

**MINUTES  
FREEPORT PROJECT REVIEW BOARD  
FREEPORT TOWN HALL COUNCIL CHAMBERS  
30 MAIN STREET  
WEDNESDAY, JANUARY 17, 2024  
6:00 p.m.**

**Attending:** Linda Berger, Jason Donahue, Fred Madeira, Chair Ford Reiche, and Tod Yankee  
James Monteleone arrived at 6:37 p.m.

**On zoom:** Lynn Hamlen and Town Planner, Caroline Pelletier

Chair Reiche called the meeting to order at 6 p.m. and mentioned that Mr. Monteleone is expected but most likely may be held up in traffic by an accident on 95 and Ms. Hamlen and Ms. Pelletier will be participating on zoom. He asked that Board members turn their microphones on.

**ITEM I: Information Exchange**

1) Update on topics reviewed by the Planning Board

Ms. Pelletier advised that for updates and other things going on. There was Staff approval for a sign for J. Crew on Bow Street and for a shed at the Outdoor Discovery Center on Marietta Lane. The Planning Board has started the Comp Plan process as we talked about at the last meeting. They had two initial meetings with North Star and will be reviewing the first three drafts of inventory chapters on the Comp Plan at their next meeting. A lot of stuff the Planning Board has been working on is at the Council level at this point. Last night's Council meeting was tabled but Cannabis regulations, LD 2003 implementation and changes to Design Review are all expected to be taken up by the Town Council next Tuesday at their meeting which will be in person or on zoom if anyone is interested in attending.

2) Update on the Downtown Vision Task Force Implementation Group

Ms. Pelletier mentioned that the Downtown Vision Task Force Implementation Group has been on break. They were supposed to regroup in January but they had people out sick and other things going on so that has not happened.

3) Update on the Town of Freeport Climate Action Plan

Ms. Pelletier pointed out that we are continuing to work on development of the Freeport Climate Action Plan. Again, the Sustainability Advisory Board has been taking the lead on these efforts. They are just getting to the phase where they will have draft chapters and goals available for people to look at. This is often put together over a year's long work in a series of public workshops which people have given their input on. You are welcome to go to meetings and there is still information on line if you want to give feedback and when they start looking at some of the draft chapters, they will be sure to provide that information to the Board in case anybody is interested in attending those meetings.

4) Update on the Freeport Comprehensive Plan Update

Ms. Pelletier noted that she covered this last item with the first item.

She offered to answer questions. Chair Reiche mentioned the Board was good and he was sorry she couldn't be with the Board tonight and hopes she will feel better. He had one note that he and Ms. Pelletier talked about just as a reminder for Board members. We get meeting materials through two channels. One is the Board link which includes everything and we are also copied on her public link for meetings and that does not always include all the attachments and everything so the link directed to the Board is what we should use for meetings. Ms. Pelletier agreed and added that what the Planning Board and the Project Review Board wanted to know what was going on with each other so we have a general Planning Department distribution list so you get all the

agendas, minutes, Staff Reports via that and you also get a link to the web. We do have limitations with what we can load onto the web. In a meeting like this, where the packets were really small, we put everything on the web. In a Larger meeting where you might have a couple of hundred pages of stormwater reports, calculations and large plans, we are unable to post everything on the web, you do get a different link. You should make sure you are using the correct packets. Chair Reiche agreed and noted the Board does not want to get shortchanged on our stormwater calculations.

**ITEM II:** Review of the minutes from the December 20, 2023 Project Review Board meeting.

Mr. Madeira referred to the first paragraph next to the last line noting the word conceptional should be conceptual. He thanked the Secretary for putting out such helpful notes, particularly in the L.L. Bean application.

**MOVED AND SECONDED:** To accept the Minutes with the note provided by Mr. Madeira. (Berger & Yankee)

**ROLL CALL VOTE:** (6 Yes) (1 Excused: Monteleone) (0 No)

**ITEM III:** Reviews

**Cedar Haven Family Campground – Site Plan Review**

The applicant is presenting conceptual plans for Site Plan Review for alterations at the Cedar Haven Family Campground and Expansion. Approximately twenty-five (25) new campsites are proposed, along with an additional 550 feet access drive and a new 1,300 square foot bath house. Two existing residential parcels are proposed to now be part of the campground. Zoning District: Rural Residential I (RR-I). Tax Assessor Map 17, Lots 18A, 18B, 19, 20A, & 20D (37, 39, 43, 51 & 45 Baker Road). Cedar Haven Family Campground, applicant; Cedar Haven Family Campground LLC & Theodore Crooker, owners; Sevee and Maher Engineers, Inc, representative.

Ms. Pelletier explained that this is a conceptual presentation to introduce the project to the Board. There is an existing campground at this site but they have acquired some additional residential property which they intend to incorporate into the land area and they have some additional land. They are proposing an expansion of the campsites, an extension on the road, additional sites and a bath house. We do have a section in the Zoning Ordinance pertaining to campgrounds with certain requirements. Sometimes there are buffers, there is a land area requirement and as we go forward, the applicant will need to demonstrate that they meet all of that. They will need to treat for stormwater. There were some questions about stormwater permitting where a lot of it is older and not all existing but they have been working with the Town Engineer on that. The applicant is here to give you a presentation and and walk you through what they are thinking. You will need additional information and get the whole site plan showing the personal boundaries so you can see setbacks and boundaries and things like that. You will need to better understand what they are going to do with the property lines. She assumes that they will merge them. They show some buildings to be replaced but they don't have details yet. They do show a space for solar panels. She asked if the Board is interested in scheduling a site walk?

Jeff Reed with Sevee and Maher Engineers noted he is here tonight to present a concept plan and basic concept details for the Cedar Haven Family Campground expansion and then gather some feedback from the Board and answer any questions the Board might have so they can take this on to an actual Site Plan Review application. He had some actual concept sheets to look over and additional information just to give some background on the site and property and what they are hoping to accomplish with the expansion. The site is located on the Baker Road in West Freeport. The overall parcel is 17.3 acres and that is the size of the total

combined parcels The original campground was located on lots identified as Tax Maps 17, 18-A, 18-B and 19. Roughly two years ago Lots 20-A and 20-D were the residential properties Caroline referenced that were purchased and they are looking to expand the campground on to. The properties are all located in Rural Residential Zone I. The existing campground was started back in 1965 and has been operating under that use for a long time. The project area for the expansion is just over 3 ½ acres. There are some existing residences, garages and driveways on those lots totaling just over 15,000 square feet and there is a wetland area on the back of one of the properties that is a little over 3,500 square feet. He displayed a copy of the boundary survey and pointed out the expansion parcel. They are hoping to accomplish with the expansion approximately 25 new campsites that will be served with private water, sewer and underground electric. The expansion will include approximately 550 feet of internal access drive to serve the campsites. Future development will include a 1,300 square foot bath house and they are also looking to add a 3,456 square foot pavilion on the property which will be an open-air covered area to serve the campsites and potentially a 30' x 40' solar array in the northeast corner and that will be a tracking system. It will be able to rotate on an axis.

Some of the other details for the project include the septic system that will serve the new sites. It will be over 2,000 gallons a day so it will be an engineered septic system. They have had a pre-application meeting with the Maine DHHS and dug some test pits for that as well. They are looking at adding a new well to supply the additional campsites. These lots will include underground electric that will be added on to the existing electrical network within the campground. The proposed project area will be a little over 3 ½ acres. The impervious area associated with the new development will be a little over one acre or 48,000 square feet. They are going to treat the stormwater runoff and explained what they are planning. They have met with the Town Engineer to discuss and get off on the right track for stormwater design. He is planning to reach out to him next week as they dial in on this a bit. They will have approximately 3,561 square feet of wetland impact associated with the proposed development. He explained the concept plan they submitted last month and the Board has in its packets. They made a few modifications to this. In working through some of the septic and stormwater considerations over the past few weeks, they needed to adjust a few things. The lot layout was changed slightly. The proposed roads internally are the same. The septic location is the same. The major differences are that the future bathhouse was located a little further away from the property line and it will be constructed sometime later but they wanted to include it with this round of the application so that they can phase the development and include it in a permit application. He pointed out a mobile home that will be removed which will become the location of the pavilion and that will be a future development. He pointed out where the base for the solar array will be placed. He pointed to where they have a stormwater treatment area planned and a wood processing area. He noted that the wood processing area will be moved to the back corner. He noted where the second stormwater treatment area will be in a natural low area. Some additional specifics to the campground development include a waste pump-out station. They will build out a section by the exit with a dumpster so that visitors leaving the site will be able to offload some of their trash and waste and pump out their tanks before they leave.

The permitting they are anticipating for this project includes the Site Plan Review with the Town of Freeport and will also include the Stormwater Review. Because they are disturbing wetlands, they will have the U.S. Army Corps General Permit for wetland alteration. Based on the size, they anticipate it is just going to be self-verification which is a straight forward piece. In addition to that, he has outlined with Maine DHHS that they will have some review for the engineered septic system which they started. They had a pre-application meeting with them and they are designing the system now and that will be ongoing through the Site Plan process. He is not sure the design needs to be completed before the Site Plan is approved or is it something they can outline as a condition of approval potentially so they can make sure they accomplish that prior to the issuance of any building permit or any construction occurs on site?

He would welcome any comments or questions or advice the Board may have to move this forward. Chair Reiche asked if there are any questions from the Board? Mr. Donahue asked Mr. Reed if he could go into more detail on vehicular movement coming in and going off Baker Road. Mr. Reed displayed the site entrance and main office and explained the traffic circulation once they check in. Right now, sight lines are a bit limited especially looking back towards the north. This exit will be at the top of the hill so larger vehicles leaving the campground will be in a safer situation. There will be a paved apron.

Ms. Pelletier added that she heard from Public Works today and they said there was another driveway entrance approved in 2021 so she asked if Mr. Reed is proposing an additional one at this time? If not, the current one was approved for commercial use. If you are going to reuse some of those properties where they have residential driveways, is there a way to minimize the number of curb cuts there so it would be something good to look at? Mr. Reed agreed and pointed out the existing site entrance they are planning to use but noted it would be limited to one-way direction out. They will use the existing curb cut and will take a look at the existing apron that is there and make sure it meets the current standard. They will reinforce it if needed. He pointed out a building they intend to keep. He agrees that it makes sense if they can reduce the number of curb cuts in the future. It will be better for everybody.

Ms. Hamlen advised that when she thought of campsites, she was thinking of tents. Since the discussion is on water service, sewer hook-ups and electrical, she feels they must be talking about campers. Mr. Reed agreed and added that primarily the market that uses this campground currently are RVs and trailers and other camping equipment that is mobile on wheels and has the connections for water, sewer and electric. There will probably be a couple of tent sites but they will be limited. Ms. Hamlen asked if the turnover for the rentals is for weeks or months? Mr. Reed advised that it varies. There are seasonal rentals who have a camper there for a season. There are others that come for a weekend or a week trip. It depends on the people coming to visit. Ms. Hamlen asked if each site has a parking space for a vehicle in addition to the camper itself? Mr. Reed explained that at each of these campsites there is a gravel turnout sized to accommodate a camper, trailer and a vehicle that would park in front of these in line. There will be a section of reinforced turf beyond the edge of this gravel area so basically the front wheels or the back wheels of the trailer will go to the end of the gravel and then they will do a reinforced turf along the edge and provide as much vegetation as they can. He explained what reinforced turf is.

Ms. Berger noted she is thinking of the large RVs we see driving in and out. She asked if the roadway and the turning radii are all sized for those vehicles? Mr. Reed advised that they will be evaluated for those vehicles as well as emergency vehicles. They want to make sure a fire truck has maneuvering room as well as a stable surface to drive on and they will all meet Town standards.

Mr. Madeira asked if Mr. Reed will show that each site has 5,000 sq. ft. required by code? Mr. Reed advised that they will meet code. Mr. Yankee asked if there are electrical hook-ups on each site? Mr. Reed assured him that there will be. Mr. Yankee asked if they will be allowed to run their generators? Mr. Reed mentioned that if they have electrical service, they would not need a generator but if there is a power outage, they could run a generator. That is not what the plan was intending that people would come in and run noisy items if power is available. Mr. Yankee asked if there is a charge for the electrical hook-up? Mr. Reed noted it is included in the fee. Mr. Yankee noted there is a driveway going in the new exit with a house. Is that part of the property? It looks boxed out? Mr. Reed advised that it is part of the property but what the line shows is the back area of the campsite. It could possibly become a rental unit.

Mr. Yankee asked what they have for neighbors across the way and along the property line of the new sites. Mr. Reed advised that this is a residential development across the road. He feels there are three or four

houses there. Along the back side to the west of this, there is a newer development that abuts the property to the west. From the back corner, the closest structure is over 600' away. There are closer properties to the campground parcel across Baker Road on the other side. They are probably within 100' of the road.

Mr. Yankee asked if Mr. Reed reached out to the neighbors across the road since he is shifting the traffic flow that could impact them? Mr. Reed advised that he personally did not reach out to them. He thinks Mr. Crooker may have reached out to them since he has been in touch with his neighbors. He is confident that most everybody in the area is aware of the proposed development. He added that most of the traffic leaving here will be on Monday mornings and the larger vehicles will be pulling in and staying for an extended time. Mr. Yankee would be interested in learning about traffic counts. He feels the wood processor will have some type of cutting machine and asked if the area is wooded? Mr. Reed advised that it is a wooded area.

Mr. Donahue asked about the dumpster. Mr. Reed advised that the dumpster would be in an enclosure and they will take a look at it to determine if additional vegetation would be in order and would be something they will show on the site plan application. Ms. Pelletier added that with regards to the wood clearing area, she wanted the Board to know that the Town has relatively new ordinances that might come into play which can be found on the town's website. We have an Earth Material Processing Ordinance now which has some regulations and a Loitering, Curfew and Noise Ordinance that has some new regulations on the timing of using some materials that might be involved. She suggested that Mr. Reed flag that on his radar as he finalizes his plans to use that space and make sure he looks at those standards because they will come into play as well.

Chair Reiche wanted the record to reflect that Mr. Monteleone arrived at 6:47 p.m. so the Board is all present now. He noted that at the end of the discussion, we will decide if we want a site walk or not so we will have a better mental picture on what this is all about. He asked if this has historically been open to the general public? Mr. Reed mentioned that the campground is a private campground but it is open to the public. Chair Reiche addressed Caroline and mentioned that Mr. Reed asked about the possibility of the Board issuing an approval or final decision while the stormwater management plan is still pending? Mr. Reed explained that what he is curious about and this typically happens when they have an application for a subdivision or a site plan, he was thinking specifically for a designed engineered septic system as well as there will be a couple of pump stations to basically feed the septic and if those final designs would be required before they receive a permit approval or if they could condition those with the approvals so the final designs would be completed before any sort of a building permit was issued. They are taking test pits right now and working with DHHS and other organizations to make sure that these are sited appropriately. They know they have capacity based on the design calculations and everything else. He knows they are interested in moving forward with the Site Plan Application as soon as they can with the goal that they will be able to start some of this work before the busy part of the camping season starts. With that in mind, his question is whether those specific items could be part of a conditional approval?

Ms. Pelletier advised that ultimately, it is up to the Board regardless of what she thinks. For stormwater that is usually resolved with the exception that there could be a few minor adjustments. For water, in this case where this is a public water supplier, there is usually something contingent on getting final approval or whatever might be required by DHHS as a public water supplier and due to the modifications. As far as waste disposal, we don't always have the septic designs but the Board will need to have enough information to tell that that standard for solid waste can be met whether that be test pits or other analysis, she thinks as long as the Board feels that they have the information they need to make a decision. She thinks when she is back in the office and other Town Staff can work with Mr. Reed and look at what he has and see if they feel he has enough information to bring to the Board.

Mr. Reed wanted to be clear that they are planning on having the stormwater management plan designed

and completed before they submit the application. He was more concerned with the septic and water supply than anything else because those are items they will be dealing with external agencies and as long as they provide adequate information to the Board so that they are comfortable to make it a condition, they will move forward that way. Mr. Yankee asked the Town Planner to highlight Section 505, Campgrounds of the Town of Freeport Zoning Ordinance. Ms. Pelletier read the section into the public record. She is confident that the applicant is aware of all of these things. Mr. Yankee wanted clarification on whether this is open to the public. He thinks it is available to the public paying customers and he being a Freeport resident could not just walk in and go swimming in their pond. It is not a membership campground where you have to be part of a larger membership or something like that.

Mr. Reed introduced Ted Crooker, owner of the campground. Mr. Crooker advised that he lives in Brunswick and has always been interested in campgrounds. He has owned this campground for six years and in 2018 they were chosen by Step Outside as one of the five most awesome campgrounds in the state of Maine. He could not believe it but his daughter did their website and they got a lot of favorable reviews. The vehicles there are not any louder than a UPS truck. He mentioned all the things offered there and that he has always encouraged the neighbors to come in and walk or bike. There are some great kids that come and play basketball and kayak. It is quiet after 8 or 9 p.m. They want to be a friendly neighborhood and offer food. He noted that the neighbors are always welcome and anybody in town is welcome.

Ms. Hamlen feels a site walk would be very helpful but her question is with all of this snow, how can the applicant mark it out so the Board can see where today all the campers are versus tomorrow? She feels it will be difficult because of the weather. Mr. Reed offered to make sure the access drives are clear so that they are safe to walk. They can go in and park along the access drives and the proposed access drives. This is where the sites are going to be. With the plan in hand, he thinks he can help everybody visualize the potential development.

Ms. Berger asked what the terrain is that the Board would be walking on? She asked if it is wooded or vegetated? Mr. Reed advised that most of it has been cleared. Mr. Monteleone asked Ms. Pelletier if there has been a prior analysis or determination about whether the pads for RVs fit within what the ordinance describes as a road or driveway that is excluded from the square footage count per site? Ms. Pelletier explained that this is typically not called out but feels it is something we need to take another look at and work with the applicant on. She noted she could have the Codes Officer look at it before the applicant comes back.

John Lowe was on Zoom and noted he lives close to this campground. His children went there when it was first started. He has concerns with the additional campsites and if they are all going to have outdoor fireplaces and so forth and how that is regulated. The other issue he is concerned with is lighting. He mentioned the the night skies we have in Maine and he hopes the lighting will be kept to a minimal. He is not sure how that will be addressed or addressed at all through the ordinance. He is supportive of the campground and always has been but with the expansion and if they are going to have this large new solar array, he is not sure how many of those they can have on the site. He thinks the site walk would be very good and the Board should schedule it. He lives on a dead-end road and feels there should be some additional signage to keep campers from taking a wrong turn on to his road. Chair Reiche advised that the lighting standard is part of the Board's review.

Pete Navarra advised that he lives on Champagne Lane with his family and they are also familiar with the campground. They also have issues with campers coming down their dead-end street and having trouble turning around. With 25 more campers coming in, he wonders if there are any plans to update or reinforce

the fencing that borders their subdivision? Mr. Reed noted that is something they can take a look at. He feels there is a fairly substantial wooded buffer between the existing development and the campsites but they want to be good neighbors. They will definitely look at it and if it needs reinforcement, they will include it in the application.

Scott Poulin mentioned he lives at 55 Baker Road which is right next to the campground and right next to the new drive that was recently put in. He advised that everything that has been done to that campground has been an improvement. Over time, it was very dilapidated and traffic is really bad if you come out the other end. If you crest the hill where his home is, you can't really see what is down beyond it. Cars really fly over the road there so having the exit of the motor homes coming out to where the new drive is a huge sight improvement over what is going on now. Mr. Crooker has done a huge amount of improvement to that campground. Mr. Poulin's family is able to use it. They walk down and walk their dog. Everything Mr. Crooker has done has been very tasteful and if he tells you he is going to do something, you can be guaranteed he will do it. He is fully supportive of this addition to the campground. There were no other public comments provided.

Chair Reiche asked how the Board feels about a site walk? Ms. Pelletier felt it would be good to schedule it but she needs a week to notify the abutters. There was consensus to schedule it on Thursday, January 25 at 8:30 a.m. Ms. Pelletier will get the meeting notice out tomorrow and will coordinate it with Mr. Reed so he can mark out the location of the proposed road extension and the location of the new campsites.

#### **Desert of Maine –Site Plan Amendment**

The applicant is seeking approval for a Site Plan Amendment at the Desert of Maine. Proposed changes include adding nine geodesic domes and one additional cabin all for camping and in locations previously approved for tent and/or RV sites. A new Wellness area is also proposed and will include amenities such as a sauna and hot tub. Other minor site alterations are proposed. There will not be an increase in the overall number of camping sites on the property. Zoning Districts: Rural Residential I (RRI) and Nature-Based and Art Overlay District (NBAOD). Tax Assessor Map 22, Lot 8 (95 Desert Road). Heestand Family Holding, LLC (Mela and Doug Heestand), applicants and owners; Doug Heestand, representative.

Ms. Pelletier explained that this is a modification of previously approved plans. The applicant has 28 campsites. The Board might remember that they had some tent sites and cabins. At this point they are coming back. They want to convert the remaining existing sites to nine of them with domes and one site to have an additional cabin. There is no increase in the overall number of sites. Due to the combined square footage of all sites, they were over the threshold for Staff approval. As presented in the past, these changes of putting these new platforms in for sites, they are actually going to dig up some of the old impervious area where they have the area for campsites and will loam and seed and do some replanting so there will be a decrease of impervious area on the site. They will not change the grading so due to the fact that they are not changing the grading and there is a decrease in some impervious area, our Town Engineer did review it and there is not a concern for stormwater. They should be able to treat with the existing system they have on site. There are no changes to roads or anything like that. They will have some ground-mounted solar lights and per the ordinance they will be required to be full cut-off fixtures. The only thing that came up in review which was referenced in Adam's memo, down in the back of the property where Site 26 is, there is a question as to the proximity of one of the dome tents to a possible stream. It is an existing campsite but if they are going to make changes, the suggestion was made to reach out to DEP to see if that is in fact a stream and if they keep it in the location whether or not they would need any permitting. If it is a stream and they want to push it back to meet the 75-foot setback, that is something that could be handled at Staff Approval or they could decide to

just leave it where it is. Otherwise, there is no real concern with the property because they are not increasing the number of sites on the property. Chair Reiche clarified that the only substantive change from what the Board already approved is the combined size of the units being added. Ms. Pelletier explained that before a lot of them were tent sites and cabin sites and now they are going to be domes which are a little bit bigger. Chair Reiche mentioned that in the Staff Report, Ms. Pelletier raised that one site might be close to a stream but that is not an issue for the Board. It is a compliance issue. Ms. Pelletier explained that a stream is not regulated by the Town of Freeport. If it is a stream, DEP is the only one that can make that determination. It would fall under their purview. The applicant is aware of that and we would not issue a building permit for that one single site until they got clarification from DEP. To be honest, with a couple of people out of the office this week, it has been a bit of a challenge to get clarity on it before the meeting. She thinks that if the Board wants to take action on this tonight, somebody wanted to make a condition that prior to issuance of a building permit for changes to Site 26, the applicant will work with DEP to determine if there is a stream at that location. She doesn't feel that will be a big issue. Chair Reiche clarified that in order for the Board to vote on this favorably, that would be a condition to be added beyond what is presented. Ms. Pelletier believes it is a reasonable condition and fair.

Doug Heestand was welcomed back to the Board. He noted that he did not have too much to say other than add to what Caroline said. They are completing this transition they started a couple of years ago from being all tent and RV sites to being all turn-key camping, cabin and now domes. Basically, it is all turn-key camping. It is a continuation of that vision and the final piece. They built the first set of cabins a few years ago and they went over really well. People really loved them so they built a bunch more last year and now they are going to do the rest. The other part of the application is an addition of a small spa but it is essentially a hot tub, sauna and cold plunge. They do not have a ton of amenities, no pool. This will be a nice thing for campers to enjoy.

Ms. Hamlen mentioned that the larger domes have a little bathroom but one small dome does not have a bathroom. She asked where they go? Mr. Heestand explained that they would go to the common bathhouse. Mr. Yankee asked at what point do these become residences or treated differently than temporary? There seems to be a distinction but he doesn't know how they get classified. Ms. Pelletier advised that there is a distinction and there is a specific definition in the ordinance for campgrounds. She read the section in the ordinance for campgrounds into the public record.

Tais Szapanerfer advised that she owns a business on U.S. Route One and has known the Heestands for some time. She is very supportive of these new upgrades that they are trying to make. She feels it will bring in a different clientele. Kathy Welle of Merrill Road advised that their property actually backs up against the Desert of Maine. She feels that their improvements to the Desert of Maine have been fantastic. She is on board with their proposed changes. There were no further public comments provided.

Chair Reiche called for a motion and noted that Ms. Pelletier suggested adding a fourth condition subject to compliance with regulations for stream setbacks. Ms. Pelletier wanted to clarify that the applicants need to work with the DEP to first determine it is a stream and obtain any applicable permitting if it is.

#### **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 parcel is in the Rural Residential I Zoning District and the new Nature-Based and Art Overlay District (Section 428 of the Freeport Zoning Ordinance). Proposed changes include adding nine geodesic domes and one additional cabin all for camping and in locations previously approved for tent and/or RV sites. One of the new cabins (site 5) will be designed to be accessible. The change will not be an increase in the overall number of camping sites on the property and there will still be 28 in total. The new structures will be located in the areas that are already cleared and between existing vegetation. The domes will be on raised decks; minimal earth work will be required and grading will remain unchanged. 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 - 234 - 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 of Chapter 22 - Design Review Ordinance in its Site Plan Review findings. If the structure is located in a Commercial District (Commercial I, Commercial III and/or Commercial IV), the Staff Review and/or Project Review Board shall incorporate the findings of the standards of Section 527. Performance Standards for Commercial Districts in its Site Plan Review findings.

*The parcel is not within the Design Review District. All new or replacement structures will comply with the setback requirements of the applicable zoning districts. The site is currently used as a campground and nature-based commercial enterprise. All cabins will be located in previously approved sites. The new structures will be located in the areas that are already cleared and between existing vegetation. The domes will be on raised decks; minimal earth work will be required and grading will remain unchanged. 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 any applicable State or municipal standards.

*Vehicular traffic to the site will not be altered. 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.

*No changes to parking are proposed. 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 of this Ordinance. 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 new structures will be located in the areas that are already cleared and between existing vegetation. The domes will be on raised decks; minimal earth work will be required and grading will remain unchanged. Some areas of gravel at the sites that was previously needed for the RV's will now be revegetated with loam and seed, mulch and plantings; resulting in a decrease of about 888 sf of impervious area on the site (and as presented in the last submission). No changes to the stormwater management system on site are proposed. Review comments from the Town Engineer are included in an email dated 01/10/24. In the email he did raise the question about the proximity of one of the dome tents to a possible stream. This is something that will need to be resolved before a building permit can be issued. 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.

*No changes to utilities are proposed. 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.

*Other than site numbers, 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.

*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: 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.

*New solar ground lighting is proposed for the cabins and all lighting will be required to be full cut-off fixtures compliant with Section 521.A of the Freeport Zoning Ordinance. 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 changes to the previously approved landscaping plan are 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) Will maintain safe and healthful conditions; (2) Will not result in water pollution, erosion, or sedimentation to surface waters; (3) Will adequately provide for the disposal of all wastewater; (4) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat; (5) Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters; (6) Will protect archaeological and historic resources as designated in the comprehensive plan; (7) Will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District; (8) Will avoid problems

associated with floodplain development and use; and (9) Is in conformance with the standards of Section 306, Land Use Standards, of the Town of Freeport Shoreland Zoning Ordinance.

*This parcel is not within the Marine Waterfront District or the Shoreland Zone. The Desert of Maine is a public water supplier licensed through the State of Maine. Wastewater disposal will be through private systems. No changes are proposed to the wells or septic systems at this time. Based upon this information, the Board finds that this standard has been met.*

- m. Erosion and Sedimentation.** The proposed site shall be constructed in accordance with the Maine Department of Environmental Protection's Best Management Practices and shall not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy situation results.

*The applicant previously submitted an erosion and sedimentation control plan and no changes 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.

**MOVED AND SECONDED:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and a Site Plan Amendment for Heestand Family Holding, LLC for a site Plan Amendment with changes to include the approval of nine geodesic domes and one additional cabin at previously approved campsites (for a total of 28 campsites on the property), a wellness area and other associated site improvements, to be used seasonally, at the Desert of Maine (Tax Assessor Map 22, Lot 8), to be built substantially as proposed, application dated 12/26/23, 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 their 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 construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Department.
3. The conditions of approval from the past approvals as still applicable.
4. Work with DEP and obtain applicable permitting relative to stream setback. (Madeira & Donahue)

Mr. Monteleone asked if the ordinance defines the permissible season? Ms. Pelletier advised that they can only be used for a season between May 1 and November 1 lodging. He asked if the Board needs to fold in the dates May 1 to November 1 into our order? Ms. Pelletier advised that she does not feel that the Board needs to do that. It is part of the standard and it is better to leave it separate.

**ROLL CALL VOTE:** (7 Yes) (0 No)

**ITEM IV:** Discussion of recent Ordinance amendments considered by the Town Council.  
Chair Reiche feels this was adequately covered and Ms. Pelletier agreed.

**ITEM V:** Review of 2024 Meeting Schedule.

Chair Reiche noted the meeting schedule was shared and if the Board has not gotten individual comments back to Ms. Pelletier for the proposed meeting dates for the rest of the year, we should all do so and we can consider making changes. Ms. Pelletier mentioned that if Board members discover a meeting on a holiday, she suggested getting it out there now. February and April are school vacation weeks. She knows the Board is down one member for the February meeting. If you look at the schedule there is one big change in the June meeting date because of the holiday. She wants to make sure everyone is okay with that.

The question is if the Board wants to take the month of August off? Figuring it out now makes it easier for applicants if we get it out now. We can always revisit. Chair Reiche noted that traditionally the Board took the month of August off. He asked if anyone has an objection to trying to schedule off August? No one voiced a concern so he requested that Ms. Pelletier try to schedule August off. Mr. Yankee clarified that February's meeting is scheduled on the 21<sup>st</sup>. Ms. Pelletier pointed out that the June meeting is scheduled on June 26 and Board members advised that it was okay with them.

**ITEM VI:** Adjourn.

**MOVED AND SECONDED:** To adjourn at 7:25 p.m. (Yankee & Berger) **ROLL CALL VOTE:** (7 Yes) (0 No)

Recorded by Sharon Coffin