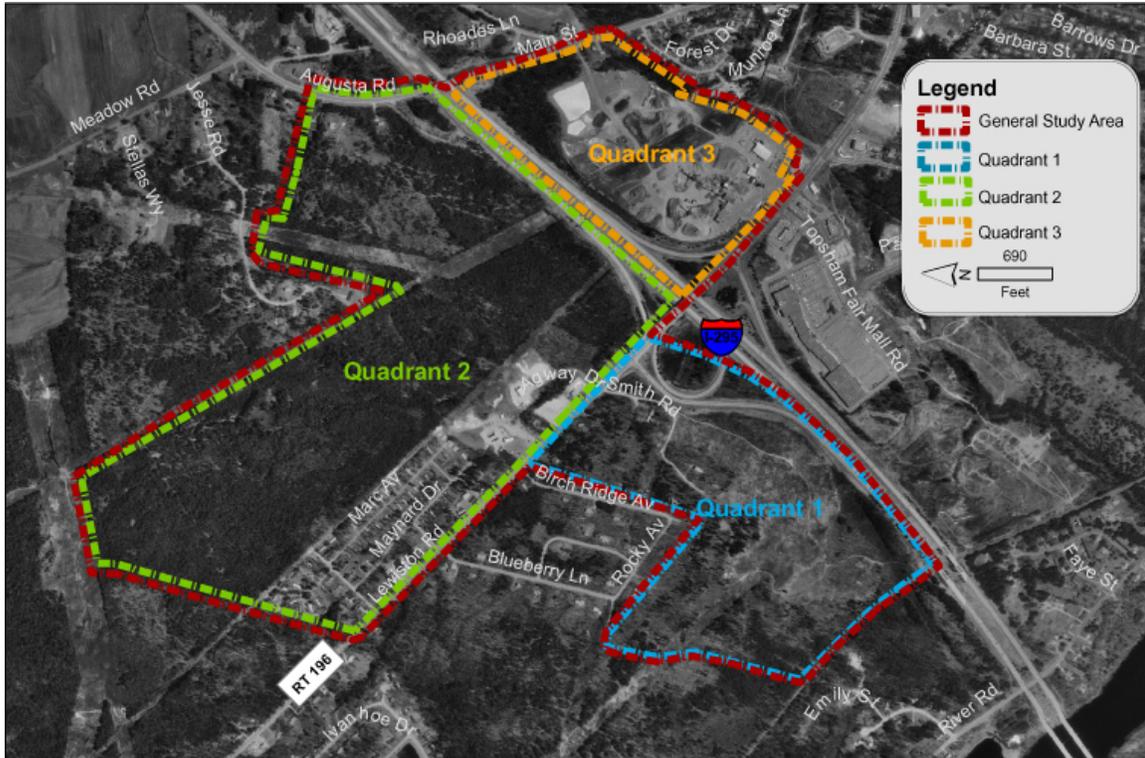


Public Hearing Draft
Interim Report
Of
The Route 196/I-295 Intersection
Study Committee



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I. Introduction

In 2005, Town Meeting adopted an updated version of the Town's Comprehensive Plan. The plan's Implementation Strategy included the following proposal:

Create a Master Plan for the Route 196 and Interstate 295 intersection that addresses land use patterns, traffic volumes, safety, and zoning.

To address this proposal, the Board of Selectmen created the Route 196/I-295 Intersection Study Committee in the fall of 2005 and charged them with developing the "master plan" for the intersection area. The committee has worked for the past year on this project.

This report focuses on the Study Committee's recommendations with respect to the southwest quadrant of the intersection – the area on the west side of I-295 south of Route 196 – or Quadrant #1 as it has been called by the committee. The report provides an overview of the study area and the policies in the adopted Comprehensive Plan that relate to the intersection area. It includes a summary of the existing conditions in Quadrant #1. The report then sets out the proposed Vision for the future development of this area. In the final three sections, the report sets out recommendations with respect to providing infrastructure to serve Quadrant #1, revising the Town's land use regulations to promote development that is consistent with the Vision, and defining the Town's financial participation in facilitating quality development in this area.

II. Executive Summary

The Town's adopted 2005 Comprehensive Plan proposed that the Town conduct a study of the Route 196/I-295 intersection area to address land use patterns, traffic volumes, safety, and zoning. The Board of Selectmen created the Route 196/I-295 Intersection Study Committee in the fall of 2005 and charged them with developing the "master plan" for the intersection area. This report presents the committee's recommendations with respect to Quadrant #1, the southwest quadrant of the intersection.

The Committee developed a Vision for how Quadrant #1 should develop. The core of this vision is that Quadrant #1 should develop as a high quality, coordinated, mixed-use area that is a positive asset to the community. To accomplish this, the Committee's recommendations for Quadrant #1 focus on three areas, infrastructure, land use regulations, and financing.

A. Infrastructure Strategy

Significant good-quality mixed-use development in Quadrant #1 will require a substantial investment in upgraded infrastructure. The Committee proposes a two part strategy for providing the necessary infrastructure to serve Quadrant #1 as well as Quadrant #2:

Background Work – The Town should work with TDI and the utility districts to do the background work needed for the future development of the infrastructure including final location and design of the improvements, environmental and soil studies, site acquisition, permitting, and similar activities. This background work should be paid for by the Town, if necessary, using TIF funds. The Town should consider establishing a mechanism for recovering these front-end costs from developments that utilize the infrastructure that results.

Utility Construction – The basic premise for financing the infrastructure improvements is that private developments should pay for the share of the core improvements that serves that development. To facilitate construction of the infrastructure, the Town should finance the improvements and recover the costs from developers as development occurs through an impact fee or similar mechanism. To induce desired types of development, the Town should use TIF funds to reduce the infrastructure costs for projects that return a significant portion of their revenue to the local economy, create quality jobs, or result in workforce housing.

B. Land Use Strategy

Quadrant #1 is currently zoned Mixed Use Commercial – MUC. The Committee does not believe that the requirements and standards of MUC will result in the type of high quality, mixed-use development envisioned in the Vision. Since the MUC District includes both Quadrant #1 and the Topsham Fair Mall area, the Committee proposes creating a new zoning district, MUC-1 and including Quadrant #1 in the new MUC-1 District. The following provides an overview of the key elements of the proposal.

The proposed MUC-1 District differs from the current MUC District in a number of important ways:

1. The development standards create two alternative approaches to development – conventional lot by lot development or planned mixed-use development.
2. The conventional development standards in the proposed MUC-1 are similar to the current MUC standards with a couple of significant differences including limiting individual retail uses to 40,000 square feet and the total amount of retail space in a development to 120,000 square feet unless the

retail uses are part of a planned mixed-use development. In addition, the buffer adjacent to residential areas for non-residential uses is increased from 50 feet to 100 feet

3. The proposed amendments create additional standards for development in the proposed MUC-1 District that is not part of a planned mixed-use development. These standards address residential buffering, commercial architecture, streetscape requirements, vehicular access from Route 196, the internal roadway network, the primary utility network, and pedestrian and bicycle facilities.

4. The proposed MUC-1 District standards allow “planned mixed use development” as a permitted use and sets up a process for the preparation and approval of plans for the development. A planned mixed-use development must include a minimum of twenty-five (25) acres. A planned mixed-use development in the proposed MUC-1 District will be required to go through a three step review process: 1) Site Inventory and Analysis, 2) Master Plan, and 3) Site Plan and/or Subdivision Review.

C. Financing Strategy

The adopted Comprehensive Plan recognizes that quality development in Quadrant #1 (as well as Quadrant #2) will require significant investment in providing the infrastructure needed to support this development. The Committee proposes that the Town participate in financing the provision of infrastructure to serve Quadrant #1 and recover the Town’s costs as development occurs. This includes:

- Using TIF revenues to facilitate the background work needed for infrastructure improvements
- Using TIF revenues to finance the construction of infrastructure improvements
- Using TIF revenues to assist property owners collect the site information needed for the Site Inventory and Analysis phase of a planned mixed-use development

In addition, the committee recommends that the Town use TIF revenues to reduce the infrastructure costs for projects that return a significant portion of their revenue to the local economy, create quality jobs, or result in workforce housing.

III. Study Area Overview

For the purpose of this study, the Committee defined the study area as the three primarily undeveloped quadrants of the Route 196/I-295 intersection – the area west of I-295 south of Route 196, the area west of I-295 north of Route 196, and the area east of I-295 that is north of Route 196 (see Figure 1). The Committee did not include the existing Topsham Fair Mall area in the study area.

The Committee addressed the study area as three separate areas or quadrants since the character of the areas, the current zoning, and development potential are different. The committee adopted the following descriptions:

Quadrant #1 – This is the area west of I-295 and south of Route 196 extending from Route 196 to the railroad tracks and wrapping around the existing Birch Ridge residential neighborhood.

Quadrant #2 – This is the area west of I-295 and north of Route 196 extending from Route 196 to Route 201 and including the area between Route 196 and the power line.

Quadrant #3 – This is the area east of I-295 and north of Route 196 extending from Route 196 to Route 201.

The Committee identified Quadrant #1 (see Figure 1) as its priority for consideration due to the potential for development in this part of the study area. This report focuses on the Committee's recommendations and proposals for Quadrant #1 although some of the infrastructure proposals will also address the infrastructure needs of Quadrant #2.

IV. Adopted Comprehensive Plan

The 2005 Comprehensive Plan provides the basic policy directions for managing growth and development in Topsham. The recommendations and proposals of this study are intended to build-on the policy directions of the adopted plan and provide a refinement of those policies as they apply to the study area in general and to Quadrant #1 in particular. The comprehensive plan includes three elements that provide guidance for the future of Quadrant #1:

- The Vision for Topsham provides a description of the community's hopes and aspirations for the future of the community
- The Future Land Use Plan provides the outline for the desired future pattern of development in the community and the land use regulations needed to manage development

- The Goals, Objectives, and Strategies identify other policies that relate to the area and the actions necessary to carry-out those objectives

Quadrant #1 is part of what the Vision for Topsham calls the Crossroads. The following is the vision for that area:

“The *Crossroads* is a mixed use area, and includes the Naval Annex, the Middle and High Schools, Topsham Fair Mall, and the Route 196/Interstate 295 interchange. This section of Town will continue to be the principal commercial corridor in our town. The intensity of development will generally increase with its proximity to the Topsham Fair Mall. A broader range of business activity should be allowed, but only if good planning with design and performance standards protect the character of the area (for example this stretch should never resemble Western Avenue in Augusta). The one major change to the area will be traffic. While the volume of traffic moving through this commercial corridor will always be high, new road connections and traffic management tools will decrease the impact of this traffic on residents and neighborhoods. Bicycle and pedestrian paths will link the community resources (schools, athletic fields, etc) with the commercial areas and residential neighborhoods. While there remains debate about extending public water and sewer across Interstate 295, we feel that new development in the Route 196 corridor should be preceded by good planning to ensure that safety, traffic volume, and impacts to neighborhoods are addressed. The Naval Annex could become a new, pedestrian-oriented village.”

Quadrant #1 is included in the Town’s designated “growth area” in the Future Land Use Plan. “Growth areas” are those parts of Topsham in which anticipated residential and non-residential development will be accommodated. The Future Land Use Plan includes Quadrant #1 in the Mixed Use Commercial Area designation (see Figure 2). The Mixed Use Commercial Area is described as follows in the plan:

“The Mixed Use Commercial Area should remain an area of varied uses, including large-scale commercial and service businesses, as well as office/business/light industrial parks. This area is also suitable for residential uses in mixed-use setting. This area includes the Topsham Fair Mall, Park Drive Business Park, and the area across I-295.

- *Uses* - Large-scale mixed used developments should be limited to this area, along with new office/industrial park development, and large commercial developments.
- *Special Issues to Address* - The high visibility of this area, along with good access to I-295, make this a very desirable location for large-scale developments. However, this can lead to major traffic issues that will have to be addressed through a combination of private, local and state funds. The proximity of residential areas is also an issue that will require attention, with an evaluation of existing buffer requirements, performance standards, site design criteria and

architectural standards. The Town should consider studying this area to determine the best mix of uses, appropriate development standards, buffer requirements and mitigation measures for future development.

In addition to the Future Land Use Plan, the Comprehensive Plan contains a number of other policies that relate to development in Quadrant #1. The following is an overview of those policies:

- Diversify the local economy
- Work with landowners to develop a business park west of I-295
- Assure that non-residential development is high quality and mitigates impacts on residential areas
- Review allowed uses and development standards in various districts to assure appropriate development
- Improve movement connections
- Develop a policy on conservation banking/mitigation efforts
- Create a master transportation plan with special attention to the study area
- Evaluate need for new roadways – a link from Route 196 to Route 201
- Explore alternative financing for utility extensions
- Work with the utility districts to create a capital recovery program for utility extensions
- Consider financing sewer and water extension west of I-295 only after a master plan is done
- Town financing of extensions should be tied to benefiting businesses that return significant portion of revenue back to local economy

V. Overview of Existing Conditions in Quadrant #1

Quadrant #1 includes approximately 125 acres. The existing frontage along Route 196 is developed with four older single-family homes on small lots. The balance of the land is primarily undeveloped except for two homes located in the middle of the area. This section provides an overview of the existing conditions within Quadrant #1 including property ownership, existing zoning, infrastructure, and identified natural resources.

A. Property Ownership

Based upon a review of the tax records, it appears that Quadrant #1 consists of eight separate, primary parcels with five different owners plus the Central Maine Power Company right-of-way and the land that is part of the Interstate right-of-way. There is also a small fragment of land between Smith Road and the Interstate that appears to be owned by Four A's Inc. The table below and Figure 3 show the current ownership of the eight primary parcels.

The eight parcels can be broken down into two groups:

1. House Lots

There are four small lots that front on Route 196. These range in size from 0.76 to 2.5 acres. Each of these lots has a house on it. There is a fifth house lot on the Smith Road that is 1.0 acres and has a house on it. Three of the four lots on Lewiston Road (Route 196) are owned by Allsons, Inc. but they are separated by the access to Lot 35. The house lot on Smith Road is owned by Four Bs, Inc.

2. Development Parcels

Lot 35 is located behind the homes on Route 196 and is owned by Top LLC. This parcel is vacant and has 8.8 acres according to the tax records. Lot 37 is the large parcel between Lot 35 and the power lines. It has almost 51 acres and includes the two homes on the hillside. It is owned by Four As, Inc. Lot 15 is the land on the other side of the power lines and is also owned by Four As, Inc. It has a little over 37 acres according to the tax records.

Lot #	Address	Owner	Size	Improvements
46	230 Lewiston Rd	Beaudoin	0.76 ac	House
43	220 Lewiston Rd	Allsons, Inc.	1.55 ac	House
41	212 Lewiston Rd	Allsons, Inc.	0.57 ac	House
38	206 Lewiston Rd	Allsons, Inc.	2.5 ac	House
35A	17 Smith Rd	Four Bs, Inc.	1.0 ac	House
35	13 Smith Rd	Top LLC	8.8 ac	Vacant land
37	0 Smith Rd	Four As, Inc.	50.95 ac	2 house + land
15	71 Smith Road	Four As, Inc.	37.17 ac	Vacant land

B. Existing Zoning

Quadrant #1 is currently zoned Mixed Use Commercial – MUC (see Figure 4). This district allows a wide range of non-residential uses including auto sales (as a conditional use (CU)), bed and breakfasts, churches, clubs (CU), commercial

recreational facilities (CU), gasoline sales (as a CU accessory to another large use), hotels/motels/inns (CU), labs and research facilities (CU), light manufacturing (CU), medical clinics, motor vehicle services/repair facilities (CU), neighborhood grocery stores, planned commercial developments, printing, professional offices, restaurants, fast food restaurants (CU), retail businesses, service businesses, veterinary hospitals, wholesale businesses, and warehousing, storage, and distribution facilities (CU) (see 225-16 in the ordinances). The MUC use standards allow residential planned developments but limit other residential uses to the upper floors of buildings.

The dimensional standards in the MUC District are traditional (see 225-17 in the ordinances) and spell out minimum lot size (20,000 square feet), minimum street frontage (100 feet), minimum setbacks (25 feet front – 15 feet side – 25 feet rear), building and structure heights, minimum landscape or open space ratio (20%), and maximum floor area ratio (0.5).

There is a general requirement in the zoning that each principal building must be located on a lot that conforms to the zoning district requirements or, if there is more than one building on a lot, so that the lot could be divided so that each building is on a conforming lot. There is also a general provision requiring a fifty (50) foot buffer between non-residential and residential uses that would apply to development in the MUC District.

C. Infrastructure

The adopted Comprehensive Plan proposes that new development within the Town's designated "growth area" be connected to the public water and public sewerage systems. The Plan also recognizes the issues related to additional traffic that will result from development. This section provides an overview of the existing infrastructure to serve Quadrant #1.

1. Public water

There currently is no public water supply available to serve development in Quadrant #1. The water district has an existing water main in River Road that extends to the Ivanhoe area which is the only public water service west of I-295. Development of Quadrant #1 will require that public water service capable of providing fire protection flows be extended to/into the area.

2. Public sewerage

There currently is no public sewerage west of I-295. The sewer district services the Topsham Fair Mall area. Extending service to Quadrant#1 will require that a sewer be install under the Interstate highway.

3. Transportation

Vehicle access to the land in Quadrant #1 is provided by Route 196 – the Lewiston Road. The location of the I-295 on-ramp limits the potential for creating new access points from 196 to serve development. The Interstate bridge for Route 196 creates a limit on the ability to widen Route 196 to accommodate additional traffic resulting from development on the west side of I-295. Access to River Road from Quadrant #1 is constrained by the railroad tracks/R-O-W.

4. Three-phase power

There is no three-phase power in Route 196 adjacent to Quadrant #1. Three-phase power is available on the east side of I-295 and further west on Route 196 and would need to be extended to Quadrant #1 to support significant development.

D. Natural Resources and Other Development Constraints

This section provides a brief overview of the identified natural resources within Quadrant #1 based upon published data as well as other constraints to the use and development of the area that should be addressed in the planning for Quadrant #1. It is important to recognize that this overview is based upon published data not detailed on-site inventories – on-site investigations should be required to identify additional features that need to be considered in the development of Quadrant #1.

1. Natural Resources

The Town's adopted Comprehensive Plan includes an inventory of the community's natural resources based upon published data. This provides a broad-brush view of the key resources. The following summarizes the natural resources in Quadrant #1:

Watersheds – Most of Quadrant #1 is in the Androscoggin River watershed and drains relatively directly to the river. A small area adjacent to Route 196 is in the Cathance River watershed.

Aquifers – There are no mapped sand and gravel aquifers underlying Quadrant #1. There is a significant sand and gravel aquifer between the Androscoggin River and River Road. This aquifer is part of the water district's supply. The district's Jackson Field supply well is located in this aquifer.

Wetlands and Vernal Pools – There are no “mapped” wetlands located in Quadrant #1. There are also no identified vernal pools in the Quadrant. An on-site inventory will probably identify some localized wetlands that will need

to be considered in development planning. Similarly, an on-site inventory may also identify vernal pools that need to be considered.

Floodplains – There are no significant 100-year floodplains in Quadrant #1.

Habitat – There are no areas of Quadrant #1 that are identified as significant plant or wildlife habitat. The quadrant also has not been identified as a significant unfragmented wildlife habitat block.

2. Visibility from I-295

Much of Quadrant #1 is visible from I-295 due to the slope of the land and the open nature of the area. Development will need to be carefully sited and designed to present an attractive “gateway” to Topsham as envisioned in the Comprehensive Plan.

3. Slopes

The portion of the site adjacent to the Birch Ridge subdivision is characterized by continuous slopes. These slopes are great enough to constrain large-scale development without significant site modifications to create level areas for development.

4. Power Line

The quadrant is bisected by a power line. Since this facility traverses the largest contiguous area of the site, it could be a development constraint for certain types of development.

5. Railroad Right-of-Way

The southern boundary of Quadrant #1 is the railroad tracks extending to Lisbon. There are currently no provisions in place for a crossing of the tracks to provide vehicle access to River Road. In addition, this rail line has been recently re-activated. Therefore, this is both a barrier to improved road access to Quadrant #1 and a potential constraint for certain types of development in the areas of the site immediately adjacent to the tracks.

6. The Adjacent Residential Neighborhoods

Quadrant #1 is bordered by residential areas on three sides. To the north, it is bordered by the Birch Ridge neighborhood. This is a single-family subdivision with lots that are typically around 1 acre. Some of the lots that abut Quadrant #1 are less than an acre and are relatively shallow. In some cases, the homes on these lots are located toward the back of the lot making them relatively close to the zoning boundary. To the west, Quadrant #1 abuts an undeveloped area that

is currently zoned R2. Across the railroad track to the south is an established residential neighborhood.

VI. The Vision for Quadrant #1

To refine and expand the Vision for Topsham and the policies set forth in the adopted Comprehensive Plan, the Committee developed the following vision for Quadrant #1.

The southwest quadrant of the I-295/Route 196 Intersection (Quadrant #1) that is currently zoned Mixed Use Commercial should develop as a high quality, coordinated, mixed-use area that is a positive asset to the community. Development in the quadrant should:

- Expand the range of goods and services available in Topsham
- Enhance and diversify the local economy and maximize the local economic benefit of the development
- Increase the number of good quality, well paying jobs in the community
- Create a visually attractive area with buildings that are designed in a “New England” style
- Recognize that the Exit 31 area is a “gateway” to Topsham and be done in a manner that maintains an attractive entrance to the town
- Maintain the Route 196 corridor as an attractive roadway that avoids the appearance of a “commercial strip”
- Provide appropriate protection of the quality of life in adjacent residential neighborhoods
- Contribute to the improvement of traffic flow and safety in the larger intersection area as well as providing for movement into and within the quadrant
- Provide for pedestrian and bicycle facilities and movement within the development and for connections to adjacent residential neighborhoods
- Protect significant natural resources
- Encourage a range of housing opportunities within the development

VII. Infrastructure Proposals

A. Infrastructure Requirements

Significant mixed-use development in Quadrant #1 (as well as Quadrant #2) of the study area as envisioned in the Vision set out above will require that public water and public sewerage be available as well as 3-phase power. In addition, transportation improvements will be needed as development occurs. The Town's adopted Comprehensive Plan recognizes this situation and recommends that new development be required to finance the cost of public improvements directly attributable to the project but that the Town help facilitate the extension of utilities into the interchange area. The Comprehensive Plan also proposes that the Town participate in financing the extensions only if they benefit businesses that return a significant portion of their revenue back to the local economy.

B. Proposed Improvements

To address the optimum method for providing the infrastructure needed to support the development of Quadrant #1 (and Quadrant #2), the Town has supported a number of studies including:

- Evaluation of Sewer and Water Extensions to Serve the West Side of I-295, Wright-Pierce, 2004
- Evaluation of Infrastructure Required for a New High Pressure Service Zone, Wright-Pierce, 2005
- Transportation Plan, Topsham, Maine, Gorrill-Palmer Consulting Engineers, Inc., 2005

Based upon these studies and other work by the Town, TDI, the Brunswick and Topsham Water District, and the Topsham Sewer District, the following core infrastructure improvements appear to offer the best approach for providing coordinated infrastructure to serve Quadrant #1 as well as Quadrant #2. These improvements will provide the basic facilities to serve this area. Individual developments will then need to connect to these core facilities. The details of the various improvements can be found in the reports listed above:

1. Public Water Service

- Construction of a new water main from the existing River Road main on the west side of I-295 northerly through Quadrant #1 to Route 196 and then westerly along Route 196 to the terminus of the existing water main near the intersection of Route 196 and Ivanhoe Drive (see Figure 5)

2. Public Sewer Service

- Construction of a sewer pump station and access road in Quadrant #2 near I-295 (see Figure 6)
- Construction of a force main under I-295 from the new pump station to the existing force main at the intersection of Main Street and Canam Drive
- Construction of an upgraded and relocated force main from the Annex pump station along Canam Drive to the gravity sewer system on Mountain Road
- Upgrading of the Annex pump station to accommodate the relocated force main

3. Transportation

- Construction of the Route 201/196 Western Connector through Quadrant #2 (see Figure 7)
- Construction of the Route 196/River Road Connector through Quadrant #1
- Widening of Route 196 to three westbound lanes from Topsham Fair Mall Road to the I-295 southbound ramp including the widening of the interstate overpass
- Construction of the Commercial Connector under I-295 linking Quadrant #1 to the Topsham Fair Mall

4. Three-Phase Power

- Extension of three-phase power to the area either from the east side of the interstate or easterly along Route 196 from its current terminus west of the development area.

C. Proposed Strategy for Providing the Infrastructure

The Committee proposes a two part strategy for providing the necessary infrastructure to serve Quadrant #1 as well as Quadrant #2:

Background Work – The Town should work with TDI and the utility districts to do the background work needed for the future development of the infrastructure including final location and design of the improvements, environmental and soil studies, site acquisition, permitting, and similar activities. The details of this work are outlined in section D. This background work should be paid for by the Town, if necessary, using TIF funds. The Town should consider establishing a mechanism for recovering these front-end costs from developments that utilize the infrastructure that results.

Utility Construction – The basic premise for financing the infrastructure improvements is that private developments should pay for the share of the core improvements that serves that development. To facilitate construction of the infrastructure, the Town should finance the improvements and recover the costs from developers as development occurs through an impact fee or similar mechanism. To induce desired types of development, the Town should use TIF

funds to reduce the infrastructure costs for projects that return a significant portion of their revenue to the local economy, create quality jobs, or result in workforce housing.

D. Proposed Background Work

Provision of the appropriate infrastructure to serve Quadrants #1 & #2 west of I-295 will require a coordinated approach among the Town, TDI, the utility districts and landowners and private developers. The following sections outline the preliminary work that will be necessary to increase the Town's and utility districts' readiness to provide appropriate infrastructure to support development on the west side of I-295. The Town should begin to work with TDI and the water and sewer districts to complete the preliminary work on a timely basis. This should include providing for the funding of these projects in the annual budget through Town Meeting beginning with the 2006-07 budget year.

1. Water Supply

The proposed approach for providing public water service to serve Quadrant #1 (as well as Quadrant #2) involves the construction of a looped water main through Quadrant #1 from the existing water main in River Road near I-295 to the terminus of the existing main near the intersection of Ivanhoe and Route 196. This will provide service to the lower elevations of both quadrants. To facilitate these improvements, the Town should work with the Brunswick-Topsham Water District to:

- Conduct an evaluation of the area between River Road and the Quadrant #1 to identify the best location for the proposed water main.
- Obtain approval and easements to install the main under the railroad
- Obtain an easement from River Road to the railroad R-O-W
- Finalize the location and design of the water main

2. Sewage Disposal

The proposed approach for providing public sewer service to the west side of I-295 involves the construction of a pump station on the west side of the interstate, a force main under I-295 connecting the pump station to the current system, upgrading the existing Annex pump station, and constructing a new force main to the Mountain Road gravity sewer. To facilitate these improvements, the Town should work with the Topsham Sewer District to:

- Conduct detailed topographic mapping and wetlands delineation of the area identified by Wright-Pierce as the possible locations for the I-295 pump station, access drive, force main, and related facilities.
- Conduct the geotechnical investigations needed to finalize the design and location of the force main under I-295.

- Finalize the location and design of proposed new I-295 pump station and the force main to the intersection of Main Street and Canam Drive..
- Obtain necessary approvals and easements from the Maine Department of Transportation and other property owners for the I-295 crossing and force main east of the interstate
- Acquire the site for the I-295 pump station
- Acquire easements/land for the access road from Route 196 to the I-295 pump station
- Obtain any other required permits or approvals need for the construction of the facilities

3. Three-Phase Power

Three-phase power will need to be extended to the area. To facilitate this, the Town should:

- Work with TDI and Central Maine Power Company and the Maine Department of Transportation to identify the most cost effective approach for bringing three-phase power to the area
- Obtain necessary approvals and easements from the Maine Department of Transportation if bringing it across the interstate is the preferred route
- Finalize the location and design of any needed improvements

4. Transportation/Traffic

The Town's Transportation Study identifies a number of road improvements that may be needed as development occurs in Quadrant #1 (and #2) and traffic increases. These include the construction of a Routes 201/196 Western Connector through Quadrant #2, a Route 196/River Road Connector through Quadrant #1, a Commercial Connector linking Quadrant #1 to the Topsham Fair Mall, and the widening of Route 196 over the Interstate. To facilitate these improvements, the Town should:

- Work with TDI and the Maine Department of Transportation to determine if it will be possible to obtain a crossing over the railroad to allow the Route 196/River Road Connector to be constructed.
- If it appears that it may be possible, conduct a preliminary engineering study to assess the feasibility and identify a location for the portion of the Route 196/River Road Connector from the north side of the railroad R-O-W to River Road.
- If construction of this portion of the Route 196/River Road Connector is feasible, identify and obtain a R-O-W from Quadrant #1 to River Road.

- Assess the feasibility and potential cost for constructing the Commercial Connector under the Interstate from Quadrant #1 to the Topsham Fair Mall.
- If construction of the Commercial Connector appears to be feasible in the future, work with the Maine Department of Transportation and railroad to obtain future rights to go under the Interstate.
- Conduct a preliminary engineering study to assess the feasibility and identify a location for the Routes 201/196 Western Connector.
- Identify and obtain a R-O-W for the Routes 201/196 Western Connector from the power line north to Route 201.
- Begin discussions with the Maine Department of Transportation about the possible widening of Route 196 over I-295 and identify the preliminary actions that need to occur.

VIII. Land Use Regulation Proposals

A. Overall Land Use Strategy

Quadrant #1 is currently zoned Mixed Use Commercial – MUC. The Committee does not believe that the requirements and standards of MUC will result in the type of high quality, mixed-use development envisioned in the Vision set out above. Since the MUC District includes both Quadrant #1 and the Topsham Fair Mall area, the Committee proposes creating a new zoning district, MUC-1 and including Quadrant #1 in the new MUC-1 District (see Figure 8). The proposed amendments to the zoning ordinance to create the MUC-1 District are included in Appendix A. The following provides an overview of the key elements of the proposal.

The proposed MUC-1 District differs from the current MUC District in a number of important ways:

1. The development standards create two alternative approaches to development – conventional lot-by-lot development or planned mixed-use development.
2. The conventional development standards in the proposed MUC-1 are similar to the current MUC standards with a couple of significant differences:
 - Under the proposed MUC-1 standards, retail uses larger than 40,000 square feet are not permitted and the total amount of retail space in a

development cannot exceed 120,000 square feet (but larger retail uses are allowed as part of planned mixed-use developments).

- Similarly, some uses that are currently allowed in MUC are not allowed in MUC-1 unless they are part of a planned mixed-use development. These include gasoline sales and fast food restaurants.
- A few uses that are currently allowed in the MUC are not allowed in the MUC-1. These include adult entertainment establishments, boathouses, marinas, museums, planned commercial developments, planned residential developments, transmission towers, and veterinary hospitals.
- Some uses that are conditional uses in the MUC are proposed to be permitted in the MUC-1 to encourage this type of development in this area. These uses include hotels/motels/inns, labs and research facilities, and office buildings as an accessory use.
- The basic minimum lot size is increased from 20,000 square feet in MUC to 30,000 square feet in MUC-1
- The buffer adjacent to residential areas for non-residential uses is increased from 50 feet to 100 feet

3. The proposed amendments create additional standards for development in the proposed MUC-1 District that is not part of a planned mixed-use development. These standards address residential buffering, commercial architecture, streetscape requirements, vehicular access from Route 196, the internal roadway network, the primary utility network, and pedestrian and bicycle facilities. The standards are intended to assure that if lot-by-lot development occurs within the MUC-1 District, it will result in a somewhat coordinated development of the entire district as build-out occurs.

4. The proposed MUC-1 District standards allow “planned mixed-use development” as a permitted use and sets up a process for the preparation and approval of plans for the development. A planned mixed-use development must include a minimum of twenty-five (25) acres. A planned mixed-use development in the proposed MUC-1 District will be required to go through a three step process as follows:

Step 1. Preparation of a “Site Inventory and Analysis” to serve as the basis for the development of the “Master Plan” with review by the Planning Board with input from department heads, utility districts, Conservation Committee, and other appropriate bodies.

Step 2. Preparation of a “Master Plan” and related development standards for the overall use and development of the entire development area with review and approval by the Planning Board.

Step 3. Preparation of detailed site plans and subdivision plans for elements or phases of the overall development that are consistent with the

approved “Master Plan” and development standards with review and approval by the Planning Board.

B. Planned Mixed-use Development

The proposed planned mixed-use development standards create an alternative and flexible approach for development in Quadrant #1. They involve a three step approval process as outlined above. Here is an overview of the information that will be required to be submitted at each of these steps:

1. Site Inventory and Analysis

This step is intended to provide the applicant, Planning Board, staff, boards and utility districts, and public with a better understanding of the site and the opportunities and constraints imposed on its use by both the natural and built environment. The expectation is that the preparation of the Site Inventory and Analysis will result in a master plan for the use and development of the development area that reflects the conditions of the site; that preserves the areas that should be protected from development or intensive use, that utilizes the areas that are most suitable for the proposed uses, and that recognizes and addresses the identified constraints or limitations of the site.

The Site Inventory and Analysis submission will consist of the following:

1. A **Site Context or Locus Map** showing the relationship of the development area to adjacent property.
2. A **Site Inventory Plan** showing the existing conditions on the site including easements, topography, major natural features (wetlands, vernal pools, ponds, floodplains, aquifers, significant habitat and corridors, etc.), soils, watersheds, existing buildings, structures, and other improvements, historic and archeological resources, and existing utilities.
3. A **Site Analysis Plan** at the same scale as the Inventory Plan highlighting the opportunities and constraints of the site in a bubble diagram or annotated format. The plan should identify the areas of the site that are unsuitable for use or development, areas that should be retained as open space or buffers, areas that are subject to possible off-site conflicts or concerns (noise, lighting, traffic, etc.) and the areas best suited for development.
4. A **Site Analysis Narrative** describing the existing conditions of the site, the opportunities and constraints created by the site, the open space conservation potential, and the development potential of the usable areas of the site. The analysis should address how any identified constraints or conflicts should be addressed in the development of the Master Plan.

2. Master Plan

This step is intended to lay out, in general terms, how the planned mixed-use development will be developed including the primary road network, utilities, stormwater management, development areas, open space areas, and buffer areas and the development standards that will apply to development proposals. The intention of this step is to provide the overall development framework for the development area into which specific projects can then be fitted to produce a coordinated mixed-use development.

The Master Plan submission will consist of the following:

1. A **Development Narrative** describing the overall nature of the proposed development, the general utilization of the site, the types and scale of anticipated development, and provisions to address the constraints and limitations identified in the Site Inventory and Analysis. The development narrative must address how the proposed Master Plan conforms to the community's vision and related objectives, how it is consistent with Town's identified economic goals and objectives, and how a mixed-use development will be assured.
2. A **Conceptual Site Plan** at the same scale as the Site Analysis Plan showing the proposed layout of the entire site including the primary road system, development areas and/or sites, proposed open space and buffer areas, and other uses of the site. The conceptual site plan does not need to include the location of individual buildings but if buildings are not included, development standards must address the site and architectural design issues related to the design of individual buildings and sites.
3. A **Preliminary Infrastructure Plan** showing the layout and preliminary design of the various infrastructure components that will serve as the core infrastructure for the site. This should address off-site infrastructure improvements where necessary. The Plan should include the primary road network including network improvements identified in the Town's transportation plan as well as access into and out of the site, public water and sewerage, stormwater management including any mitigation activities to comply with state stormwater requirements, electric, cable, and fiber optic systems, and any shared or common facilities such as parking or service areas.
4. A **Neighborhood Impact Mitigation Plan** describing how the impacts of the proposed development on neighboring residential areas will be minimized including, but not limited to, traffic, noise, exterior lighting, groundwater contamination, and visual considerations. The impact mitigation plan must specify the areas that will be retained as buffers and how those areas will be treated and protected. The plan will include any specific standards or

requirements that will be imposed on individual buildings or projects such as increased setbacks and similar measures.

5. An ***Environmental Assessment*** describing how the overall layout of the project minimizes the impact on identified natural resources and what mitigation activities will be undertaken to compensate for any unavoidable negative impacts. The assessment will address how state and local requirements will be met.

6. ***Development and Design Standards*** that will apply to individual buildings or projects if the Conceptual Site Plan does not address these issues. These standards must address, at a minimum, parking layout and design, landscaping, exterior lighting, signage, pedestrian and bicycle facilities, noise, architectural design and details, and the protection of neighboring residential areas. The standards will assure that the resulting development will be a coordinated, visual integrated district. These standards may reference the existing standards for the MUC District where appropriate or establish modified or new standards.

3. Site Plan or Subdivision Plan

This step involves the approval of the actual development plans for each building or project within the district. This shall be based upon the existing requirements for these procedures with the following additions:

1. The applicant will need to demonstrate that the site plan or subdivision plan is consistent with the approved “Master Plan”
2. The applicant will need to demonstrate that the proposal is consistent with the Neighborhood Impact Mitigation Plan
3. The applicant will need to show that the proposal conforms to the specific development standards established in the approved “Master Plan”

IX. Financing Proposals

The adopted Comprehensive Plan recognizes that quality development in Quadrant #1 (as well as Quadrant #2) will require significant investment in providing the infrastructure needed to support this development. The Plan recommends that new development be required to finance the cost of public improvements directly attributable to the project but that the Town help facilitate the extension of utilities into the interchange area. The Comprehensive Plan also proposes that the Town participate in financing the extensions only if they benefit businesses that return a significant portion of their revenue back to the local economy.

The Intersection Committee recommends that the Town support good-quality, mixed use development in Quadrant #1 by participating in the financing of various activities. These include the following:

1. Background Infrastructure Work

The Town should facilitate the completion of the background work needed for a comprehensive approach for upgrading the infrastructure to serve development in Quadrant #1 (as well as Quadrant #2). To this end, the Town should work with TDI and the utility districts to do the background work needed for the future development of the infrastructure. This background work should be paid for by the Town, if necessary, using TIF funds. The Town should consider establishing a mechanism for recovering these front-end costs from developments that utilize the infrastructure that results.

2. Utility Construction

The basic premise for financing the infrastructure improvements to serve development in Quadrant #1 is that private developments should pay for the share of the core improvements that serve that development. To facilitate construction of the infrastructure, the Town should finance the improvements using TIF revenue and recover the costs from developers as development occurs through an impact fee or similar mechanism.

3. Impact Fee Reductions

To induce desired types of development, the Town should use TIF funds to reduce the infrastructure costs for projects that return a significant portion of their revenue to the local economy, create quality jobs, or result in workforce housing.

4. Site Inventory Costs

The site inventory and analysis phase of the planned mixed-use development process will impose a significant front-end cost on property owners and developers. To encourage the use of this approach, the Town should pay for the cost of developing the basic site information needed for the inventory for owners/developers who are willing to use the planned mixed-use development approach. These costs should be funded with TIF revenues and be repaid by the owner/developer upon completion of construction or some similar point in the development process. Town funds should be used to collect information only on the portion of the property that will be included in the planned mixed-use development.

Figure 1

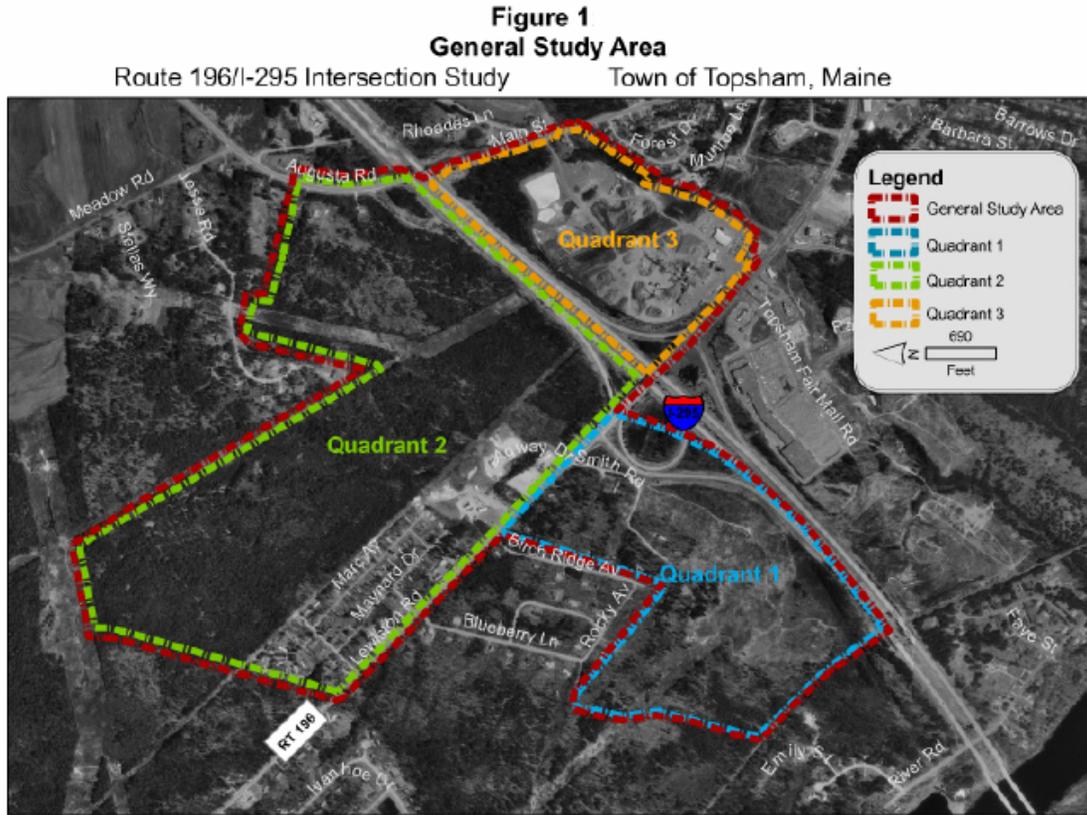


Figure 2

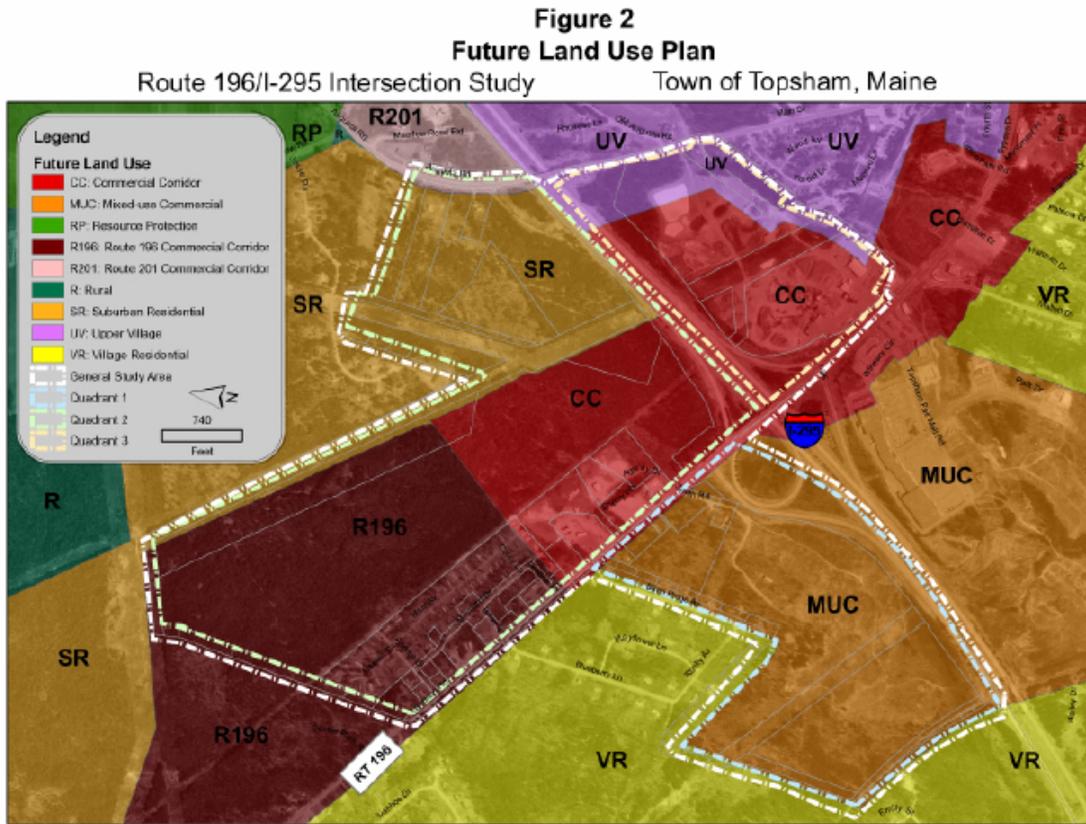


Figure 3

Figure 3
Quadrant 1: Current Property Ownership
Route 196/I-295 Intersection Study Town of Topsham, Maine

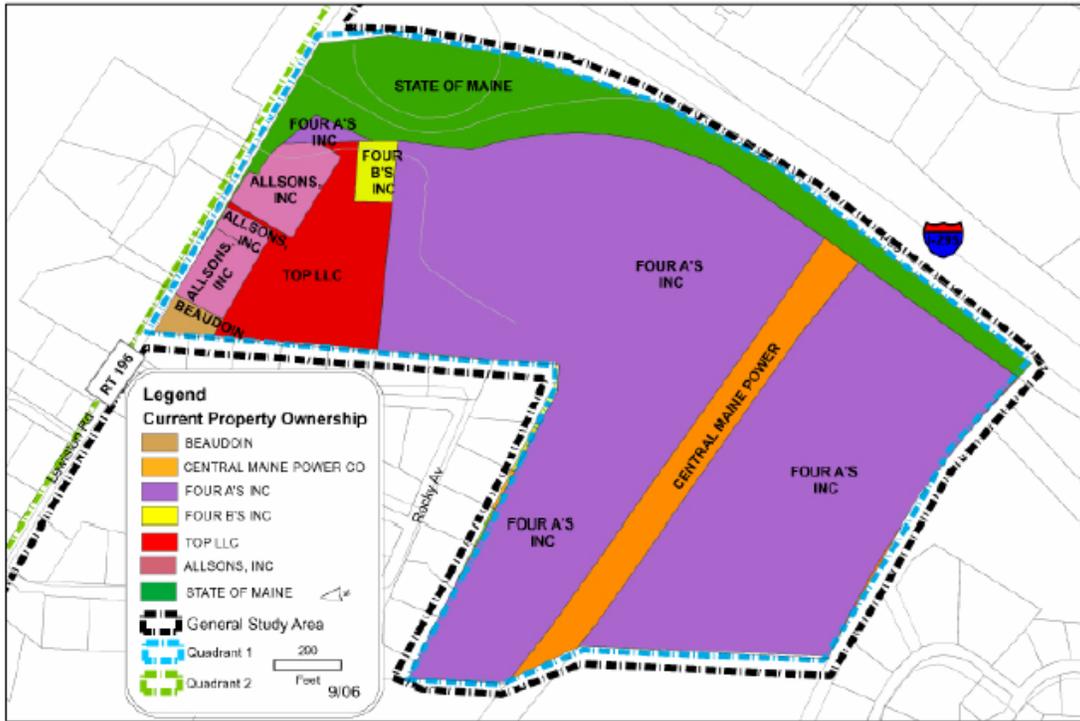


Figure 4

Figure 4
Existing Zoning Districts
Route 196/I-295 Intersection Study Town of Topsham, Maine

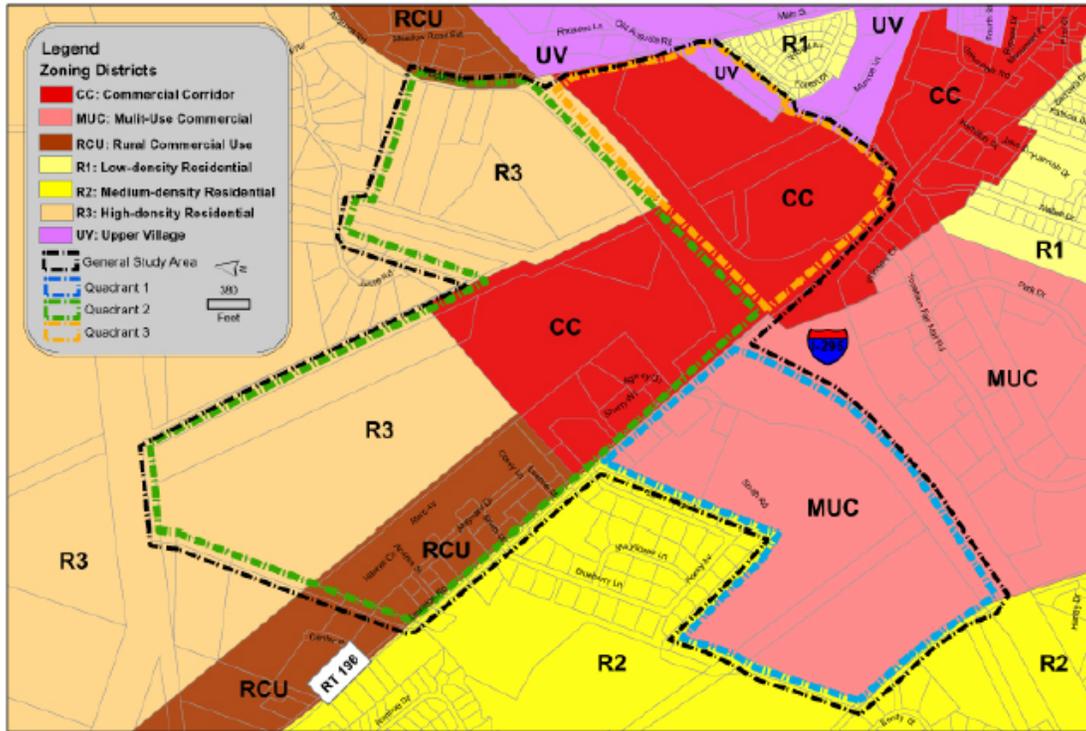


Figure 5

Figure 5
Proposed New Water Infrastructure
Route 196/I-295 Intersection Study Town of Topsham, Maine

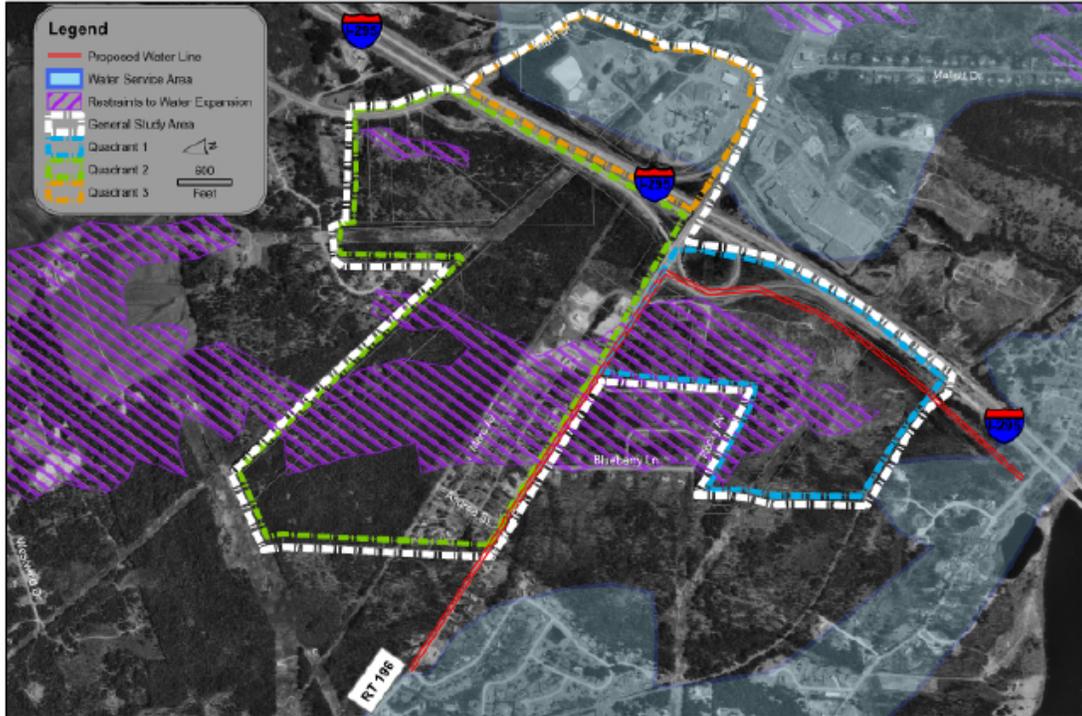


Figure 6

Figure 6
Proposed New Sewer Infrastructure
Route 196/I-295 Intersection Study Town of Topsham, Maine

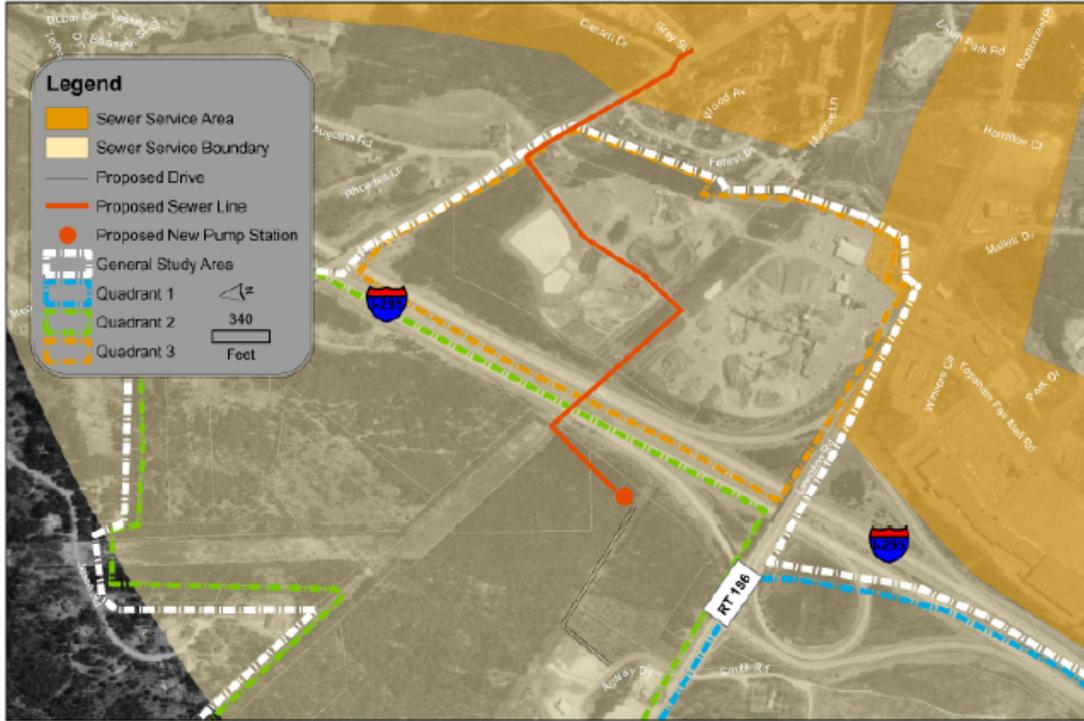


Figure 7

Figure 7
Possible Transportation Improvements
Route 196/I-295 Intersection Study Town of Topsham, Maine

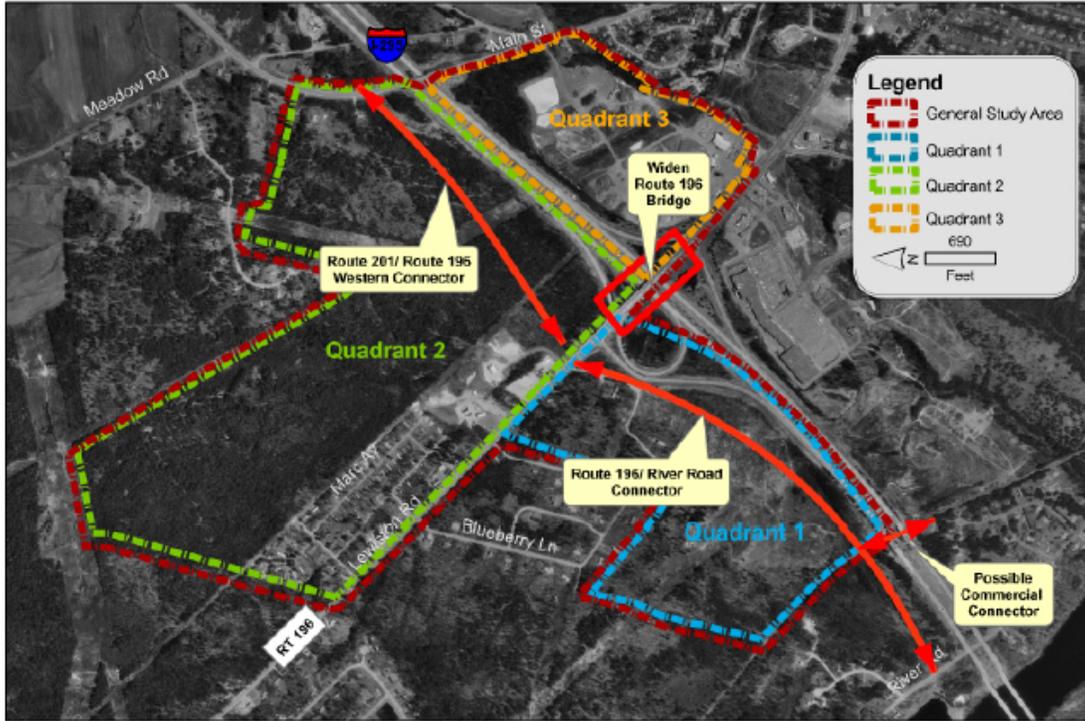
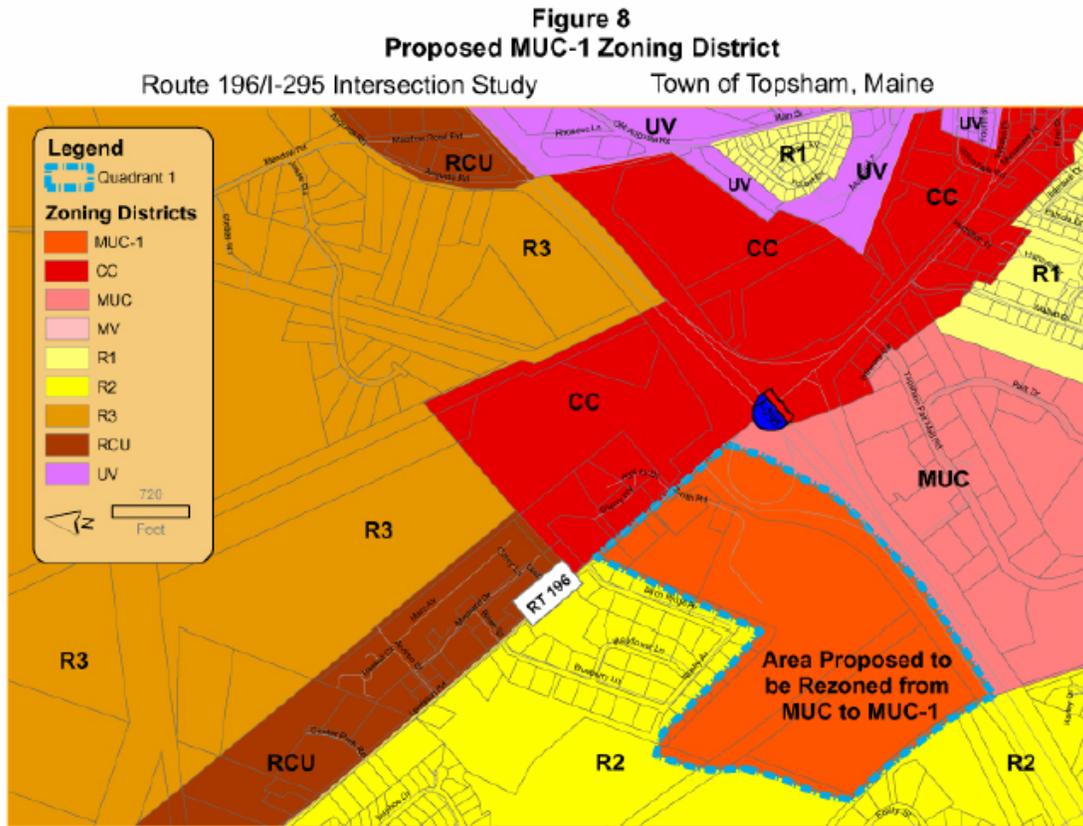


Figure 8



Appendix A. Proposed Ordinance Amendments