GORRILL PALMER

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March 22, 2022

Mr. Don Spann, Chair
Planning Board Members
Town of Topsham
100 Main Street
Topsham, ME 04086

Subject: Proposed 80,000 SF Supermarket
169 Topsham Fair Mall Road
TOPSCO, LLC
Waiver Request Memorandum

Dear Mr. Spann and Members of the Planning Board:

The development team representing **TOPSCO LLC** is in receipt of a draft Memo prepared by the Town Planning Director, Rod Melanson, dated March 16, 2022. The memorandum walks through each of the Waivers being sought by the applicant, as a part of the site plan review process. As a follow up we arranged a video conference on March 21st, 2022, with Mr. Melanson, to discuss the Waiver request specifically related to chapter 175-12A(3), of the Topsham Site Plan Review Ordinance. Chapter 175-12A(3) of the Ordinance relates to the requirement that no more than 60% of the required parking be located to the "store front area." The current site layout, before the board, does not meet this parking requirement, due to numerous issues specifically related to the proposed use and site-specific constraints. These constraints include:

- The site is an existing lot of record located on Topsham Fair Mall Road (TFMR). The lot is relatively narrow and deep, from front to back.
- The site is restricted by water courses (wetlands) located along the northern and southern property lines (side lot lines). These water courses are confined by steep embankments (35-40 feet in height) and associated Top of Bank Buffers, flood plain areas and Wetland Buffers.
- There is an existing on-site Stormwater management basin which currently treats runoff from TFMR. This basin functions separately from the proposed site stormwater management system and cannot be disturbed.
- The buffers, setbacks and stormwater management basin further restrict the developable portion of the site, limiting the possible building configurations and site layouts.

In working with Town staff, the development team has looked at numerous site layouts and determined that, to best meet the intent of the regulations, the proposed Market Basket should be located to the rear of the parcel, with the front façade facing the street. This allows the store's service area, which is proposed to include 5 loading docks, a bread ramp and 2 compactor pads, to be located to the rear of the lot, behind the building, which screens it from TFMR.

- Market Basket typically prefers to have 6 parking spaces per 1,000 GSF. This preferred parking ratio has been reduced to 5.45 spaces per 1,000 SF, to reduce the proposed impervious area.
- The parking proposed to the side of the store has been maximized, to the extent practicable, without encroaching on the buffers and setbacks referred to previously, while minimizing disturbance of steeply sloped wooded areas and minimizing walls.
- Proposing parking to the rear of the store is not practicable since intermingling of parking and service operations (truck maneuvering) is not a desired or safe condition.
- The public access to the Market Basket store is located in the center of the store and the front right corner. Providing parking easily accessible to theses public access points is critical to the function of the facility. Any parking located to the left side or rear of the store would not be easily utilized by store patrons.

The intent of the Chapter 175-12A(3) is to "soften the visual impact of parking areas," between the public ROW and the front of the building. A concerted effort has been made to minimize the visual impacts of the parking areas in the "Store Front Area." The applicant believes it has been achieved this by incorporating the following into the site design:

- 3 Major landscape areas have been included in the design within the 150 foot "Streetscape zone." These areas are 5,000 SF, 7,000 SF and 10,000 SF respectively.
- A small seating area will be added to the 5,000 SF Major landscape area located adjacent to the proposed right-in entrance. This will include to 4-seat tables and a bike rack.
- An additional 5,000 SF Major Landscape area is being proposed just outside the 150 foot "Streetscape Zone" along the right-in access drive.
- The applicant has also agreed to provide and maintain landscaping within the center of the proposed round-a-bout, which should provide a visual point of interest within the public ROW.

We also note that the "street view" renderings included with our application intentionally did not include landscaping that will be provided. The applicant wanted to show that, even without landscaping, berms and stone walls are being used to effectively shield the parking area from TFMR, while maintaining visibility of the building. When the abundant landscaping, as shown on the attached plan, is planted, the screening and buffering of the parking from TFMR will only improve.

We hope this provides the Planning Board with additional information regarding the requested Waiver, to address Mr. Melanson's comments.

Sincerely,

GORRILL PALMER

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Attachments:

Attachment A: Landscaping Plan

cc: Jim Lamp, LT Development, LLC
Carmine Tomas, LT Development, LLC
John Matthews, TOPSCO, LLC

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