (FEET)
Residential	<u>12 to 14</u>	<u>20 to 24</u>
Commercial & Industrial generating between 10 - 50 truck trips per hour	<u>15 to 25</u>	<u>26 to 30</u>
Commercial & Industrial generating 51 or more truck trips per hour	<u>Maine DOT</u> <u>Criteria to Apply</u>	<u>Maine DOT</u> <u>Criteria to</u> <u>Apply</u>

A site development access driveway profile shall be designed to conform to the natural topographic features of the site, to the extent feasible. Driveways serving residential development shall be between 0.75% and 15% up or down. Driveways serving commercial or industrial developments shall be between 0.75% and 8% up or down.

The construction and materials used for a driveway, street, parking lot and drainage infrastructure shall comply with the latest standard specifications issued by The State of Maine Department of Transportation and as approved by the Applicable Reviewing Authority. Specific construction details for this infrastructure shall also be approved by the Applicable Reviewing Authority.

The layout and design of driveways and parking areas shall provide for safe and convenient circulation of vehicles throughout the site and shall provide the necessary curbing, directional markings, and signage to achieve this requirement. The layout, design and circulation pattern must also provide for pedestrians and cyclists as well as emergency, delivery, and service vehicles.

Internal Traffic Flow. To ensure the safety of motorists, delivery trucks, and pedestrians, the site plan shall clearly delineate internal traffic patterns. Parking space, directional arrows, crosswalks, and other markings on the ground shall be delineated with pavement paint or other suitable material to ensure safe circulation.

Traffic calming measures shall be included where appropriate to discourage speeding within the site and between abutting sites. Measures may include speed tables, on-street parking, raised crosswalks, vertical curbing, curvilinear road alignments, roadside plantings, neck-downs, curbed islands, signage or other traffic calming techniques.

Where feasible, connections between parking lots and driveways on adjacent parcels shall be provided to facilitate deliveries and minimize turning movements onto primary roads. Internal connections shall be designed to provide safe, direct access between adjacent lots in a manner that prevents their use as vehicle shortcuts. The site plan shall show stub outs, or other driveway or parking lot linkages, anticipating future vehicular connections to abutting undeveloped property.

Identifiable routes of access for emergency and service vehicles shall be provided to and around the buildings on the site.

7. Minimum Parking Required

Off-street parking shall conform to Section XI., Off-Street Parking & Loading Requirements, of the Zoning Ordinance.

There shall be adequate provisions made for handicap parking in accordance with the ADA Standards for Accessible Design and marked by the international symbol of accessibility. Handicap accessible spaces shall be designated in the closest located spaces on a site to the accessible entrances. Such spaces shall be provided in accordance with the following table and shall be designed in accordance with the ADA Design Standards, as revised found: Accessible Parking Spaces | ADA.gov

8. Parking Lot Design

Parking lots shall be designed as part of the overall plan for the site, and shall be coordinated with building entrances, lighting, and landscaping. Every effort shall be made to reduce the scale of parking lots for aesthetic and stormwater reasons. Parking areas shall balance the needs of both vehicles and pedestrians. Parking lots shall be accessible and organized to serve the motorist, while being safe and pedestrian-friendly.

The majority of parking areas shall be located at the rear or sides of the building(s) being served.

Parking on the side of buildings shall not extend closer to the street than the front facade. The space between the end of the parking lot and the roadway shall be landscaped according to an overall plan for the property.

Shared parking is strongly encouraged where appropriate, particularly where abutting land uses have differing hours of peak parking demand. Cross easements may be required to allow shared parking.

Drive-through lanes shall minimize conflicts with pedestrian circulation routes. Motorists shall be made aware of pedestrians through signage, lighting, raised crosswalks, changes in paving or other devices. The site plan shall be designed to minimize queuing in parking lots or other areas which would cause congestion or unsafe conditions.

Queuing for drive-through lanes shall not interfere with the vehicle accessibility to the parking area for the site, neighborhood sites, or public right of way.

Service drives shall be separated from internal walkways, parking areas, or pedestrian use areas by landscaped islands, grade changes or other devices to minimize pedestrian contact.

There shall be adequate provisions for ingress and egress to all parking spaces. The following aisle widths shall be required to ensure adequate and safe access to parking spaces. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety (90) degrees.

PARKING ANGLE DEGREE	MINIMUM AISLE WIDTH (FEET)
<u>0° parallel parking</u>	<u>12'</u>
<u>30°</u>	<u>12'</u>
<u>45°</u>	<u>13'</u>
<u>60°</u>	<u>18'</u>

90° perpendicular parking	24'

Parking areas with a single point of access are strongly discouraged. Dead-end parking lots shall not contain more than ten (10) spaces. Where dead-end lots must be used, adequate space shall be provided to safely turn a vehicle around to avoid backing out.

Directional signage and markers shall be utilized in diagonal parking lot arrangements.

9. <u>Pedestrian Access: General</u>

Developments shall provide attractive, safe, and functional walkways within the site and for connection of the site to the Town's sidewalk system when a public sidewalk exists or is planned in the vicinity of the site. Walkways shall be designed to direct pedestrians to the main entrances of the buildings from the public right-of-ways, abutting properties and businesses, and the parking areas on the site. Entrances to buildings shall also be designed to provide some outdoor space for pedestrian use, such as seating, dining, or lawn area.

All walkways and sidewalks shall be designed for efficient snow removal to enable year-round use.

Accessibility. Walkways shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA), as revised.

10. Pedestrian Access: Internal Walkways

Commercial properties shall provide attractive, safe, and functional walkways between the public right-of-way and the principal customer entrances on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as transit stops, street crossings, and building entrances. Internal walkways shall be a minimum of 5 feet in width

Internal Pedestrian Connections. Safe pedestrian connections between abutting land uses shall be provided where possible to encourage foot traffic and minimize vehicular movement.

Pedestrian and Bicycle Movement. The circulation plan shall provide safe pedestrian and bicycle movement within the site. The plan shall demonstrate how linkages can be made to adjacent properties, both developed and undeveloped. Pedestrian and bicycle connections between abutting properties shall be coordinated with vehicular routes to encourage foot traffic and minimize vehicular movement.

Within larger parking lots where the main building entrance will be 50+ feet from at least half of the parking spaces, a network of walkways shall be provided. These walkways shall be separated from parking bays and travel aisles by raised curbing or landscape buffering and shall be aligned with the main entry or a focal point on the building for way finding. The width of these internal parking lot walkways shall be five feet or more to enable the use of shopping carts or heavy pedestrian traffic.

Orientation. Walkways in parking lots shall be aligned with the main entry or a focal point on the building to assist in wayfinding.

Walkways shall be located where motorists can anticipate pedestrians. Likewise, walkways shall be designed to give pedestrians a view of oncoming vehicles and shall avoid bisecting drive-through lanes, access and service drives, and other high-traffic routes.

Internal crosswalks shall be provided and marked by a change in pavement texture, pattern, or color to maximize pedestrian safety. The materials selected shall be highly durable and low maintenance. Raised crosswalks shall be considered at key locations as a traffic calming device as well as to make crosswalks more visible.

Signs may be warranted in certain situations as determined by the Institute for Traffic Engineers (ITE). Materials selected for crosswalks shall allow safe bicycle movement across the surface.

11. Pedestrian Access: Public Sidewalks and Crosswalks

Sidewalks provide many benefits to a community including pedestrian safety, mobility options, health benefits and even economic impacts. The propensity to walk is influenced not only by distance, but by the quality of the walking experience. Good sightlines and visibility toward destinations and intermediate points are important for way-finding and personal security. There are many areas in Scarborough's commercial areas which are currently not pedestrian or bicycle friendly. The long-term objective is to create an interconnected network of sidewalks to achieve these benefits.

Public sidewalks are to be provided throughout Scarborough's commercial areas. Existing and proposed road corridors should include sidewalks on both sides of the street, planted esplanades, crosswalks, and pedestrian amenities to encourage a safe flow of non-motorized traffic.

If a sidewalk does not exist in the street(s) adjacent to the site the applicant shall be responsible for the construction of a sidewalk along the full width of the frontage or in a location otherwise determined by the Applicable Reviewing Authority. The applicant shall not be responsible for the construction of a sidewalk in a location for which the Town Council has already adopted and funded a Sidewalk Capital Improvement Plan.

If a sidewalk is required to be constructed, the sidewalk shall be located within the right-of-way of the public street unless the width of the right-of-way will not allow for this. In this case, the sidewalk shall be located on the parcel in the area immediately adjacent to the street right-of-way unless the topography or natural characteristics of the site or existing development make this impractical. When determining the location and alignment of new sidewalks, existing street trees shall be avoided and preserved to the extent possible.

If the sidewalk will be located outside of the street right-of-way, the applicant shall convey an easement to the Town for the sidewalk area.

When a sidewalk is constructed wholly within the street right-of-way it must conform to the design and construction requirements set forth in the Town's Street Acceptance Ordinance (Chapter 701) for the class of street. When a sidewalk is constructed wholly or partly outside of the street right-ofway the location and design of the sidewalk must be approved by the Applicable Reviewing Authority as part of the site plan approval.

All new sidewalks shall be designed to avoid conflicts with landscaping, utilities, grading, drainage structures, signs, and other elements. Sidewalks shall be designed to facilitate snow removal and allow year-round use.

Where sidewalks intersect with commercial drives or roads, crosswalks shall be installed to alert the motorist and improve visibility. Crosswalks shall offer a noticeable change in texture and color. Materials for crosswalks shall be highly durable and slip resistant.

12. <u>Alternative Transportation</u>

Provisions shall be made for alternative transportation if the site is located on a bus or designated bicycle route. Such provisions may consist of bus shelters, bicycle racks, or individual travel lanes for either mode of transportation.

13. <u>Site Plan Waivers – Site Layout Requirements</u>

- a. If an applicant can demonstrate to the Applicable Reviewing Authority that the nature or operation of the proposed use will not necessitate the minimum parking space requirements found in Section XI., the Applicable Reviewing Authority shall have the authority to approve a site plan showing fewer parking spaces than are required. This allowance may only be provided, however, if the site plan incorporates a landscaped area that is feasible and adequate to accommodate the requisite parking under Section XI., should there be a future change in the nature or operation of the use necessitating the required parking.
- b. <u>The Board of Appeals may also permit a reduction in the required parking spaces as per</u> <u>Section XI(F) of the Zoning Ordinance.</u>
- c. When a street or driveway serves two (2) or more adjacent sites, the Planning Board may allow the street or driveway to be located on or within ten (10) feet of a side property line between the sites.
- d. For developments with significant traffic volumes of 50 or more peak trips, the Planning Board may consider requests for access to more than one street, providing a traffic study clearly demonstrates a traffic safety and congestion benefit will result.
- e. <u>The Planning Board may relax driveway separation standards only upon finding, based on a traffic study, that the location of the street or driveway closer than these minimums is necessary for effective utilization of the site or to enable the sharing of an access with an adjacent lot to reduce the total number of necessary curb cuts, and will not cause unreasonable congestion or unreasonable safety hazards.</u>
- f. <u>The Planning Board may allow the payment of a fee-in-lieu for public sidewalk construction</u> <u>if recommended by the Town Engineer and Traffic Engineer due to sit constraints or pending</u> <u>design plans.</u>

C. F.-Landscape and Screening Standards [amended 04/21/2021; amended 06/26/2024]

1. Purpose

Landscaping shall be used to complement the architecture, enhance the human scale, reinforce circulation paths, highlight entrances, provide shade, and add color and seasonal interest. Greenspace shall be designated to preserve the natural features or resources of a site, to provide areas for active or passive recreation, or for visual and aesthetic benefits.

2. Applicability

All landscaping approved after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new landscape, replacement planting, or any other landscaping proposed through the Site Plan or Subdivision process.

The provisions of this section shall not apply to individual single and two-family dwellings and their accessory buildings, structures and areas for parking.

Replacement planting for projects approved prior to this ordinance shall adhere to the plant species list in Section F.16. for vegetation selection.

3. General Standards

Trees and plantings shall be coordinated with the on-site architecture by complementing the building elevations without blocking storefronts, signs, or lighting and reinforce wayfinding by emphasizing entrances and circulation patterns.

A varying, but simple, collection of plant materials and species is encouraged to create a distinctive, yet low maintenance environment. Plantings plans shall strike a balance between monoculture (the use of a single species) and too much variety.

Shrubs, perennials, annuals, ornamental grasses, etc. used along the roadways should be planted in masses or 'drifts' that emphasize colors and textures, rather than used as single specimens.

Native species should be selected for their benefits of conserving water, protecting soil from erosion, and creating habitat and providing food for many different animals including birds, pollinators, and small mammals. Invasive species are prohibited.

4. Definitions

Bare-Root Plants: Bare-root plants are grown in the field, then harvested. The soil is washed or shaken from their roots after digging. Nearly all are dormant.

Balled-and-Burlapped Plants: Balled-and-burlapped (or B&B) trees and shrubs are grown in nursery rows.

Buffer: Landscaped areas, berms, fencing, walls or other physical features that are planted or installed to physically and visually separate land uses.

Container Grown Plants: Container-grown refers to a plant that has been grown in a container or one that has been transplanted into a container from the field.

Diameter at Breast Height (DBH): DBH is the diameter of a tree measured 4.5 feet above the ground.

Greenspace: Greenspaces are pervious areas of grass, trees or other vegetation, for recreation or aesthetic purposes.

Invasive Plants: An invasive plant is defined as a plant that is not native to a particular ecosystem, whose introduction does or is likely to cause economic or environmental harm or harm to human health.

Landscape Plan: A component of a development plan which shows the quantity, species, and size of all pro- posed vegetation.

Native Plants: A native or indigenous plant species is one that occurs in a particular place without the aid of humans. They are well adapted to the climate, light, and soil conditions that characterize their ecosystem. Species native to North America are generally recognized as those occurring on the continent prior to European settlement.

Site Furniture: Constructed, above-ground objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, and fountains that have the potential for enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces used by the public.

5. Minimum Landscaping Required

A minimum percentage of the total area being developed shall be landscaped in accordance with the following percentages:

- a. Multifamily dwellings: 15%
- b. Mixed-use buildings, commercial, retail and lodging use: 15%
- c. Office and professional uses: 15%

- d. Institutional and civic uses: 15%
- e. Industrial and manufacturing uses: 10%

Tree and shrub requirements for multi-family, commercial, institutional and civic uses:

- a. For every 500 square feet of landscaping required, or portion thereof, at least one (1) large tree and two (2) shrubs are required.
- b. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

Tree and shrub requirements for industrial and manufacturing uses:

- a. For every 1,000 square feet of landscaping required, or portion thereof, at least one (1) large tree and two (2) shrubs are required.
- b. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

Each development shall provide at least two (2) different species. No more than 50% of all trees, per development, shall be of the same species. This standard applies only to trees being planted to meet requirements, not to existing trees.

Ground cover is required. Landscaped area that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses and lawn areas. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants.

Stormwater treatment areas including retention and detention areas shall not be counted toward the required minimum landscaped area.

6. Buffer Yard - Streetscape

Planting plans shall emphasize large shade trees within or near the right-of-way in order to create a more unified streetscape. Large spreading deciduous trees shall be planted in appropriate locations along town roads and private access drives to define the edge of the travel way, provide shade for pedestrians, clean the air, and add scale to transportation corridors and commercial developments.

A vegetated buffer yard shall be established and/or maintained along the front property line of a lot where it abuts a public street as defined in the specific Zoning District for which the property is located. The minimum streetscape buffer yard shall be 10' deep for all streets not specifically designated.

Within a required buffer yard large trees shall be required at a rate of one (1) per thirty (30) feet. Trees may be planted in irregular groupings to accommodate utility conflicts and/or allow for design flexibility.

A buffer yard 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, stormwater treatment areas and storage or service facilities may not be located within the buffer strip.

Trees and other landscaping planted at intersections shall preserve an adequate sight triangle as determined by the traffic engineer.

Landscape buffer strip requirements may be used to meet the overall landscape requirements established in Section F.5.

7. Buffer Yard – Residential Adjacency

Buffering shall be used to minimize any adverse impacts or nuisances on the site or from adjacent areas. Buffers shall be provided to shield structures and uses from the view of abutting properties, where the abutting properties would otherwise be adversely impacted.

A residential adjacency buffer yard is required when a side or rear yard abuts a residential district as defined in the specific Zoning District for which the property is located.

Buffer yards shall be installed by the more intense use. All required buffer yards abutting residential uses or districts shall maintain the district boundary in its natural state. Where no natural buffering can be maintained all side and rear yards abutting residential uses or districts shall be landscaped to provide a visual screen between districts.

Buffers may include fences, plantings, berms, grade changes and walls used to minimize any adverse impacts and nuisances on a given site or abutter.

Where residential adjacency buffers are required, the Planning Board may require evergreen or deciduous trees within these buffer areas as follows:

- a. Evergreen buffers require three (3) rows of staggered plantings. The rows shall be eight (8) feet apart and the evergreens planted six (6) feet on center.
- b. Deciduous buffers require trees with a minimum of 3-inch caliper and rows and spacing to be determined by the Board based on the characteristics of the site and uses.

8. Parking Lot Landscaping Required

Landscaping is necessary in parking lots to enhance their appearance, lessen the scale of paved areas, define edges, and provide shade and cover.

Parking Lot Screening. Plantings, trees, and other landscape elements shall separate parking lots from neighboring streets to minimize views of vehicles and paved areas, while still enabling views of the building. Where parking is provided between the building and the street, it shall be screened in accordance with the following:

a. Landscape screening shall contain a continuous screen not less than three (3) feet in height in a minimum planting bed depth of five (5) feet. The five (5) foot planting bed is in addition to the depth required for the streetscape buffer yard.

The continuous screen may be comprised of:

- a. Shrubs provided every four (4) to six (6) linear feet within the required planting strip
- b. Three (3) feet tall fence or boulders in combination with shrubs; or
- c. Combination of the above

Planted screening must be capable of providing a screen of at least thirty-six (36) inches in height in two years.

Parking Lot Landscaping Required. Parking lot landscaping shall be in accordance with the following:

- a. Planting islands shall be included at a rate of one (1) island per fifteen (15) spaces.
- b. Landscape islands shall be required on both ends of all parking aisles, both single and double loaded, if such spaces are not adjacent to another landscaped area or entryway.
- c. Landscape islands shall be a minimum of 160 square feet, typically nine (9) feet wide and eighteen (18) feet deep, and shall contain at least one (1) large tree and four (4) shrubs.

- d. Parking lot entryways shall contain at least one (1) large tree and four (4) shrubs on each side.
- e. Vehicular use areas including drive aisles and/or parking space shall be screened from all abutting property by a continuous landscaped area not less than five (5) ten (10) feet deep. Stormwater treatment may be located in these areas upon approval by the Town Engineer.
- f. Trees in parking lots shall be planted in informal groups, straight rows, or concentrated in certain areas. Large trees shall be planted at least five feet from the end of parking lot islands for both motorist visibility and tree health.
- g. Areas adjacent to walkways shall be landscaped with trees, shrubs, ground cover, benches or other materials. Walkways in parking areas shall include landscaped islands for visual relief, shade, and scale.

Parking Lot Landscaping requirements may be used to meet the overall landscape requirements established in Section F.5.

9. Foundation Landscaping Required

Trees and plantings shall be coordinated with the on-site architecture by complementing the building elevations without blocking storefronts, signs, or lighting and reinforce wayfinding by emphasizing entrances and circulation patterns.

Planting beds are required along exposed building edges, foundations and uninterrupted walls. Plantings shall provide either a formal pattern or a naturalistic blend of heights, colors, and textures for visual relief.

In addition, all paved surfaces, excluding those adjacent to service areas and/or the rear of buildings, of parking areas shall be separated from buildings by a minimum five (5) feet landscape strip and a five (5) foot walkway.

- a. A minimum of one (1) shrub shall be provided every four (4) to six (6) linear feet within the required planting strip. Shrubs may be clustered to avoid utility conflicts.
- b. Small ornamental trees may be provided in the planting strip and substitute for four (4) shrubs.

Plantings shall be massed to soften edges, corners, and pavement areas, and to integrate the building into the landscape.

Large rocks may be used as landscape elements sparingly and as accents in mass plantings. Where used, they shall be buried for at least one third of their depth.

Where mulch is used, it shall consist of dark, decomposed shredded bark, with pieces less than one (l) inch in any one dimension.

Foundation landscaping requirements may be used to meet the overall landscape requirements established in Section F.5.

10. Screening – Service and Mechanical Areas

Refuse containers or disposal areas shall be screened from view by placement of a solid wood or vinyl fence or masonry wall as tall as the refuse containers, but no less than five (5) feet in height. All refuse materials shall be contained within the refuse area. Refuse containers and disposal areas shall be located to the side or rear of buildings, and in no instance shall be located in the front setback of a site.

a. Structural screens and fencing shall complement the design of the main structure by

repetition of materials, detailing, scale, and color.

- b. Where chain link fencing is required for safety, it shall be painted black or a similar dark color, or coated with dark vinyl. Plastic slats in chain link fencing are not permitted.
- c. Gates shall be designed to prevent sagging.
- d. Screening may be further enhanced with evergreen trees, shrubs, and earth berms.

All mechanical equipment, transformers, propane tanks and similar shall be screened from any public right-of way or adjacent residential use or zoning districts. Fencing, landscape or a combination shall be required

Screening requirements may be used to meet the overall landscape requirements established in Section F.5.

11. Screening – Outdoor Storage

Outdoor storage shall be permitted only as allowed by the Scarborough Zoning Ordinance.

The outside storage of goods, materials, merchandise, automobiles, automobile parts, containers, and the like shall be located to the side or rear of sites and screened from view, subject to the review and approval by the Planning Board. The Planning Board may require additional screening elements.

Areas for outdoor storage or containers shall be designed as an integral part of the site, landscaping, and architectural plan and shall be setback and screened from public and private ways, main entrances, public spaces, and abutting residential neighborhoods.

Screening requirements may be used to meet the overall landscape requirements established in Section F.5.

12. Landscape Preservation and Protection

Wherever practical, existing specimen trees, native species over 20" at DBH, tree clusters or other significant vegetation shall be preserved. Further, transplanting and reusing on-site trees and other vegetation is strongly encouraged.

When preservation is proposed, a tree inventory and survey showing the location, size, species and condition of existing protected trees on a lot, must be submitted and approved with the site plan application. The landscape plan shall illustrate which vegetation will be preserved and what protection measures will be implemented including the following minimums:

- a. Site features must be designed to minimize disturbance to protected trees.
- b. Tree wells or cut areas may be used to preserve the original grade around the tree. Raising the grade around protected tree trunks is prohibited.
- c. In the drip line of protected trees, no cut or fill may be at least four (4) inches deep unless a qualified arborist or forester evaluates and approves the disturbance.
- d. Finished grades must slope away from trunks to avoid water concentrated at tree bases.
- e. During construction, perimeter fencing must be erected around protected trees, at least six (6) feet from the trunk or one-half of the drip line, whichever is more.
- f. Storage or movement of equipment, material, debris, or fill in the tree protection zone is prohibited.

- g. Damaging attachments, wires, signs or permits cannot be fastened to protected trees.
- h. The developer is responsible for coordination with utility companies when trenching near protected trees. Trenches or footings should be at least eight (8) feet from trunk bases. Tunneling under large diameter roots may be required to prevent root damage.

Preserved landscaping may be used to meet the overall landscape requirements established in Section F.5.

13. Site Amenities

Public entrances to new or renovated buildings shall be complemented with outdoor seating or use areas. Canopies, recessed entrances, seating areas, decorative plantings, lawn areas and other elements shall be incorporated around the building entry to serve as pedestrian space or gathering areas.

14. Alternative Transportation and Bicycle Facilities

Provisions shall be made for alternative transportation if the site is located on a bus or bicycle route. Such provisions may consist of bus shelters, bicycle racks, or individual travel lanes for either mode of transportation.

Bicycle parking facilities are required for non-residential and multi-family uses. One (1) bicycle parking facility must be provided for every ten (10) vehicle parking spaces required. Bicycle parking design must follow recognized professional standards. The location of bicycle facilities is subject to the approval by the Planning Board during the site plan process.

15. Snow Storage

Provisions shall be made for snow storage in the design of all parking areas. The areas shall be shown on the site plan to avoid conflicts with landscaping, visibility, drainage, or icing during the winter season.

Landscape materials surrounding parking lots and in islands shall be able to tolerate large quantities of snow stored during winter months. Delicate plant material shall not be used in areas where they are likely to be buried under snow.

All walkways and sidewalks shall be designed for efficient snow removal to enable year-round use.

Designated snow storage locations shall be required as follows:

- a. Located near the sides or rear of parking areas and driveways, away from primary street frontage.
- b. Located to maximize solar exposure to the greatest extent possible.
- c. Located so that snow moving equipment is not required to enter the public streets to move snow to the storage areas.
- d. Located in a manner to preserve sight lines of vehicles entering and exiting the site.
- e. Shall not block any required access, sidewalk, bicycle facility, trail or public path.
 - i. Shall not block drainage areas.
 - ii. Shall not be located in or near any stormwater treatment areas including retention and detention areas.
- iii. May be located within parking areas, but such areas may not be counted towards required off-street parking.

- iv. May be located within required landscaping areas, but the areas shall be planted with landscaping tolerant of snow storage.
- v. Snow storage areas shall be located to avoid piling of snow against existing trees.

16. Approved Plant Species List

Plant material shall be selected with consideration to public health and safety. Plants to be avoided include those with poisonous fruits, large thorns, or shrubs that could provide hiding places along pathways or block the view of moving vehicles. The applicant shall use plant material and species that require a low degree of maintenance and that are resistant to insect infestation, drought, disease, road salt, and auto emissions, and are tolerant of local winter conditions.

All parking lot landscaping shall be appropriate for parking lot conditions. Trees that may damage automobiles (dripping sap, messy fruit, or hard seeds such as acorns) are discouraged in or around parking lots.

Invasive species shall not be used. The Do Not Sell Invasive plant list can be found here: <u>Maine Natural Areas Program Invasive Plant Fact Sheets</u>

The plants on the plant species list below have been derived from a number of sources to increase the use of native plants in Scarborough. This list is subject to periodic review based on factors that may change the viability or appropriateness of plantings.

All required trees shall be selected from the preferred or acceptable alternative list below, based on the size required for the landscape element. A minimum of sixty (60) percent of the total number of required trees shall be selected from the preferred species list.

When the ordinance requires a shrub, only plants classified as shrubs, perennials, ferns and grasses may be used. A minimum of forty (40) percent of the total number of shrubs shall be selected from the preferred species lists. Up to twenty-five (25%) percent of shrubs may be selected from an unlisted species subject to Site Plan approval. The <u>Maine Audubon Society</u> and the <u>University of Maine Cooperative Extension</u> provide extensive plant lists appropriate for Maine.

LARGE DECIDUOUS TREES			
Preferred Species			
Scientific Name	Common Name	Mature Height	
Acer x freemanii	Armstrong Maple	40-55'	
Acer rubrum	Red Maple	50-60'	
Acer saccharinum	Silver Maple	60-80'	
Acer saccharum	Sugar Maple	60-70'	
Betula alleghaniensis	Yellow Birch	70-85'	
Betula borealis	Northern Birch	30-60'	
Betula nigra	River Birch	40-70'	
Betula papyrifera	Paper Birch	60-70'	
Betula populifolia	Gray Birch	20-40'	
Carya ovata	Shagbark Hickory	70-90'	
Cladrastis kentukea	Yellowwood	30-50'	
Fagus grandifolia	American Beech	50-100'	
Larix laricina	Larch, Hackmatack, Tamarack	50-60'	
Nyssa sylvatica	Tupelo Black Gum	40-70'	

Platanus occidentalis	Sycamore American Buttonwood	60-80'
Prunus serotina	Black Cherry	50-80'
Quercus alba	White Oak	60-70'
Quercus bicolor	Swamp Oak	50-60'
Quercus coccinea	Scarlet Oak	30-50'
Quercus macrocarpa	Bur Oak	60-100'
Quercus rubra	Northern Red Oak	60-80'
Tilia americana	American Basswood, American Linden	60-80'
Ulmus americana	Princeton American Elm	60-70'

LARGE DECIDUOUS TREES			
Acceptable Alternative Species			
Scientific Name	Common Name	Mature Height	
Aesculus x carnea	Red Horse Chestnut	30-40'	
Aesculus hippocastanum	Horse Chestnut	50-75'	
Betula jacquemonti	Himalayan Birch	30-40'	
Catalpa speciosa	Catalpa	40-60'	
Carpinus betulus	European Hornbeam	40-60'	
Cercidiphyllum japonicum	Katsura Tree	40-60'	
Fagus sylvatica	European Beech	50-60'	
Ginkgo biloba	Maidenhair Tree	60-100'	
Gleditsia triacanthos	Thornless Honey Locust	65-100'	
Gymnocladus dioicus	Kentucky Coffee Tree	60-80'	
Juglans nigra	Black Walnut	50-90'	
Liriodendron tulipifera	Tulip Poplar Tree	60-90'	
Liquidambar styraciflua	American Sweetgum	50-60'	
Magnolia acuminata	Cucumber Tree	40-70'	
Metasequoia glyptostroboides	Dawn Redwood	75-100'	
Platanuis x acerfolia	London Planetree	70-100'	
Quercus palustris	Pin Oak	50-70'	
Quercus robur	English Oak	40-70'	
Salix alba 'Tristis'	Weeping Willow	50-75	
Taxodium distichum	Bald Cypress	35-100'	
Tilia cordata	Littleleaf Linden	50-70'	
Tilia tomentosa	Silver Linden	50-70'	
Zelkova serrata	Zelkova	80-100'	

LARGE EVERGREEN TREES		
Preferred Species		
Scientific Name	Common Name	Mature Height
Abies balsamea	Balsam Fir	60-70'
Abies concolor	White Fir	30-50'
Abies fraseri	Fraser Fir	30-50'
Chamaecyparis thyoides	Atlantic White Cedar	30-50'

Juniperus virginiana	Eastern Red Cedar	20-60'	
Picea glauca	White Spruce	60-90'	
Picea rubens	Red Spruce	60-80'	
Picea mariana	Black Spruce	50-70'	
Pinus banksiana	Jack Pine	50-60'	
Pinus rigida	Pitch Pine	30-40'	
Pinus resinosa	Red/Norway Pine	60-80'	
Pinus strobus	Eastern White Pine	70-80'	
Thuja occidentalis	Cedar Northern White	20-40'	
	LARGE EVERGREEN TREES		
Acceptable Alternative Species			
	Acceptable Alternative Species		
Scientific Name	Acceptable Alternative Species Common Name	Mature Height	
Scientific Name Chamaecyparis spp.	Acceptable Alternative Species Common Name Cypress	Mature Height 10-60'	
Scientific Name Chamaecyparis spp. Picea abies	Acceptable Alternative Species Common Name Cypress Norway Spruce	Mature Height 10-60' 70-120'	
Scientific Name Chamaecyparis spp. Picea abies Picea engelmannii	Acceptable Alternative Species Common Name Cypress Norway Spruce Engelmann Spruce	Mature Height 10-60' 70-120' 80-130'	
Scientific Name Chamaecyparis spp. Picea abies Picea engelmannii Picea omorika	Acceptable Alternative Species Common Name Cypress Norway Spruce Engelmann Spruce Serbian Spruce Image: Common Spruce	Mature Height 10-60' 70-120' 80-130' 50-60'	
Scientific Name Chamaecyparis spp. Picea abies Picea engelmannii Picea omorika Picea pungens	Acceptable Alternative Species Common Name Cypress Cypress Image: Cypress Norway Spruce Image: Cypress Engelmann Spruce Image: Cypress Serbian Spruce Image: Cypress Colorado Spruce Image: Cypress	Mature Height 10-60' 70-120' 80-130' 50-60' 30-60'	
Scientific Name Chamaecyparis spp. Picea abies Picea engelmannii Picea omorika Picea pungens Pinus flexilis	Acceptable Alternative SpeciesCommon NameCypressNorway SpruceEngelmann SpruceSerbian SpruceColorado SpruceLimber Pine	Mature Height 10-60' 70-120' 80-130' 50-60' 30-60' 60-80'	
Scientific NameChamaecyparis spp.Picea abiesPicea engelmanniiPicea omorikaPicea pungensPinus flexilisPinus nigra	Acceptable Alternative SpeciesCommon NameCommon NameCypressNorway SpruceEngelmann SpruceSerbian SpruceColorado SpruceLimber PineAustrian Pine	Mature Height 10-60' 70-120' 80-130' 50-60' 30-60' 60-80' 60-180'	
Scientific NameChamaecyparis spp.Picea abiesPicea engelmanniiPicea omorikaPicea pungensPinus flexilisPinus nigraPinus sylvestris	Acceptable Alternative SpeciesCommon NameCypressNorway SpruceEngelmann SpruceSerbian SpruceColorado SpruceLimber PineAustrian PineScots Pine	Mature Height 10-60' 70-120' 80-130' 50-60' 30-60' 60-80' 60-180' 30-80'	

SMALL ORNAMENTAL TREES			
Preferred Species			
Scientific Name	Common Name	Mature Height	
Acer pensylvanicum	Striped Maple	15-25'	
Amelanchier canadensis	Eastern Serviceberry	30-40'	
Amelanchier arborea	Downy Serviceberry	20-40'	
Amelanchier x grandiflora	Apple Serviceberry	15-25'	
Amelanchier laevis	Alleghany Serviceberry	15-40'	
Carpinus caroliniana	American Hornbeam	10-25'	
Cercis canadensis	Eastern Redbud	20-30'	
Cornus alternifolia	Alternate Leaf Dogwood	15-25'	
Cornus florida	Flowering Dogwood	12-20'	
Corylus Americana	American Hazelnut	8-12' (also shrub)	
Crataegus crus-galli	Cockspur Hawthorn	15-30'	
Hamamelis virginiana	Common Witch-Hazel	15-20'	
Ostrya virginiana	Eastern Hop Hornbeam	20-30'	
Oxydendrum arboretum	Sourwood	20-25'	
Prunus virginiana	Common Chokeberry	20-30'	
Sorbus americana	American Mountain Ash	10-30'	
Cornus alternifolia	Pagoda Dogwood	10-20'	
Viburnam lentago	Nannyberry	10-30' (also shrub)	
SMALL ORNAMENTAL TREES			
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Acceptable Alternative Species			
Scientific Name	Common Name	Mature Height	
Acer campestre	Hedge Maple	20-25'	
Acer griseum	Paperbark Maple	20-30'	
Acer palmatum	Japanese Maple	10-25'	
Acer triflorum	Three Flower Maple	25-30'	
Amelanchier alnifolia	Western Serviceberry	10-15'	
Chionanthus Virginicus	American Fringetree	12-20'	
Cornus kousa	Kousa Dogwood	20-30'	
Cornus mas	Cornealian Cherry Dogwood	15-25'	
Cotinus obovatus	American Smoketree	20-30'	
Crataegus viridis	Winter King Hawthorne	20-35'	
Halesia Carolina	Carolina Silverbell	30-40'	
Hamamelis vernalis	Witchhazel	6-10' (also shrub)	
Hamamelis x intermedia	Witchhazel	12-15'	
Maackia amurensis	Amur Maackia	20-30'	
Magnolia x liliiflora	Lily Magnolia	8-12' (also shrub)	
Magnolia loebneri	Loebner Magnolia	20-30'	
Magnolia soulangiana	Saucer Magnolia	20-25'	
Magnolia stellata	Star Magnolia	15-20'	
Malus species	Flowering Crabapple	15-25'	
Pinus mugo	Mugo Pine	20-25'	
Prunus x accolade	Accolade Flowering Cherry	20-25'	
Prunus sargentii	Sargent Cherry	20-40'	
Stewartia pseudocamellia	Stewartia	20-40'	
Syringa reticulata	Japanese Tree Lilac	20-30'	

SHRUBS			
Preferred Species			
Scientific Name	Common Name	Scientific Name	Common Name
Aesculus parviflora	Bottlebrush Buckeye	Leucothoe	Drooping Laurel
		fontanesianana	
Amelanchier arborea	Downy Serviceberry	Lindera benzoin	Spicebush
Amelanchier canadensis	Canadian Serviceberry	Myrica gale	Sweet Gale
Amelanchier stolonifera	Running Serviceberry	Myrica pennsylvanica	Bayberry
Aronia arbutifolia	Red Chokeberry	Physocarpus opulifolius	Ninebark
Aronia melanocarpa	Black Chokeberry	Prunus maritima	Beach Plum
Ceanothus americanus	New Jersey Tea,	Rhus aromatica	Fragrant Sumac
	Redroot		
Cephalanthus	Buttonbush	Rhus hirta	Smooth Sumac
occidentalis			
Clethra alnifolia	Sweet Pepperbush	Rhus typhina	Staghorn Sumac
	Sweetfern	Rosa carolina	Pasture Rose, Carolina
Comptonia peregrina			Rose

Corylus Americana	American Hazelnut	Rosa palustris	Swamp rose
Cornus racemosa	Gray Dogwood	Rosa virginiana	Virginia Rose
Cornus sericea	Redosier Dogwood	Rubus odoratus	Flowering Raspberry
Diervilla lonicera	Bush Honeysuckle	Sambucus	Elderberry
Illex glabra	Inkberry	Vaccinium corymbosum	Highbush Blueberry
Ilex verticillata	Winterberry	Viburnum spp.	Viburnum
Juniperus communis	Common Juniper	Xanthorhiza simplicissima	Yellowroot
Kalmia angustifolia	Sheep Laurel		
	SHR	UBS	
	Acceptable Alte	ernative Species	
Scientific Name	Acceptable Alte	ernative Species Scientific Name	Common Name
Scientific Name Azalea spp.	Acceptable Alte Common Name Azalea	ernative Species Scientific Name Hydrangea spp.	Common Name Hydrangea
Scientific Name Azalea spp. Buxus spp.	Acceptable Alto Common Name Azalea Boxwood	Scientific Name Hydrangea spp. Pieris spp.	Common Name Hydrangea Andromeda
Scientific Name Azalea spp. Buxus spp. Cotoneaster spp.	Acceptable Alte Common Name Azalea Boxwood Cotoneaster	ernative SpeciesScientific NameHydrangea spp.Pieris spp.Rhododendron spp.	Common Name Hydrangea Andromeda Rhododendron
Scientific Name Azalea spp. Buxus spp. Cotoneaster spp. Deutzia gracilis	Acceptable Alto Common Name Azalea Boxwood Cotoneaster Slender Deutzia	ernative SpeciesScientific NameHydrangea spp.Pieris spp.Rhododendron spp.Rose spp.	Common Name Hydrangea Andromeda Rhododendron Rose
Scientific Name Azalea spp. Buxus spp. Cotoneaster spp. Deutzia gracilis Enkianthus campanulat.	Acceptable Alte Common Name Azalea Boxwood Cotoneaster Slender Deutzia Redveined Enkianthus	ernative Species Scientific Name Hydrangea spp. Pieris spp. Rhododendron spp. Rose spp. Salix spp.	Common Name Hydrangea Andromeda Rhododendron Rose Willow
Scientific Name Azalea spp. Buxus spp. Cotoneaster spp. Deutzia gracilis Enkianthus campanulat. Fothergilla gardenia	Acceptable Alto Common Name Azalea Boxwood Cotoneaster Slender Deutzia Redveined Enkianthus Dwarf Fothergilla	ernative Species Scientific Name Hydrangea spp. Pieris spp. Rhododendron spp. Rose spp. Salix spp. Spiraea spp.	Common Name Hydrangea Andromeda Rhododendron Rose Willow Spiraea
Scientific Name Azalea spp. Buxus spp. Cotoneaster spp. Deutzia gracilis Enkianthus campanulat. Fothergilla gardenia Fothergilla major	Acceptable Alte Common Name Azalea Boxwood Cotoneaster Slender Deutzia Redveined Enkianthus Dwarf Fothergilla Bottlebrush Bush	ernative Species Scientific Name Hydrangea spp. Pieris spp. Rhododendron spp. Rose spp. Salix spp. Spiraea spp. Syringa spp.	Common Name Hydrangea Andromeda Rhododendron Rose Willow Spiraea Lilac

PERENNIALS			
Preferred Species			
Scientific Name	Common Name	Scientific Name	Common Name
Achillea millefolium	Yarrow	Iris versicolor	Blue Flag Iris
Actaea rubra, Actaea pachypoda	Red Baneberry, White baneberry	Liatris spicata	Gayfeather
Anemone canadensis	Canadian Anemone	Lobelia cardinalis	Cardinal Flower
Aquilegia canadensis	Eastern Red Columbine	Lupinus perennis	Wild Lupine
Asclepias tuberosa	Butterfly weed	Monarda didyma	Scarlet Bee Balm, Oswego Tea
Columbine aquilegia	Columbine	Monarda fistulosa	Wild Bergamot
Coreopsis lanceolata	Lanceleaf Coreopsis	Polygonatum pubescens	Solomon's Seal
Coreopsis verticillata	Moonbeam Coreopsis	Rudbeckia hirta	Black-Eyed Susan
Echinacea purpurea	Purple coneflower	Symphyotrichum novae-angliae	New England Aster
Eutrochium purpureum	Joe Pye Weed	Symphyotrichum novi- belgii	New York Aster
PERENNIALS			
Acceptable Alternative Species			
Scientific Name	Common Name	Scientific Name	Common Name
Astilbe varieteis	Astilbe	Hosta spp.	Hosta
Agastache	Anise Hyssop	Leucanthemum	Ox-eye Daisy

Aruncus dioicus	Goatsbeard	Malva alcea 'fastigiata'	Hollyhock Mallow
Baptisia	Wild Indigo	Nepeta x faassenii	Walker's Low Catmint
Epimedium	Barrenwort	Perovskia atriplicifola	Russian Sage
Geranium spp.	Geraniums	Phlox spp.	Garden Phlox
Hemerocallis species	Daylilies	Sedum telephium	Autumn Joy Sedum
Heuchera spp.	Coral Bells		
	FE	RNS	
Preferred and Acceptable Species			
Scientific Name	Common Name	Scientific Name	Common Name
Scientific Name Adiantum pedatum	Common Name Maidenhair Fern	Scientific Name Osmundastrum cinnamomeum	Common Name Cinnamon Fern
Scientific Name Adiantum pedatum Athyrium angustum	Common Name Maidenhair Fern Lady Fern	Scientific Name Osmundastrum cinnamomeum Osmunda claytoniana	Common Name Cinnamon Fern Interrupted Fern
Scientific Name Adiantum pedatum Athyrium angustum Dennstaedtia punctilobula	Common Name Maidenhair Fern Lady Fern Hayscented Fern	Scientific Name Osmundastrum cinnamomeum Osmunda claytoniana Osmunda regalis var. spectabilis	Common Name Cinnamon Fern Interrupted Fern Royal Fern
Scientific NameAdiantum pedatumAthyrium angustumDennstaedtiapunctilobulaMatteuccia	Common Name Maidenhair Fern Lady Fern Hayscented Fern Ostrich Fern	Scientific Name Osmundastrum cinnamomeum Osmunda claytoniana Osmunda regalis var. spectabilis Polystichum	Common Name Cinnamon Fern Interrupted Fern Royal Fern Christmas Fern
Scientific Name Adiantum pedatum Athyrium angustum Dennstaedtia punctilobula Matteuccia struthiopteris var. pensy lvanica	Common NameMaidenhair FernLady FernHayscented FernOstrich Fern	Scientific Name Osmundastrum cinnamomeum Osmunda claytoniana Osmunda regalis var. spectabilis Polystichum acrostichoides	Common NameCinnamon FernInterrupted FernRoyal FernChristmas Fern

GRASSES			
Preferred Species			
Scientific Name	Common Name	Scientific Name	Common Name
Ammophila breviligulata	Beachgrass	Deschampsia cespitosa	Tufted Hairgrass
Andropogon gerardii	Big Bluestem	Deschampsia flexuosa	Crinkled Hairgrass
Carex appalachica	Appalachian Sedge	Panicum virgatum	Switchgrass
Carex pensylvanica	Pennsylvania Sedge	Juncus spp.	Rush
Chasmanthium latifolium	Northern Sea Oats	Schizachyrium scoparium	Little Bluestem
Eragrostis spectabilis	Purple Lovegrass	Sporobolus heterolepis	Prairie Dropseed
	GRA	SSES	
	Acceptable Alte	ernative Species	
Scientific Name	Common Name	Scientific Name	Common Name
Calamagrostis x acutiflora	Feather-Reed Grass	Miscanthus sinensis	Maiden Grass
Calamagrostis brachytricha	Feather-Reed Grass	Molinia caerulea subsp. Arundin	Moor Grass
Festuca glauca	Blue Fescue	Pennisetum alopecuroides	Fountain Grass
Hakonechloa macra	Hakone Grass		
GROUNDCOVERS			
Preferred and Acceptable Species			
Scientific Name	Common Name	Scientific Name	Common Name
Arctostaphylos uva-ursi	Bearberry	Juniperus horizontalis	Creeping Juniper
Cornus canadensis	Bunchberry	Mitchella repens	Partridgeberry
Gaultheria procumbens	Checkerberry, Wintergreen	Vaccinium angustifolium	Lowbush blueberry

Plant materials shall meet the following minimum sizes, unless alternative sizes are required given a particular site or location:

Landscape Element	Minimum Size
Large Deciduous Trees	2 ½ " caliper
Large Evergreen Trees	5-7' in height
Small Ornamental Trees	2" caliper
Shrubs	3gallons
Perennials	1 gallon
Ferns	1 gallon
Grasses	1 gallon
Groundcovers (plugs acceptable)	1 gallon

The Planning Board may require larger plants for special locations, such as within the Route One right-of-way and along Haigis Parkway.

17. Installation, Guarantee and Maintenance

Installation. The ultimate form and height of plantings shall be considered so they will not create unsafe conditions or block sight lines for pedestrians, bicyclists, or motorists as they mature.

Trees shall be planted in locations where their root development and branching patterns will not interfere with window displays, signage, underground or overhead utilities, streets, and sidewalks.

The installation of underground irrigation is encouraged in front setbacks, public spaces, and other highly visible areas. It shall be coordinated so it does not cause overflow or flooding in pedestrian use areas, such as walkways, sidewalks, or parking lots.

The Town recognizes the seasonal nature of landscape installation; however, all landscaping shall be installed according to the approved site plan prior to Certificate of Occupancy or within six (6) months after the Certificate of Occupancy has been issued and a performance guarantee has been provided and accepted by the Town.

Maintenance. Landscape plans shall anticipate a three (3) to eight (8) year growing cycle to achieve maturity for shrubs and fifteen (15) to twenty (20) plus years for trees. The plan shall be designed and plantings selected with due consideration for maintenance requirements.

A written maintenance plan shall be provided for the landscape elements to be installed on the site. The plan shall include initial installation, guarantee period, replacement policy, annual maintenance, and irrigation provisions. Maintenance plans shall include alternatives to regular mowing and pesticide use if possible. This may be established on the landscape plan with standard notes.

Trees and shrubs in and near parking areas and walkways shall be trimmed and maintained so that they do not block views needed for safe movement of motorists and pedestrians. Vertical clearances of at least eight (8) feet shall be maintained. Shrubs in parking lot islands shall not exceed three (3) feet in height to avoid blocking visibility.

All plant material shall be allowed to achieve their natural forms without excessive pruning. Shaping evergreen shrubs into tight geometrical forms shall be avoided.

Guarantee. All lawns and plant materials shall be guaranteed for a period of not less than two (2) years. The developer shall submit a copy of a guarantee and a contract with the landscape contractor, indicating the terms of the guarantee period, or may obtain a letter of credit. The

guarantee period does not begin until all landscaping has been installed.

Where plant materials specified on the planting plan do not survive or are damaged, they shall be replaced and/or reinforced in accordance with the two-year performance guarantee to maintain conformance with the approved planting plan and to provide the necessary landscape effect.

Plants that die must be replaced in kind, unless another species is more appropriate given the site's growing conditions. A fine may be levied if the landscaping has not been maintained, and new plants required to be planted.

18. Landscape Plan Required

If site improvements will create ten (10) or more new parking spaces or create 2,000 sq. ft. or more of new building footprint, a landscape plan shall be prepared by a landscape architect registered in Maine.

The Planning Board, at their discretion, may require a peer review of landscape plans.

Landscaping for multiple building developments shall be coordinated with all other elements of the site. As part of the application for Site Plan approval, applicants shall submit a master landscape plan that shows how landscaping will be used to complement proposed buildings, reinforce circulation paths, help define pedestrian use areas, highlight entrances, provide shade, and add seasonal interest to the landscape.

Plantings used in stormwater treatment facilities should be designed by a qualified professional.

The planting plan shall illustrate how plantings shall be coordinated with the location of underground and overhead utilities and lighting.

Each landscape plan shall include the following table filled out for the specific site:

Minimum Landscape Required	Required	Provided
Minimum Landscape Area		
(square feet)		
Minimum Trees Required		
Trees	Min $60\% = ##$	% and #
(Preferred Species)		
Trees	Max 40% = ##	% and #
(Alternative Species)		
Minimum Shrubs Required		
Shrubs	Min 40% = ##	% and #
(Preferred Species)		
Shrubs	Max 60% = ##	% and #
(Alternative Species)		
Shrubs (Unlisted)	Max 25% = ##	% and #

Buffer Yard - Streetscape	Required	Provided
Street Name		
Street Frontage Depth		
Street Frontage Length		
(excluding entryways)		

(linear feet)		
Street Frontage Area		
(square feet)		
Street Trees		
Buffer Yard - Residential	Required	Provided
Adjacency (if required)		
RA Type Required		
RA Buffer Depth (feet)		
RA Buffer Length (linear feet)		
RA Buffer Area (square feet)		
RA Buffer Trees		
Parking Lot Screening (if required)	Required	Provided
Parking Lot Screen Depth (feet)		
Parking Lot Screen Length		
(excluding entryways) (linear		
feet)		
Parking Lot Screen Area (square		
feet)		
Parking Lot Screening Shrubs		
Parking Lot Landscape	Required	Provided
Parking Calculation Type		
Parking Spaces		
Parking Islands (number)		
Parking Islands Total Area		
(square feet)		
Parking Island Trees		
Parking Island Shrubs		
Entryway Trees		
Entryway Shrubs		
Continuous 5' Landscape Area -		
All Applicable Sides (square		
feet)		
Foundation Landscape	Required	Provided
Landscape Bed Depth (feet)		
Landscape Bed Length - All		
Applicable Sides (linear feet)		
Landscape Bed Area - All		
Applicable Sides (square feet)		
Landscape Bed Shrubs		
Landscape Bed Ornamental		
Trees (if provided)		
Additional Screening (if required)	Required	Provided
Dumpster Area Fence		
Dumpster Areas Shrubs		
Mechanical Screening Fence		
Mechanical Screening Shrubs		

19. Waivers Landscape and Screening Standards

The Planning Board may review and approve requests for waivers to landscaping standards for

the following:

- a. The Planning Board may reduce the amount of landscaping required for parking lots if additional landscaping of equal or greater value is provided on other areas on site.
- b. The Planning Board may approve an alternative interior parking island design to address stormwater runoff if recommended for approval by the Town Engineer.
- c. The Planning Board may approve stormwater treatment areas located in the streetscape buffer yard if recommended for approval by the Town Engineer.
- d. The Planning Board may approve an alternative planting plan if the site is not able to accommodate the required plantings, only as follows:
 - i. One large tree may be substituted by two (2) ornamental trees
- e. The Planning Board may waive or decrease the five (5) foot landscape strip requirement between all parking areas and buildings if the development is in an urban setting.
- f. The Planning Board may waive residential adjacency buffer requirements if the site is in conjunction with a master planned development or within a mixed-use district.
- g. The Planning Board may waive the required snow storage areas if a snow storage management plan is submitted and approved by the Town that includes the following:
 - i. Designated temporary or interim snow storage areas that do not interfere with more than one-third (1/3) of the project required minimum parking.
 - ii. Interim snow storage shall be removed within five (5) calendar days following a storm cycle.
 - iii. Interim snow storage shall not be in a location that will damage trees, landscape or other facilities.
 - iv. Interim snow storage shall not block any required access, sidewalk, trail or public way.
 - v. Snow shall be hauled to approved and permitted locations. The location shall be provided.
 - vi. Snow hauling shall generally be completed during non-business hours.
 - vii. The snow management plan shall designate the removal methods.
- h. The Planning Board may consider waivers for the number of bicycle parking facilities for parking lots with 50 or more parking spaces provided.

D. G. Stormwater Management [amended 04/21/2021]

Adequate provisions shall be made for the control, collection and disposal of all stormwater runoff from the site. Drainage plans, details, and calculations shall address the two, ten and twenty-five year, twenty-four hour storm events. These plans shall be designed to complement the hydrology and natural features of the site and shall not cause adverse impacts to abutters, downstream properties, or receiving waters. Post-development stormwater flow rates must be equal to or less than pre-development stormwater flow rates.

1. Stormwater management areas shall be treated as integral, attractive and natural parts of the landscape. Natural areas shall be used to retain and drain stormwater to the extent possible.

- 2. When areas of the site are to be paved they may be designed and constructed with pervious and semi-pervious alternatives to bituminous pavement. Alternative parking surfaces, such as porous pavement, are intended to minimize storm water run-off and facilitate infiltration and natural hydrological functions to the extent feasible.
- **3.** Stormwater treatment basins shall be patterned after natural features and shall avoid hard geometric shapes. These basins shall be planted with wetland species to improve their aesthetic and habitat values.
- **4.** Abrupt changes to natural drainage ways and grades shall be avoided. Natural drainage ways shall not be filled unless specifically permitted by the Applicable Reviewing Authority and transitional grading shall be used to blend all earthworks into the natural contours of the site.
- 5. Drainage systems shall be designed so as to not impact streets, adjacent properties, downstream properties, and local soils and vegetation. The system shall also consider and incorporate the upstream runoff that may pass over the site. Systems should include green infrastructure and low impact development practices.
- **6.** The water quality of receiving waters shall not be degraded by the stormwater runoff from the site. Oil and grease traps, on-site vegetated waterways, drainage swales, and vegetated buffer strips shall be utilized as needed to aid in the prevention of degraded receiving waters.
- 7. Where ground protection and rip rap is necessary in visible locations it shall be constructed of hand-placed rock or geo-grid, rather than course rip-rap.
- 8. Wherever feasible, drainage basins shall be designed to be shared between abutting properties to lessen the amount of land area devoted to stormwater management.
- **9.** If applicable, the site must comply with and submit all documentation required in accordance to Chapter 419 Town of Scarborough Post-Construction Stormwater Infrastructure Management Ordinance.
- **10.** Erosion and sedimentation control plan and narrative is required in accordance to Chapter 420 Town of Scarborough Erosion and Sedimentation Control at Construction Sites Ordinance.

E. H. Outdoor Lighting Standards [amended 04/21/2021; 10/18/2023]

1. Purpose

Outdoor lighting shall be designed to balance visibility and safety on the site, while respecting abutting properties and minimizing light pollution and sky glow. Function, safety, energy consumption and demand, and aesthetic goals shall be achieved with fixtures, color rendering and locations that are planned as part of the overall site design.

2. Applicability

All outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location.

The provisions of this section shall not apply to individual single and two-family dwellings and their accessory buildings, structures, and areas for parking.

The provisions of this section shall not apply to streetlights installed in public rights-of-way. See the Town of Scarborough Streetlight policy.

Temporary outdoor decorative lighting (including lighting for temporary uses, special events, and seasonal holiday lighting) is exempt where the lighting does not exceed sixty (60)

consecutive days or more than 120 days during any one-year period and does not cause undue burden on adjacent properties.

3. General Standards

The location, design, and color of fixtures (poles and luminaries) shall complement the architecture, landscaping, parking areas, and street furnishings of the site to be developed or redeveloped in terms of form, style, and placement.

Lighting shall not cause spillover onto neighboring residential properties or create dangerous conditions due to glare on adjacent roadways.

4. Definitions

Astronomic Time Switch: An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.

Decorative Lighting: Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.

Footcandle: The unit of measure expressing the quantity of light received on a surface.

Full cut-off fixture: Full-cutoff fixtures permit zero light intensity at or above horizontal (90° above nadir) and limited to a value not exceeding 10% of lamp lumens at or above 80°.

Glare: Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

IES: Illuminating Engineering Society.

Lamp: A generic term for a source of optical radiation (i.e. "light"), often called a "bulb" or "tube".

Light Pollution: Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

Light Trespass: Light that falls beyond the property it is intended to illuminate.

Luminaire: The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

Mounting Height: The height of the photometric center of a luminaire above grade level.

Sky Glow: The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

Uplight: For an exterior luminaire, light directed in the hemisphere at or above the horizontal plane.

Vertical Illuminance: Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

5. Lighting Plan Required

A lighting plan shall be furnished with all site plan applications or amended site plan applications. It shall include the following:

a. Narrative that describes the hierarchy of site lighting, how lighting will be used to provide safety and security, and aesthetic effects. The lighting plan narrative shall describe how the

facades of individual buildings and/or landscaping will be lit (if at all) and the design intent behind such lighting.

- b. Photometric diagram showing the illumination levels that will result from the proposed lighting; including the location of all lighting fixtures proposed to illuminate the buildings, entryways, travelways, loading areas, service areas, walkways and landscaping on the site.
- c. Calculation Summary indicating foot-candle levels on the lighting plan, noting the maximum, average, and minimum, as well as the uniformity ratio of maximum to minimum and average to minimum levels to avoid "hot" spots of light.
- d. Summary of the IES lighting standards applied to the site and table showing compliance not exceeding minimum requirements.
- e. Lighting manufacturer-supplied specifications that include photographs of the fixtures, lamp source type, lumen output, color rendering and wattage. This specification must contain the exact make and model number of the light fixture.
- f. Mounting height with distance noted to the nearest property line for each luminaire. All façade mounted lights are also required to be shown on the architectural elevations.
- g. Permanently installed decorative outdoor lighting, such as string lights or patio lights, must be included on the lighting plan submitted with site plan submittals.
- h. Types of timing devices used to control the hours set for illumination, as well as the proposed hours when each fixture will be operated.
- i. An environmental impact statement may be required as to the impact of the exterior lighting proposed on adjacent open space or waterways to include flora, fauna, and the night sky. Location of species sensitive to light at night needs to be indicated.
- j. A note stating no substitutions, additions, or changes may be made without prior approval by the governing authority; and that all lighting not on the plan shall be removed and no additional lighting shall be installed without prior approvals.
- k. Maintenance and Replacement Plan discussing lighting maintenance.

6. Lighting Levels

For safety and energy conservation purposes, illumination levels shall not exceed the current recommended minimums by the <u>Illuminating Engineering Society</u> (IES) except as outlined below:

a. Light levels at the property line should not exceed 0.1 foot-candles (fc) adjacent to business properties, and 0.05 fc at residential property boundaries.

7. Permitted Lighting

- a. All lamps source to be used on site are required to be classified as dark sky compliant and full cutoff, except as otherwise permitted in this ordinance.
- b. Exterior light sources shall be LED or the current highest efficiency available.
- c. Warm lighting color temperature is to be specified for all exterior light applications. Provide a maximum color temperature of 3000K, with a color rendering index (CRI) of 80.

8. Time Limits for Outdoor Lighting

- a. All outdoor lighting located more than 30 feet from any building or outdoor product display or storage area shall be turned off no later than 30 minutes after the business closes and remain off for the remainder of the night or until the business reopens. All exterior lights that remain on during after-hours must be dimmed to fifty (50) percent of their total lumen output until 30 minutes before business reopens. An astronomic time switch or other permanent lighting control device must be provided to facilitate controlled dimming.
- b. All landscape lighting must be turned off when the business is closed.
- c. All temporary or permanent decorative outdoor lights must be turned off when the business is closed. Temporary decorative lights not related to the functionality of the business that are seasonal and/or related to a Federal Holiday may remain on at the business' discretion.

9. Fixture Height and Placement

The location and alignment of fixtures shall be coordinated with the orientation of buildings, the layout of parking and landscaped islands, and the driveway patterns. Light fixtures shall be sited within raised landscaped areas to avoid damage from vehicles and plows. Light poles must not obstruct sidewalks or bicycle paths.

The following requirements apply:

- a. Façade mounted lights adjacent to driveways or access ways shall not exceed 25 feet in height from ground level.
- b. Façade mounted lights adjacent to sidewalks shall be a minimum of twelve (12) feet high from ground level and not exceed sixteen (16) feet from ground level.
- c. Indirect landscape lighting (uplighting and washes) may be used.
- d. High branch-mounted flood-lights aimed toward the ground are prohibited.
- e. Bollard fixtures (full cutoff) are permitted up to 3-4 feet in height from ground level.
- f. Ornamental fixtures are permitted up to 12 feet in height from ground level upon approval by the Planning Board.
- g. Parking Areas light fixtures shall have a maximum overall pole height of 20 feet from grade level to the top of the fixture.

10. Outdoor Recreation Facilities

- a. Any light source permitted by this Ordinance may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, or show areas, provided all of the following conditions are met:
- b. All fixtures used for event lighting shall be fully shielded, or be designed or provided with full cut-off capability, so as to minimize up-light, spill-light, and glare.
- c. All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the playing field, court, or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.
- d. The maximum height permitted is to be determined during the site plan process as approved by the Planning Board.

11. Prohibited Fixtures and Lighting

- a. Bare lamps are not allowed, unless permitted as temporary outdoor lighting or approved as permanent decorative lighting by the Planning Board through the waiver process.
- b. Neon tubes as lighting features are not allowed on building exteriors. The use of internally illuminated bands of color and/or light is prohibited.
- c. Non-cutoff fixtures, other than those specifically permitted by this ordinance.
- d. Mercury vapor lamps.
- e. Outdoor floodlighting by flood light projection above the horizontal plane.
- f. Search lights, flood lights, laser source lights, or any similar high intensity light, except in emergencies by police, fire, or medical personnel or at their direction; or for meteorological data gathering purposes.
- g. Any lighting device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel with intermittent fading, flashing, blinking, rotating or strobe light illumination.

12. Waivers

The Planning Board may review waivers to lighting standards for the following:

- a. Maximum pole and fixture height greater than 20' for large parking lots over 150 spaces if the increase in height can significantly reduce the number of fixtures necessary. Under no circumstances shall the combined height of the pole and light exceed 30' in height. Poles within 200' of residential property lines shall not exceed 20' in height.
- b. Non-cut-off fixtures, such as decorative or historic lamps, may be allowed by the Planning Board where they are designed to be lower luminance, limited in number, or distant from abutting residential uses.
- c. Nonconforming (exposed lamps) permanent decorative lighting may be permitted by the Planning Board where they are limited in number, or distant from abutting residential uses.

13. Signs

Standards for external and internal sign illumination are provided in Section XII of the Zoning Ordinance. Lighting used for the external illumination of signs is included toward the Total Outdoor Light Output standards.

I. Architecture & Signage

The architecture of the building(s) and the aesthetics of the signage on a site shall follow traditional New England building forms and shall be designed to complement the neighborhood or village in which the site is located.

- **1.** The signage for a site shall comply with Section XII, Sign Regulations of the Zoning Ordinance and shall be reviewed in conjunction with the site plan.
- 2. Buildings shall present an inviting, human scaled façade to the street, internal drives, parking areas, and abutting properties. Wherever possible, entrances shall be clearly visible from the

street and reinforced through site and architectural features designed to direct visitors to the building.

- **3.** Building materials shall be treated as important design elements that define the appearance of the structure and strengthen the sense of identity throughout Scarborough. The use of materials that give the appearance of New England architectural forms are strongly encouraged.
- 4. Rooflines shall be designed to provide diversity in the form of the building and add visual interest to the streetscape. Specifically, rooflines shall be designed to reduce the mass of large buildings, emphasize building entrances, provide shelter or shade for pedestrians, and incorporate elements unique to Maine and New England.
- **5.** Large retail buildings, linear commercial buildings, national franchise buildings, and service stations shall all comply with the specific requirements for such structures found in the *Design Standards for Scarborough's Commercial Districts, January 27, 2003.*

E. Architectural Design Standards

1. Purpose

The purpose of architectural design standards is to encourage design which draws its inspiration from historical and contemporary New England examples while complementing the neighborhood or village in which the site is located.

Architectural design must consider scale, form, orientation, height, setback, massing, materials, and architectural features.

2. Applicability

All commercial, multi-family and mixed-use structures constructed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new construction, renovations, reconstruction or any other façade changes proposed through the Site Plan or Subdivision process.

The provisions of this section shall not apply to individual single and two-family dwellings and their accessory buildings, structures and areas for parking. The provisions of this section shall not apply to Light Industrial (LI) or Industrial (I) zoned developments.

3. General Standards

New and renovated buildings shall be designed to fit the individual characteristics of their particular site. The architecture shall be influenced by traditional New England building forms and town-making patterns, the specific needs of the intended users, the nature of the intended use, and other site-specific factors. Contemporary architectural styles are appropriate, provided they meet these standards.

4. **Definitions**

Arcade: An arcade is a succession of contiguous arches, with each arch supported by a colonnade of columns or piers. Exterior arcades are designed to provide a sheltered walkway for pedestrians.

Architectural Feature: A prominent or significant part or element of a building, structure or site.

Articulation: Articulation refers to how building surfaces come together to define form. Articulation may include changes in both the horizontal and vertical plane of the structure.

Building Mass: The height, width, and depth of a structure.

Façade: Façade refers to the face of a building.

Fenestration: Window treatment in a building or on a building façade.

Human Scale: The relationships of a development and/ or its elements in terms of size, height, bulk, intensity, and aesthetics, to human beings.

Massing: The grouping of three-dimensional forms to achieve variation (as in a building or landscape planting).

Mixed-Use Building: A mixed-use building is a building that can be used for more than one purpose, and in any combination. For the purpose of this section, mixed-use buildings include both a residential and non-residential component.

Parapet: The extension of the main walls of a building above the roof line.

Pilasters: Pilasters are rectangular columns, especially those projecting from a wall.

Public Entrance: Public Entrances are entries specifically provided for general public access into a building. This term as it applies in this section does not include employee only entrances.

Redevelopment: The reconstruction, reuse or change in use of any developed property including an increase in intensity of use or structural enlargement.

Rehabilitation/Renovation/Restoration: To construct an addition, make alterations, or to upgrade to the design and layout of a building.

Scale: The relationships of a development and/ or its elements in terms of size, height, bulk, intensity, and aesthetics, to one another and the surroundings

Strip Commercial Centers: Continuous or intermittent linear roadside development, generally one store deep and characterized by multiple roadway access points, highly visible off-street parking and an assortment of commercial uses with direct access to abutting roads.

Transparency: Transparency refers to windows, doors and other transparent openings enabling view into and out of a structure.

Vernacular Architecture: Architectural forms which are indigenous to an area, having developed in response to available materials, environmental conditions, and local cultural traditions.

5. Architectural Plans Required

All elevations of proposed buildings shall be evaluated as part of the design review. The Planning Board may request perspectives of the building to illustrate the three-dimensional relationship between the front and side elevations. Elevations and perspective drawings shall include all landscape elements (trees, shrubs, lighting, street furnishings, etc.) that will be seen in conjunction with the façade.

Any structure subject to site plan review shall be designed by an architect licensed in the State of Maine.

6. Front Façade and Building Entrance

Public entrances shall be designed to be visible from the street and provide unobstructed areas for pedestrians. Buildings shall present an inviting, human-scaled façade to the street, internal drives, parking areas, and abutting properties.

All-façades containing public entrances shall be treated as a front façade. All front facades shall contain a clearly defined, highly visible customer entrance and three or more of the following elements to add scale to the building:

- <u>canopies</u>
- overhanging rooflines to provide shelter for pedestrians
- recesses or projections in keeping with the scale of the building
- <u>arcades</u>
- raised corniced parapets over entrances
- gables and dormers
- <u>pilasters</u>
- peaked roof forms
- <u>outdoor seating or dining areas</u>
- <u>display windows that are visible from the sidewalk</u>
- architectural details such as moldings which are integrated into the building design
- other features which are designed to add scale and visual interest to the façade.

7. <u>Transparency, Windows and Doors</u>

The front façade or any other façade that faces a public or private street shall have display windows, entry areas, or other transparent features along 40% or more of its horizontal length.

Windows, door openings, ventilation openings, and other forms of exterior fenestration in frame construction shall be trimmed.

Windows should be vertical in orientation, or square.

If shutters are used, they must be sized to fit the openings and provided for all windows on a given wall.

8. <u>Articulation – General</u>

No uninterrupted length of any façade shall exceed 100 horizontal feet. Facades greater than 100 feet in length shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the façade and extending at least 20 percent of the length of the façade. Where the plane of a wall is broken, the offset shall be proportional to the building's height and length.

Strong shadow lines, changes in rooflines, pilasters and other architectural details, patterns in the surface material, and wall openings can all be effectively used to add visual interest and scale to the façade. Projections used to break up the mass of the building shall extend to the ground.

Blank walls facing public roads, residential neighborhoods, or abutting properties are prohibited. Where rear or side facades are visible from adjacent properties or roadways they shall be designed to match or complement the architectural treatment of the primary façade to give it scale and visual interest.

9. <u>Articulation – Corner Structures</u>

Buildings on street corners that are treated as special places. The architectural treatment of the street corner of the building shall emphasize its prominent position. This can be

accomplished by greater massing and height, unique detailing, lighting, and other façade treatment to emphasize the front comer of the building. This comer treatment shall be designed to be visible from both streets. Where practical, an entrance to the building shall be located on the corner.

Buildings on corners shall be a minimum of two stories or twenty feet (20') in height to add mass and visual prominence to the street.

Both facades of corner buildings shall be designed as front facades. The façade of the upper floor(s) shall be visually related to the ground floor through repetition of design elements, e.g., color, materials, window treatment, and detailing that will unify the structure and help frame the ground floor.

10. Materials

Buildings are to be designed as permanent, positive additions to the commercial district, constructed of high quality, long lasting materials. Building materials shall be treated as important design elements that define the appearance of the structure and strengthen the sense of identity throughout Scarborough. The use of materials that give the appearance of New England architectural forms are strongly encouraged.

Traditional, high-quality building materials common to northern New England (e.g., brick, clapboard, shingles or other similar products) shall be used as the primary siding material. Contemporary materials that have the same visual characteristics (e.g., cement plank clapboards or vinyl siding) are acceptable if attention is paid to detailing (e.g., comers, trim at openings, changes in material). Long-term maintenance needs shall be a consideration in the selection of all building materials

Highly reflective or processed materials (e.g., metal or plastic panels, brushed aluminum, bronzed glass, concrete block, T-111, untreated plywood, dryvit, etc.) and multicolored brick (incorporating occasional white bricks in a random pattern) shall not be used on the primary or front-facing façade.

11. <u>Colors</u>

Traditional colors commonly found in New England villages are appropriate for all components of the building. Façade colors shall be low reflectance. The use of high intensity, high reflectance, chrome, metallic, or fluorescent colors or black is prohibited as the primary color.

Where trim is used, it shall be a color that complements to the building's primary color. Neon tubing shall not be allowed as an exterior trim or accent material.

Arbitrary changes in materials or embellishments that are not in keeping with the rest of the building are discouraged.

12. Awnings and Canopies

Awnings and canopies can enhance the appearance and function of a building by providing shade, shelter, shadow patterns, and visual interest. Where awnings are used, they shall complement the design, materials, color, and appearance of the building.

Awnings shall be located directly over windows or doors to provide protection from the elements.

Awnings and canopies shall not be made of reflective materials, such as metal or plastic. Their color shall match or complement the façade of the building

Graphics used on awnings for identification or advertising shall be designed as an integral part of the signage program for the property, and shall be coordinated with other sign elements in terms of typeface, color, and spacing. Awnings shall not be used as advertising features or light sources. Backlit awnings are prohibited. Graphics on canopies are counted toward the total signage area.

13. <u>Functional Elements and Screening</u>

Design that utilizes energy conservation measures wherever possible shall be used.

All vents, downspouts, flashing, electrical conduits, meters, HVAC equipment, service areas, loading docks, service connections, and other functional elements shall be treated as integral parts of the architecture, starting at the conceptual building design phase. When these elements need to be part of the façade (e.g., downspouts, vents) they shall be incorporated into the architecture through detailing or matching colors.

Meters, utility banks, HVAC equipment, and other exterior service elements shall be contained in service closets, behind walls, or located out of view from the public.

Building elevations presented for Planning Board review shall show the location and treatment of all functional elements.

14. Rooflines

Rooflines shall be designed to provide diversity in the form of the building and add visual interest to the streetscape. Specifically, rooflines shall be designed to reduce the mass of large buildings, emphasize building entrances, provide shelter or shade for pedestrians, and incorporate elements unique to Maine and New England.

Buildings with pitched roofs are strongly encouraged. Where pitched roofs are used, the minimal pitch shall be at least 5/12. Projecting rooflines shall be designed to create strong shade/ shadow patterns.

False mansard, A-frames, and other non-traditional roof forms shall not be used as the primary roofline.

Flat roofs, especially on single-story isolated buildings, are discouraged in most applications. Where flat rooflines are used, the design shall create no horizontal line greater than 100 feet without a break, using features found on traditional New England buildings.

In the CPD, HP, RH and BOR Districts, flat roofs are anticipated and acceptable on office, research and hi-tech buildings which are three or more stories in height. In these instances, changes in the roofline, pilasters, trim and other architectural detailing shall be used to vary and break up a flat roofline.

Where parapets are used to break up a flat roofline, the height of the parapet shall be at least five percent of the total length of the wall.

Variations in rooflines, detailing, and building heights shall be included to break up the scale of connected linear buildings.

15. Roof Materials

Composite asphalt shingles and standing-seam non-glare metal are required for visible

roofing.

Roofing materials shall complement the color and texture of the building's façade. Roof colors shall be muted earth tones or a color that is darker than the façade.

Stripes and patterns on the roof are prohibited.

High gloss roofing materials are prohibited.

16. <u>Rooftop Screening</u>

Mechanical and other equipment mounted on rooftops must be screened from public view or grouped in a location where visibility is limited. Where used, screening for roof-mounted equipment shall be designed as an integral part of the architecture to complement the building's mass and appearance.

Roof mounted signs are prohibited by the Sign Regulations in the Zoning Ordinance.

17. Additional Requirements – Franchise Design

National franchises (e.g., restaurants, service stations, retail stores) are a welcome and permitted use within Scarborough's commercial districts. However, the design of these buildings can contribute to the loss of identity for Scarborough by the repetition of generic architectural forms that are found throughout the country. Buildings for these types of uses shall reflect an awareness of New England architectural traditions in their form, detailing, and materials.

Architectural forms primarily derived from building styles from other regions of the country are prohibited. New England regional prototypes from national franchises are permitted, provided they meet the Design Standards. Buildings that are stylized to the point where the structure is a form of advertising are not acceptable.

Applicants shall provide the Planning Board with illustrations that demonstrate how site features and accessory structures will be coordinated with the principle building. These may include dumpster screens, storage buildings, refrigeration lockers, playgrounds, signage, and lighting.

Connections to the public sidewalk shall be included in the site plan to permit pedestrian use. Access routes leading to or from service stations and convenience stores shall minimize conflicts with pedestrian circulation.

18. <u>Additional Requirements – Large Scale Retail.</u>

Due to their visibility and mass, large scale buildings **20,000** square feet or greater, such as 'big box' retail or grocery stores, can greatly enhance or detract from the visual character of the commercial district. These buildings shall be designed as attractive pieces of commercial architecture that are consistent with the scale and form found in Scarborough traditional buildings.

Architectural details shall be used to reduce the scale and uniformity of large buildings. Elements such as colonnades, pilasters, gable ends, canopies, display windows, and light fixtures can be effective measures to add human scale.

All sides of a large-scale building that face an abutting public or private street shall feature at least one customer entrance to facilitate pedestrian access, minimize walking distances from cars, and reduce the scale of facades. Where a building abuts more than two streets, this

requirement shall apply to only two sides of the building, including the side facing the primary public street and another side facing a second street.

Large-scale buildings shall provide at least two of the following:

- Patio/seating area
- Pedestrian area with benches
- <u>Window shopping walkway</u>
- Outdoor playground area
- <u>Water fountain or other water feature</u>
- <u>Clock tower or public art feature</u>
- Other focal features or amenities that enhance the pedestrian environment.

Where principal buildings contain additional, separate stores which in total occupy less than 20,000 square feet of gross floor area, with separate, exterior customer entrances, the following additional standards shall apply:

• The street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 40% of the horizontal length of the building facade of such additional stores.

19. <u>Additional Requirements – Linear Commercial Structures</u>

Buildings with multiple storefronts (e.g., strip shopping centers, one story office buildings) shall be visually unified through the use of complimentary architectural forms, similar materials and colors, consistent details, and coordinated signage.

Variations in the front setbacks are strongly encouraged to add visual interest, create spaces for common entries, outdoor eating / social spaces, and landscaped spaces.

Linear commercial buildings shall include a focal point such as raised entrance way, clock tower, or other architectural elements - to add visual interest and help reduce the scale of the building.

Linear structures shall include architectural elements designed to provide shelter, encourage pedestrian movement, and visually unite the building. These can include covered walkways, open colonnades, arcades, and similar features.

20. Additional Requirements – Multi-Building Developments (MBD)

Multiple building developments shall exhibit a high degree of coordination in site planning, architectural design, site design, and site detailing.

For MBD's, a conceptual master plan shall be prepared to show the Town the general location of future buildings, parking lots, roads and driveways, walkways, common open spaces, utilities, service areas, stormwater management, and other components of site development. The master plan shall also show how traffic, stormwater, and utilities will be coordinated with adjacent properties. The plan shall also illustrate the measures that will be taken to preserve significant natural or cultural features, such as wetlands, specimen trees, or stone walls.

As part of the Site Plan application, the applicant shall provide a phasing plan that illustrates the sequence of development and what steps will be taken to ensure compatibility between current and future activities.

All buildings in MBD's shall be oriented to create usable, safe and attractive pedestrian spaces, preserve significant site features and minimize the appearance of parking areas.

In MBD's, multiple buildings or other elements shall be designed as focal points. These structures shall be visually more prominent, enhanced by height, massing, distinctive architectural treatment, lighting, landscaping, or other distinguishing features.

MBD's shall include outdoor use areas such as greens, plazas, and courtyards. Buildings may be oriented toward open spaces rather than roadways. Outdoor spaces shall be coordinated with the pedestrian circulation plan to allow pedestrian use, with provisions for seating and outdoor activities. Outdoor spaces shall be designed to separate pedestrian and vehicular traffic with landscaping, grade changes, and other site features.

Where drive-through facilities are a component of a MBD, the building and site plan shall emphasize pedestrian access.

Applicants for MBD's shall submit a master signage plan that shows how graphics will complement and unify the proposed development.

21. Additional Requirements – Auto Oriented Uses

Service stations, convenience stores, and similar uses shall be sited to face the street.

Pump islands and canopies shall be located in the rear or side so the primary building is the major feature seen from the road.

The architecture shall be designed so all four sides follow these design standards. Windows or other forms of fenestration shall be included on all street facing facades and treated as a front facade.

Service station canopies shall be visually compatible with the main structure through consistency in roof pitch, architectural detailing, materials, and color. Pitched roofs and fascia trim are preferred for canopies. Bands of bold color on the canopy and backlighting inside the canopy are prohibited.

Openings for car washes or service bays must be integrated with the design of the building and sited on the side or rear so they are not directly visible from public roadways or adjacent residential areas.

22. <u>RESERVED - Additional Requirements – Village: Eight Corners</u>

23. RESERVED - Additional Requirements – Village: Oak Hill

24. <u>RESERVED - Additional Requirements – Village: Dunstan</u>

25. <u>RESERVED - Additional Requirements – Village: North Scarborough</u>

26. <u>RESERVED - Additional Requirements – Village: Pine Point</u>

27. Additional Requirements – Drive Through Uses

Drive-throughs shall be subordinate to the design of the main building to maintain the pedestrian orientation of the structure. Architectural design and circulation planning for buildings with drive-throughs require careful consideration to integrate them into the Scarborough environment.

Drive-through operations and other automobile-oriented facilities shall be designed with facade and roofline elements that reduce their scale and add architectural interest.

Where drive-through windows are allowed, they shall be incorporated into the design of the building through their scale, color, detailing, massing, and other architectural treatments.

Drive-throughs shall avoid facing public or private roadways and shall generally be located at the side or rear of the building. Where drive-throughs are located at the rear, the site should be designed to ensure the safety of the employees and patrons.

Drive-through canopies shall be visually compatible with the main structure. This can be accomplished through consistency in roof pitch, architectural detailing, materials, and color. Pitched roofs and fascia trim are preferred for canopies. Bands of bold color on the canopy and backlighting inside the canopy are prohibited.

28. Additional Requirements – Accessory Uses

Non-habitable structures, such as freestanding ATMs, garages, service stations, canopies, storage units, recycling sheds, trash enclosures, cart corrals, and utility buildings shall meet the same design standards as the principal building(s) on the site. The design of freestanding structures shall be coordinated with the principal building through repetition of architectural forms, materials, colors and detailing.

Where vending machines are provided, they shall be sited in locations that are not visible from the street. The site plan and architectural elevations shall show the location of all vending machines.

Shopping carts must be stored inside the building, or in 'cart corrals', out of the way of pedestrian circulation.

29. Additional Requirements – Existing Structures

Applications to the Planning Board that involve renovations and additions shall show all improvements as well as the existing structure. A narrative shall accompany the application which explains the designer's intent to relate the old with the new.

Where the existing building currently meets the design standards, proposed renovations must be designed to respect the proportions, fenestration patterns, and details of the original building. Additions or renovations shall complement or match the materials, form, color, and detailing of the original structure.

Where the existing building does not meet the design standards, the owner is strongly encouraged to upgrade the entire structure and demonstrate how the materials used in the renovation will complement the existing structure.

<u>Renovations shall retain any distinctive architectural features or examples of skilled</u> craftsmanship.

30. Waivers to Architectural Standards

The Planning Board may review and approve requests for waivers to architecture standards for the following:

- a. <u>Transparency standards may be waived if other architectural elements are used to provide</u> scale and visual interest to the front facade in keeping with these Design Standards.
- b. The Planning Board may allow non-reflective metal panels and brushed aluminum to be

incorporated into the facade design of large scale office, research and hi-tech buildings in the CPD Innovation District, HP, RH and BOR Districts. These materials shall be supplemented with the tradition, high quality building materials common to northern New England to maintain a regional vernacular and sense of identity throughout Scarborough.

F. Sign Standards

1. Purpose

Signs play a central role in providing information, wayfinding, and setting the tone for Scarborough's commercial districts. They inform motorists and pedestrians, while having a direct effect on the overall appearance of the roadway.

The aesthetics of the signage on a site shall follow historical and contemporary New England building forms and shall be designed to complement the neighborhood or village in which the site is located.

2. Applicability and General Standards

The signage for a site shall comply with Section XII, Sign Regulations of the Zoning Ordinance.

GJ. Public & Private Utilities [amended 04/21/2021]

- 1. The Applicable Reviewing Authority may require electric, cable television, and telephone lines to be underground. If these services are underground in the street or on adjoining properties, the new service shall be placed underground. Any utility installations permitted above ground shall be designed and located so as to have a harmonious relation to both neighboring properties and the site.
- 2. The site shall be served by an adequate supply of drinking water as well as sufficient flows for fire suppression. If a development intends to be served by a public water supply, the applicant shall furnish a written statement from the water supplier confirming that the project can be served.
- **3.2.** The project shall provide for an adequate means of sewage disposal, whether it is on-site or tied into the public sewage collection and treatment system. An on-site system shall be in conformance with Scarborough's Local Plumbing Ordinance, Chapter 404A. If a development intends to be served by a public sewage system, the applicant shall furnish a written statement from the sanitary district confirming the project can be served.

H. Design Standards for Commercial Districts [amended 04/21/2021]

In addition to complying with the foregoing performance and design standards, all site plans for properties located in the Residence and Professional Office District (RPO), the Local Business District (B-1), the Town and Village Centers District (TVC), the General Business District (B-2), the Highway Business District (B-H), the Haigis Parkway District (HP), and any commercial uses within the Traditional Neighborhood Development Overlay (TND) shall comply with the more specific Design Standards for Scarborough's Commercial Districts. In determining whether a project is designed in accordance with the Commercial Design Standards, the Applicable Reviewing Authority may engage the services of appropriate professionals to review (at the applicant's expense) the materials submitted. In the event of a conflict or inconsistency between any requirement of the Design Standards and a requirement of this Ordinance, the Scarborough Zoning Ordinance, the Scarborough Subdivision Regulations, the more restrictive requirement shall apply.

A.<u>H.</u> Preservation of Historic and Archeological Resources

Any historic or archeological resource that has been identified by the Maine Historic Preservation Commission, the Town's adopted Comprehensive Plan, or Section VII.H. Historic Preservation Provisions of the Town of Scarborough Zoning Ordinance should be preserved and incorporated into the development plan in a manner that retains its historic or archeological value if feasible. If an identified resource will be removed or will be altered in a manner that diminishes its historic or archeological value, the burden is on the applicant to demonstrate that options for preserving the resource have been explored. The Planning Board, Planning Department, and the applicant may consult the State Historic Preservation Office, the Scarborough Historical Society, or similar organizations with the mission of historic and archeological preservation on options for preserving the resource. If the resource will be removed, the applicant must demonstrate that reasonable efforts have been made to preserve the resource value or relocate it to another location. [03/19/2014][Amended 03/18/2015]

B.I. Municipal Capacity and State Agency Review

Within the Town's designated growth areas as depicted in the current version of the Comprehensive Plan, the Town of Scarborough's Planning Board has municipal capacity to review development activities that otherwise would require review by the Maine Department of Environmental Protection under the Site Location of Development Law. This authority has been provided for under 38 M.R.S.A. Section 488(19). Municipal capacity shall only apply to development projects that are located wholly within the Town of Scarborough and wholly within a designated growth area. All other development projects that meet or exceed the thresholds for Site Location of Development Law shall be reviewed by the Maine Department of Environmental Protection accordingly. Municipal capacity within the Town's growth areas shall apply to both new development projects and modifications to past development projects that may have existing Site Location of Development approvals.

In addition to meeting, the standards and requirements of this Ordinance, the Scarborough Zoning Ordinance, and any other applicable local ordinances, site plans that include a minimum of three (3) acres or more of building and impervious coverage shall also be submitted and reviewed by the State of Maine regarding significant wildlife and fisheries habitat and natural resources and significant historic and archeological resources as follows:

- The Maine Department of Inland Fisheries and Wildlife shall be proved with a complete site plan application and shall have the ability to review and provide advisory comments on the site plan's impact on any significant wildlife habitat, aquatic habitat, fisheries habitat, or wildlife travel corridor. The Planning Board shall not issue a final decision on a site plan application until it receives comments from the Maine Department of Inland Fisheries and Wildlife or thirty (30) days from the submission of the application to the department, whichever comes first. [03/19/2014]
- 2. The Maine Historic Preservation Commission shall be provided with a complete site plan application and shall have the ability to review and provide advisory comments on the presence of any significant historic or archeological resources that may exist on the site. The Planning Board shall not issue a final decision on a site plan application until it receives comments from the Maine Historic Preservation Commission or thirty (30) days from the submission of the application to the department, whichever comes first. [03/19/2014]

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following Chapter 405B-1 Town of Scarborough Design Standards for Scarborough's Commercial Districts, is repealed as recommended by the Planning Director, as follows:

DESIGN STANDARDS for Scarborough's Commercial Districts



Adopted July 16, 2001

[Amended February 18, 2009] [Amended October 18, 2023; Lighting Standards-Repealed, See Chapter 405B Section H] [Amended June 26, 2024 Landscape Standards Repealed]

Planning Board Policy Approving Site Planning Goals

The Planning Board approves the attached Site Planning Goals as guidelines to assist applicants in designing proposals which will comply with the standards of Section C of the Site Plan Review Ordinance. Proposals that are designed in accordance with the Site Planning Goals will be presumed to comply with the standards of Section C. Proposals that are not designed in accordance with the Site Planning Goals will need to demonstrate compliance with each of the standards of Section C. In determining whether a project is designed in accordance with the Site Planning Goals or meets the standards of Section C, the Planning Board may engage the services of appropriate professionals to review, at the applicant's expense, the materials submitted by the applicant.

DEFINITION OF TERMS

These definitions are provided to assist the reader while using Scarborough's Design Standards.

Adaptive Reuse – The development of a new use for a preexisting building. If a historic structure is involved, the conversion strives to maintain the structure's historic character.

Americans with Disabilities Act. A 1990 federal law designed to bring disabled Americans into the economic mainstream to provide them equal access to jobs, transportation, public facilities, and services.

Architectural Feature - A prominent or significant part or element of a building, structure or site.

Bollards Posts used in the landscape for functional (e.g., separation of pedestrian and vehicular traffic) or decorative purposes.

Building Mass The height, width, and depth of a structure.

Cape Cod Curbs A relatively low fiat asphalt curb, typically used at the edge of parking lots or roadways to minimize snow plow damage.

Community Character - The image of a community as defined by such factors as its built environment, natural features, open space, architectural styles of houses and buildings, infrastructure, and the type and quality of public facilities and services.

Compact Parking A parking space with a dimension of 8' in width and 15 feet in depth.

Cross Easement _The reciprocal legal right to pass from one property to another.

Curb Cut - The opening along the curb line at which point vehicles may enter or leave the roadway.

Fenestration - Window treatment in a building or on a building facade.

Gateways Entrances into recognizable places or areas of significant changes in land use.

Human Scale. The relationships of a development and/ or its elements in terms of size, height, bulk, intensity, and aesthetics, to human beings.

Massing - The grouping of three dimensional forms to achieve variation (as in a building or landscape planting).

Mixed-Use Development - The combination of two or more land uses within one building, project, or site. The most common combination of uses is business/ retail and residential.

Modular Pavers -Preformed paving blocks that are installed on the ground to form patterns.

Neckdowns Located at the openings of curb lines, the curb width is extended, usually 7-8", to decrease the distance between opposing curb lines and to prohibit parking. Sometimes referred to as "bump outs."

Outdoor Storage The keeping, in an unenclosed area, of any goods, materials, merchandise, junk, or vehicles in the same place for more than twenty four hours.

Parapet - The extension of the main walls of a building above the roof line.

Peer Review The use of qualified professionals to review specific aspects of a Site Plan application for conformance with the Town's Ordinances or Design Standards.

Performance Guarantee -Any security that may be accepted by a municipality to assure that improvements required as part of an application for development will be satisfactorily completed.

Reader boards A sign affiliated with a business or institution that contains temporary announcements about events or activities occurring on the premises.

Redevelopment - The reconstruction, reuse or change in use of any developed property including an increase in intensity of use or structural enlargement.

Rehabilitation/Renovation/Restoration To construct an addition, make alterations, or to upgrade to the design and layout of a building.

Scale .The relationships of a development and/or its elements in terms of size, height, bulk, intensity, and aesthetics, to one another and the surroundings.

Service Areas -A designated area, either attached to or separated from the main commercial building, where a business accommodates services such as product shipping and delivery, trash pickup, machinery and equipment repair, utility storage, etc.

Sight Triangle A triangular shaped portion of land established at street intersections in which nothing is erected, placed, or planted that would limit or obstruct the motorists vision as they enter or depart the intersection.

Strip Commercial Centers- Continuous or intermittent linear roadside development, generally one store deep and characterized by multiple roadway access points, highly visible off-street parking and an assortment of commercial uses with direct access to abutting roads.

Stacking Lanes -A designated area of a parking lot that accommodates the queuing of cars (for instance, at a drive through restaurant).

Temporary Signs - A sign which is installed for a limited time and is not constructed or intended for long-term use.

Vernacular Architecture – Architectural forms which are indigenous to an area, having developed in response to available materials, environmental conditions, and local cultural traditions.

INTRODUCTION

Each property within Scarborough's commercial district is unique. Development plans should be based upon a careful understanding of the site in order to meet the requirements of the business while improving the functionality, safety, and visual character of Scarborough's commercial community.

Site Planning Goals

Distinctive, attractive gateways that welcome people to Scarborough.

 Quality development that respects the uniqueness of each property and reinforces Scarborough's sense of place and character.

 Public open space throughout the commercial area to enhance its appearance and support pedestrian use.

— An attractive, functional, and safe environment that is conducive to commerce and other permitted activities.

 — Quality redevelopment of transitional or substandard properties.

<u>Protection for abutting residential properties through</u> sensitive site planning, buffering, and architectural design.

Upgrading the visual character and human scale of commercial districts through particular attention to architecture, site planning, signage, and lighting.

- Encourage increased walking and cycling activity within commercial district's by providing safe, attractive, interconnected facilities.
- Universal accessibility for all that meets the Americans with Disabilities Act (ADA).
- Sound access management throughout the commercial district to maintain efficient traffic flow and high levels of safety.

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OBJECTIVES

Good site planning shall result in an attractive, safe, and economically viable relationship between buildings, parking, signage, lighting, landscaping, and the surrounding environment. Site plans shall minimize the visual effects of parking, feature highquality landscaping, accommodate pedestrian movement where possible, and encourage connections to nearby properties.

DESIGN STANDARDS

Proximity of Buildings to Roadways.

Buildings shall be located as close to the front property line as possible to provide scale and interest to the auto and pedestrian environment. The majority of parking shall be located at the rear or side of the building.

Relationships to Residential Properties.

The facades of buildings which abut or are visible from residential neighborhoods shall use forms, materials, and details which are residential in nature and appearance. Services areas, parking lots, outdoor storage yards, and other similar features shall avoid facing residential neighborhoods.

Licensed Professionals. All plans for development/redevelopment shall be designed by appropriate licensed professionals (e.g., architects, landscape architects, civil engineers, traffic engineers) to address issues of public health, safety, and welfare.

Access Management. Site plan involving curb cuts onto major roadways shall demonstrate an adherence to sound access management principles to promote efficient traffic flow and maintain a high level of safety for pedestrians and motorists. **Standard Note.** All plans submitted for Planning Board Approval shall contain the following standard note:

The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.





Pedestrian walkways are clearly identified through changes in color and materials.



An example of a high quality contemporary office building that has retained many of the natural features of the site.





The proportions and site features give this building a strongsense of scale. The stone wall, plantings, and walkway lightingcreate a welcome entrance. The building used to be a flatroofed commercial structure.



This well detailed outdoor space provided an attractiveopportunity for pedestrians. The wooden trellis and landscaping complement the building and add humanscale.



A human-scaled shopping plaza that offers a variety of interesting and inviting exterior spaces

OBJECTIVES

All development activities shall be characterized by safe, user friendly, and efficient traffic flow. Access management principles shall be followed to reduce the number of curb cuts, provide a safer vehicular and pedestrian environment, encourage intra parcel travel, and minimize the number of trips on roadways.

DESIGN STANDARDS

Curb Cuts on Major Roads. Site plans shall be designed to minimize the number of curb cuts on major roadways to increase vehicular and pedestrian safety.

Shared Access. Entrances to abutting commercial properties shall be combined to the maximum extent possible.

Internal Traffic Flow. To ensure the safety of motorists, delivery trucks, and pedestrians, the site plan shall clearly delineate internal traffic patterns. Site plans shall be designed by a professional engineer familiar with the Scarborough Ordinances. Parking space, directional arrows, crosswalks, and other markings on the ground shall be delineated with pavement paint or other suitable material to ensure safe circulation.

Internal Connections. Where feasible, connections between parking lots and driveways on adjacent parcels shall be provided to facilitate deliveries and minimize turning movements onto major roadways. Internal connections shall provide safe, direct access between adjacent lots in a manner that prevents them from becoming vehicular shortcuts. Cross easements shall be provided as required to facilitate circulation. The site plan shall anticipate future vehicular connections to abutting undeveloped property.

Internal Pedestrian Connections. Safe pedestrian connections between abutting land uses shall be provided where possible to encourage foot traffic and minimize vehicular movement.

Traffic Calming. Traffic calming measures shall be included where appropriate to discour age speeding within the site and between abutting properties. Measures may include speed tables, on street

parking, raised crosswalks, vertical curbing, curvilinear road alignment, roadside plantings, neckdowns, curbed islands, and signage.

Drive-Throughs. Access routes leading to or from takeout windows or other drive-throughs shall minimize conflicts with pedestrian circulation routes. Motorists shall be made aware of pedestrians through signage, lighting, raised crosswalks, changes in paving, or other devices. The site plan shall be designed to prevent queuing in parking lots or other areas which would cause congestion or unsafe conditions.

Pedestrian and Bicycle Movement. The circulation plan shall provide safe pedestrian and bicycle movement within the site. The plan shall demonstrate how linkage s) can be made to adjacent properties, both developed and undeveloped. Pedestrian and bicycle connections between abutting properties shall be coordinated with vehicular routes to encourage foot traffic and minimize vehicular movement.

Refuge Zones. Pedestrian islands (five feet minimum width) shall be installed in driveways and streets where the crossing distance is greater than 32 ft.



This curbed, landscaped island divides entering and exiting traffic. The identification sign is located away from the intersection to avoid interfering with the motorists' line of sight.

Outparcel Development. Plans for multi building developments shall accommodate future buildings, access roads, sidewalks, esplanades, and signage in a coordinated fashion. See Mull/Building Development pp. 14-15, for further standards.

Service Drives. Service drives shall be separated from internal walkways, parking areas, or pedestrian use areas by landscaped islands, grade changes, or other devices to minimize pedestrian contact.



This planted bed serves as an attractive way to separate entering and exiting traffic. The planting bed has also helped preserved a large, mature tree located on the site.



An island provides a refuge zone for pedestrians crossing this wide driveway Permanent crosswalks would have minimized annual maintenance costs.



This fast food restaurant is an O11tparcel of a larger commercial retail development Circulation, including drivethrough, parking, and pedestrian access, has been carefully integrated into the surrounding site.



The predominance of curb cuts along this roadway creates an unsafe/uninviting environment for the pedestrian.

OBJECTIVES

Parking lots shall be designed to complement adjacent buildings, the site, and the commercial district without becoming a dominant visual element. Every effort shall be made to reduce the scale of parking lots by minimizing the total amount of paved surface visible from the road.

Parking lots shall be designed as inviting, pedestrianfriendly places by careful attention to landscaping, lighting, and internal walkways. With proper planning, parking lots can balance the needs of both the vehicle and the pedestrian.

DESIGN STANDARDS

Siting. Whenever possible, the majority of parking areas shall be located at the rear or sides of commercial buildings, except where parking would be located adjacent to a residential neighborhood, or when included as part of a multi-building site plan (see pp. 13-14). Where land use conflicts occur, (e.g., unavoidable siting of a parking lot next to a home) the lot shall be screened with evergreen trees, earth berms, fences, or shrubs.

Orientation. Parking lots shall be designed as part of the overall plan for the site, and coordinated with building entrances, lighting, and landscaping.

Scale. The scale of parking areas with more than 1s spaces shall be broken up with trees, landscaped islands, grade changes, low walls, or other appropriate features. See Landscaping for specific standards regarding parking areas.

Dead End Parking Lots. Parking lots with a single point of access are strongly discouraged. Dead-end parking lots shall not contain more than ten spaces. Where dead end lots are unavoidable, space shall be provided to safely turn a vehicle around without having to back out.

Shared Parking. Shared parking is strongly encouraged where appropriate, particularly where abutting land uses have differing hours of peak parking demand. Cross easements may be required to allow shared parking.

Safety. Crosswalks shall be marked by a change in pavement texture, pattern, or color to maximize



Side Lot Parking. Parking on the side of buildings shall not extend closer to the street than the front facade. The space between the end of the parking lot and the roadway shall be landscaped according to an overall plan for the property.

Buildings in Existing Parking Lots. The development of smaller commercial buildings on out parcels is strongly encouraged to break up the scale of large parking areas.

OBJECTIVES

Public sidewalks should be provided wherever possible throughout Scarborough's commercial areas. Existing and proposed road corridors should include sidewalks, planted esplanades, crosswalks, and pedestrian amenities to encourage a safe flow of non motorized traffic.

There are many areas in Scarborough's commercial areas which are currently not pedestrian or bicycle friendly. The long term objective is to encourage an interconnected network of sidewalks that encourage exercise for the general population.

DESIGN STANDARDS

Public Sidewalks. Wherever possible, sidewalks and planted esplanades shall be provided within or near the right of way on both sides of all streets to encourage safe pedestrian movement. Facilities shall be coordinated with abutting land uses to create interconnections throughout the commercial area and linkages to surrounding residential neighborhoods. lighting and other amenities abutting walkways should be at human scale.

Coordination with Site Plan. All new sidewalks shall be coordinated with the Site Plan to avoid conflicts with landscaping, utilities, grading, drainage structures, signs, and other elements. MI walks shall be designed to facilitate snow removal and allow year round use. Sheet flow of stormwater across sidewalks shall be avoided. Underground storm drainage systems are strongly encouraged.

Material Selection. Concrete sidewalks with granite curbing shall be used on sidewalks within the public ROW.

Crosswalks. Where sidewalks intersect with commercial drives or roads, crosswalks shall be installed to alert the motorist and improve visibility. Crosswalks shall offer a noticeable change in texture and color. Materials for crosswalks shall be highly durable and slip resistant.

Lighting. Sidewalks shall be lit to the minimum standards recommended by the Illuminating Engineering Society of North America (IESNA) to promote safe use during evening hours.

Accessibility. All new and renovated facilities shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA), as revised.





This photo simulation, illustrates the improvements sidewalks and pedestrian amenities can add to a public roadway.

OBJECTIVES

Commercial properties shall provide attractive, safe, and functional walkways between the public rightof way and the main entrance. Internal walkways shall invite pedestrians onto the property and make them feel welcome.

DESIGN STANDARDS

Internal Walkways. Continuous internal walkways shall be provided from the public sidewalk to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building entrances.

Location. Walkways shall be located where motorists can anticipate pedestrians and react accordingly. likewise, walkways shall be designed to give the pedestrian a full view of oncoming vehicles, with minimal interference from trees, shrubs, and parked cars. Walkways shall avoid drive through lanes, access and service drives, and other hightraffic routes. Traffic control signs, light fixtures, trees, or other potential obstacles shall be located far enough from walkways to prevent interference with pedestrian movement.



An internal walkway that is an integral part of the site plan.

Orientation. Walkways in parking lots shall be aligned with the main entry or a focal point on the building to assist in wayfinding.

Curbing. Internal walkways shall be separated from parking bays and/or travel lanes by raised curbing. Granite is preferred for its longevity, low maintenance, and appearance.

Width. Internal walkways shall be a minimum of five feet wide to allow two people to pass comfortably. Additional width may be necessary in certain conditions, e.g., where shopping carts may be used, where heavy pedestrian traffic is anticipated, or where cars over hang the walkway.



This circulation system results in excessive width in front of the storefronts and creates an auto oriented environment. The painted walkway offers little contrast and leads to tire parking aisle.



This raised walkway provides a high level of contrast with the surrounding parking lot However the width is compromised by the overhang of cars, making pedestrian movement difficult.
Crosswalks. Internal crosswalks shall be marked by a change in pavement texture, pattern, or color to maximize pedestrian safety in parking areas and other potentially hazardous areas. The materials selected for road crossings shall be highly durable and low maintenance. Raised crosswalks shall be considered at key locations as a traffic calming device to make crosswalks more visible. Signs may be warranted in certain situations as determined by the Institute for Traffic Engineers (ITE). Materials selected for crosswalks shall allow safe bicycle movement across the surface.

Maintenance. All internal walkways shall be designed to facilitate maintenance by the property owner. The site plan shall coordinate the location of walkways with utilities, plantings, drainage, and other site elements that could affect long-term maintenance.



A wide walkway that provides a well-marked, attractive pathway to the main entrance. Separated walkways are more desirable than systems that end behind parked cars.

Snow Storage. All walkways shall be designed for ease of snow removal to encourage year-round use. Site plans shall indicate locations for snow storage in areas where they will not interfere with pedestrian movement, block visibility, or cause dangerous conditions from freezing meltwater.

Accessibility. Walkways shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA), as revised.



The walkway in the parking lot leads to a well-defined crosswalk to maintain continuity.



The pedestrian circulation system in this shopping centerincludes well marked crosswalks and sidewalks.



A highly visible internal crosswalk that effectively connects the parking lot to the storefronts.



This internal walkway crosses over a curb, making access difficult for people with disabilities.

Multiple building developments shall exhibit a high degree of coordination in site planning, architectural design, site design, and site detailing. MB physical components shall be designed to complement an overall plan.

DESIGN STANDARDS

Master Plan. For multi-building developments (MBD's), a conceptual master plan shall be prepared to show the Town the general location of future buildings, parking lots, roads and driveways, walkways, common open spaces, utilities, service areas, stormwater management, and other components of site development. The master plan shall also show how traffic, stormwater, and utilities will be coordinated with adjacent properties. The plan shall also illustrate the measures that will be taken to preserve significant natural or cultural features, such as wetlands, specimen trees, or stone walls.

Phasing _Plan. As part of the Site Plan application, the applicant shall provide a phasing plan that illustrates the sequence of development and what steps will be taken to ensure compatibility between current and future activities.

Building Orientation. All buildings in MBD's shall be oriented to create usable, safe and attractive pedestrian spaces, preserve significant site features and minimize the appearance of parking areas.



The buildings in this MBD have been sited to reinforce pedestrian circulation patterns and reduce the scale of the overall development.

Focal Points. In MBD's, a limited number of buildings or other elements shall be designed as focal points. These structures shall be visually more prominent, enhanced by height, massing, distinctive architectural treatment, lighting, landscaping, or other distinguishing features.

Outdoor Spaces. MBD's shall include outdoor use areas such as greens, plazas, and courtyards. Buildings may be oriented toward open spaces rather than roadways. In these situations, buildings shall have a major access on the space as well as a secondary access point(s) oriented to parking areas. Outdoor spaces shall be coordinated with the pedestrian circulation plan to encourage pedestrian use, with provisions for seating and outdoor activities. Outdoor spaces shall be designed to separate pedestrian and vehicular traffic with landscaping, grade changes, and other site features.



Similar roof pitches, pedestrian use areas, and traditional building materials help unify this multi-building development.

Drive Through Facilities. Where drive-through facilities are a component of a MBD, the building and site plan shall emphasize pedestrian access.

Signage Plan. Applicants for MBD's shall submit a master signage plan that shows how graphics will complement and unify the proposed development. See Signage.



This MBD is unified by a common architectural style and coordinated landscaping, lighting, and outdoor spaces.



This MBD encourages pedestrian use and enjoyment through well connected sidewalks, mature landscaping, high quality lighting and paved public plaza.



Buildings in this multi building development are oriented to a grid pattern, with strong pedestrian circulation.

Service areas shall be integrated into the overall site plan. They shall be designed to meet the functional needs of the facility while minimizing any traffic or visual conflicts, audible noise, or smells.

DESIGN STANDARDS

Locations. All facilities for service, including waste collection and storage facilities, off street loading and unloading areas, loading docks, storage facilities, dumpsters, fueling areas, and vehicle service and maintenance areas, shall be located at the side or rear of the principal building. Locations that face public roadways or abutting residential properties shall be avoided. Overhead doors or other vehicle entrances or exits shall not be located on any facade that faces a public street or residential neighborhood.

Design. Service areas shall be sized to fit the specific needs of the building and its intended operations. The smallest size needed to meet the building's requirements is encouraged.

Service Access. Service areas shall be sited to accommodate the turning movements of vehicles used for trash pickup, deliveries, and similar functions without conflicting with other vehicles.

Coordination. Prior to Town submittal, the applicant shall contact the representatives of utility companies, fuel suppliers, trash haulers, the fire department, and others who may have input into the design and siting of service areas and facilities.

Protection. Where architectural screening or freestanding fencing is used for screening, it shall be protected with granite posts or concrete filled steel bollards, or reinforced in a manner that will prevent damage from service vehicles.

Recycling Facilities. The installation and use of recycling bins is encouraged. All recycling facilities shall be screened in a manner similar to other service areas. Dumpsters and recycling areas shall be consolidated where possible.

INTRODUCTION

These Design Standards establish criteria for new or renovated buildings in Scarborough's commercial districts. They anticipate a greater sense of continuity and identity by illustrating high quality architectural design. They are not intended to dictate building styles.

Architectural Goals

Architecture that offers a positive experience from three perspectives: by the motorist driving along the road corridor, by the pedestrian viewing the buildings up close, and in relation to surrounding buildings that tie into the community's identity.

- Good neighborhood buildings that thoughtfully consider scale, form, orientation, height, setback, massing, materials, and architectural features.
- Buildings that are designed to human scale that address the comfort, enjoyment, and safety of the users.
- Buildings that are designed as permanent, positive additions to the commercial district, constructed of high quality, long lasting materials.
- Street comers that are treated as special places.
- Architecture that utilizes energy conservation measures wherever possible.
- Older buildings that are restored and/or reused to maintain the integrity of Scarborough's historic heritage.

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Drawing from traditional forms, the scale of this commercial building is reduced by variations in roofline, massing, and high quality architectural details.

The purpose of these standards is to encourage architecture within Scarborough's commercial districts that thaw its inspiration from traditional New England examples. Building design shall reinforce a human scaled environment through careful consideration of architectural forms, massing, detailing, number and use of materials, and color.

DESIGN STANDARDS

Design. New buildings shall be designed to fit the individual characteristics of their particular site. The architecture shall be influenced by traditional New England building forms and town making patterns, the specific needs of the intended users, the nature of the intended use, and other site-specific factors. Contemporary architectural styles are appropriate, provided they meet these standards.

Human Scale. Buildings and site elements shall be designed to human scale. The forms, massing, and openings of buildings shall be proportional to the size of a human figure. Many architectural elements can add scale to a building: water tables, integral planters, recessed openings, windows with divided panes, building mounted light fixtures, dormers, cupolas, projecting rooflines, covered walkways, colonnades, and similar features.

Licensed Architects. Any structure subject to site plan review shall be designed by an architect licensed in the State of Maine.

Freestanding Accessory Structures. Nonhabitable structures, such as freestanding ATMs, garages, service stations, canopies, storage units, recycling sheds, trash enclosures, cart corrals, and utility buildings shall meet the same design standards as the principal building(s) on the site. The design of freestanding structures shall be coordinated with the principal building through repetition of architectural forms, materials, colors, and detailing. **Energy Conscious Design.** Commercial architecture and site planning shall promote energy conservation wherever possible. Consideration shall be given to solar orientation and siting, use of maximum ins dating materials, reduced lighting loads, and landscaping for windbreaks and shading.







Examples of high quality Maine architecture a medical office, a retail store, and a library that have been designed at human scale and fit their unique sites.

GENERAL ARCHITECTURAL PRINCIPLES











Three examples of buildings that have little reference to traditional New England forms or materials.

Finely detailed commercial buildings using traditional New England forms and materials. Entrances are well marked and provide users with areas for shelter and/or interaction.



A free standing A TM and remote teller located i11 the rear of the building designed to complement the main bank building i11 color scale, and detailing.



This restaurant occupies a highly visible corner location, yet provides the public with a scale less, blank wall that does not contribute to the aesthetics of the street.



A free standing canopy designed with the same form and detailing as the main building. The signage is well integrated into the facades.



A commercial building that lacks scale. There are virtually 110 distillguishillg features to give the structure character or relate it to the colltext of New Ellglalld.



A11 office complex that offers a variety of exterior spaces and relates well to surrounding residential areas by paying particular attention to design, scale, and details.



This cart corral does 110! reflect the architectural treatment of the large retail establishme11t and appears out of place i11 *the parking lot.*

Many existing commercial buildings may be coming before the Planning Board for Site Plan approval as they undergo major renovations or additions. This is an opportunity to add visual interest to the building and to strengthen its relationship with the site and nearby structures. The Town expects high quality architectural and site design for all renovated structures.

DESIGN STANDARDS

Alterations. Where the existing building currently meets the design standards, proposed renovations must be designed to respect the proportions, fenestration patterns, and details of the original building. Where the existing building does not meet the design standards, the owner is strongly encouraged to upgrade the entire structure.

Design. Applications to the Planning Board that involve renovations and additions shall show all improvements as well as the existing structure. A narrative shall accompany the application which explains the designer's intent to relate the old with the new.

Materials. Where existing buildings meet the design standards, additions or renovations shall complement or match the materials, form, color, and detailing of the original structure. Where the original building does not meet the standards, the owner shall demonstrate how the materials used m the renovation will complement the existing structure.

Architectural Features. Renovations shall retain any distinctive architectural features or examples of skilled craftsmanship.

Architectural Features. Renovations shall retain any distinctive architectural features or examples of skilled craftsmanship.



The repetition of architectural and landscape details help to integrate a shopping center with a historic building.



A shingle style renovation transformed a small nondescript building into a noteworthy restaurant.



The additions on both sides of this restaurant do not relate to the form of the central structure.

All buildings shall present an inviting, human scaled facade to the street, internal drives, parking areas, and surrounding neighborhoods. Wherever possible, entrances shall be clearly visible from the street and reinforced through site and architectural features.

DESIGN STANDARDS

Facade Treatment. The facade containing the main entrance shall be treated as a front facade and shall be designed in a manner that is consistent with the design standards. Building entrances shall be designed to be visible from the street and provide unobstructed areas for pedestrians. The front facade shall contain a elearly defined, highly visible customer entrance and three or more of the following elements to add scale to the building:

- canopies
- overhanging rooflines to provide shelter for pedestrians
- recesses or projections in keeping with the scale of the building
- arcades
- raised corniced parapets over entrances
- gables and donners
- pilasters
- peaked roof forms
- outdoor sifting or dining areas
- display windows that are visible from the sidewalk
- architectural details such as moldings which areintegrated into the building design
- other features which are designed to add scale and visual interest to the facade.

For retail structures, the front facade or any other facade that faces a public or private street shall have display windows, entry areas, or other transparent features along 40% or more of its horizontal length. This standard may be waived if other architectural elements are used to provide scale and visual interest to the front facade in keeping with these Design Standards.

Offsets. No uninterrupted length of any facade shall exceed 100 horizontal feet. Facades greater than 100

feet in length shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20 percent of the length of the facade. Where the plane of a wall is broken, the offset shall be proportional to the building's height and length. Strong shadow lines, changes in rooflines, pilasters and other architectural details, patterns in the surface material, and wall openings can all be effectively used to add visual interest and scale to the facade. Projections used to break up the mass of the building shall extend to the ground.

Rear and Side Facades. Blank walls facing public roads, residential neighborhoods, or abutting properties are prohibited. Where rear or side facades are visible from adjacent properties or roadways they shall be designed to match or complement the architectural treatment of the primary facade to give it scale and visual interest.





Facade treatments on these two commercial buildings wrap around the corners to present a unified design from all visible faces.

Site Design. Signage, lighting, landscaping, and other exterior elements shall all be designed to complement and be in scale with the facade, avoid visual or functional conflicts, and retain visibility.

Trim. Windows, door openings, ventilation openings, and other forms of exterior fenestration in frame construction shall be trimmed.

Window Shapes. Windows should be vertical in orientation, or square.

Shutters. If shutters are used, they must be sized to fit the openings and provided for all windows on a given wall.





While the front plane of the wall of this building is broken, the offset does not colltillle to the grollind. The projection becomes a billboard and the building is seen as a large box.



The scale of this 'big box 'has been effectively reduced by architectural elements and detailing. The overhang provides protection for pedestrians and emphasizes the entrance.





Three views of a branch bank set in a mixed use village setting. All facades were treated with equal importance. The front (top) faces the street and is built to the sidewalk, encouraging pedestrian traffic. The side of the building (middle) facing a single family home is residential in scale and design. The canopy at the rear (bottom) provides a transition area between the parking lot and the back



Small scale buildings, especially those viewed at close rallge, offerall opportunity to display a high level of detailillg to enrich the pedestrian environment.



Highly articulated windows work successfully as design details in the front facade of this contemporary medical building.

Functional Elements. All vents, downspouts, flashing, electrical conduits, meters, HVAC equipment, service areas, loading docks, service connections, and other functional elements shall be treated as integral parts of the architecture, starting at the conceptual building design phase. When these elements need to be part of the facade (e.g., downspouts, vents) they shall be incorporated into the architecture through detailing or matching colors. Meters, utility banks, HVAC equipment, and other exterior service elements shall be contained in service closets, behind walls, or located out of view from the public. Building elevations presented for Planning Board review shall show the location and treatment of all functional elements.

Vending Machines. Where vending machines are provided, they shall be sited in locations that are not visible from the street. The site plan and architectural elevations shall show the location of all vending machines.

Illustrations. All elevations of proposed buildings shall be evaluated as part of the design review. The Planning Board may request perspectives of the building to illustrate the three-dimensional relationship between the front and side elevations. Elevations and perspective drawings shall include all landscape elements (trees, shrubs, lighting, street furnishings, etc.) that will be seen in conjunction with the facade.



This building & ventilation equipment and service connections are highly visible, adding unnecessary clutter



The building's meters and service connections are located out of sight in this service cabillet.

Building materials shall be treated as significant design elements that define the appearance of the structure and strengthen the sense of identity throughout Scarborough. The use of materials that give the appearance of New England architecture is strongly encouraged.

DESIGN STANDARDS

Materials Encouraged. Traditional, high quality building materials common to northern New England (e.g., brick, clapboard, shingles or other similar products) shall be used as the primary siding material. Contemporary materials that have the same visual characteristics (e.g., cement plank clapboards or vinyl siding) are acceptable if attention is paid to detailing (e.g., comers, trim at openings, changes in material). Painted MDO plywood is acceptable when used in combination with traditional materials to give it scale. Long term maintenance needs shall be a consideration in the selection of all building materials.

Materials Prohibited. Highly reflective or processed materials (e.g., metal or plastic panels, brushed aluminum, bronzed glass, concrete block, T 111, untreated plywood, dryvit, etc.) and multicolored brick (incorporating occasional white bricks in a random pattern) shall not be used on the primary or front-facing facade.

Colors. Traditional colors commonly found in New England villages are appropriate for all components of the building. Facade colors shall be low reflectance. The use of high intensity, high reflectance, chrome, metallic, or fluorescent colors or black is prohibited as the primary color.



Cement plank clapboard is a new material that resembles traditional wooden siding with less maintenance.

Trim. Where trim is used, it shall be a color that complements to the building's primary color. Neon tubing shall not be allowed as an exterior trim or accent material.

Detailing. Arbitrary changes in materials or embellishments that are not in keeping with the rest of the building are discouraged.







Three building that use traditional materials: brick, granite, and wood.



Reflective metallic siding



Multicolored brick



Highly reflective glazed tile with bright plastic accents



Painted concrete block



Metal panels



Contra di Calendari da Calendari

Split face block

Textured plywood and arbitrary changes irn11aterials

Examples of primary building materials and treatments that are prohibited in Scarborough s commercial districts.

BUILDING MATERIALS















Examples of the rich11ess and variety of traditional New England color schemes.

Awnings and canopies can enhance the appearance and function of a building by providing shade, shelter, shadow patterns, and visual interest. Where awnings are used, they shall complement the design, materials, color, and appearance of the building.

DESIGN STANDARDS

Location. Where awnings are used, both fixed or retractable, they shall be an integral element of the architecture. Awnings shall be located directly over windows or doors to provide protection from the elements.

Materials. Awnings and canopies shall not be made of reflective materials, such as metal or plastic. Their color shall match or complement the facade of the building.

Design Elements. Graphics used on awnings for identification or advertising shall be designed as an integral part of the signage program for the property, and shall be coordinated with other sign elements in terms of typeface, color, and spacing. Awnings shall not be used as advertising features or light sources. Backlit awnings are prohibited. Graphics on canopies are counted toward the total signage area.



Canopies over the doorways emphasizethe maill elltrallceand provide effectiveprotection from theelemellts.





Backlit, highly reflective canopies are not appropriate in Scarborough. These canopies (above and to the right) function primarily as a large sign, which is not acceptable.



Rooflines shall be designed to provide diversity in the form of the building and add visual interest to the streetscape. When used properly, rooflines can reduce the mass of large buildings, emphasize entrances, and provide shelter and shade for the pedestrian.

DESIGN STANDARDS

Pitched Roofs. Buildings with pitched roofs are strongly encouraged. Where pitched roofs are used, the minimal pitch shall be at least 5/12. Projecting rooflines shall be designed to create strong shade/ shadow patterns.

Shapes to be Avoided. False mansard, A frames, and other non-traditional roof forms shall not be used as the primary roofline.

Flat Roofs. Flat roofs, especially on single story isolated buildings, are discouraged in most applications. Where flat rooflines are used, the design shall create no horizontal line greater than 100 feet without a break, using features found on traditional New England buildings. See pp. 15-16 *Large Scale Buildings* for additional design standards. Flat roofs on multi story office buildings are appropriate when designed in conformance with the *Office Building* design standards.

Parapets. Where parapets are used to break up a flat roofline, the height of the parapet shall be at least five percent of the total length of the wall.

Preferred Materials for Pitched Roofs. Composite asphalt shingles and standing seam non glare metal are preferred for visible roofing. High gloss roofing materials shall not be used. Roofing materials shall complement the color and texture of the building's facade. Roof colors shall be muted earth tones or a color that is darker than the facade. Stripes and patterns on the roof are strongly discouraged.

Roof-Mounted Equipment. Mechanical and other equipment mounted on rooftops must be screened from public view or grouped in a location where visibility is limited. Where used, screening for roofmounted equipment shall be designed as an integral part of the architecture to complement the building's mass and appearance. **Roof-Mounted Signs.** Roof mounted signs are prohibited by the Sign Regulations in the Zoning Ordinance.



The scale of this linear shopping plaza has been effectively reduced through variations in roof planes, dormers and a cupola.



Standing seam metal roofing is a traditional material common in older commercial buildings in New England.



A cupola projecting from this steeply pitched roof is an example of traditional forms used in a contemporary structure. Roofmounted mechanical equipment has been effectively screened by balustrades.

Buildings located on comers are particularly important because they help define the character of two streets. These high visibility locations shall be emphasized by quality architecture and site development.

DESIGN STANDARDS [Amended 02-18-09]

Siting on Corner Lots. A building on the comer of two public streets shall be located close to the intersection and shall exhibit a strong relationship to both streets that it fronts. Where zoning allows, the Planning Board may permit a limited amount of parking and vehicular travel ways between the building and the property lines along one or more of the streets, but the majority of the parking shall be located to the side or rear of the building. The amount of parking and vehicular travel ways permitted between the building and the property lines along each street shall depend on both the zoning district and the context of the site.

Corner Buildings. Buildings on comers shall be a minimum of two stories or twenty feet (20') in height to add mass and visual prominence to the street.

Facade Treatment. Both facades of comer buildings shall be designed according to the standards in Facade Design, p. 5. Blank or unadorned facades facing streets on comer buildings are prohibited. The facade of the upper floor(s) shall be visually related to the ground floor through repetition of design elements, e.g., color, materials, window treatment, and detailing that will unify the structure and help frame the ground floor.

Corner Treatment. The architectural treatment of the street comer of the building shall emphasize its prominent position. This can be accomplished by greater massing and height, unique detailing, lighting, and other facade treatment to emphasize the front comer of the building. This comer treatment shall be designed to be visible from both streets. Where practical, an entrance to the building shall be located on the comer.

Focal Points. Comer locations offer opportunities to create dynamic focal points in the streetscape. These

can take the form of distinctive architectural elements, signs, sculpture, lighting, or landscaping. Focal points shall be visually related to the building as a whole, providing an accent without overwhelming it.



A retail building that is well-sited in its corner location. Attention to design detail gives the building human scale and visual interest.

National franchises (e.g., restaurants, service stations, retail stores) are a welcome and permitted use within Scarborough's commercial districts. However, the design of these buildings can contribute to the loss of identity for Scarborough by the repetition of generic architectural forms that are found throughout the country. Buildings for these types of uses shall reflect an awareness of New England architectural traditions in their form, detailing, and materials.



A fast food restaurant t/rat was designed to complement t/re vision for a /highway corridor

DESIGN STANDARDS

Franchise Styles. Architectural forms primarily derived from building styles from other regions of the country are prohibited. New England regional prototypes from national franchises are permitted, provided they meet the Design Standards. Buildings that are stylized to the point where the structure is a form of advertising are not acceptable.

Coordination of Site Features. Applicants shall provide the Planning Board with illustrations that demonstrate how site features and accessory structures will be coordinated with the principle building. These may include dumpster screens, storage buildings, refrigeration lockers, playgrounds, signage, and lighting.







An addition to house an indoor playground bears 110 relationship to the existing structure.



The designs used for national franchises are often repeated across the country. Generic architecture has little or no reference to traditional New England forms and can further the loss of identity in Scarborough.





F R Α N









Examples of building forms used for national fiw1cl1ises (left column). Exam1f es of architecture fi 0,11 the same jiw1chises which have been designed to local design standards (right column).

Due to their visibility and mass, large scale buildings (20,000 square feet or greater), such as 'big box' retail or grocery stores, can greatly enhance or detract from the visual character of the commercial district. These buildings shall be designed as attractive pieces of commercial architecture that are consistent with the scale and form found in Scarborough traditional buildings.

DESIGN STANDARDS

Design and Massing. Large structures shall be designed to break up their mass into smaller visual components through the use of projections, recesses, and varied facade treatments. (See pp. 5 8, *Facade Treatment*).

Site Design. Scale reductions of large buildings shall be reinforced by appropriate site features such as pedestrian shelters, large trees, clearly defined entrances, and site furnishings.

Architectural Details. Architectural details shall be used to reduce the scale and uniformity of large buildings. Elements such as colonnades, pilasters, gable ends, canopies, display windows, and light fixtures can be effective measures to add human scale.



Main entrances on large scale buildings shall be designed as prominent focal points to orient customers.

Facades and Exterior Walls. Horizontal facades greater than too feet in length shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade. Nor uninterrupted length of any facade shall exceed 100 horizontal feet.

Other devices to add interest to long walls include strong shadow lines, changes in rooflines, pilasters and architectural details, patterns in the surface material, and wall openings. All facade elements shall be coordinated with the landscape plan to ensure balance, proportion, and continuity.

Ground floor facades that face public streets shall have display windows, entry areas, or other such transparent features along 40% or more of their horizontal length.



The mass of this large building has been reduced by a columns and subtle changes in geometry.



A large retail establishment that still projects the image of a big box, despite the canopy and entrance treatment.

Smaller Retail Stores. Where principal buildings contain additional, separate stores which in total occupy less than 20,000 square feet of gross floor area, with separate, exterior customer entrances, the following standards shall apply:

- The street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 40% of the horizontal length of the building facade of such additional stores.
- Windows shall be trimmed and include visually prominent sills, shutters or other such forms of framing.

Entryways. Each principal building shall have a clearly defined, highly visible customer entrance featuring three or more of the following:



Arcades call be an effective way to add lHImall scale to large buildings. Architectural detailing and shadow patterns creates an inviting space.

- -_Canopies
- Overhangs or recesses provide shelter
- Arcades that lead to entrances
- Raised corniced parapets over the door
- Peaked roof forms
- Outdoor patios
- Architectural details such as tile work and moldingswhich are integrated into the building structure and design, or
- Other features which are designed to add scale and visual interest to the buildings.

Where additional stores are located in the principal building, and customer entrances to such stores are outdoors, each additional store shall conform to the above requirements. All components used to enhance entranceways or provide a distinctive look shall be designed or detailed as integral parts of the whole building.

Multiple Entrances. All sides of a large scaled building that face an abutting public or private street shall feature at least one customer entrance to facilitate pedestrian access, minimize walking distances from cars, and reduce the scale of facades. Where a building abuts more than two streets, this requirement shall apply to only two sides of the building, including the side facing the primary public street and another side facing a second street.





The entrances to this larger grocery store are emphasized by

Features and Amenities. Large scale buildings shall contribute to the establishment or enhancement of the pedestrian environment by providing at least two of the following:

- Patio/seating area
- Pedestrian area with benches
- Window shopping walkway
- Outdoor playground area
- Kiosk area
- Water fountain
- Clock tower
- Other focal features or amenities that enhancethe pedestrian environment.

Any such area shall have direct access to the public sidewalk. Such features shall be constructed of materials that are equivalent in quality to the building and landscape.

Outdoor Sales and Storage. Where allowable, areas for outdoor sales, storage, or service shall be designed as an integral part of the site and architectural plan, and shall meet the Service Areas standards (See Site Planning, *Service Areas*).

Cart Storage. Shopping carts must be stored inside the building, or in 'cart corrals', out of the way of pedestrian circulation. Cart storage areas shall meet the standards for accessory structures. (See *Genera/Architectural Principles*, p. 2)





Examples of large retail buildings that have been effectively designed to avoid the appearance of a 'big box'.



This retail store, attached to a large grocery store, has been designed as all individual building, with a separate entrance and architectural detailing. A covered walkway connects all the storejiw1ts.

Linear commercial structures (e.g., strip shopping centers, multi tenant offices, or commercial buildings) shall be designed with facade and roofline elements that reduce their scale and add architectural interest.

DESIGN STANDARDS

Design. Buildings with multiple storefronts (e.g., strip shopping centers, one story office buildings) shall be visually unified through the use of complimentary architectural forms, similar materials and colors, consistent details, and coordinated signage. Variations in the front setbacks are strongly encouraged to add visual interest,

create spaces for common entries, outdoor eating / social spaces, and landscaped spaces.

Scale. Linear structures shall include architectural elements designed to provide shelter, encourage pedestrian movement, and visually unite the building. These can include covered walkways, open colonnades, arcades, and similar features.

Entrances. Pedestrian entrances to each building shall be clearly delineated to convey a sense of individuality. This can be accomplished by architectural detailing, roofline breaks, landscaping, lighting or a combination of these elements. Where covered walkways are used, they should extend the full length of the facade. **Rooflines.** Variations in rooflines, detailing, and building heights shall be included to break up the scale of connected linear buildings.

Focal Points. Linear commercial buildings shall include a focal point _such as raised entrance way, clock tower, or other architectural elements to add visual interest and help reduce the scale of the building.

Colonnades add visual interest to linear buildings, while providing scale and protection from the elements.







Covered walkways add a shadow line which can reduce the scale of a long building and unify-the facade.

A commercial building that uses a clock tower as a focal point. Offset in the roofline helps to break up the mass of the building



A multi tenant building with no variation in the roofline or facades to break up the scale.



LINEAR COMMERCIAL BUILDINGS







A linear building that has been effectively scaled down by variations in the roofline and facade. Each storefront is treated as a separate entity. Variety in the use of materials adds visual interest to all facades. The covered walkway encourages pedestrian movement and window shopping.

Service stations, car washes, and convenience stores shall be designed with facade and roofline elements that reduce their scale and add architectural interest.

DESIGN STANDA.RDS

Orientation. Service stations, convenience stores, and similar uses shall be sited to face the street. Pump islands and canopies shall be located in the rear so the primary building is the major feature seen from the road.

Architecture. The architecture shall be designed so all four sides are in compliance with these design guidelines. Windows or other forms of fenestration shall be included on the facade facing the street which shall be treated as a front facade (see *Facade Design*, p. 6-7). The front facade shall include a pedestrian entrance from the street.

Canopies. Service station canopies shall be visually compatible with the main structure through consistency in roof pitch, architectural detailing, materials, and color. Pitched roofs and fascia trim are preferred for canopies. Bands of bold color on the canopy and backlighting inside the canopy are prohibited.

Large Openings. Openings for car washes or service bays must be integrated with the design of the building and sited so they are not directly visible from public roadways or adjacent residential areas.

Site Design. The site design must address the issues of off site noise exposure, underground drainage systems to keep water off public streets (in the case of car washes), snow storage, circulation patterns, room for vehicle stacking, and other issues peculiar to these uses.

Pedestrian Circulation. Connections to the public sidewalk shall be included in the site plan to encourage pedestrian use. Access routes leading to or from service stations and convenience stores shall minimize conflicts with pedestrian circulation.



This service station canopy is designed to be an extension of the building. The columns, roofline, donners, and signage contribute to a sense of continuity in the architecture.



The flat roofed canopy bears no design relationship to the welldetailed convenience store in terms of form, materials, or architectural style. The store was designed to fit into tire residential surroundings.

In the HP, RH and BOR Districts, large scale, multistory office, research and hi tech buildings (40,000 square feet or greater) are allowed and encouraged. These buildings shall be designed as attractive pieces of commercial architecture that help define the Town of Scarborough. Given the context and type of development in the HP, RH and BOR Districts, the Planning Board may apply alternative design standards to large scale office, research and hi tech buildings which vary from a few specific sections of the Design Standards. These alternative standards are outline below. Other than these alternatives, the remainder of the Design Standards for Scarborough's Commercial Districts shall apply.



Examples of multi story office, research and hi tech b11ildingsthat have employed metal panels and brushed aluminum, coupled with brick and other traditional northern New Englandbuilding materials.

DESIGN STANDARDS

Permitted Materials. Metal panels and brushed aluminum are contemporary materials used in large scale office, research and hi tech building construction. The Planning Board may allow nonreflective metal panels and brushed aluminum to be incorporated into the fa9ade design of these structures. These materials shall be supplemented with the tradition, high quality building materials common to northern New England to maintain a regional vernacular and sense of identity throughout Scarborough.

Roof Treatment. Under the Flat Roofs Standard in the ROOFLINE Section (pp. 13), flat roofs are discouraged in most applications. In the HP, RH and BOR Districts, flat roofs are anticipated and acceptable on office, research and hi tech buildings which are three or more stories in height. In these instances, changes in the roofline, pilasters, trim and other architectural detailing shall be used to vary and break up a flat roofline. Further, roof-mounted equipment must be screen from public view in accordance with the Roof-Mounted Equipment Standard on pp. 13.



Each of these buildings exhibit predominately flat roofs, but the roof lines vary' with the introduction of different rooflineelevations and screened roof top equipment and mechanicals.



Drive throughs shall be subordinate to the design of the main building to maintain the pedestrian orientation of the structure. Architectural design and circulation planning for buildings with drivethroughs require careful consideration to integrate them into the Scarborough environment. Drivethrough operations and other automobile-oriented facilities shall be designed with facade and roofline elements that reduce their scale and add architectural interest.

DESIGN STANDARDS

Drive-Throughs. Where drive-through windows are allowed, they shall be incorporated into the design of the building through their scale, color, detailing, massing, and other architectural treatments.

Location. Drive throughs shall avoid facing public or private roadways and shall generally be located at the side or rear of the building. Where drive throughs are located at the rear, the site should be designed to ensure the safety of the employees and patrons.

Canopics. Drive through canopies shall be visually compatible with the main structure. This can be accomplished through consistency in roof pitch, architectural detailing, materials, and color. Pitched roofs and fascia trim are preferred for canopies. Bands of bold color on the canopy and backlighting inside the canopy are prohibited.

Pedestrian Circulation. Access routes leading to or from drive-through facilities shall minimize conflicts with pedestrian circulation. Where walkways must eross driveways, motorists shall be made aware of pedestrians through signage, lighting, raised erosswalks, changes in paving, or other devices.





These banks 'drive through windows have been designed as integral parts of the buildings. They repeat the rooflines, forms, and materials.

BACKGROUND

Signs play a central role in providing information, wayfinding, and setting the tone for Scarborough's commercial districts. They inform motorists and pedestrians, while having a direct effect on the overall appearance of the roadway.

Signage Goals

- Provide basic, legible information about commercial establishments with attractive, highly legible signage.
- Encourage forethought in the design, size, placement, and graphic format of all signage used in the commercial areas of Scarborough.
- Create distinctive commercial corridors and nodes, where signage is compatible with quality architecture and site design.
- Reduce visual clutter along Scarborough's major roadways.
- Protect the investment of commercial interests throughout Scarborough by establishing a quality benchmark for future signage, in keeping with the design standards.

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A simple, attractive sign that relates to the buildings style and materials

Commercial uses in Scarborough shall be identified by attractive, legible signs that serve the needs of the individual business, complement the site and the architecture, and are legible to both the motorist and pedestrian. All new and replacement signs erected within Scarborough's commercial districts shall be designed to meet these standards.

DESIGN STANDARDS

Signage Plan. A Signage Plan shall be submitted as part of the Site Plan application. It shall be developed by design professionals experienced in commercial signage or environmental graphics. The applicant shall expect to resubmit the plan to the planning staff if the building's tenant is unknown at the time of application.

Compatibility. Sign shall be designed to achieve a high level of visual compatibility with the building(s) and its surroundings through the use of similar detailing, form, color, lighting, and materials.

Design. The shape of the sign shall complement the architectural features on the building. Simple geometric shapes are preferred for all signage. Signs shall be trimmed and detailed to complement the building.



These discreet facade-mounted signs are well-integrated into their commercial buildings.

Lettering Size. As a general rule, the minimum lettering size for identification signs shall be six inches in height. Smaller letters are generally unreadable at high speeds and may require motorists to slow down to read them, which could potentially be a safety hazard.

Location. Signs shall be mounted in locations that do not block motorists' line of sight or create a hazard for pedestrians or bicyclists. Roof mounted signs are strongly discouraged. Roof mounted signs that project above the roofline are prohibited.

Street Numbers. The principal site identification sign shall contain the street address shown in a prominent location to facilitate wayfinding and 911 emergency response.

Advertising Features. Objects other than signs designed primarily to attract public attention are prohibited in the commercial district because they distract motorists and contribute to visual clutter. Examples of prohibited advertising features include greater-than-life size models of food or other products, replicas of spokes people associated with commercial products, rows of flags or banners, and internally lit bands of color.

Standard Note. Any modifications to signage that has been approved by the Planning Board shall comply with the Standard Note. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.



Signage/2





Highly legible signs near roadways characterized by simplicity in materials. Forms, and letting.



Internally lit letters and logos are preferred over whole panels. Signage is scaled to the architectural elements that surrounds it.



This site directo1J⁺ clearly identifies destinations with a minimum of wording, allowing motorists to make decisions without having to stop.



The main sign provides enough information to orient people. The sign would be more legible without the lower panels.

SIGN DESIGN

S s e

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These signs achieve compatibility through the repetition of form, detailing, and materials.

0 II

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Advertising features distract motorists, add to visual clutter and diminish Scarborough s sense of identity.



Ajiw1chise sign that is out of scale with its surro1111di11gs.







Information overload contributes to roadside clutter and diminishes the value of individual signs.

Signs used to identify a business shall be kept simple and direct in message and content. They shall convey only the most essential information about the business. Motorists should not be distracted by signs containing excessive information.

DESIGN STANDARDS

Content. Identification signs shall contain a maximum of either 30 letters or 7 bits of information. A bit can be a syllable or a symbol. Repetitious information between signs and buildings shall be avoided, regardless of the sign area allowed.

Advertising. The use of 'sponsor' logos, slogans, or other messages on a tenant sign to promote products or services other than the primary tenant, is strongly discouraged. If a sign is sponsored, the name of the sponsor and/or its logo shall not occupy more than 25% of the total face of the sign.

Readerboards. Readerboards, with stationary or electronic text, are strongly discouraged within Scarborough's commercial districts, and prohibited within the HPZ district. Where readerboards are part of a permanent sign, they shall contain no more than three lines of text. Lettering height shall be a maximum of 6". The readerboard shall be fully integrated into the overall sign design by virtue of its form, scale, color, and detailing. Readerboards will be considered part of the total signage area.



A typical sign treatment for a large retailer



commercial districts.



A sign where the sponsor covers 75% of the sign area.



National chains respond favorably to design standards.
Facade mounted signs used to identify commercial properties shall provide the necessary information without overwhelming the building.

DESIGN STANDARDS

Design. Facade mounted signs shall be designed as an integral element of the architecture. The shape and materials of the sign shall complement the architectural features on the building.

Location. Signs shall not be mounted in locations that obscure architectural details on the building. Signage shall be mounted on vertical surfaces without projecting above the fascia trim. In general, signs shall be located a minimum of 18" from the comer of the building.

Hardware. Signage shall be mounted with concealed hardware. Metal hardware shall be stainless steel or galvanized to prevent rust and corrosion that could stain or discolor the building. Where hardware will be painted to blend with the sign, rust inhibiting paint shall be used to prevent rust streaks.



This sigl1 is well integrated with the architecture, using only the essential information about the retailer.



This facade mounted sig11 integrates well with the building design. Its placement emphasizes the corner entrance.



For the same type of establishment, the sign in the lowerexample serves as a billboard, with extraneous information.



Mounting hardware can emphasize a sigl1 alld greatly ellhallce the buildillg appearallce.

Multi tenant commercial properties shall provide legible, attractive signs that help people identify the property without contributing to the visual clutter in the commercial district. Signage shall stress the identity of the place and de emphasize individual tenants that occupy it.

DESIGN STANDARDS

Hierarchy of Signs. A hierarchy of sign age shall be established to facilitate wayfinding and minimize site clutter. Multi tenant properties shall be identified by a simple identification sign in a highly visible location.

Identification Signs. Multi-tenant buildings or multi building sites shall have one identification sign conveying an overall identity for the property. This sign shall be located near the main entrance to reinforce circulation patterns and minimize visual clutter.

Identification signs that also list multiple tenants shall exhibit a logical hierarchy in the display of information (i.e., address, name of building/ development, primary tenant, other tenants). Only essential information (the name of the tenant) shall be displayed on the main sign. Phone numbers, hours of operation, advertising slogans, etc. should not be listed.

Street Numbers. The main identification sign for multi tenant properties shall incorporate the street address into the sign to facilitate wayfinding and **911** emergency response.

Compatibility. The design of multi tenant signs shall be coordinated with the design of the principle building(s) in terms of color, materials, detailing, and style.

Color Consistency. Multi tenant signs shall conform to a simple color and graphic palette in order to minimize the confusion and clutter of the sign. In general, multi tenant signs shall have no more than three colors.

Landscaping. Landscaping surrounding signs for multi tenant buildings shall be consistent with the landscape treatment for the entire property.





M111ti tena11t sig11s that establish a clear hierarchy withi11 their shopping complexes. The detailing matches that found 011 the architecture. The lower sign is somewhat over scaled.



The shopping center -c logo (at top) is overpowered by the individual signs below There is too much information for a motorist to absorb while driving.



A multi tenant sign with a clear hierarchy of information. The name of the plaza is at the top in bolder lettering. Individual tenants are listed on contrasting backgrounds for legibility.





The names of individual tenants 011 these signs (both above)compete for attention, making it easy difficult to read whiledriving by

Lighting for externally-lit signs shall be designed as an i create glare that would distract motor-ists or pedestrians surrounding residential areas or contribute to light pollu information.

DESIGN STANDARDS

Light Level. The illumination level on the vertical surfa noticeable contrast with the sur-rounding building



Lighting. Lighting fixtures shall be carefully located, aimed, and shielded so that light is directed only onto the sign facade. Lights shall not be aimed toward adjacent streets, sidewalks, or abutting properties. Ground-mounted lighting shall be screened or partially buried to minimize the view of the light source.

Light Sources. Top mounted lighting fixtures shall be used if they are directed downward in a manner that hides the light source. Uplighting may be used if the fixture can be aimed to pre-vent spillage beyond the sign.

Design. Light fixtures and mounting devices shall be selected to complement the color and design of the sign and the architecture. Concealed light sources are strongly encouraged.



In both examples above and below the top-mounted light fixtures are well-located, aimed, and shielded so that only the sign is lit





These top-mounted light fixtures are not well shielded nor integrated into the sign.

Internally lit signs shall consist of light lettering and/or symbols on a dark background, and shall not act as light fixtures in their own right.

DESIGN STANDARDS

Design. Internally lit signs shall consist of light lettering and/or symbols set against a dark background to minimize the amount of light emanating from the sign. Internally lit letters and symbols are preferred over whole panels that are internally lit. Letters and/or symbols on panels shall constitute no more than 40% of the sign's surface area.

Mounting Systems. Signs shall be mounted in a manner that provides adequate support for the weight of the sign. Mounting systems shall be designed to be compatible with the architecture in terms of color, forms, and style. Electrical connections, wiring, junction boxes, and other similar devices shall not be visible from pedestrian pathways or roadways.

Intensity. Internally lit signs shall not act as light fixtures or cause glare on nearby pathways or roadways. Lighting levels shall not exceed I_fc of illumination measured 10 feet from the base.

Maintenance. Signs shall be located where they can be easily maintained. Non functioning bulbs shall be replaced immediately.



An effective 11se of individual internally-lit letters to create a simple identity for a commercial building.



The sign's dark background and light lettering emphasize the bank's name while minimizing glare. Information occupies about 40% of the sign.



The white background of this sign will increase glow

Most commercial uses in Scarborough's commercial districts rely upon temporary signs on occasion to convey specific information, alert the public to special events, or announce new businesses. The design and placement of temporary signs shall be closely related to existing sign systems, landscape improvements, and the building design to avoid visual clutter.

DESIGN STANDARDS

Content and Design. The same standards established for the content and design of permanent signs shall be applied to temporary signage.

Location. Temporary signs shall be installed in locations that do not create a hazard for pedestrians or vehicles.

Size. The total size of temporary signs, regard less of function, shall not exceed 20% of the business' total signage area.

Lighting. Temporary signs shall not include any additional source of illumination, either internal or external.





Examples of temporaly signs that are prohibited.

Order No. 24-059. Second reading on the proposed amendments to Chapter 405 Zoning Ordinance, XII Sign Regulations to add a maximum sign size waiver process for buildings 20,000 sq. ft. or greater. *[Planning Director]* Autumn Speer, Planning Director, gave a brief overview on this Order.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading on the proposed amendments to Chapter 405 Zoning Ordinance, XII Sign Regulations to add a maximum sign size waiver process for buildings 20,000 sq. ft. or greater, as follows:

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council

assembled, that the following Chapter 405B - Town of Scarborough Zoning Ordinance, is amended as

recommended by the Planning Director, as follows:

SECTION XII. SIGN REGULATIONS. [Amended 10/20/2004; Amended 08/20/08; Amended 08/19/09][Amended 07/17/2013][Amended 09/06/2017][Amended 11/28/18][Amended 11/15/23]

A. SIGNS – PURPOSE AND PERMITTING

1. Purpose.

The purpose of regulating signs is to promote and protect the public health, welfare and safety by regulating existing and proposed exterior advertising and signage; to allow for attractive, legible signs to serve the needs of individual businesses, properties, and general destinations within the community; to protect property values, enhance and protect the physical appearance of the community, preserve its scenic and natural beauty; to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public right of way, provide more open space and curb the deterioration of natural beauty and community environment.

2. Sign Permits.

After the effective date of this Ordinance and except as otherwise herein provided, no person shall erect, make structural alterations to or move any signs without first applying for and obtaining from the Code Enforcement Officer a sign permit. Applications shall be on forms prescribed and provided by the Code Enforcement Officer setting forth such information as may be required by the Code Enforcement Officer for a complete understanding of the proposed work and shall be accompanied by the required fee as specified in the Schedule of License, Permit and Application Fees established by order of the Town Council.

Except as otherwise provided in subsection J., temporary signs must conform to all provisions of this Ordinance, but shall not be counted in calculating the maximum number of signs allowed on a lot or the maximum gross display area allowed on a wall. Permits are not required for: [Amended 04/6/94] [09/06/95] [05/01/96][12/06/02][09/06/17]

Temporary signs

Bulletin boards and similar signs under Section XII(B.)(4).

Directional signs under Section XII(B.)(12)

Doorway signs under Section XII(B.13.)

Banners under Section XII(B.)(21.)

3. Application for Sign Permits.

Permits for permanent signs shall only: be granted to the owner(s) or the agent of the building or the property upon which the sign(s) will be installed. See Section XII(J.) for application requirements for temporary signs.

4. Exceptions.

For the purpose of this Ordinance, the term "sign" does not include banners attached to or printed on and signs located under the cover of a tent or tarp allowed under Section IX(F); signs erected and maintained for public safety and welfare or pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulations; "name signs" not exceeding one (1) square foot in area identifying occupants of the premises where such sign is located; or the Town of Scarborough public banner, controlled by the Town of Scarborough and placed from time-to-time across Gorham Road (Route 114) near the Scarborough High School driveway to provide public notice of events or functions authorized by the Town and occurring at municipal facilities. [10/21/92][4/6/94][5/01/96][09/06/17]

5. Waivers.

Increases to the maximum sign sizes may be approved by the Planning Board in conjunction with site plan approval for wall mounted signs on buildings 20,000 sq. ft or greater.

Vote: 7 Yeas. Motion Passes.

Order No. 24-060. Second reading on the proposed amendments to Chapter 405 Zoning Ordinance, regarding a 1,000 ft setback for Cannabis Establishments. *[Assistant Town Manager]* Liam Gallagher, Assistant Town Manager, gave a brief overview on this Order. The following spoke on this Order:

- Paula Corbeau-O'Brien of Pond View Drive, spoke in support of this Order.
- Shelley Pelletier of Snow Canning Road, spoke against the Order.
- David Rabideau of Bickford Street, support the Order.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading on the proposed amendments to Chapter 405 Zoning Ordinance, regarding a 1,000 ft setback for Cannabis Establishments.

Motion by Councilor Anderson, seconded by Councilor Sither, to move approval to amend the main motion to include the following language as recommended by the Planning Board: **II. PERFORMANCE STANDARDS**

SECTION IX. PEFORMANCE STANDARDS.

AA. CANNABIS CULTIVATION FACILITIES, CANNABIS MANUFACTURING FACILITIES, AND CANNABIS TESTING FACILITIES

1. Licensing. Persons or entities wishing to establish a Cannabis Cultivation Facility, Cannabis Manufacturing Facility, or Cannabis Testing Facility within the Town of Scarborough shall first obtain a license from the Scarborough Town Council and shall be subject to the provisions of the Cannabis Establishments Licensing Ordinance and this Ordinance.

Residential Property Setbacks. Cannabis Cultivation Facilities may not be located on property within 1,000 feet of the property line of a lot on which a dwelling is located in a Residential Zoning District, measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the residential property line and the closed portion of the structure or building in which the Cannabis Cultivation Facility is located; or

within 1,000 feet of the front door of an existing single-family home in existence at the time of the adoption of this ordinance. A Cannabis Cultivation Facility licensed and operating prior to the adoption of this section that does not meet this performance standard may continue under the nonconformance provisions in Section III of this Ordinance.

Vote on Amendment: 7 Yeas. Motion Passes.

Main motion as amended:

CHAPTER 405 TOWN OF SCARBOROUGH ZONING ORDINANCE

Proposed Amendments to the Zoning Ordinance related to Cannabis Establishments

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council

assembled, that the following amendment to the Zoning Ordinance of the Town of Scarborough, Maine, be

and hereby are adopted: (additions are underlined; deletions are struck through):

1. DEFINITIONS

SECTION VI. DEFINITIONS

Marijuana Cannabis Cultivation Facility:

Shall mean <u>either a facility licensed for the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale; to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package marijuana; to sell marijuana to products manufacturing facilities, and to other cultivation facilities. This term includes Adult Use Marijuana Cultivation Facilities as defined in the Marijuana Legalization Act an adult use "cultivation facility" as that term is defined in the Cannabis Legalization Act at 28-B M.R.S. §102(13) and or a Medical Marijuana Cultivation Facilities Facility as defined in the Scarborough Marijuana Cannabis Establishment Licensing Ordinance, as may be amended.</u>

Marijuana-Cannabis Manufacturing Facility:

Shall mean either an adult use "products manufacturing facility" as that term is defined in the Cannabis Legalization Act at 28-B M.R.S. §102(43) or a medical cannabis "manufacturing facility" as that term is defined in the Maine Medical Use of Cannabis Act at 22 M.R.S. §2422(4-R), as may be amended. a facility licensed for the production, blending, infusing, compounding or other preparation of marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis. The Facility may also purchase marijuana from a cultivation facility or another manufacturing facility; to manufacture, label and package marijuana and marijuana products. It does not include cultivation or testing. This term shall mean both an Adult Use Marijuana Products Manufacturing Facility and Medical Marijuana Manufacturing Facility as defined in the Marijuana Legalization Act and the Maine Medical Use of Marijuana Act, as may be amended.

Marijuana <u>Cannabis</u> Testing Facility:

Shall mean either an adult use "testing facility" as that term is defined in the Cannabis Legalization Act at 28-B M.R.S. § 102(54) or a medical "cannabis testing facility" as that term is defined in the Maine Medical Use of Cannabis Act at 22 M.R.S. §2422(5-C), as may be amended. a facility licensed to develop, research and test marijuana, marijuana products for contaminants, safety or potency. "Testing"

or "test" does not include cultivation or manufacturing. This term shall mean both an Adult Use Marijuana Testing Facility and a Medical Manufacturing Testing Facility as defined in the Marijuana Legalization Act and the Maine Medical Use of Marijuana Act, as may be amended.

Small Batch Processing Facilities:

A category of a food processing facility or light industrial use that processes, produces or assembles small lots of consumer goods. Processors in this category include, but are not limited to, clothing design and production, small batch food production, craft brewers, jewelry makers and other product lines that have an element of handcrafted design or hand-made production. Small batch processing facilities shall not include the production or processing of <u>adult use or medical marijuanacannabis</u>.

II. PERFORMANCE STANDARDS

SECTION IX. PEFORMANCE STANDARDS.

AA. CANNABIS CULTIVATION FACILITIES, CANNABIS MANUFACTURING FACILITIES, AND CANNABIS TESTING FACILITIES

- Licensing. Persons or entities wishing to establish a Cannabis Cultivation Facility, Cannabis Manufacturing Facility, or Cannabis Testing Facility within the Town of Scarborough shall first obtain a license from the Scarborough Town Council and shall be subject to the provisions of the Cannabis Establishments Licensing Ordinance and this Ordinance.
- 3. Residential Property Setbacks. Cannabis Cultivation Facilities may not be located on property within 1,000 feet of the property line of a lot on which a dwelling is located in a Residential Zoning District, measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the residential property line and the closed portion of the structure or building in which the Cannabis Cultivation Facility is located; or within 1,000 feet of the front door of an existing single-family home in existence at the time of the adoption of this ordinance. A Cannabis Cultivation Facility licensed and operating prior to the adoption of this section that does not meet this performance standard may continue under the nonconformance provisions in Section III of this Ordinance.

III. ZONING DISTRICTS

SECTION XVIII.B HAIGIS PARKWAY DISTRICT, HP

C. PERMITTED USES, CONVENTIONAL AND PLANNED DEVELOPMENTS NON-RESIDENTIAL USES

The following non-residential uses are permitted in both conventional and planned developments:

- 27. Marijuana Cannabis Manufacturing Facility
- 28. Marijuana Cannabis Testing Facility

SECTION XVIII.F. PINE POINT INDUSTRIAL OVERLAY DISTRICT - I-O

B. PERMITTED USES

- 23. Marijuana Cannabis Manufacturing Facility
- 24. Marijuana Cannabis Testing Facility
- 25. Marijuana-Cannabis Cultivation Facility conducted within a full enclosed structure

SECTION XX. BUSINESS OFFICE-RESEARCH DISTRICT BOR

B. PERMITTED USES

24. Marijuana Cannabis Manufacturing Facility

25. Marijuana Cannabis Testing Facility

SECTION XX.C CROSSROADS PLANNED DEVELOPMENT DISTRICT (CPD)

B. PERMITTED USES (CPD)

iv. The following uses are permitted only in planned developments and are subject to the additional development standards of subsection D, of this district, including the standards on location and buffers under subsection D.14.:

56. Marijuana Cannabis Manufacturing Facility

57. Marijuana Cannabis Testing Facility

SECTION XXI. INDUSTRIAL DISTRICT - I

B. PERMITTED USES

27. Marijuana Cannabis Manufacturing Facility

28. Marijuana Cannabis Testing Facility

29. Marijuana-Cannabis Cultivation Facility conducted within a full enclosed structure

SECTION XXI.B. LIGHT INDUSTRIAL DISTRICT (LI)

C. PERMITTED USES

25. Marijuana Cannabis Manufacturing Facility

- 26. <u>Marijuana Cannabis</u> Testing Facility
- 27. Marijuana-Cannabis Cultivation Facility conducted within a full enclosed structure

Vote: 7 Yeas. Motion Passes.

Chairman McGee called for a brief recess at 8:49 p.m. The Chairman reconvened the meeting at 8:59 p.m.

Order No. 24-061. Second reading on the order authorizing issuance of up to \$996,707 in bonds of the town to fund the cost of Body Worn and Cruiser Cameras for the Police Department and to place the following question on the November 5, 2024, Municipal Ballot: Shall the Order entitled "ORDER AUTHORIZING ISSUANCE OF UP TO \$996,707 IN BONDS OF THE TOWN TO FUND THE COST OF BODY WORN AND CRUISER CAMERAS FOR THE POLICE DEPARTMENT" be approved? [Town Council] Chairman McGee, gave a brief overview on this Order.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval of the second reading on the order authorizing issuance of up to \$996,707 in bonds of the town to fund the cost of Body Worn and Cruiser Cameras for the Police Department and to place the following question on the November 5, 2024, Municipal Ballot:

BE IT ORDERED by the Town Council by the Town of Scarborough, Maine, in Town Council assembled, as follows:

(1) That under and pursuant to the provisions of Title 30-A, Sections 5722 and 5772, as amended and the Charter of the Town of Scarborough, Maine, that fund the cost of Police Body Worn Cameras and Cruiser Cameras, as budgeted in the 2025 Municipal Capital Equipment Budget by the Town Council (the "Project"), is hereby approved; and,

(2) That a sum not to exceed \$996,707, plus any additional premium, is hereby appropriated to provide for the costs of this Project; and,

(3) That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$996,707, plus any additional premium, and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, premium(s), call(s) for redemption, form(s), refunding(s) and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

BE IT FURTHER ORDERED, that the following referendum question shall be submitted to the voters of the Town of Scarborough, Maine at the regular municipal election to be held November 5, 2024:

Referendum Question No. <u>1</u>:

Shall the Order entitled **"ORDER AUTHORIZING ISSUANCE OF UP TO \$996,707 IN BONDS OF THE TOWN TO FUND THE COST OF POLICE BODY WORN CAMERAS AND CRUISER CAMERAS"** be approved?

FINANCIAL STATEMENT

1.	Total Indebtedness as of November 1, 2024:	
	A. Bonds outstanding and unpaid:	\$ 74,750,000
	B. Bonds authorized and unissued:	\$ 2,636,592
	C. Bonds to be issued if this Article is approved (assumes	
	approval of only Referendum Question No. 2):	\$ 996,707
2.	Costs:	
	At an estimated maximum interest of 4.00%	
	for a maximum ten (10) year maturity,	
	the estimated costs of this bond issue will be:	
	Principal:	\$ 996,707
	Interest:	\$ 219,276
	Total Debt Service	\$ 1,215,983

3. Validity:

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/ _____ Town Treasurer

Vote: 7 Yeas. Motion Passes.

Order No. 24-062. Second reading on the order authorizing issuance of up to \$1,000,000 in bonds of the town to fund the cost of replacing the Fire Pumper Truck and to place the following question on the November 5, 2024, Municipal Ballot: Shall the Order entitled "ORDER AUTHORIZING ISSUANCE OF UP TO \$1,000,000 IN BONDS OF THE TOWN TO FUND THE REPLACEMENT OF THE FIRE PUMPER TRUCK" be approved? [Town Council] Chairman McGee, gave a brief overview on this Order.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the Second reading on the order authorizing issuance of up to \$1,000,000 in bonds of the town to fund the cost of replacing the Fire Pumper Truck and to place the following question on the November 5, 2024, Municipal Ballot:

ORDER AUTHORIZING ISSUANCE OF UP TO \$1,000,000 IN BONDS OF THE TOWN TO FUND THE REPLACEMENT THE E-ONE PUMPER TRUCK.

BE IT ORDERED by the Town Council by the Town of Scarborough, Maine, in Town Council assembled, as follows:

(1) That under and pursuant to the provisions of Title 30-A, Sections 5722 and 5772, as amended and the Charter of the Town of Scarborough, Maine, that fund the replacement of E-One pumper Truck, as budgeted in the 2025 Municipal Capital Equipment Budget by the Town Council (the "Project"), is hereby approved; and,

(2) That a sum not to exceed \$1,000,000, plus any additional premium, is hereby appropriated to provide for the costs of this Project; and,

(3) That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$1,000,000, plus any additional premium, and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, premium(s), call(s) for redemption, form(s), refunding(s) and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

BE IT FURTHER ORDERED, that the following referendum question shall be submitted to the voters of the Town of Scarborough, Maine at the regular municipal election to be held November 5, 2024:

Referendum Question No. 2:

Shall the Order entitled "ORDER AUTHORIZING ISSUANCE OF UP TO \$1,000,000 IN BONDS OF THE TOWN TO FUND THE REPLACEMENT OF 2004 E-ONE PUMPER TRUCK" be approved?

FINANCIAL STATEMENT

1. Total Indebtedness as of November 1, 2024:

A.	Bonds outstanding and unpaid:	\$ 74,750,000
В.	Bonds authorized and unissued:	\$ 2,636,592
C.	Bonds to be issued if this Article is approved (assumes	
	approval of only Referendum Question No. 1):	\$ 1,000,000

2. Costs:

At an estimated maximum interest of 4.00% for a maximum ten (10) year maturity, the estimated costs of this bond issue will be:

Principal:	\$	1,000,000
Interest:	<u>\$</u>	220,000
Total Debt Service	\$	1,220,000

3. Validity:

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/____ Town Treasurer

Vote: 7 Yeas. Motion Passes.

Order No. 24-063. Second reading on the order authorizing issuance of up to \$6,000,000 bonds of the town to fund purchase of land and interests in land throughout the town for purposes of conservation of natural areas, providing public access and recreation, and protection of wildlife habitat and scenic or environmentally sensitive areas and to place the following question the November 5, 2024, Municipal Ballot: Shall the Order entitled "ORDER AUTHORIZING ISSUANCE OF UP TO \$6,000,000 IN BONDS OF THE TOWN TO FUND THE PURCHASE OF LAND THROUGHOUT THE TOWN FOR FUTURE PURCHASES OF PROPERTIES OR RIGHTS TO PROPERTIES FOR THE FOLLOWING PURPOSES:

- TO PROVIDE OR MAINTAIN PUBLIC ACCESS; AND.
- TO ALLOW PASSIVE OR ACTIVE RECREATION; AND,
- TO CONSERVE WATER QUALITY, NATURAL RESOURCES, OR OTHER NATURAL AREAS; AND,
- TO PROVIDE EASEMENTS FOR WALKING OR BIKING TRAILS; AND,
- TO PRESERVE SIGNIFICANT HISTORIC SITES; AND,
- TO PRESERVE SITES WHICH CAN BE CONSIDERED PART OF THE CHARACTER TO THE COMMUNITY; AND,
- TO ADD TO EXISTING CONSERVATION AND PUBLIC AREAS" be approved?

[Parks and Conservation Land Board] Chairman McGee, gave a brief overview on this Order. The following spoke on this Order:

- Susan Hamill of Bay Street, voiced her concerns on this Order.
- Betts Armstrong, High Point Road, spoke in support of this Order.
- Steven Zamierowski of Theresa Masse Lane, spoke in support of this Order.
- Andrew Mackie of Noble Avenue, spoke in support of this Order.
- Kaitlin Berry of Robinson Road, spoke in support of this Order.
- Dawn Piccolo of East Grand Avenue of Old Orchard Beach, spoke in support of this Order.
- Christine Labaree of Clearwater Drive, she asked for a show of hands from members of the audience who support this Order. She then went on to speak in support of this Order.
- Eric Stunkel of Robinson Road, spoke in support of this Order.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the second reading on the order authorizing issuance of up to \$6,000,000 bonds of the town to fund purchase of land and interests in land throughout the town for purposes of conservation of natural areas, providing public access and recreation, and protection of wildlife habitat and scenic or environmentally sensitive areas and to place the following question the November 5, 2024, Municipal Ballot

Motion by Councilor Cushing, seconded by Councilor Sither, to move approval to amend the main motion to include the following Explanation and Recommendation:

EXPLANATION AND RECOMMENDATION: Approval of this Order would authorize the issuance of up to \$6,000,000 in general obligation bonds of the Town to provide funds for the purposes listed above. If authorized by the voters, any expenditure is limited to the purposes and must be approved by the Town Council, following the recommendation of the Parks and Conservation Land Board after a rigorous review process. Monies will be borrowed on an as-needed basis and therefore will not be borrowed all at once. Voters have provided similar approval on four prior occasions. In most cases these monies will be used to leverage private money and grants to accomplish the purpose.

As this authorization furthers the Town's land conservation initiatives, is in direct alignment with the Comprehensive Plan and serves as an important part of the growth management strategy, the Town Council recommends approval of this question.

Vote on amendment: 5 Yeas. 2 Nays [Chairman McGee and Councilor Hamill].

Vote on Main Motion as Amended:

ORDER AUTHORIZING ISSUANCE OF UP TO \$6,000,000 IN BONDS OF THE TOWN TO FUND THE COST OF LAND BOND ACQUISITION.

BE IT ORDERED by the Town Council by the Town of Scarborough, Maine, in Town Council assembled, as follows:

(1) That a public improvement program consisting of the acquisition, by purchase or donation of land, real estate rights or other interests in land throughout the town for purposes of conservation of natural areas, providing public access and recreation, and protection of wildlife habitat, and scenic or environmentally sensitive areas is hereby approved; and,

(2) That a sum not to exceed \$6,000,000 is hereby appropriated, plus any additional premium, to provide for the costs of this program; and,

(3) That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$6,000,000, plus any additional premium and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, premium(s), call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

BE IT FURTHER ORDERED, that the following referendum question shall be submitted to the voters of the Town of Scarborough, Maine at the regular municipal election to be held Tuesday, November 5, 2024:

Referendum Question No. 3:

Shall the Order entitled "ORDER AUTHORIZING ISSUANCE OF UP TO \$6,000,000 IN BONDS OF THE TOWN TO FUND THE PURCHASE OF LAND THROUGHOUT THE TOWN FOR FUTURE PURCHASES OF PROPERTIES OR RIGHTS TO PROPERTIES FOR THE FOLLOWING PURPOSES:

- TO PROVIDE OR MAINTAIN PUBLIC ACCESS; AND.
- TO ALLOW PASSIVE OR ACTIVE RECREATION; AND,
- TO CONSERVE WATER QUALITY, NATURAL RESOURCES, OR OTHER NATURAL AREAS; AND,

- TO PROVIDE EASEMENTS FOR WALKING OR BIKING TRAILS; AND,
- TO PRESERVE SIGNIFICANT HISTORIC SITES; AND,
- TO PRESERVE SITES WHICH CAN BE CONSIDERED PART OF THE CHARACTER TO THE COMMUNITY; AND,

• TO ADD TO EXISTING CONSERVATION AND PUBLIC AREAS" be approved?

EXPLANATION AND RECOMMENDATION: Approval of this Order would authorize the issuance of up to \$6,000,000 in general obligation bonds of the Town to provide funds for the purposes listed above. If authorized by the voters, any expenditure is limited to the purposes and must be approved by the Town Council, following the recommendation of the Parks and Conservation Land Board after a rigorous review process. Monies will be borrowed on an as-needed basis and therefore will not be borrowed all at once. Voters have provided similar approval on four prior occasions. In most cases these monies will be used to leverage private money and grants to accomplish the purpose.

As this authorization furthers the Town's land conservation initiatives, is in direct alignment with the Comprehensive Plan and serves as an important part of the growth management strategy, the Town Council recommends approval of this question.

FINANCIAL STATEMENT

4. Total Indebtedness as of November 1, 2024:

	A Bonds outstanding and unpaid:	\$	74 750 000
	D . Donds outstanding and unpaid.	φ ¢	2,730,000
	B. Bonds authorized and unissued:	\$	2,636,592
	C. Bonds to be issued if this Article is approved (assumes		
	approval of only Referendum Question No. 2):	\$	6,000,000
5.	Costs:		
	At an estimated maximum interest of 4.00%		
	for a maximum twenty (20) year maturity.		
	the estimated costs of this bond issue will be:		
	Principal:	\$	6,000,000
	Interest:	\$	2,520,000
	Total Debt Service	\$	8.520.000

6. Validity:

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/____ Town Treasurer

Vote: 6 Yeas. 1 Nay [Councilor Hamill].

Councilor Sither, seconded by Councilor Caterina, that the Council suspends Roberts Rules to take up new business after 10:00 p.m.

Vote: 7 Yeas. Motion Passes

NEW BUSINESS:

Order No. 24-081. First reading and schedule a public hearing and second reading on the following new requests for a Cannabis Establishment License, for Medical Cannabis Cultivation Facilities:

- Brandon Albert, d/b/a Alby, LLC, located at 20 Snow Canning Road
- Wei Xin Qiu, located at 10 Snow Canning Road, Unit 7
- Hung Do, d/b/a Platinum Smoke, LLC, located at 3 Commercial Road #201-B
- Joseph Tran, d/b/a Shark Tank Strategies, located at 3 Commercial Road #201-A

[Assistant Town Manager] Liam Gallagher, Assistant Town Manager, gave a brief overview on this Order and responded to questions from the public and the Council. The following spoke on this Order:

- Paula Corbeau-O'Brien of Pond View Drive, voiced her concerns around the process.
- Darlene Smith of Bickford Street, also had concerns as to the process and the unit numbers.
- Brandon Albert, Operator at 20 Snow Canning Road explained why he had brought his request forward.

Motion by Councilor Sither, seconded by Councilor Caterina, to move approval First reading on the following new requests for a Cannabis Establishment License, for Medical Cannabis Cultivation Facilities:

- Brandon Albert, d/b/a Alby, LLC, located at 20 Snow Canning Road
- Wei Xin Qiu, located at 10 Snow Canning Road, Unit 7
- Hung Do, d/b/a Platinum Smoke, LLC, located at 3 Commercial Road #201-B
- Joseph Tran, d/b/a Shark Tank Strategies, located at 3 Commercial Road #201-A

and schedule a public hearing and second reading, for Wednesday, September 18, 2024.

Motion by Councilor Hamill, seconded by Councilor Sither, to move approval to divide the question and take each request separately.

Vote: 6 Yeas. 1 Nay [Councilor Cushing]. Motion Passes.

Motion by Councilor Caterina, seconded by Councilor Sither to move approval of the first reading on the new request for a Cannabis Establishment License, for Medical Cannabis Cultivation Facility from Brandon Albert, d/b/a Alby, LLC, located at 20 Snow Canning Road.

After a brief discussion on this recommendation a tabling motion was made.

Motion by Councilor Anderson, seconded by Councilor Caterina to table the request from Brandon Albert, d/b/a Alby, LLC to Wednesday, September 18, 2024 with a new inspection and to be considered a new application; follow the approval process pursuant to Chapter 1018 – the Town of Scarborough Cannabis Establishment Ordinance, which is a public hearing and action.

Vote: 7 Yeas.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the first reading on the new request for a Cannabis Establishment License, for Medical Cannabis Cultivation Facility from Wei Xin Qiu, located at 10 Snow Canning Road, Unit 7 and schedule the public hearing and second reading for Wednesday, September 18, 2024.

Vote of 6 Yeas, 1 Nay [Councilor Hamill].

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the first reading on the new request for a Cannabis Establishment License, for Medical Cannabis Cultivation Facility from Hung Do, d/b/a Platinum Smoke, LLC, located at 3 Commercial Road #201-B Do and schedule the public hearing and second reading for Wednesday, September 18, 2024.

Vote of 6 Yeas, 1 Nay [Councilor Hamill]. Motion Passes.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the first reading on the new request for a Cannabis Establishment License, for Medical Cannabis Cultivation Facility from Joseph Tran, d/b/a Shark Tank Strategies, located at 3 Commercial Road #201-A and schedule the public hearing and second reading for Wednesday, September 18, 2024.

Vote of 6 Yeas, 1 Nay [Councilor Hamill]. Motion Passes.

Order No. 24-082. First reading and schedule a public hearing and second reading on the proposed amendments to Chapter 303 – the Town of Scarborough Personnel Ordinance. [Assistant Town Manager/Human Resource Director] Liam Gallagher, Assistant Town Manager/HR Director, gave a brief overview on this Order.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval of the first reading on the proposed amendments to Chapter 303 – the Town of Scarborough Personnel Ordinance and schedule a public hearing and second reading for Wednesday, September 18, 2024, as follows:

Chapter 303 – the Town of Scarborough Personnel Ordinance

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council

assembled, that the following amendments to Chapter 303 - the Town of Scarborough Personnel Ordinance,

be and hereby is amended, as follows (additions are underlined; deletions are struck through):

1st Amendment to Article V. Benefits:

ARTICLE V. BENEFITS.

Section 507. Vacation.

Vacation privileges are available to all full-time employees at the convenience of the Town of Scarborough. Forty (40) hours of vacation time per year may be used for any type of time off as needed, not exclusive of vacation. This provision is intended to satisfy the requirements of the Maine Earned Paid Leave Law. (amended 02/03/2021) Each full-time employee shall earn vacation with pay on the following basis:

- (1) One (1) work day shall be earned for each month in which a day of service is worked during the first through fifth year of employment.
- (2) (1) One and one-quarter (1 1/4) work days shall be earned for each month in which a day of service is worked during the <u>first sixth</u> through tenth years of employment.
- (3) (2) One and one-half (1 1/2) work days shall be earned for each month in which a day of service is worked during the eleventh through the fifteenth years of employment.
- (4) (3) One and three-fourths (1 3/4) work days shall be earned for each month in which a day of service is worked during the sixteenth through the twentieth years of employment.
- (5) (4) After twenty (20) years of service, two (2) work days for each month in which a day of service is worked shall be earned. (amended 02/03/2021)

New employees may be credited with years of service in a similar position for another employer at the discretion of the Town Manager.

Employees shall accrue vacation days during their probationary period but vacation may not be taken in the first one-hundred and twenty (120) days unless otherwise approved by the Department Head.

In case a holiday falls within the vacation period, the vacation may be extended to compensate for the holiday.

Any paid leave of absence shall not constitute a break in the service record for purposes of calculating earned vacation, except during the probationary period when such absences shall constitute a break in service. (amended 09/05/2007)

Employees may be eligible to receive payment for half the vacation time earned during a calendar year upon approval by the Town Manager. (amended 02/06/02) (amended 07/17/2013)

Employees with less than fifteen (15) years of service shall be entitled to accumulate twenty (20) days of vacation.

Employees with fifteen (15) years or more of service shall be entitled to accumulate thirty (30) days of vacation.

Accrued vacation leave shall be paid to employees upon their separation from the service or to their beneficiary or estate upon their death and, if applicable, in accordance with Section 516. Retirement Health Savings Account. (amended 08/17/2011)

2nd Amendment to Article V. Benefits – New Sections:

Section 509. Maine Paid Family and Medical Leave (PFML).

The Maine Paid Family and Medical Leave (PFML) law rules and payroll withholdings will begin on January 1, 2025. The contribution per employee is 1.0% of an individual's wages, split equally between the employee and the Town.

Section 510. Paid Military Leave.

Each employee currently serving in the military will be entitled to forty (40) hours of paid time off per calendar year to fulfill the duties and responsibilities of military training, deployment or other qualified service.

Table of Contents and renumbering will be updated upon approval of these proposed amendments.

Vote: 7 Yeas. Motion Passes.

Order No. 24-083. Act to authorize the Town Manager to place the monies from the Sale of Alger Hall back into the Land Acquisition Fund. *[Town Manager]* Thomas J. Hall, Town Manager, gave a brief overview on this Order.

Motion by Councilor Caterina, seconded by Councilor Sither, to move approval to authorize the Town Manager to place the monies from the Sale of Alger Hall back into the Land Acquisition Fund.

Vote: 7 Yeas. Motion Passes.

Item 9. Non-Action Item. None at this time.

Item 10. Standing and Special Committee Reports and Liaison Reports and Item 11. Council Member Comments.

- Councilor Sither gave an update on the Communications Committee.
- Councilor Caterina noted that the next Ordinance Committee meeting would be on Wednesday, September 11th at 6:00 p.m.
- Councilor Anderson gave an update on the Finance Committee.
- Councilor Shupe gave an update on the Environmental Standards Meeting with Developers.

Item 12. Adjournment. Motion by Councilor Caterina, seconded by Councilor Sither, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 7 Yeas. Motion Passes.

Meeting adjourned at 10:40 p.m.

Respectfully submitted,

Yolande P. Justice Town Clerk

Average Annual Daily Traffic (AADT) counts on Rt 114 and Rt 22, 1996-2022

Location	1996	1997	1998	2000	2002	2004	2005	2007	2010	2013	2016	2019	2022	2024	Peak Year	% Change from Peak
Route 22 -Near Smiling Hill Farm (MDOT 00307)									9,930	9,450	9,540	9,680	8,314		2010	-16.3%
Route 22 East of Overlap - West side of Saco St Intersection (MDOT 05007)	8,640		9,640	10,090	10,580	9,720	9,550		10,050		9,830	9,940	8,780		2002	-17.0%
· · · ·														•		
Route 114 - Nonesuch Golf Course (MDOT 03608)										13,090	12,300	12,510	11,630		2013	-11.2%
Route 114 - South side of Running Hill Intersection (MDOT 04704)										12,340		12,310	11,360		2013	-7.9%
Route 114 South of Overlap - Just north of Beech Ridge Intersection																
(MDOT 04808)	13,810	14,170	15,310	14,230	17,890	15,980	14,020	15,040	14,040	14,880	12,740	14,480	14,050		2002	-21.5%
Pupping Hill Pd East of 114																
Intersection (MDOT 04702)					6,200		5,920		6,350	5,820	5,070	5,520	5,700		2010	-10.2%
Davida 00/444 Oversilari - Orasikaraansik														00.044		
Side (MDOT 05500)	22,320	22,060	24,420						23,390	25,040	23,880	24,050	22,010	(est.)	2013	-7.3%
Route 22/114 Overlap - Gorham Side (MDOT 03303)		20,710			22,860		24,280		22,600	23,310	21,650	21,200	21,070		2005	-13.2%
Route 22 West of 22/114 Overlap (MDOT 03307)		10,310		11,060	13,460		11,530	11,010	10,380	11,463	9,940	9,770	10,320		2002	-23.3%
Route 114 North of 22/114 Overlap (MDOT 03308)	11,790	12,830	13,530		12,640	12,520	12,770			13,750	13,270	13,140	12,730		2013	-7.4%
Comparison:																
Black Point Rd - South of Rt 1																
Intersection (MDOT 00105)	11,240	14,160			15,480	14,120	15,160	13,740	13,250		14,650		16,220		2022	0%
Black Point Rd - West of Highland Ave intersection (MDOT 02907)					11,320		12,750	12,520		12,410	14,080		13,420		2016	-4.7%
Payne Rd South of Gorham Rd (MDOT 04206 + 04216)	11,910		13,210	11,090	12,730	11,590	13,320	13,240	14,540	13,650	13,050	14,230	15,700		2022	0%

All data from the following sources:

https://digitalmaine.com/cgi/viewcontent.cgi?article=3516&context=mdot_docs https://digitalmaine.com/cgi/viewcontent.cgi?article=4218&context=mdot_docs https://digitalmaine.com/cgi/viewcontent.cgi?article=4221&context=mdot_docs https://digitalmaine.com/cgi/viewcontent.cgi?article=4253&context=mdot_docs https://www.maine.gov/mdot/traffic/docs/ytc/2016/fullreport.pdf https://digitalmaine.com/cgi/viewcontent.cgi?article=4268&context=mdot_docs https://digitalmaine.com/cgi/viewcontent.cgi?article=1056&context=mdot_docs https://www.maine.gov/mdot/traffic/docs/ytc/2024/2023%20Annual%20Traffic%20Count%20Report%20.pdf https://mainedottrafficdata.drakewell.com/publicmultinodemap.asp

There's a common assumption by proponents of the new turnpike that traffic along Rt 22 and Rt 114 here in North Scarborough / South Gorham "is only getting worse" and that we have to build extra capacity for all this future growth. While congestion felt pretty bad at times this summer with the construction going on, Maine DOT data shows that overall traffic volumes along this corridor actually peaked between 10-20 years ago and are down on average around 15% from that peak. Maine DOT performs periodic traffic counts at different sites across the state, and then uses those counts to calculate the AADT (Average Annual Daily Traffic) values for each site by adjusting for seasonal fluctuations. I've compiled the historical AADT values from Maine DOT records along the Rt 114 / Rt 22 corridor going back to 1996 (the earliest I could find online) above. Since 2007 Maine DOT has been conducting counts on a three year rotating basis, meaning the last counts were done in 2022 and the next counts will be done in 2025. But the trend is pretty clear that even without Covid, traffic is down throughout this corridor compared to its peak.

Why might this be? Looking at data available on the state website https://mainestatehousingdata.org/, between 2010 and 2020 the towns that mostly use this commuter corridor (Gorham, Standish, Buxton) grew by 7.8%, and one would thus expect a similar increase in traffic over this time. However a closer look at demographic changes in these three towns show that the population aged 18-64 only increased by 422 total, while those aged 65+ increased by 2,013. So there was actually very little growth in the working aged population of these towns that would potentially be commuting daily. That fact, coupled with increased employment opportunities and shopping/entertainment options outside of Portland, has contributed to a reduction in travel along Rt 22 and Rt 114 even outside of the office worker post-Covid work from home phenomenon.

Will this trend continue in the future? There are a lot of variables - will the rate of in-migration to the area increase even more than it is now, will the towns encourage more sprawl, will a new turnpike be built that facilitates that explosion of sprawl? Using current data and trends however, the office of the Maine state economist (https://www.maine.gov/dafs/economist) published population forecasts for every town in Maine last year. They project the growth rate of Gorham+Standish+Buxton to fall to 4.1% for 2020-2030 and to 1.9% for 2030-2040 under current conditions. Maine's birth rate is currently at 1.47 and falling (population replacement level is 2.1), and we're only growing now because of high levels of in-migration and longer lifespans (which have plateaued). Outside of Portland, our state's population is still aqing rapidly.

Getting past hyperbole and emotional response and just looking at the hard data, all indications are that traffic along the corridor will continue to decline or at the minimum stay stable. The baseline assumption should thus not be that traffic is just going to always get worse and that we have to build a new highway for that future growth, when all the data and long term trends are actually showing the opposite here. The baseline assumption should be how are we going to care and pay for our existing roads and infrastructure in a not too distant future with a decreasing and further aging population and already a trend of decreasing traffic along this 114 / 22 corridor.



Despite being a high-volume area for commuter traffic, the Rt 114 / Rt 22 corridor (circled in green) that the Gorham Connector proposal would be addressing has comparatively few accidents (no red areas) and is quite similar to all the other exurban state highways throughout the region. One of the major reasons that the MTA gives for the necessity of building the Gorham Connector is the dangerousness of the existing routes – however the data does not support this claim.



The major argument made for why building the new turnpike is preferable to making improvements to the existing road, is that widening the road would require knocking down houses and would not be conducive to future village style growth in North Scarborough and South Gorham. Based on AADTs, the only stretch of road that might need widening is the Rt 22 / Rt 114 overlap, which has a most recent AADT of 22,010 (according to the 2012 East-West Corridor Study, AADTs over 18,000 are considered high for two lane roads). Widening this stretch to a four lane road - which in general supports AADTs up to 35,000 – is absolutely possible within the existing ROW with no need for any eminent domain, much less taking anyone's house. Four 11-foot lanes, plus two four foot shoulders, equals a 52-foot wide roadway, and the ROW along this stretch is 66 feet. However, according to the Federal Highway Administration, a three lane road (one lane each direction and a turning lane in the middle) is recommended for roadways with an AADT of 25,000 or less. The picture above is of a typical three lane roadway in a village setting with bike lanes and a sidewalk. Including the sidewalk, the total width edge to edge is about 54 feet. This is what the Rt 22 / Rt 114 overlap stretch could look like, improved to meet design recommendations for its volume.