



TO: FREEPORT PROJECT REVIEW BOARD
FROM: DONNA LARSON, TOWN PLANNER
RE: STAFF REPORT
DATE: WEDNESDAY, JULY 13, 2016

Freeport Housing Trust – Bow Street (Design Review District II – Class B)

The applicant is seeking approval of a Design Review Certificate to add a dormer to an existing structure at 50 Bow Street. The dormer will be located on the left side, front façade of the building. There is a small dormer with one window on that portion of the building now, and the applicant is proposing to extend the dormer to make the interior stairs code compliant. The dormer will be extended for the length of the front façade and a second window will be added. The window material, siding, trim and paint will all match the existing structure. The windows and siding would be vinyl. The existing windows appear to mostly have mullions with 2/1 style, standard size, double-hung and rectangular in shape. The trim will be wood covered with aluminum. No other changes to the building are proposed.

Design Review Ordinance: Chapter 22 Section VII.C.

- 1. Scale of the Building. The scale of a building depends on its overall size, the mass of it in relationship to the open space around it, and the sizes of its doors, windows, porches and balconies. The scale gives a building "presence"; that is, it makes it seem big or small, awkward or graceful, overpowering or unimportant. The scale of a building should be visually compatible with its site and with its neighborhood.**

A dormer will be added to the existing structure at 50 Bow Street. The dormer will be located on the left side, front façade of the building. There is a small dormer with one window on that portion of the building now, and the applicant is proposing to extend the dormer to make the interior stairs code compliant. The overall scale of the building will not be significantly altered. Based upon this information, the Board finds that this standard has been met.

- 2. Height. A sudden dramatic change in building height can have a jarring effect on the streetscape, i.e., the way the whole street looks. A tall building can shade its neighbors and/or the street. The height or buildings should be visually compatible with the heights of the buildings in the neighborhood.**

The height of this portion of the building is lower than the main portion, and will remain lower with the addition of the shed dormer. Based upon this information, the Board finds that this standard has been met.

- 3. Proportion of Building's Front Facade. The "first impression" a building gives is that of its front facade, the side of the building, which faces the most frequently used public way. The relationship of the width to the height of the front facade should be visually compatible with that of its neighbors.**

The relationship of the height to the width of the façade will be compatible with the existing structure and the nearby abutting properties. Based upon this information, the Board finds that this standard has been met.

- 4. Rhythm of Solids to Voids in Front Facades. When you look at any facade of a building, you see openings such as doors or windows (voids) in the wall surface (solid). Usually the voids appear as dark areas, almost holes, in the solid and they are quite noticeable, setting up a pattern or rhythm. The pattern of solids and voids in the front facade of a new or altered building should be visually compatible with that of its neighbors.**

There will be two windows on the façade of the shed downer and the spacing will be compatible with that on the existing structure. Based upon this information, the Board finds that this standard has been met.

5. Proportions of Opening within the Facility. Windows and doors come in a variety of shapes and sizes; even rectangular window and door openings can appear quite different depending on their dimensions. The relationship of the height of windows and doors to their width should be visually compatible with the architectural style of the building and with that of its neighbors.

One new window will be installed and it will be standard in shape and size. Based upon this information, the Board finds that this standard has been met.

6. Roof Shapes. A roof can have a dramatic impact on the appearance of a building. The shape and proportion of the roof should be visually compatible with the architectural style of the building and with those of neighboring buildings.

There is a small dormer with one window on that portion of the building now, and the applicant is proposing to extend the dormer the full length of that section of the building. The roof will be sided to match the existing structure. The roof will be peaked with about an 8" pitch. Based upon this information, the Board finds that this standard has been met.

7. Relationship of Facade Materials. The facades of a building are what give it character, and the character varies depending on the materials of which the facades are made and their texture. In Freeport, many different materials are used on facades - clapboards, shingles, patterned shingles, brick - depending on the architectural style of the building. The facades of a building, particularly the front facade, should be visually compatible with those of other buildings around it.

The window material, siding, trim and paint will all match the existing structure. The windows and siding would be vinyl. The existing windows appear to mostly have mullions with 2/1 style and standard size and rectangular in shape. The trim will be wood covered with aluminum. Based upon this information, the Board finds that this standard has been met.

8. Rhythm of Spaces to Building on Streets. The building itself is not the only thing you see when you look at it; you are also aware of the space where the building is not, i.e., the open space which is around the building. Looking along a street, the buildings and open spaces set up a rhythm. The rhythm of spaces to buildings should be considered when determining visual compatibility, whether it is between buildings or between buildings and the street (setback).

The building is existing and a dormer is being added to one section. No expansion of the building footprint is proposed. Based upon this information, the Board finds that this standard has been met.

9. Site Features. The size, placement and materials of walks, walls, fences, signs, driveways and parking areas may have a visual impact on a building. These features should be visually compatible with the building and neighboring buildings.

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

10. In addition to the requirements of the Freeport Sign Ordinance, signs in the Freeport Design Review District shall be reviewed for the following: materials, illumination, colors, lettering style, location on site or building, size and scale. Minor changes that do not alter the dimensions or lettering style of an existing sign need not be reviewed,

i.e. personal name changes for professional offices, or changes in hours of operation. See Special Publication: "Sign Application Requirements".

No new signs 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 Design Review Ordinance.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate, for Freeport Housing Trust, for exterior alterations at 50 Bow Street, to be built substantially as proposed, submission dated 06-02-16, finding that it meets the standards of the Freeport Design Review 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 construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.

LL Bean – Outdoor Discovery Center

The applicant is seeking a clarification, and/or Site Plan Amendment, on a previously approved Condition of Approval #7, for a decision granted on 09/11/13, stating that "The final plan will show the traditional access to the Mann Cemetery". This was a condition added at the meeting due to a request from the member of the public. The applicant is seeking clarification, as the note was added to the plan, but a portion of the actual "traditional access" was loamed and seeded as part of the stabilization of the site after sitework. The area was disturbed during construction, but not actually needed by the applicant to access the site improvements, and areas that were disturbed were noted on the plan sheets to be loamed and seeded.

The question had been raised as to whether or not the applicant was allowed to loam and seed a portion of this area that needed to be shown, as a condition of approval, as "The final plan will show the traditional access to the Mann Cemetery". The Codes Enforcement Officer, Fred Reeder, was asked to give an opinion (see memo dated 5/10/16) on this and suggested that clarification from the Project Review Board was needed. He suggested that if the applicant did not re-establish the passage way, they would need to apply to the Board to request and amendment regarding the requirement to re-establish the traditional access to the Mann Cemetery.

The application before the Board tonight is only the one issue of the passageway and specifically condition of approval #7 and therefore that is the only aspect of the project that is open for discussion. Discussion about physical access to the abutting cemetery and any possible easements are private matters, and not something this Board has any authority over. If other issues are raised, a new application would have to be applied for.

The question that staff feels would clarify the issue is: was the intent of the Board to add the note for historical purposes, or did the Board feel that the intent was that the actual gravel passageway would remain? The options for the Board would be to make a motion to clarify the previous motion, or to amend the plan. Two draft motions are below.

In addition, packets do include detailed application materials from the applicant and a note from the Mann Cemetery Association.

Option One – Clarify the Motion: Be it ordered that the Freeport Project Review Board move to clarify that as previously approved, the plan for the LL Bean Outdoor Discovery Center on Marietta Lane, condition seven, that "The final plan will show the traditional access to the Mann Cemetery" was meant to be a note added to the plan for historical reference, and it was not a requirement that the actual gravel passageway shown on the plan be retained.

Option Two – Amend the Plan and Finding of Fact: Be it ordered that the Freeport Project Review Board approve a site plan amendment and proposed Finding of Fact for the plan for the LL Bean Outdoor Discovery Center on Marietta Lane, to allow for the removal of a portion of the gravel passage way shown on the plan and the removal of the note requiring that “The final plan will show the traditional access to the Mann Cemetery” with a copy of a utility as-built plan being submitted to the Town of Freeport Planning Department.

I. Environmental Considerations: A site plan shall not be approved unless it meets the following criteria:

- (1) The project will not result in water pollution, erosion or sedimentation to surface waters;**
- (2) The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;**
- (3) The project will conserve shoreland vegetation;**
- (4) The project will conserve points of public access to waters;**
- (5) The project will adequately provide for the disposal of all wastewater;**
- (6) The project will protect archaeological and historic resources;**
- (7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.**

The areas of development are outside of the Shoreland Zone. There is an existing septic system on the site for which an evaluation has been done and determined that it should be size adequately to accommodate waste. There is a cemetery on the abutting property however there should be no disturbance to that area and all applicable setbacks from the cemetery have been met. As shown on the plan, there is a Mann Cemetery which is a significant archaeological and historic resource with the boundary lines of the cemetery need to be determined to see if they conform with the submitted L.L. Bean site plan survey and if they do not, then any future site plan changes would have to conform to any newly discovered boundary lines. ~~“The final plan will indicate that the access road shown on the plan to the Mann Cemetery is traditional cemetery access.”~~ Based on this information, the standards have been met.

Replacement Residence – Pound of Tea Island

The applicant was before the Board last month seeking approval for a replacement dwelling and replacement accessory structure on Pound of Tea Island. The item was tabled to allow time for review and clarification on the application, by staff and the Maine Department of Environmental Protection.

Site Plan Approval from the Board is required as the property is in the Island District. There is currently a float with ramp that connects to a dock, a CMP transformer shed, bath house and dwelling on the property. The existing bath house and dwelling will be demolished and replacement structures will be relocated on the property. There will be no increase in the number of structures on the property.

The Island District standards do limit new structures on this island, however replacement of existing structures is allowed with the following limitations: “Once destroyed or removed, any structures currently existing on one of these Islands may not be reconstructed or replaced unless accomplished within two (2) years. The location of a replaced structure may differ from the location of the original structure.”

The new dwelling with decks will be setback further from the water and the new bath house will be located near the dwelling. The old dwelling was single story; the new one will be two but still within the allowable height and 30% expansion (volume and area) limits of the Ordinance. The building will be designed and sided to match the existing cottage and other nearby waterfront properties. The applicant is also proposing a new septic system which will be reviewed and inspected, as required, by the Local Plumbing Inspector and has been review and approved by the Maine Department of Health and Human Services. A new drilled well will be installed. Areas that are cleared from building demolition will be re-vegetated. Some diseased trees will be removed as noted on the plan. An evaluation and plan from an arborist have been included with the submission. Some flagstone pathways on the property will be altered.

Based upon comments from the DEP, the plans have been revised slightly since the last meeting. Changes to the utility building now allow for vertical expansion as opposed to horizontal; to avoid greater impact on setbacks. A note on the

plan about tree removal required for fire prevention was removed, as that is not a permitted reason for cutting in the Shoreland Zone. The size of the proposed deck was minimized and the connection between the house and bath house was made more substantial. Emails from the DEP and the Code Officer have been included in the packet; both have signed off on the plans. The determination has been made that the proposed plans are within the 30% expansion limits permitted by the Ordinance and the buildings have been located to meet setbacks to the greatest extent possible. The DEP will require that the applicant obtain a NRPA permit for the project; this has been added as a condition of approval. A memo from Bernstein Shur, the Town's attorney, regarding replacement and expansion structures in the Shoreland Zone has been included in the packet.

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

a. Preservation of Landscape.

The landscape shall be developed in such a manner as to be in keeping with the character of the surrounding neighborhoods and in accordance with good development practice by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. If a site includes a ridge or ridges above the surrounding areas and provides scenic vistas for surrounding areas, special attempts shall be made to preserve the natural environment of the skyline of the ridge. Existing vegetation and buffering landscape are potential methods of preserving the scenic vista.

The applicant is seeking approval for a replacement dwelling and replacement accessory structure on Pound of Tea Island. Site Plan Approval is required as the property is in the Island District. There is currently a float with ramp that connects to a dock, a CMP transformer shed, bath house and dwelling on the property. The existing bath house and dwelling will be demolished and replacement structures will be relocated on the property. There will be no increase in the number of structures on the property. The new dwelling with decks will be setback further from the water and the new bath house will be located near the dwelling. The old dwelling was single story; the new one will be two. Areas that are cleared from building demolition will be re-vegetated. Some diseased trees will be removed as noted on the plan. Based upon this information, the Board finds that this standard has been met.

b. Relation of Proposed Buildings to the Environment.

The design and layout of the buildings and/or other development areas shall encourage safety, including fire protection. Proposed structures shall be related harmoniously to the terrain and to existing buildings in the vicinity which have a visual relationship to the proposed buildings. Visual compatibility, not uniformity with the surrounding area, shall be emphasized. Special attention shall be paid to the scale (mass), height and bulk, proportions of the proposed buildings, the nature of the open spaces (setbacks, landscaping) around the buildings, the design of the buildings (including roof style, façade openings, architectural style and details), building materials and signs.

If the structure is in the Design Review District, the Planning Board shall incorporate the findings of the Board of Review in its findings. If the structure is located in the Route One Corridor between the Yarmouth Town line and Desert Road, and the Planning Board determines that the structure may not be compatible with its surroundings, it may require that the Design Review Board conduct an advisory review before the Planning Board makes a final decision.

The applicant will meet the space and bulk standards for the Island District, as set forth in the Freeport Zoning Ordinance. The new dwelling with decks will be setback further from the water and the new bath house will be located near the dwelling. The old dwelling was single story; the new one will be two but still within the allowable height and 30% expansion (volume and area) limits of the Ordinance. Areas that are cleared from building demolition will be re-vegetated. Some diseased trees will be removed as noted on the plan. An evaluation and plan from an arborist have been included with the submission. Based upon this information, the Board finds that this standard has been met.

c. Vehicular Access.

The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrian traffic patterns. Special consideration shall be given to the location, number and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts.

There is no vehicular access to the site. Based upon this information, the Board finds that this standard has been met.

d. Parking and Circulation.

The layout and design of all means of vehicular and pedestrian circulation, including walkways, interior drives, and parking areas shall be safe and convenient and, insofar as practical, shall not detract from the proposed buildings and neighboring properties. General interior circulation, separation of pedestrian and vehicular traffic, service traffic, drive-up facilities, loading areas and the arrangement and use of parking areas shall be considered.

Not applicable as there is no vehicular access to the site. Based upon this information, the Board finds that this standard has been met.

e. Surface Water Drainage.

Adequate provisions shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, down-stream conditions, or the public storm drainage system. The increase in rate of runoff in the post development condition shall be held to a zero or less percent of the predevelopment condition unless an engineering study has been performed as described in Section 529.2 above. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a two-year, ten-year and twenty-five year storm frequency. Emphasis shall be placed on the protection of floodplains, reservation of stream corridors; establishment of drainage rights-of-way and the adequacy of the existing system; and the need for improvements, both on-site and off-site, to adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

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

f. Utilities.

All utilities included in the site plan shall be reviewed for their adequacy, safety and impact on the property under review and surrounding properties. The site plan shall show what provisions are being proposed for water supply, wastewater, solid waste disposal and storm drainage. Whenever feasible, as determined by the Planning Board, all electric, telephone and other utility lines shall be installed underground. Any utility installations above ground shall be located so as to have a harmonious relationship with neighboring properties and the site.

There will be no public utilities on site. The applicant is also proposing a new septic system which will be reviewed and inspected, as required, by the Local Plumbing Inspector and have already been reviewed and approved by DHHS. A new drilled well will be installed. Based upon this information, the Board finds that this standard has been met.

g. Advertising Features.

The size, location, texture and lighting of all exterior signs and outdoor advertising structures or features shall not detract from the layout of the property and the design of proposed buildings and structures and the surrounding properties, and shall not constitute hazards to vehicles and pedestrians.

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

h. Special Features.

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, similar accessory areas and structures, shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

Limited clearing is proposed and there shall be not alteration of the scenic view from off-shore. Areas that are cleared from building demolition will be re-vegetated. Some diseased trees will be removed as noted on the plan. An evaluation and plan from an arborist have been included with the submission. Based upon this information, the Board finds that this standard has been met.

i. Exterior Lighting.

All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public.

All exterior lighting will need to be full cut-off. Based upon this information, the Board finds that this standard has been met.

j. Emergency Vehicle Access.

Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times.

Access to the site will be by boat only and there is currently a float with ramp that connects to a dock. All Public Safety Department Heads have reviewed the proposal. Based upon this information, the Board finds that this standard has been met.

k. Landscaping.

Landscaping shall be designed and installed to define, soften or screen the appearance of off-street parking areas from the public right(s)-of-way and abutting properties, to enhance the physical design of the building(s) and site, and to minimize the encroachment of the proposed use on neighboring land uses. Particular attention should be paid to the use of planting to break up parking areas. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping may include trees, bushes, shrubs, ground cover, perennials, annuals, plants, grading and the use of building and paving materials in an imaginative manner.

No new landscaping is proposed. The applicant will minimize tree removal. Areas that are cleared from building demolition will be re-vegetated. Some diseased trees will be removed as noted on the plan. An evaluation and plan from an arborist have been included with the submission. Based upon this information, the Board finds that this standard has been met.

l. Environmental Consideration. A site plan shall not be approved unless it meets the following criteria:

- 1. The project will not result in water pollution, erosion or sedimentation to surface waters.**
- 2. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;**

3. **The project will conserve shoreland vegetation;**
4. **The project will conserve points of public access to waters;**
5. **The project will adequately provide for the disposal of all wastewater;**
6. **The project will protect archaeological and historic resources;**
7. **The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.**

The applicant should follow the DEP Best Management Practices for Erosion Control to minimize the impacts of erosion and sedimentation during construction. All wastewater will be treated on site; a permit from the Local Plumbing Inspector will be required for the new septic system. The project is in the Shoreland Zone and in the Island District. Emails from the DEP and the Code Officer have been included in the packet; both have signed off on the plans. The determination has been made that the proposed plans are within the 30% expansion limits are permitted by the Ordinance and the buildings have been located to meet setbacks to the greatest extent possible. The DEP will require that the applicant obtain a NRPA permit for the project; this has been added as a condition of approval. 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 Section 602 Site Plan Review.

Proposed Motion:

Be it ordered that the Freeport Project Review Board move to approve the printed Findings of Fact, and the Site Plan for Citow Declaration of Trust, for a new dwelling with decks and bath house (all replacement structures), to be built substantially as proposed, finding that it meets the standards of the Freeport Zoning Ordinance, submission dated 05/23/16, with the following conditions of approval:

- 1) This approval incorporates by reference all supporting 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 of approval.
- 2) Prior to any site work, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) At the time that a building permit is applied for, the applicant pay a Pavement Maintenance Impact fee to the Town of Freeport based upon the size of the proposed structures and the impact fees effective at such time.
- 4) In accordance with Section 426 of the Freeport Zoning Ordinance, since the proposed improvements are on Pound of Tea Island, once destroyed or removed, any structures currently existing on the island may not be reconstructed or replaced unless accomplished within two (2) years.
- 5) The applicant obtain approval for a NRPA permit from the Maine DEP.

Maine Coast Waldorf School – Site Plan Amendment

The applicant is presenting final plans for a Site Plan Amendment for a new high school at 57 Desert Road. An 11,154 s.f. two-story building with drop off, connectivity walkways and parking area is proposed. Building renderings have been included in the packets. The building will have a capacity of up to 80 students and 15 teachers; there are currently 54 students and 15 teachers at the existing high school (which is not in Freeport).

Access to the site will be from a new driveway, which will be installed off on an existing driveway that comes off of Desert Road. The Fire/Rescue Chief and Town's E911 Addressing Officer are requiring that the road be named to be compliant with the E911/Public Safety requirements. This has been added as a condition of approval.

Near the building, 18 additional parking spaces and a drop off loop are proposed. The Fire/Rescue Chief did provide the applicant with the required specifications for the Town's fire apparatus and the loop has been design accordingly. The applicant feels that the 18 additional parking spaces should provide adequate parking, as many families already have other children attending the school and high school students currently come to the site daily to travel to their out of town campus. Based upon the parking space requirements of the Ordinance, 35 parking spaces would be required the

high school, however the applicant is not proposing to build them all at this time but there is room on site to add the parking in the future if needed (and subject to review and approval). A large increase in traffic is not anticipated. Walkways connecting this building to the parking areas and other campus amenities have been shown on the plan.

The building will be connected to the public water system. A capacity to serve letter from MaineWater, dated 6/21/16, was included in the submission. There is an existing septic system serving the site. A letter from Albert Frick Associates, Inc (dated 6/13/16, updated 06/17/16), states that the existing septic system does not have the capacity for the new building and a system upgrade/expansion will be required. The applicant will make the necessary improvements to the septic system, and this will be permitted during the building permit process. Upgrading of the septic system has been added as a condition of approval.

The Town Engineer has reviewed and approved the Stormwater Management and Erosion Control Plans. His comments are included in a memo dated 07/06/16. He does recommend that the applicant enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, and to be recorded in the Cumberland County Registry of Deeds, prior to any sitework. The project will require a Stormwater Permit issued at the local level, and a Tier 2 Permit for wetland alterations. There is a small footbridge shown on the plan as "future bridge". This is not something that the applicant is proposing at this time and if they want to proceed with it in the future, would need to have it approved by the Town of Freeport with any applicable permits also being granted by the Maine DEP.

A photometrics plan from Bartlett Design, dated 6/22/16, has been submitted and is in compliance with the lighting requirements of the Ordinance. A cut sheet showing full cut-off fixtures has been submitted. As far as solid waste, waste will be stored inside and then daily disposed of in an existing dumpster on the property. No new signage is proposed. If the applicant wants to install signs in the future, they may need to return to the Board.

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

- a. **Preservation of Landscape:** The landscape shall be developed in such a manner as to be in keeping with the character of the surrounding neighborhoods and in accordance with good development practice by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. If a site includes a ridge or ridges above the surrounding areas and provides scenic vistas for surrounding areas, special attempts shall be made to preserve the natural environment of the skyline of the ridge. Existing vegetation and buffering landscaping are potential methods of preserving the scenic vista.

The applicant is presenting final plans for a Site Plan Amendment for a new high school at 57 Desert Road. An 11,154 s.f. two-story building with drop off, connectivity walkways and parking area is proposed. Building renderings have been included in the packets. The building will have a capacity of up to 80 students and 15 teachers; there are currently 54 students and 15 teachers at the existing high school (which is not in Freeport). Based upon this information, the Board finds that this standard has been met.

- b. **Relation of Proposed Buildings to the Environment:** The design and layout of the buildings and/or other development areas shall encourage safety, including fire protection. Proposed structures shall be related harmoniously to the terrain and to existing buildings and land uses in the vicinity which have a visual relationship to the proposed buildings. Visual compatibility, not uniformity with the surrounding area, shall be emphasized. Special attention shall be paid to the scale (mass), height and bulk, proportions of the proposed buildings, the nature of the open spaces (setbacks, landscaping) around the buildings, the design of the buildings (including roof style, facade openings, architectural style and details), building materials and signs.

If the structure is in the Design Review District, the Project Review Board shall incorporate the findings of the standards or the Design Review Ordinance in its Site Plan Review findings.

An 11,154 s.f. two-story building with drop off, connectivity walkways and parking area is proposed. Building renderings have been included in the packets and the building has been designed to incorporate some features from

the other buildings on site. Access to the site will be from a new driveway, which will be installed off on an existing driveway that comes off of Desert Road. The Fire/Rescue Chief and Town's E911 Addressing Officer are requiring that the road be named to be compliant with the E911/Public Safety requirements. This has been added as a condition of approval. Near the building, 18 additional parking spaces and a drop off loop as proposed. The Fire/Rescue Chief did provide the applicant with the required specifications for the Town's fire apparatus and the look as been design accordingly. 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:** The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrian traffic patterns. Special consideration shall be given to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible

Access to the site will be from a new driveway, which will be installed off on an existing driveway that comes off of Desert Road. The Fire/Rescue Chief and Town's E911 Addressing Officer are requiring that the road be named to be compliant with the E911/Public Safety requirements. This has been added as a condition of approval. Based upon this information, the Board finds that this standard has been met.

- d. **Parking and Circulation:** The layout and design of all means of vehicular and pedestrian circulation, including walkways, interior drives, and parking areas shall be safe and convenient and, insofar as practical, shall not detract from the proposed buildings and neighboring properties. General interior circulation, separation of pedestrian and vehicular traffic, service traffic, drive-up facilities, loading areas, and the arrangement and use of parking areas shall be considered.

Near the building, 18 additional parking spaces and a drop off loop are proposed. The Fire/Rescue Chief did provide the applicant with the required specifications for the Town's fire apparatus and the loop has been design accordingly. The applicant feels that the 18 additional parking spaces should provide adequate parking, as many families already have other children attending the school and high school students currently come to the site daily to travel to their out of town campus. Based upon the parking space requirements of the Ordinance, 35 parking spaces would be required the high school, however the applicant is not proposing to build them all at this time but there is room on site to add the parking in the future if needed (and subject to review and approval). A large increase in traffic is not anticipated. Walkways connecting this building to the parking areas and other campus amenities have been shown on the plan. Based upon this information, the Board finds that this standard has been met.

- e. **Surface Water Drainage:** Adequate provisions shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, down-stream conditions, or the public storm drainage system. The increase in rate of runoff in the post development condition shall be held to a zero or less percent of the predevelopment condition unless an engineering study has been performed as described in Section 529.2 above. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a two year, ten year and twenty-five year storm frequency. Emphasis shall be placed on the protection of floodplains; reservation of stream corridors; establishment of drainage rights-of-way and the adequacy of the existing system; and the need for improvements, both on-site and off-site, to adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

The Town Engineer has reviewed and approved the Stormwater Management and Erosion Control Plans. His comments are included in a memo dated 07/06/16. He does recommend that the applicant enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, and to be recorded in the Cumberland County Registry of Deeds, prior to any sitework. Based upon this information, the Board finds that this standard has been met.

- f. **Utilities:** All utilities included in the site plan shall be reviewed as to their adequacy, safety, and impact on the property under review and surrounding properties. The site plan shall show what provisions are being proposed for water supply, wastewater, solid waste disposal and storm drainage. Whenever feasible, as determined by the Project Review Board, all electric, telephone and other utility lines shall be installed underground. Any utility installations above ground shall be located so as to have a harmonious relationship with neighboring properties and the site.

The building will be connected to the public water system. A capacity to serve letter from MaineWater, dated 6/21/16, was included in the submission. There is an existing septic system serving the site. A letter from Albert Frick Associates, Inc (dated 6/13/16, updated 06/17/16), stated that the existing septic system does not have the capacity for the new building and a system upgrade/expansion will be required. The applicant will make the necessary improvements to the septic system, and this will be permitted during the building permit process. Upgrading of the septic system has been added as a condition of approval. Based upon this information, the Board finds that this standard has been met.

- g. **Advertising Features:** The size, location, texture and lighting of all exterior signs and outdoor advertising structures or features shall not detract from the layout of the property and the design of proposed buildings and structures and the surrounding properties, and shall not constitute hazards to vehicles and pedestrians.

No new signage is proposed. If the applicant wants to install signs in the future, they may need to return to the Board. Based upon this information, the Board finds that this standard has been met.

- h. **Special Features:** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, similar accessory areas and structures, shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

There is a small footbridge shown on the plan as "future bridge". This is not something that the applicant is proposing at this time and if they want to proceed with it in the future, would need to have it approved by the Town of Freeport with any applicable permits also being granted by the Maine DEP. As far as solid waste, waste will be stored inside and then daily disposed of in an existing dumpster on the property. Based upon this information, the Board finds that this standard has been met.

- i. **Exterior Lighting:** All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public. For all proposed lighting, the source of the light shall be shielded and the light should be directed to the ground, except in the case of ground sign lighting. In the Village Commercial 1 and 2 Districts, lighting for pedestrian walkways and adjacent public sidewalks shall also be provided.

A photometrics plan from Bartlett Design, dated 6/22/16, has been submitted and is in compliance with the lighting requirements of the Ordinance. A cut sheet showing full cut-off fixtures has been submitted. Based upon this information, the Board finds that this standard has been met.

- j. **Emergency Vehicle Access:** Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times.

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

- k. **Landscaping:** Landscaping shall be designed and installed to define, soften, or screen the appearance of off-street parking areas from the public right(s)-of-way and abutting properties, to enhance the physical design of the building(s) and site, and to minimize the encroachment of the proposed use on neighboring land uses. Particular attention should be paid to the use of planting to break up parking areas. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping may include trees, bushes, shrubs, ground cover, perennials, annuals, plants, grading and the use of building and paving materials in an imaginative manner.

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

- l. **Environmental Considerations:** A site plan shall not be approved unless it meets the following criteria:
- (1) The project will not result in water pollution, erosion or sedimentation to surface waters;
 - (2) The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
 - (3) The project will conserve shoreland vegetation;
 - (4) The project will conserve points of public access to waters;
 - (5) The project will adequately provide for the disposal of all wastewater;
 - (6) The project will protect archaeological and historic resources;
 - (7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

This property is not within the Marine Waterfront District or the Shoreland Zone. It is connected to public utilities. The construction will require some wetland filling and an NRPA Wetlands Permit from the DEP (Tier 2) and Army Corps of Engineers. 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.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Site Plan Amendment for Maine Coast Waldorf School, for the construction of a new high school site alterations as proposed at their campus on Desert Road, plans dated 06-21-16, 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 site work, including but not limited to clearing of the site, 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 to be determined by the Town Engineer, for inspection of the site improvements.
 - D. The developer have a pre-construction meeting with the Town Engineer.

- E. Submit an application, for review and approval, by the Local Plumbing Inspector for permitting of the required septic system upgrades for the new high school. A building permit will not be issued without the proper septic system permit in place.
- 3) The applicant is proposing to only construct 18, of the required 35 parking spaces for the proposed use. The Town may require that in the future the additional parking spaces be constructed if additional parking is needed to correct a parking problem on the site.
- 4) The applicant work with Freeport Public Safety and the Town of Freeport's E-911 Addressing Officer (Assessing Department) for the review and approval of a new road name for the existing roadway that accesses the site.