

**FREEPORT PROJECT REVIEW BOARD
FREEPORT TOWN HALL COUNCIL CHAMBERS
WEDNESDAY, MARCH 8, 2017
6:00 p.m.**

PRESENT: Clifford Goodall (Chairperson), GERALYN Campanelli, Jim Cram, Henry Gallant, Adam Troidl, Dale Whitmore and Donna Larson (Town Planner). Jason Thyen was excused.

CALL TO ORDER: Mr. Goodall called the meeting to order at 6:05 p.m. followed by the Pledge of Allegiance.

ITEM I: Approval of the minutes from the Wednesday, February 8, 2017 Project Review Board meeting. Ms. Campanelli noted a correction to the vote on the RSU item; only 3 members voted. Mr. Troidl noted a correction on page four, as he did not ask a question as he was not at the meeting. It was not known who asked the question. Ms. Campanelli noted that in the same paragraph, Mr. should be corrected to Ms. before her name. Mr. Whitmore / Mr. Cram moved to waive the reading of the minutes from the February 8, 2017 Project Review Board meeting and accept them as printed with the corrections as noted. Vote: 6 Ayes / 0 Nays

ITEM II: Informational Exchange

Ms. Larson had done a Staff Approval for sign changes at Vineyard Vines.

Mr. Goodall gave an update on a memo he wrote pertaining to the RSU project and regarding waivers. He and Ms. Larson will be reviewing the waiver references in the Ordinance and look at clarifying the language which the Board could then review and discuss for possible changes. In terms of the RSU, at the last meeting, the Board indicated its reluctance to grant a waiver for the lights due to their impact. The Planning Board is now in the process of considering Ordinance amendments and has begun that discussion with a presentation from a lighting consultant and with the RSU participating. It may or may not come back to this Board. The application before this Board tonight does not have any lights involved. Ms. Larson noted that the last Planning Board meeting started with a scientific presentation on lighting and details. It was very interesting and available in video-on-demand.

ITEM III: Reviews

The Orchard House and Café – 1159 US Route One

The applicant is seeking approval for a Change of Use from residence with art gallery to residence with a hotel/motel and restaurant. Some minor site alterations including parking lot expansion, signage, lighting and stormwater features are proposed. Tax Assessor Map 21, Lot 31A. The Orchard House and Café, LLC, applicant and owner; William Hamlen, representative.

Mr. Goodall gave an introduction to the project. He noted that there has already been a septic system approved and installed on the site and it is not under the Board's jurisdiction. There is one issue, which is a threshold issue; this project came to the Board without a landscaping plan, a parking lot is proposed and it abuts a residential use. The Board has an initial task of determining if an application is complete and there is no landscaping plan. It is his understanding that this was purchased during the winter, and it is a challenge to do a landscaping plan when the site is buried. Since it is mostly existing buildings, he would suggest that the Board make a determination if a landscaping plan be submitted for the Phase II

parking lot and the site generally, before the construction begins on Phase II. This way the Board could move forward. Ms. Campanelli asked about what the applicant's timing was.

William Hamlen, applicant, explained that the timing for Phase I which would be the inn, would hopefully start business this summer (June). The café/restaurant would open sometime in 2018; roughly 12 months. Mr. Goodall asked if submitting a landscaping plan prior to Phase II construction, but no later than October, would work with the applicant's schedule. The applicant stated yes.

Mr. Gallant asked if the property was going to be split. Mr. Hamlen stated the plan was not correct and he would not be splitting the lot at this time. He did consider it at one time for a second dwelling. There may be a proposed lot in the future. The plan shows the driveway as it is today and the remainder of the property is as it is today. At some point in the future, he may add a building for himself. He was advised by the Codes Officer to lay it out now, so it would not be an issue in the future. There is another piece of land that was owned by Crotty, but he does not own it and it is for sale. His understanding was that the land has been previously cut off over time.

Be it ordered that the Freeport Project Review Board finds that although the application is incomplete because it does not have a landscaping plan, the requirement for the landscaping plan will be extended till no later than the beginning of construction for the Phase 2 parking lot or October 1, 2017, whichever comes first. Moved and Seconded by Goodall / Whitmore.

Mr. Gallant noted that there are three sketches in the handouts and there are different driveways. Mr. Goodall noted that he wanted to get the landscaping out of the way before proceeding. Vote on motion: 6 Ayes / 0 Nays

Mr. Hamlen stated that there are a few plans. One is the inn parking plan and he wanted to be clear with the phasing. He wanted to be clear what exists, what is proposed and needed for the inn, and there is another plan for the café and inn with a larger scale parking lot. This would take the driveway on the northerly side and away from the house and with 26 spaces in the parking lot for the 30 seat restaurant. Mr. Goodall referenced sheet C.1 and how it has a different configuration. Mr. Hamlen realizes that there was concern from the Fire Chief about access; the access on the erosion plan is what they would be going by for the curves. Mr. Goodall noted that they would do a condition noting that the driveway would not be per the site plan, but rather this other sheet. Mr. Goodall noted that the landscaping plan should also include a proposal for the area where the loop is being removed.

Mr. Cram asked if by approving the plan, the Board was approving the other lot. Ms. Larson noted that was not part of the Board's review since it is not triggering subdivision and there could be other right of ways and driveways etc. Mr. Cram stated that it seems like the café parking would be over the possible property line. Ms. Larson noted that they are not approving that lot and it is ok as shown, though it could be a private issue if they went to sell it. If it was split, they would need to meet the standards of the Ordinance at the time it was done. Mr. Hamlen stated that he does not have a plan for the split at this time. The intent was only to maybe split and add another building in the future for another member of the family. Ms. Larson noted that they would need to show that they can meet setbacks. Mr. Goodall noted that the Board could note that they did not take action on the proposed new lot as shown on the survey plan. Mr. Hamlen asked if he would still be able to add the other building. Mr. Goodall noted that there is enough square footage to add other buildings on the lot. Mr. Whitmore asked about Phase I and the 12 foot driveway width. He asked if a car was coming down, if someone else would have to wait. It is not very wide if there is not a lot of snow. The land is flat, but it is narrow.

He asked if the applicant considered making it wider as he was concerned someone might get rear ended. Mr. Hamlen stated that he did consider a revised parking plan for the inn. He presented the Board a revised plan which shows the same area as the café parking with the access, but only enough parking for the inn at this time. He would then add the additional parking for the café later. He was hoping to get by with the 12 foot, and then do all of this in Phase II. If he is required to though, he would do this as he will be doing it anyway at some point. Mr. Whitmore suggested that they could just put the binder coat down while it is an inn and then they could just shim it if they needed.

Mr. Goodall noted that there is an alternative Phase I in front of the Board now, which has the new entry and a portion of the future parking versus the plan with the 12 foot wide driveway. He asked what the applicant's preference was. Mr. Hamlen would prefer to keep the exiting driveway with the 12 foot paved driveway. Mr. Goodall noted that there are good site distances there and it is a long flat stretch and one can see right in. As a temporary driveway, it is not creating a real safety issue to him. He understands to spread out the investment. Mr. Hamlen understands that the plan with the parking and wider driveway makes more sense with the revolving parking. Mr. Goodall noted that it would be more like a small B&B there now. Mr. Whitmore noted that there is a speed limit change there now.

Mr. Goodall asked about the sculpture studio in the back. Mr. Hamlen noted that was a separate abutting property, not owned by him. Mr. Goodall noted there was a new stockade fence and asked if that was the dotted line on the plan. Mr. Hamlen stated yes. Mr. Goodall asked about solid waste and dumpsters. Mr. Hamlen noted that they would be inside of the existing barn and not in view.

There were no additional comments from the Board.

Mr. Goodall noted that Phase II timing was for the restaurant to be open in 2018. He asked about the two phase arrangement and if he got any more than two years for the site plan. Ms. Larson stated only if the Board wants to they could give more time. Mr. Goodall noted that the current approval would require completion within two years. If there are delays and Phase II would not be completed by March 2019, he would need to come back before it expires for an extension.

Findings of Fact: (Section 602.F. of the Freeport Zoning Ordinance)

a. Preservation of Landscape:

The buildings on the site are existing. Clearing will be minimized and the applicant will retain as much of the existing vegetation/buffer as possible. Parking will be in front of the building, but setback from US Route One. Based upon this information, the Board finds that this standard has been met.

b. Relation of Proposed Buildings to the Environment:

No new buildings are proposed. This parcel is not within the Design Review District. The proposal complies with the standards of Section 406 of the Freeport Zoning Ordinance: Medium Density District. Based upon this information, the Board finds that this standard has been met.

c. Vehicular Access:

The second phase will be the completion of the site improvements for the restaurant. The improvements include widening the driveway to 26 feet (per Section 512.D.10 of the Freeport Zoning Ordinance) and relocated. . Based upon this information, the Board finds that this standard has been met.

d. Parking and Circulation:

The applicant will complete the project in phases, with the first phase being the completion of the four room motel. There is an existing parking area which will provide parking for six cars. The second phase will be the completion of the site improvements for the restaurant. The proposal includes installing a parking area with oversized stalls (9' w x 20' l) and an appropriate aisle width of 24 feet. There will be parking for a total of 26 cars, with two of the spaces being ADA compliant. The parking area will be paved and striped. The proposal is compliant with Section 514: Off Street Parking and Loading of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

e. Surface Water Drainage:

A stormwater plan has been submitted and reviewed and approved by the Town Engineer. His comments are included in a memo dated 03/02/17. It is his recommendation that the applicant enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, and to be recorded in the Registry of Deeds. The proposal is compliant with Section 529: Stormwater Management of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

f. Utilities:

There are private utilities on site. An expanded septic system has been permitted by the Town of Freeport's Local Plumbing Inspector. There is an existing well. In accordance with Chapter 28, the Town of Freeport Solid Waste Ordinance, the applicant will be required to contract with an approved commercial waste hauler for the removal of solid waste from the site. The Ordinance also requires commercial users sort cardboard from their other waste. No dumpsters are proposed. Based upon this information, the Board finds that this standard has been met.

g. Advertising Features:

The applicant is proposing two signs; one building mounted and a replacement ground sign. The existing ground sign is in the right-of-way and a replacement sign would need to be entirely on the applicant's property unless they are able to get approval from the State for the placement of the sign in the right-of-way. All signs will comply with Chapter 23: Sign Ordinance, including the dimensional limitations. Based upon this information, the Board finds that this standard has been met.

h. Special Features:

There are no special features associated with this project. Based upon this information, the Board finds that this standard has been met.

i. Exterior Lighting:

Information on exterior lighting has been included in the submission and will all be shielded, frosted or downlights. Illumination is proposed for the signs, landscaping, entrances, walkways, parking areas, and the patio. Due to the limited number of fixtures and the styles, the Board finds that the standards of Section 521: Lighting of the Freeport Zoning Ordinance have been met. Based upon this information, the Board finds that this standard has been met.

j. Emergency Vehicle Access:

All public safety department heads have reviewed the plans. Based upon this information, the Board finds that this standard has been met.

k. Landscaping:

No new landscaping is proposed and existing vegetative buffering will be retained. Based upon this information, the Board finds that this standard has been met.

l. Environmental Considerations:

This parcel is not within the Marine Waterfront District or the Shoreland Zone. It is within the Frost Gully Brook Watershed, however based upon the size and nature of the development, the threshold for special permitting has not been met. The building have private utilities and there is a large septic system already permitted for the site. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Freeport Zoning Ordinance.

Mr. Whitmore / Mr. Cram moved to order that the Freeport Project Review Board approve the printed Findings of Fact, Change of Use and associated site alterations for the Orchard House and Cafe, at 1159 US Route One, to be substantially as proposed as shown on the submission dated 02/15/17, using the Phase I plan showing the 12 foot driveway and the Phase II plan as shown on the drainage and erosion control plan C.1, dated 02/10/17, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any work on the building, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.
- 3) The new ground sign would need to be entirely on the applicant's property unless they are able to get approval from the State for the placement of the sign in the right-of-way.
- 4) Prior to any site work, the applicant do the following:
 - A. Enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, to be recorded in the Cumberland County Registry of Deeds, with yearly stormwater reporting to the Town of Freeport being required.
 - B. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, to be reviewed and approved by the Town Engineer and in a form acceptable to the Town Attorney. The performance guarantee, shall cover the cost of all site work, including the road, landscaping, erosion control, and stormwater management etc. Along with the performance guarantee, a non-refundable administrative fee of 2% of the performance guarantee, in the amount to be determined by the Town Engineer, be paid.
 - C. Establish an inspection account, in the amount of \$500, for inspection of the site improvements.
 - D. The developer has a pre-construction meeting with the Town Engineer.
 - E. The proposed lot shown on the overall site plan dated February 2017 is not approved and is not part of the proposal.

Mr. Goodall proposed some friendly amendments to the proposed motion. Seconded by Mr. Cram.

Mr. Hamlen noted that they are just widening the existing driveway.

Motion as proposed and amended, seconded by Mr. Cram.

Mr. Goodall asked for any comments from the public.

A neighbor across the road stated that the project was well presented and proposed; they look forward to the project moving forward.

Vote on motion as proposed with amendments: 6 Ayes / 0 Nays.

Principal Financial Group – 20 Independence Drive

The applicant is seeking approval of a Design Review Certificate and Site Plan Amendment to convert an existing garage to office space and make exterior alterations to the front façade. A small shed on the rear of the building will also be replaced and slightly expanded. Design Review District I – Class C. Tax Assessor Map 9, Lot 1A. David Spellman, FNT, LLC, applicant; Kenneth Toner, owner.

Mr. Goodall gave an introduction to the project.

David Spellman, applicant, was present. Mr. Goodall noted that this plan also came in without a landscaping plan. The driveway will no longer come in and up to the garage, there are some changes to the façade, and there is some possible future parking shown. This is an incomplete application because there is no landscaping plan, and the alternative is to say that they submit a plan at a date certain or at a time frame that it be submitted prior to an occupancy permit. They could also let the Staff Review Board approve it. He asked if there were any issues from any other Board members.

Mr. Goodall noted that he visited the site and the driveway goes up, which would require landscaping. There is a retaining wall that has been filled with woodchips; he was wondering what would be planted there. In terms of the landscaping plan, the driveways are close to the property line. There may need to be supplementary planting on one side. On the Wilbur's side, there are lilacs.

Mr. Whitmore asked about when the business would open. Mr. Spellman noted that they would close on the property purchase by May. He stated that he could work with staff on landscaping; he did not anticipate the need as all they are doing is adding windows. Mr. Goodall noted that between the parking and building there should be some landscaping.

Mr. Goodall asked for feedback from the Board on a late landscaping plan and if it should come back to the Board or if it could go to staff. Mr. Whitmore suggested that the staff could do a staff approval. Mr. Goodall proposed that the Board accepts the application for processing as complete with the requirement that a landscaping plan be submitted to the staff Project Review Board for approval and completion prior to the issuance of an occupancy permit by the CEO. Seconded by Mr. Whitmore.

Vote: 6 Ayes / 0 Nays

Mr. Goodall noted that his math based upon the square footage of the building, notes a maximum number of parking spaces of 15. The plan shows a proposal for 19. Mr. Spellman showed alternatives where additional parking could go, should it be needed. He knows that only two spaces are needed and there is room on the paved area in the rear. Mr. Goodall noted that in this VC3 Zone, there are setback requirements and parking is prohibited in these areas, but they are not needed anyway. Therefore, the Board would need to say that they need 15 parking spots, but they currently have 14. If needed, they

could put it in the back somewhere. He noted that striping in the lot helps the use; he asked if there was objection to requiring that it be striped. The applicant did not object.

There was mention under the proposed finding for traffic for striping down the road. It was noted that should be removed as it would not be allowed.

Design Review Ordinance: Chapter 22 Section VII.C.

1. Scale of the Building.

The existing first level of a garage will be converted to office space. On the front façade, the existing two garage doors will be removed. The façade will be filled in, with clapboards to match the existing and two sets of double hung windows. The clapboards will be wood and the windows will be vinyl. The trim will be PVC. All materials will match those existing on the building. Based upon this information, the Board finds that this standard has been met.

2. Height.

The height of the overall structure will not be altered. Based upon this information, the Board finds that this standard has been met.

3. Proportion of Building's Front Facade.

The building is existing and the relationship of the height and width of the façade will not be altered. Based upon this information, the Board finds that this standard has been met.

4. Rhythm of Solids to Voids in Front Facades.

No changes to site features impacting the front façade are proposed at this time. Based upon this information, the Board finds that this standard has been met.

5. Proportions of Opening within the Facility.

The existing first level of a garage will be converted to office space. On the front façade, the existing two garage doors will be removed. The façade will be filled in, with clapboards to match the existing and two sets of double hung windows. The size of the windows will match the existing windows on the building. Based upon this information, the Board finds that this standard has been met.

6. Roof Shapes.

The roof shape on the front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

7. Relationship of Facade Materials.

The existing first level of a garage will be converted to office space. On the front façade, the existing two garage doors will be removed. The façade will be filled in, with clapboards to match the existing and two sets of double hung windows. The clapboards will be wood and the windows will be vinyl. The trim will be PVC. Based upon this information, the Board finds that this standard has been met.

8. Rhythm of Spaces to Building on Streets.

The rhythm of spaces to building on the streets will not be altered. Based upon this information, the Board finds that this standard has been met.

9. Site Features.

There are 14 parking spaces currently on the site; the applicant is showing five additional, but asking that they not be required to build additional spaced at this time. The existing parking area is paved and provides excess parking for the exiting offices on the property. The applicant may stripe down the road if needed. No other changes to the site are proposed at this time. If in the future the need to construct the additional parking arises, the applicant will need to relocate and existing shed and dumpster. Based upon this information, the Board finds that this standard has been met.

10. Signs.

No new signs are proposed. The applicant may need to return to the Board for review and approval of any new signs, unless they are able to be approved at the staff level. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Design Review Ordinance.

Findings of Fact: (Section 602.F. of the Freeport Zoning Ordinance)

a. Preservation of Landscape:

The building is existing and no additional clearing is proposed. With the exception of a small shed on the rear, all work is being performed within the existing footprint. Based upon this information, the Board finds that this standard has been met.

b. Relation of Proposed Buildings to the Environment:

As far as changes to the building, a small shed will be added on the rear of the building. The building complies with all of the setback requirements for the Village Commercial III Zoning District (Section 415 of the Freeport Zoning Ordinance) and with those for the Freeport Village Overlay District. Based upon this information, the Board finds that this standard has been met.

c. Vehicular Access:

Vehicular access to the site remains unchanged. Based upon this information, the Board finds that this standard has been met.

d. Parking and Circulation:

The existing first level of a garage will be converted to office space. This will add about 600 s.f. of usable space. Based upon the requirements of Section 514 of the Freeport Zoning Ordinance, this would require an additional two parking spaces (office requires 1 per 300 sf). There are 14 spaces currently on the site; the applicant is showing five additional, but asking that they not be required to build additional spaces at this time. The existing parking area is paved and provides excess parking for the existing offices on the property. No other changes to the site are proposed at this time. Based upon this information, the Board finds that this standard has been met.

e. Surface Water Drainage:

Based upon the size and nature of the project, information on stormwater management was not submitted. Based upon this information, the Board finds that this standard has been met.

f. Utilities:

The building is currently connected to public utilities. The project will require a capacity to serve letter from the Freeport Sewer District; this has been added as a condition of approval. Based upon this information, the Board finds that this standard has been met.

g. Advertising Features:

No new signs are proposed. The applicant may need to return to the Board for review and approval of any new signs, unless they are able to be approved at the staff level. All signs will need to comply with Chapter 23: Sign Ordinance. Based upon this information, the Board finds that this standard has been met.

h. Special Features:

If in the future the need to construct the additional parking arises, the applicant will need to relocate an existing shed and dumpster. These are things that per the Ordinance could be signed off on as a Staff Approval. Based upon this information, the Board finds that this standard has been met.

i. Exterior Lighting:

No new lighting is proposed. Based upon this information, the Board finds that this standard has been met.

j. Emergency Vehicle Access:

All public safety department heads have reviewed the plans. Based upon this information, the Board finds that this standard has been met.

k. Landscaping:

No new landscaping is proposed. Based upon this information, the Board finds that this standard has been met.

l. Environmental Considerations:

This parcel is not within the Marine Waterfront District or the Shoreland Zone. The building had have water and sewer connections to the public systems. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Freeport Zoning Ordinance.

Mr. Whitmore / Mr. Cram moved to order that the Freeport Project Review Board approve the printed Findings of Fact, as amended at the Project Review Board meeting, Design Review Certificate and Site Plan Amendment for FNT LLC, at 20 Independence Drive, to be substantially as proposed, finding that it meets the standards of the Freeport Design Review Ordinance and the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any work on the building, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.

- 3) The Board is not requiring that at this time the applicant building the one additional parking spaces shown on the plan. In the future, the Town may require the spaces to be constructed if additional parking is needed to correct a parking problem on the site. The four parking spaces shown on the plan in the setbacks shall not be built.
- 4) The applicant submit a copy of a written capacity to serve letter from the Freeport Sewer District.
- 5) A landscape drawing be submitted for staff approval prior to the occupancy permit being issued.
- 6) The applicant shall stripe the 14 parking spaces on the paved parking area.

Mr. Goodall suggested amendments. Motion as amended seconded by Ms. Campanelli. Vote on motion as amended: 6 Ayes/ 0 Nays.

Mr. Spellman complimented the Planning Staff as they were very pleasant to work with.

Many Moons Psychotherapy Services Inc – 4 Cottage Street

The applicant is seeking approval of a Site Plan Amendment to be able to offer therapy sessions at the existing property for up to 16 Saturday's per calendar year. No physical changes to the building or site features are proposed. Parking would be provided on an abutting property (owned by RSU5 - on the other side of Cottage Street) with a written agreement. Tax Assessor Map 9, Lot 37. Many Moons Psychotherapy Services, Inc, applicant; Solomon Property Management, LLC, owner; Stephanie Cimmet, representative.

Mr. Goodall gave an introduction to the project and the applicable standards of the Ordinance which required that offsite parking be within 300 feet and owned by the applicant. The definition of owner by the Ordinance, is "Any person, firm, corporation or other legal entity which controls a parcel of land by a fee or less than fee title...". This is an application with an agreement attached from the RSU permitting them to use that parking area for this purpose on Saturdays coming up in March, April and May. The proposal is that if the group sessions are conducted at other times or dates; they come and get written approval from the RSU. The way the Ordinance defines ownership is sufficient with what has been submitted.

Stephanie Cimmet, applicant, was present. There were no questions from the Board.

Mari Miya, new to the neighborhood, had a few questions. She asked how they would ensure that people park in the lot and not in front of the house as it is a narrow street. Ms. Cimmet stated that there had been previously a lot of discussion about traffic and clients coming to her site. Most of the time it is one client at a time. She is constantly talking to clients about the first parking option being on site and second on street, closest to the RSU and away from houses. The entrance to the RSU lot is on West Street, so traffic will not be on Cottage Street. The discussion will be for not parking on the therapy site for these sessions, but rather to use the parking in the RSU lot. Ms. Miya asked about hours of business. Ms. Cimmet noted that is it between 4-6 groups that happen in a row and would not be at night as it is for children and teenagers. It would be morning or earlier in the day. Her agreement with the RSU is for the entire parking lot; not just the 8 spaces. Her next session would start at 8 am and end at 3pm. Mr. Goodall noted that the school approval notes hours of rental of 8:45-3:30 pm. If that was going to change, the agreement would need to be amended.

Mr. Goodall noted that this is an art based social skill group for children ages 5-18. He suggested that older children may just be dropped at the door. Ms. Cimmet noted that communication with the clients is for this drop off to be done in the West Street lot. They will do the best they can. She does talk to people if they are not parking appropriately. She does communicate with neighbors as well; as there is some on-street parking there. If there are concerns, she does relay that to clients. Ms. Mia asked if the Board could approve this for one year to see if there are problems. Mr. Goodall noted this approval is for the coming session with any future sessions requiring new parking agreements with approval by the Codes Officer. The description given on advising clients on parking in the RSU lot and not on Cottage Street will probably be added as a condition of approval. We could make it for a year, but the use of her property is a permitted use in the Ordinance, and this is just a parking problem which she has solved.

There were no additional comments from the Board or public.

Findings of Fact: (Section 602.F. of the Freeport Zoning Ordinance)

a. Preservation of Landscape:

No physical changes to the site or building are proposed. Based upon this information, the Board finds that this standard has been met.

b. Relation of Proposed Buildings to the Environment:

No new buildings are proposed. This parcel is not within the Design Review District. Based upon this information, the Board finds that this standard has been met.

c. Vehicular Access:

Vehicular access to the site remains unchanged. Based upon this information, the Board finds that this standard has been met.

d. Parking and Circulation:

The applicant is now seeking approval to use the property for group sessions, for up to 16 Saturdays per calendar year. Since there is not adequate parking on-site, the intent of the applicant is to lease parking from the abutting (other side of Cottage Street) RSU 5 office as they do not utilize their parking lot on the weekends. Access to that parking lot is from West Street. The applicant has a signed parking agreement (a copy of the form has been submitted) with them for eight upcoming Saturdays. The lot would not be available for use in inclement (snow, ice) weather. Any future dates for use of their parking lot would require that the applicant obtain permissions from the RSU. Without such agreement, the group sessions would not be able to be held. Based upon this information, the Board finds that this standard has been met.

e. Surface Water Drainage:

Based upon the size and nature of the project, information on stormwater management was not submitted. Based upon this information, the Board finds that this standard has been met.

f. Utilities:

No changes to utilities are proposed. Based upon this information, the Board finds that this standard has been met.

g. Advertising Features:

No new signs are proposed. Based upon this information, the Board finds that this standard has been met.

h. Special Features:

There are no special features associated with this project. Based upon this information, the Board finds that this standard has been met.

i. Exterior Lighting:

No new lighting is proposed. Based upon this information, the Board finds that this standard has been met.

j. Emergency Vehicle Access:

All public safety department heads have reviewed the plans. Based upon this information, the Board finds that this standard has been met.

k. Landscaping:

No new landscaping is proposed. Based upon this information, the Board finds that this standard has been met.

l. Environmental Considerations:

This parcel is not within the Marine Waterfront District or the Shoreland Zone. No new utility connections are proposed. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Freeport Zoning Ordinance.

Mr. Whitmore moved to order that the Freeport Project Review Board approve the printed Findings of Fact and Change of Use for Many Moons Psychotherapy Services, at 4 Cottage Street, to be used substantially as proposed, application dated 01/17/17, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any therapy sessions, the applicant submit proof of a parking agreement with the RSU to the Freeport Codes Enforcement Officer.
- 3) All children will be dropped off in the RSU parking lot and only the RSU parking lot will be use for the parking for the clients.

Mr. Goodall suggested amendments to the proposed motion. Motion as amended, seconded by Ms. Campanelli. Vote on motion as amended: 6 Ayes / 0 Nays

Mr. Whitmore noted that he would recuse himself and step down and join the public. Mr. Whitmore was thanked for his years of service.

Mr. Goodall noted that there were two other recusals at the last meeting; Mr. Thyen and Mr. Gallant. MR. Gallant will recuse himself again. Mr. Troidl was not here at the last meeting, but does not have a

conflict and has taken the opportunity to review the record. There is now a quorum of four. Mr. Goodall asked if there was any objection from the public on Board member participation. Mr. Gallant stepped down and joined the public.

Regional School Unit #5 – Holbrook Street / Morse Street

The applicant is presenting final plans for a Site Plan Amendment at Freeport High School. The applicant is proposing a track and turf field sports complex with associated site improvements, parking lot reconfiguration and the relocation of the softball field. Lighting is not part of the application at this time. Tax Assessor Map 11, Lot 24. Regional School Unit #5, applicant and owner; Pat Carroll, Carroll Associates, representative.

Mr. Goodall gave an introduction to the project. The issue of the lights is before the Planning Board now and will then go to the Council. There was a presentation on lighting at the last Planning Board meeting and that can be streamed online. At some pointed, lighting may come back to this Board.

John Simoneau, Chair of the Advisory Committee, introduced the team. An 8 lane track is proposed. This would bring a track facility to the site with a new artificial playing surface. There are existing athletic fields on the site which are used by some teams now and this would be the primary playing surface. Football games would be here, with practices to remain at Pownal Road fields. There would be community use allowed and there is a procedure for other uses. They have provided a draft use policy which would need to be approved by the School Board and they would need to have it incorporate final feedback from this meeting, the community, the Traffic and Parking Committee and the Planning Board (lighting). They have tightened the rules up some. They tried to make their intent clear. They will address Traffic and Parking Committee concerns with an event management plan. They will have two plans; one for greater than 250 people and one for events where they intend to overrun parking capacity. They do have an agreement with LL Bean to be able to use their lots. One sizable adjustment is that only 750 bleachers are proposed; they have removed 250 seats on the other side of the field. They have researched attendance at games, and funding is limited, so they feel that this is more reasonable and feasible at this time. They have been working on the landscape buffer and have flagged the property lines. They also got recommendations from an arborist.

Pat Carroll, representative, stated that the major changes that have occurred have been adding another pathway to the plan to provide another accessible access without having to come through the bus loop area. Both paths will be accessible and lead to the main entrance and into the main complex. The concession stand and restrooms are dashed in, but not proposed at this time. They have added some accessible parking spaces to the plan and it would be signed as such. They have also removed the visitor bleachers and that creates a spill out space for athletes to hang out and warm up. There is an outbuilding and equipment storage building over there which allows for a little more of a buffer between abutting properties. They have reworked some of the throwing events after discussing with Nike and they are all in one area near the existing baseball field. They do not really impact baseball field use and will work better operationally. Team busses may park in the bus loop. Restroom use would initially be in the building or in larger events; portable toilets would be in the area of the future concession stand. The bleachers should be able to provide space for home and visiting teams and the number of visitors expected. There are some access gates to the facility, and six accessible spaces close to the facility in addition to those already existing on site. There are 8 handicap seats in the bleachers.

A landscape plan was included in the submission and special plantings are noted near the entrance. It focuses on plantings in the stormwater treatment areas and including rain gardens. The surveyor came

out and flagged the property line and existing fence along the abutting residential properties. The fence is in on their property and they will maintain the existing 6 foot fence. They will limit grading to the inside of the fence and will maintain exiting grading on the outside. They had an arborist come to look at the existing vegetation and assess the trees; he feels they are pretty healthy. There are a few trees he did recommend for removal. There are some pretty good size pines in the area and some hemlock. They do want to provide more of a buffer, but with hanging limbs, the arborist recommended some pruning. There is a stonewall on the property line, and there is about 15 feet between the wall and the fence and with the exception of the removal of dead and diseased trees, they intend to leave the area alone. There is a large pine near the condos, that the arborist suggest be cabled and retained for buffering. There is a maple and a few poplars which were recommended for removal. There are some deciduous trees. They will add some additional evergreens where the plantings are sparse and some larger shrubs. They will need to prune some limbs and the evergreens will do well in the shade. In addition, the proposal is to install a solid 6' wood fence to act as a solid barrier and buffer and add a nice backdrop. They have reached out to the neighbors, but they have not come to a consensus on a plan, but are willing to work with them.

Mr. Goodall asked where there are three Witch Hazels were. Mr. Carroll noted the location on the plan and that they are in bloom now. They may have a little work to do on this, but this is a good concept. Mr. Goodall asked what they had in mind north westerly where the hemlocks are. Mr. Carroll noted that there are some hemlocks there and understory. The house is set back and there is a buffer now. The way the site and field are designed, results in a retaining wall and retention area in that area and there seems to be an adequate buffer as is. They have not been able to contact the property owner.

Mr. Goodall suggested dealing with the buffering and landscaping plan addressed. He asked for comments from the neighbors. Dave Weinberg, lives in unit 6, acknowledged that they did get the document and he did have the opportunity to share it with neighbors. He is trying to understand how this would impact him and all he has for reference is what he can hear now. It is loud now, even with the existing PA system. He has to wonder with the timing of games, how this is going to be mitigated. He is more concerned with sound than lighting. There are still questions about games, how many and the timing. He can see how this might mitigate some, but he is not sure how much. Based upon the plans now, he sees the use exponentially increasing and he has seen that some games may go until 10pm. He does not feel that we have all of the information. A great effort has been made here; he will acknowledge that, but this will impact the neighbors in a big way.

Tiffany Jones, lives in unit 3, appreciates the time that has been put in to the project. She is happy that the property line has been determined and that she has been heard. They live here and the idea is really getting there, but wood does not absorb sound and there are materials that do and there is acoustical fencing which would feel like more of a buffer for sound and light. She appreciates the aesthetics and she is concerned for her property value. She would like to see that they have looked at other options. She would love to work on this more and they are open to discussions and appreciate it. She does not feel that a wooden fence would do this.

Amy Petrin, lives on Snow Road, has not been reached out to directly about a buffer. Some people that abut in other portions have also not been contacted and they are concerned about this as well.

Zachary Ward, 24 Snow Road, stated that it is hard to judge to see if these proposals will work and the entire project and proposal is not complete as the lights have been taken out. It is hard to make the call as this might also have to buffer out lights eventually.

Mr. Goodall noted that he has not heard that any neighbors agrees; he hears them saying that they do not know enough to agree. Absence to an agreement, the Board is limited to the standards of the Ordinance which would not include the fence; only plantings. The Board has the ability to let this take place longer, but not much. They also are on a legal mechanism as a quasi judicial Board with a set of standard that need to apply. If there is no agreement, then they have to meet the standards which could be less than this does. The use is a permitted use, so the Board cannot say no to the facility. For people who move to the area, they take a risk for what the zoning is or is not. Apart from this buffer, there are other issues that the Board could address and one is operating hours. The use plan has the facility ending but for football which would continue in to later evening with the lights going out by 10pm as there is a 20 minute delay in them going out after the end of the games. Lights would be an issue with a buffer, but no one knows what will be buffered for lighting yet. As a Board member, he feels torn. They cannot eliminate the impact on the neighbors. They can limit time wise and can control what goes on, on the field. As a condition of the permit, they could limit the use of air horns for example. The Board is going to eliminate any artificial noise makers. The issue of noise from humans cheering, the report notes that the DEP does not consider that. Our Ordinance regulates any noise generated by a use. The RSU agrees to eliminate the noise makers. The Ordinance is so weak on steady state noises and would not control crown noise, so it is a non-issue as the DBA levels would never be averaged out. If someone thinks that the standards are not being met, they need to indicate how.

Mr. Weinberg, stated that his understanding that with the exception of football, play by play would not be allowed. Ms. Campanelli stated that there would now only be four night games. Mr. Weinberg noted that there would still be day games. Mr. Craig Sickles, Athletic Director, noted that there would not be day games. Mr. Goodall stated that they currently use a portable PA system and they are asking for that to continue. If they did a new PA system, they would need to come back. Mr. Goodall asked about Mr. Weinberg's existing experience. Mr. Weinberg stated that there is warm up music for about an hour now, and then he hears cheering and artificial noise. He sees the plan being shaped as they go. This is incremental invasiveness in the neighborhood as they will see what they can do now and build on it. Mr. Goodall noted that the event plan would be subject to amendment, and the Board could lift things out of there and make them conditions of approval, otherwise it is up to the School Board.

Mr. Goodall asked other neighbors about the PA. A resident of Snow Road asked about the portable PA system and the siren. There was a PA system used on Columbus Day, but it is not always used on the fields now. He has only heard the one ever being used. Mr. Sickles stated that they have a portable system that they use twice per year on this field now. In the use guidelines, there would be no pre-game music, artificial noise makers, the play-by-play with the PA would only be used for the four night football games, and it could be used for emergency. Mr. Goodall asked why the play-by-play. Mr. Sickles stated that it does enhance the experience and it is tradition that it is done at games. Mr. Goodall stated that he would be convinced that it adds value.

Kathleen Meade, resident, stated that it was suggested that the football games could be started earlier at 6pm. Mr. Troidl asked if there were only 4 home games. Mr. Sickles noted that they reduced it to four. Typically games for football would be played at 7pm, but they could start them at 6pm like other sports. The only games on Saturdays are when there are no lights. Mr. Goodall asked how long a game lasts. Mr. Sickles stated t about 2 ½ hours on average and could be longer in certain cases.

Tim Rich, Elm Street, knows that they are talking about the air horn, but what they can hear is the scoreboard and the mechanical noise. That is the main use of the field now with the noise from the

scoreboard. There is a siren like sound now. Mr. Weinberg noted that it is both sounds now. Mr. Sickles noted that there is a horn that goes off for soccer when they need to buzz the horn to get subs in. The current scoreboard faces the neighbors; the new one will face away. This method is standard for soccer. Mr. Sickles noted that the new scoreboard and any future new PA system would point away from the neighbors. Mr. Goodall noted that would make a big difference. He asked if the Board limited artificial noise, if they would need to make an exception for the scoreboard. Mr. Sickles stated yes, as it would only make noise as the official part of the game.

Ms. Petrin asked about the plantings in the stormwater ponds and mention of the plans absorbing toxins and what that means. She has also heard discussion about the shape of the track and if it changes to be a shape for a NCAA track and how that would impact the plans. Mr. Andrew Johnston, engineer, stated that the reference for toxins was in a general sense; they are used to remove organic pollutants from paved surfaces. The roots help to take up some of that and run-off always has some sort of pollutants and the root zone plays a significant part of reducing that. There is nothing specific for this project. They are required to treat per the DEP and they treat general pollutants.

Mr. Simoneau stated that there was a request in discussion with Nike and Joan Benoit about some changes in curve in the track. There are different curves for different track purposes and in this case they are building a track for a high school program. They will discuss it and if changes were proposed it could change the width and jump areas. They do not want to encroach further towards the neighbors. If they do make changes to the track, they are aware there would be a process. They need to look at all options and weigh any pros and cons of any possible changes.

Ms. Campanelli asked if international meant NCAA. Mr. Simoneau stated that there was a request from Joan to build at an international standard, but they are far from it now. The charge is to build a facility for a high school. There are different levels of a track. Nike is not pushing them to make this an international facility and they are sharing their experts; it is not a condition of their donation.

Ms. Campanelli stated that they have reached out on the landscaping. Evergreens are the best for noise buffer. There are fence options, but she does not think that it would be warranted by the cost benefit. She is still concerned about timing and end times at nights; our Ordinance does not have standards. It would be nice if they ended when the LL Bean Concerts end and if there were consistency. In regards to parking and the turn around, she has concerns for rescue access. She thought they might want to keep that open. Mr. Carroll stated that some of it would be open. The bus loop could accommodate 8 buses, and there are other places they could park, including the Town's bus parking lot. There is a location with a 10-12 foot wide gate, that would give direct access to the field and that is where they would come from and it would be easier to get to the field. There is another vehicular gate access off of Morse Street. Mr. Sickles addressed the current rescue plans noting that they do have keys in the vehicles to provide access.

Mr. Cram stated that there are options for reducing noise, but many are too big and they would probably not want them. He noted that he never regretted leaving work early to watch his kids play. He does though understand the desire to be consistent.

Mr. Troidl stated that the noise experience will be different with the new design as the scoreboard and the spectators are being moved and it is not being projected out. In regards to time, he is more of a late person.

Mr. Goodall stated that the Board is trying to decide on a final approval, so the project can go out to bid. The buffer is not in final form if there is to be more discussion. Ms. Campanelli noted that the Traffic and Parking Committee is still ongoing too. Mr. Goodall noted that they meet the parking standard as this is an accessory use.

Ms. Jones stated that she wants more time to look in to the buffer and how it might impact her property value and the noise; she might not even want the wooden fence. That would be her request. She does have a concern for bathrooms. There is one porta potty near the softball field now which is not used and is abused. The bathrooms should get looked at, such as porta potties. She thinks they should look at having them on both side if athletes will gather on the other side. Mr. Sickles stated that he is not sure where tents would go, as they would probably not put them on the far side of the track. The portable toilets would go where the future concessions would go. There is secure bathroom access in the school through outside doors and there are multiple stalls. Mr. Goodall asked if the underground plumbing for bathrooms would be done now. Mr. Johnston stated that the goal is to put in the underground infrastructure now.

Ms. Meade stated that part of the issue with the neighborhood is that they keep being shown different things and nothing is complete. Everyone needs to see exactly what the final paperwork is. Mr. Weinberg noted his agreement. They are spending cycles reviewing stuff that is no longer there. Mr. Carroll noted this is the final plan. Mr. Weinberg asked how that was communicated. Ms. Larson noted that they would need to come in and ask for it. Mr. Goodall noted that this is the final plan, dated March 1st, and subject to amendments. Mr. Carroll noted that there is a neighborhood representative on the Design Committee and they meet weekly, which is what they are probably seeing. They have evaluated things that have come up in the design process and if things change, they would come back.

Mr. Goodall needed clarification about the end time and even though it is just for four potential athletic events for football. He wants to know what the implications for the program and the school. Mr. Sickles noted that the use guidelines were revised 2/15/17. It notes game times and the number of games. There would be four football games starting at 7:00pm, ending about 9:30pm, with lights off 20 minutes after. The lights in the spring would be needed on cloudy or overcast days, but only for a small portion of the games. As they get later in the year, the regular season ends in early October and the lights will be needed in similar ways. Mr. Goodall hears them saying the most things will be over by 8:30pm with the exception of football if it starts at 7:00pm. Mr. Goodall asked if there was a deadline that all athletic games end at 9:00pm, if there would be an issue with them. Mr. Sickles stated that is later than they are proposing. Mr. Goodall stated that he would like a time limit certain that the facility would not be used after. He wants to understand the implications. Mr. Sickles stated that could be hard for football. He clarified that there were three other games that could start at 7:00pm for a total of 7 games. Mr. Goodall asked if the neighbors were looking for a time certain; they indicated yes. At the moment, it looks like 9:30pm, so this would move the start time back to 6:00pm. Mr. Troidl stated that this would allow them to go later than their own guidelines. Mr. Goodall stated that then it could be open ended. Mr. Goodall does want to minimize but does not want to damage the program or lessen the value of the fields. Ms. Campanelli noted that this is in an urban area, and she does empathize with the neighbors, but has been to a lot of night games so she is torn.

Mr. Cram noted that he lives next to a dog daycare, and he put up a fence which was a good thing and made a big impact on sound on his property. He suggested that they would probably want the fence.

Ms. Campanelli asked if the middle school students coming to the site would walk or bus here. Mr. Sickles stated that they would only come here if there was some free turf time, then each 8th grade could have one game per season and they may just walk here. The regular middle school buses come to the high school and they would come here for track practice. Mr. Troidl stated that he would be fine with 9pm as the limit; 8pm during the week would be nice. Mr. Sickles suggested that instead of suggesting an end time, if maybe a beginning time in case sometime things go over for whatever reason and then generally, they would end earlier, as he would not shut off the lights in the middle of overtime. He suggested that maybe they say start no later than 6pm.

Ms. Petrin is appreciative of the discussion, but noted that there cannot be discussion of certain pieces such as lighting. Mr. Goodall noted that if there are lights, it takes 20 minutes to shut them off after the end of the game, and details are unknown, but they cannot be totally ignored.

Mr. Troidl asked about the buffer and the motion. Mr. Goodall read the proposed motion, noting that if further revisions were needed, they could be reviewed and approved by staff. Ms. Campanelli noted concerns if the track dimensions change. Ms. Larson stated that it would need to come back. Mr. Goodall asked about the PA system and asked if the current system could be relocated so it goes towards people so they could hear it. Mr. Sickles state that is how it would be used.

Ms. Petrin asked about the other buffers and if there needed to be additional outreach, as there has not been outreach to those areas. Mr. Larson noted that being across the street is not an abutter. Mr. Goodall stated that they would be impacted, but the Ordinance is written referencing abutters. If the lights would wash over, it would deal with the whole neighborhood. If that is a concern, she should voice that concern to the Planning Board.

Findings of Fact: (Section 602.F. of the Freeport Zoning Ordinance)

a. Preservation of Landscape:

The applicant is presenting final plans for a site plan amendment at Freeport High School for the redevelopment of the existing fields into the Joan Benoit-Samuelson Track and Field complex. A track with turf field and associated amenities are proposed. The complex will include a chain link fence around the perimeter of the track and incorporate some areas (along Snow Road) of retaining wall. The end of the track along Snow Road with the retaining wall will be quite tall due to the grade, with a maximum of about 10 feet in height. All structures comply with the spaces standards for the Village I Zone (Section 407 of the Freeport Zoning Ordinance) and the standards of the Freeport Village Overlay District. Landscaping and buffer plans have been included with the submission. Based upon this information, the Board finds that this standard has been met.

b. Relation of Proposed Buildings to the Environment:

This parcel is not within the Design Review District. Plans include bleachers, some storage buildings, a 3 bay garage, ticket stands, scoreboard and a new softball field in the location of an existing field hockey field. The complex will include a chain link fence around the perimeter of the track All structures comply with the spaces standards for the Village I Zone (Section 407 of the Freeport Zoning Ordinance) and the standards of the Freeport Village Overlay District. Based upon this information, the Board finds that this standard has been met.

c. Vehicular Access:

Vehicular access to the site is via Holbrook Street and Snow Roads and is existing with no changes proposed. The applicant will continue to work with the Traffic and Parking Committee on on off-site

traffic and parking issues including access to the site. Based upon this information, the Board finds that this standard has been met.

d. Parking and Circulation:

The complex is considered an accessory use to the existing school, and therefore additional parking is not required at this time. In addition, a lot of the facility use will be after school hours, which will allow for a majority of the on-site parking to be available for use. Combined, there are about 202 (16 of which are ADA) existing parking spaces on the site. Two new ADA spaces are shown on the Morse Street School side of the plan and closest to the gated entrance on that side of the complex. This is in addition to the existing ADA compliant spaces on the site. In addition, the applicant is proposing to reconfigure an existing parking lot on the property. The applicant did request a waiver in their submission, however a waiver is not actually required as reductions for the space standards (Section 514: Off Street Parking and Loading of the Freeport Zoning Ordinance) in this lot were previously approved. General internal vehicular circulation on the site remains unchanged. Pedestrian paths are shown on the plan and will tie into the existing sidewalk system. As requested at the last meeting, the applicant is working with the Traffic and Parking Committee on off-site parking and circulation. One of the things the applicant and the Committee will be looking at is an Event Management Plan to address parking and circulation for some of their larger events. The applicant will also need to comply with the Town's Chapter 10 – Ordinance Requiring Notice for Outdoor Events with Attendance in Excess of 250 People (which is enforced by the Police Department). The applicant is also talking to nearby commercial property owners about using existing nearby parking for overflow parking for large events. The applicant will continue to work with the Traffic and Parking Committee on these issues, and doing so has been added as a condition of approval. Based upon this information, the Board finds that this standard has been met.

e. Surface Water Drainage:

Stormwater improvements will include a stormwater bioretention pond and some rain gardens. The applicant will need to amend their existing Site Location of Development Permit with the Maine DEP; this has been added as a condition of approval. The project will need to comply with the DEP Chapter 500 Rules and the Town Of Freeport's Chapter 53, Post-Construction Stormwater Management Ordinance. The parcel is within the regulated urban area, but not within the watershed of any of Freeport's Urban Impaired Streams. The Town Engineer has reviewed and approved the stormwater management and erosion control plans. His comments are included in a review memo dated 03/02/17. It is his recommendation that the applicant enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, and to be recorded in the Registry of Deeds. The proposal is compliant with Section 529: Stormwater Management of the Freeport Zoning Ordinance. The applicant has already received approval from the Army Corps of Engineers (dated 02/14/17). Based upon this information, the Board finds that this standard has been met.

f. Utilities:

No new water or sewer connections are proposed at this time. Restroom facilities will be provided in the high school building during events and through the use of portable toilet facilities which would be located on the south side of the complex where the future restroom/concession building would be located. Based upon this information, the Board finds that this standard has been met.

g. Advertising Features:

Wayfinding Signs for parking were brought up with the Traffic and Parking Committee and the applicant will continue to work with them on this issue. No other general project signs are

proposed at this time. Based upon this information, the Board finds that this standard has been met.

h. Special Features:

A buffer abutting nearby residential properties is shown on the plan and a portion of the area will incorporate a solid stockade fence. The applicant continues to work with abutters on the buffer details, and a detail plan is expected prior to the meeting. If the applicant does not get a response from some abutters, they will design the buffer to meet the requirements. The location of a transformer has been shown on the plan and it will be screened with landscaping. The location of a scoreboard is shown on the plan. There will be a donor recognition area near the entrance to the complex. The existing portable PA system will still be used for some events. No new PA system is being proposed at this time. If a new system is proposed, the applicant will have to submit an application for an amended site plan. Since concerns about noise have been raised by abutters, specifically in regards to timing, a suggested condition of approval is that there shall be no amplified sound after 10pm such as, but not limited to, music and announcements. Based upon this information, the Board finds that this standard has been met.

i. Exterior Lighting:

No lighting is proposed at this time for the field, on the pedestrian paths, or on the site in general. This will most likely be brought back to the Board as a separate application at a later date. Based upon this information, the Board finds that this standard has been met.

j. Emergency Vehicle Access:

All public safety department heads have reviewed the plans. There are gates around the complex which can be opened if needed to provide vehicular access for emergency vehicles. Emergency vehicles will be able to drive into the complex and over the surfaces in emergency situations. Based upon this information, the Board finds that this standard has been met.

k. Landscaping:

The applicant is proposing to retain as much of the existing vegetation as possible. There are many mature trees on the property which will help to buffer the impacts of the increase facility use on nearby properties. They did have an arborist come to the site and advise them on the condition of the existing trees. A buffer abutting nearby residential properties is shown on the plan and a portion of the area will incorporate a solid stockade fence. The applicant continues to work with abutters on the buffer details, and a detail plan is expected prior to the meeting. If the applicant does not get a response from some abutters, they will design the buffer to meet the requirements. A general site landscaping plan was also included with the submission. Based upon this information, the Board finds that this standard has been met.

l. Environmental Considerations:

This parcel is not within the Marine Waterfront District or the Shoreland Zone. No new utility connections are proposed. The applicant will need to amend their existing Site Location of Development Permit with the Maine DEP; this has been added as a condition of approval. The parcel is within the regulated urban area, but not within the watershed of any of Freeport's Urban Impaired Streams. The applicant has already received approval from the Army Corps of Engineers (dated 02/14/17). Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Freeport Zoning Ordinance.

Mr. Goodall read the proposed motion: Be it ordered that the Freeport Project Review Board approves the printed Findings of Fact and Site Plan Amendment for RSU 5, for the Joan Benoit-Samuelson Track and Field complex and associated site improvements, at Freeport High School on Holbrook/Morse Streets, to be constructed substantially as proposed, plans dated 7/1/16, including plans revised through 3/7/2017, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any work on any structures on the site, including, but not limited to the bleachers, score board, garage and other outbuildings, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.
- 3) Prior to any site work, the applicant do the following:
 - A. Enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, to be recorded in the Cumberland County Registry of Deeds, with yearly stormwater reporting to the Town of Freeport being required.
 - B. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in an amount to be reviewed and approved by the Town Engineer, in a form acceptable to the Town Attorney. The performance guarantee, shall cover the cost of all site work, including the road, landscaping, erosion control, and stormwater management etc. Along with the performance guarantee, a non-refundable administrative fee of 2% of the performance guarantee, in the amount to be determined by the Town Engineer, be paid.
 - C. Establish an inspection account, in the amount of \$4,200 for inspection of the site improvements.
 - D. The developer have a pre-construction meeting with the Town Engineer.
 - E. The applicant submit a copy of the written approval from the DEP.
- 4) Submit a copy of the final Field Use Guidelines to the Freeport Planning Department.
- 5) The applicant continue to work with the Traffic and Parking Committee parking options to resolve off-site traffic, parking, circulation and wayfinding sign issues.
- 6) The following items are not part of this approval: any lighting; the visitor bleachers on the north side of the field; concession stand; water or sewer connections; signage; and, a new PA system.
- 7) The Board approves the use of alternate plant materials and/or the substitution of non-plant materials for the buffers, as proposed and as authorized by the standards of the Freeport Village Overlay District for buffers, and as agreed to or not objected to by the abutting property owners and the applicant. If further revisions to the buffer are needed due a result of the applicant working with abutters and neighbors, they may be reviewed and approved by staff.
- 8) No athletic event shall begin later than 6:00 p.m.
- 9) The applicant will not permit non-school officials from using artificial noisemakers, including but not limited to, air horns, blow horns, sirens, cow bells and other artificial means of noise generation.

- 10) The applicant in use of the portable PA system, direct the speakers towards the bleachers and the existing school buildings.

Mr. Troidl suggested friendly amendment number ten. Motion as amended Seconded by Ms. Campanelli.

Vote: 4 Ayes/ 0 Nays (Gallant & Whitmore – recused)

Mr. Goodall just want to take a moment to say that the work that has been involved here is really impressive and really high quality and we are lucky to have these people and the neighbors for being helpful and participating. In terms of good planning and the ability to fit it in, must take an awful lot of work.

Ms. Campanelli suggested that applicant need to come in with complete landscaping plans for all submissions. Discussion followed and the Board noted their consensus.

Meeting adjourned at 9:40 p.m.

Recorded by Caroline Crean Pelletier