

Nathan Poore

Town Manager, Falmouth Maine

Re: Request for Amendment to the Tidewater Master Plan and Tidewater Village Design Guidelines

Nathan,

The following request is presented as a direct result of our current marketing efforts regarding the residential portion of the mixed use building currently under construction on Lot TV #2.

The marketing response for the seven condominium units included in the building has been very positive with the exception of the availability of enclosed parking for at least one vehicle per residence. (See attached letter from David Banks, the listing broker.)

We believe that this issue must be addressed if this project is to ultimately succeed. A design has been developed to accommodate eight vehicles in the two accessory buildings (garages) which would be substantially located in areas which are approved as open surface parking. The two structures have been designed to meet the Tidewater Village design guidelines and are proposed to be located behind the main building directly across from the residential entry.

Impacts to the current master plan parameters for TV2;

The current parameters for T.V. area 2 are as follows:

T.V. Area 2

- *Permitted structures and uses as defined by the Tidewater Master Planned Development District are as follows: 1, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 26*
- *The maximum combined building footprint is 7,500s.f.*
- *No more than 2 buildings are permitted.*
- *The amount of green space cannot be reduced by more than 5%.*

Impacts of the proposed amendment:

- **Permitted Structures**/No impact – accessory structures are a permitted use for TV area 2.

- **Maximum combined building footprint is 7500s.f.**/Impact - the proposed garages are accessory structures and are technically buildings which would add 2124.8s.f. of building footprint as follows;

- | | |
|---|----------------------------|
| - Garage structures | = 2140.8s.f. (1070.4 x 2) |
| - Current approved building footprint | = <u>+7484s.f.</u> |
| - Total footprint | = 9624.8s.f. |
| - Current maximum footprint allowed @TV#2 | = <u>7500s.f.</u> |
| - Net Impact (additional footprint) | = 2124.8s.f. |

Of the total additional building footprint requested by this amendment, 79.5% consists of approved surface parking area.

- Additional building footprint = 2124.8s.f.
 - Current approved surface parking area within the garage structures = 1691s.f.
 - Net additional developed area = 433s.f.
-
- **No more than 2 buildings are permitted**/Impact, - as currently designed the garage structures are two buildings, when added to the approved mixed use building the total number of buildings would exceed the allowable count by one (1) building. The garages were designed as two separate structures to minimize the impact of a linear façade and add architectural character in keeping with the design guidelines.
 - **The amount of green space cannot be reduced by more than 5%**/ No impact - the total green space totals 23,420s.f. The area lost from the current green space totals 445s.f. or 1.9%.

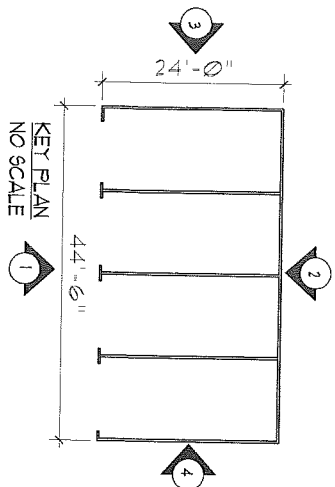
Attached are the following exhibits;

- a) Proposed amended site plan for TV #2
- b) Proposed parking garage plan and elevations

In summary, the requested amendment will have minimal impact to the overall TV#2 project as currently approved, but will have a major impact on the viability of this mixed use project. We sincerely hope the council will support this amendment.

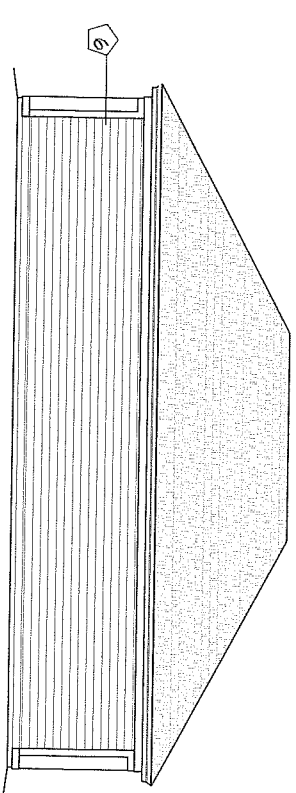
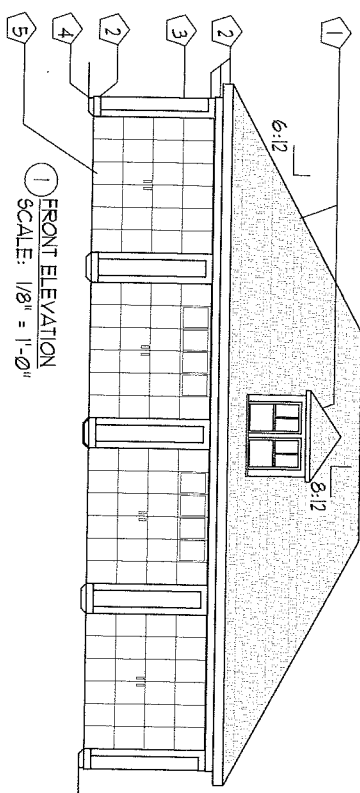
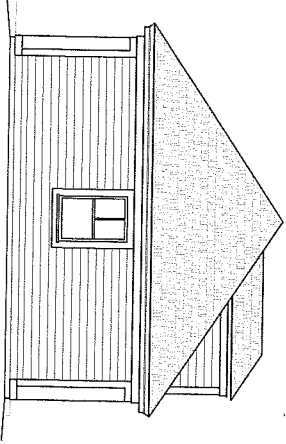
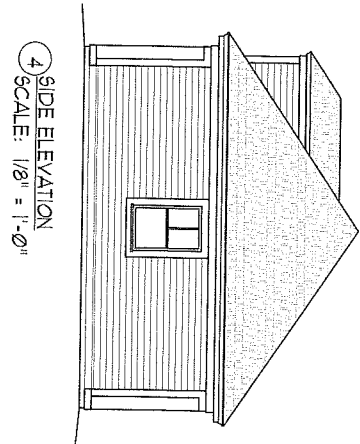
Thank you for your consideration with this issue,

David Bateman
Clearwater II, L.L.C.



KEYED NOTES:

- ① ASPHALT SHINGLE (TYP)
- ② PINE TRIM - PTD. (TYP)
- ③ MDO - PTD. (TYP)
- ④ CONCRETE SLAB ON GRADE (TYP)
- ⑤ OVERHEAD GARAGE DOOR (TYP)
- ⑥ CEMENT CLAPBOARD - PTD. (TYP)



<p>Drawing:</p> <p>PARKING GARAGE EXTERIOR ELEVATIONS</p>	<p>Date: 05/23/08</p> <p>Scale: AS NOTED</p>	<p>Project:</p> <p>TIDEWATER VILLAGE TV2 DEVELOPMENT PARCEL</p>	<p>Architect:</p> <p>ARCHETYPE, P.A. ARCHITECTS 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056</p>	<p>G-1</p>
---	--	---	--	-------------------



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207 775 1121
FAX 207 879 0896

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

July 9, 2008

Mr. Nathan Bateman
Clearwater II LLC
261 Commercial Street
Portland, ME 04101

**Subject: TV2 – Amended Site Plan with Accessory Garage Buildings
Falmouth, Maine**

Dear Nathan:

As you are aware, the proposed addition of two ancillary garage structures on TV2 will result in the loss of four (4) parking spaces from the previously approved site plan. Therefore, the parking supply for TV2 has been reduced from 89 to 85 spaces. As summarized on the Amended Overall Site Plan (Sheet C-3) of the plan set, TV2 is required to have 75 parking spaces; therefore, the amended site plan with four fewer parking spaces still exceeds the minimum parking requirement required by ordinance.

Please contact our office with any questions you may have concerning this project.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

Joseph A. Laverriere, P.E.
Senior Engineer

JAL/sq/JN2500.07/Bateman7-9-08



July 9, 2008

Att: Nathan Poore
Town Manager, Falmouth Maine

I'm writing you in regards to the Tidewater Farm project that I'm marketing off of Clearwater Drive in Falmouth. Over the past few years, there has been a great deal of interest in the project and we are very excited to be marketing the townhouse units located on TV2. Many of the homeowners that live in the neighborhood come from Falmouth and the surrounding towns and have selected Tidewater Farm for its design/maintenance concept, proximity to the shopping district and the common conservation land that the residents of Tidewater and the town access and enjoy. That being said, we have been faced with one consistent barrier while marketing the Townhouses at Tidewater and that is the uncertainty on whether the residents will have access to covered vehicle storage. The ability to provide at least one covered garage is essential in marketing condominiums in this price range. In fact, over the past 12 months only 5 two bedroom condos in Cumberland County have sold for over \$300,000 without covered parking and two of the units were on the islands and the other three units were in Downtown Portland. If you compare the same criteria with units sold with covered parking the number of units sold jumps to 66.

The potential purchasers of the Townhomes at Tidewater are looking to be part of a condominium community and consider conveniences like covered parking essential. Please take these market statistics into consideration when reviewing the application to permit outbuildings for the purpose of vehicle storage on TV2.

Thank you for your consideration and continued support of Tidewater Farm.

Sincerely,

David Banks

David M. Banks, ABR, CRS
Broker / Owner

RE/MAX By The Bay

970 Baxter Boulevard, Suite 201, Portland, Maine 04103

Office: (207) 773-2345, Fax: (207) 553-7290

dbanks@homesinmaine.com, www.homesinmaine.com



Each Office Independently Owned and Operated