

MINUTES
FREEMPORT PROJECT REVIEW BOARD
FREEMPORT TOWN HALL COUNCIL CHAMBERS
WEDNESDAY, April 22, 2020
6 p.m.

ATTENDING: Chair GERALYN Campanelli, Guy Blanchard, Gordon Hamlin, Ford Reiche, Adam Troidl, Suzanne Watson, Tod Yankee, Caroline Pelletier, Interim Planner and Town Manager, Peter Joseph serving as Facilitator.

Mr. Joseph advised that Carter Becker, John Fairhurst and Billy Allen are in the audience. He provided a brief explanation to them in the event they wish to speak. They would have to raise their hand. Billy and John are the two applicants in the video pool and when it gets to their application, they will be talking for themselves.

CALL TO ORDER: Chair Campanelli called the Zoom meeting to order at 6 p.m. with all Board members tuned in. Since this is the first virtual meeting, the Board will have to be patient with each other. She thanked Mr. Joseph for facilitating this meeting and Sharon Coffin for taking the Minutes. She also thanked Mrs. Pelletier for getting this all organized. She introduced new Board member, Tod Yankee and thanked him for joining the Project Review Board.

ITEM I: Information Exchange

1) Update on Overlay Working Group

Chair Campanelli explained that because of COVID, they have not been meeting. Council has had all non-essential meetings postponed. Once we can start meeting again, we will get back together and see what we can do for the next year.

2) Update on Planning Board agenda items

Mrs. Pelletier noted that due to the Council's request that we only be working on essential items, the two big items the Planning Board is working on require significant public notification which is a concern right now for many reasons. One is that should everyone we have to notify wish to attend, we cannot currently accommodate them. The Planning Board was set to have a public hearing on the Solar Regulations but had to put it off. When they resume, they will be working on that and Shoreland Zoning will not be far behind. Right now, we anticipate they will have a June meeting. She expects applications to come in but what that agenda will look like she will let this Board know at its May meeting.

3) Update on Staff Approvals

Mrs. Pelletier mentioned that she went ahead and staff approved the Doten's Construction project since it fell under the threshold for staff approval. Because it is Route One South, she cautiously put it on the March 18th agenda. They moved the entrance from the side facing the carwash to the side facing the parking lot. They had minor changes such as moving a walkway, they increased the bay to the carwash by a couple of feet because they needed more room for mechanicals. She approved new signs for AT&T in Freeport Village Station. Technically they are not signs because they can't be seen from the right-of-way. They replaced the Dairy Queen. She staff approved a small addition to Sweet Repeats which is in the Cuddledown Building. They enclosed a covered walkway that used to lead to bathrooms which are no longer there so they proposed to enclose that area with same materials and it was less than 100 sq. ft. The last staff approval was for two signs for Freeport Hotel which was formerly known as Super 8. She put copies of the staff approvals in the Board's digital packet so they could see what they are.

4) Update on requests to table applications

Mrs. Pelletier explained that this is something we needed to put on the agenda so the Board would be aware of a couple of requests that came in. Some of the ordinances the Board works in different applications have timing restrictions. There are timing restrictions unless the Board and the applicant agree on a time to take stuff up. She needs to see if there are any objections from the Board for the requests tabled which are both from the March 18th agenda. The first is WS Development and they were seeking a change of use for a brewery in the Shaw's Plaza and were also proposing some exterior alterations. They have requested to be tabled at this time. When we get back to our regularly scheduled meetings, she will reach out to them and they will let her know when they will come to the Board. The second one was a request from Divine Capital which is for 144-unit apartments. They need to come back for final review from the Board. At this point they would like to wait until they can do it in person. That is the request they have made but she still will be communicating with them. If we keep up with virtual meetings for a while, we may change that. She asked if there is any objection from Board members that those two items be tabled as requested. Board members did not voice any objections.

ITEM II: Review of Tabled Items

Thos Moser Building – Main Street

The applicant is seeking approval of a Design Review Certificate for exterior alterations including new replacement windows and replacement doors at 149 Main Street. No other changes are proposed. Zoning Districts: Village Commercial II (VC-II), Design Review District I – Class B Building, & Color Overlay District. Tax Assessor Map 12, Lot 28. Maine Windows and Doors, applicant; The Urban Trust, owner; Billy Allen, Maine Windows and Doors, representative.

Mrs. Pelletier explained that Billy Allen is here to represent the item. Thomas Moser wants to replace some windows. The main portion of the house is significant in terms of Design Review. It appears that the back section where they are proposing to replace windows, had at least some significant alterations in the 80s. Ironically, they have vinyl windows on the main portion but not on the addition and they are having some issues. They are proposing to replace windows in the same location, in the same size but it is a material change which comes to the Board for review and approval. All vinyl is proposed and there is a sliding door on the back that they are going to replace and some windows back there in the basement which are not visible so technically they don't trigger Design Review.

Billy Allen pointed out that the main structure which occupies the showroom of the furniture store has replacement windows currently. The windows in the newer part which has the garage doors underneath are wooden windows and have pretty much rotted out so they are requesting to switch to a vinyl material. The windows in the main structure are aluminum but aluminum right now is expensive and, in his opinion, is not a very energy efficient product so the trustees have requested a vinyl product to be used in the replacement of windows in the back structure.

Chair Campanelli asked why there is a sliding door that goes nowhere. Mr. Allen advised that it will be remove and it will be replaced with a window like you see on the front of the building. It will be a picture window and a casement.

Mr. Joseph noted that the Board has to do a Roll Call when voting. Mrs. Pelletier mentioned that there are two members of the public in attendance. Chair Campanelli asked if anyone wanted to make a public comment. Mr. Joseph noted that there are no raised hands or *9 if calling from a phone.

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.

The scale of the building will not be 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 of buildings should be visually compatible with the heights of the buildings in the neighborhood.

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

- 3. Proportion of Building's Front Facade.** The "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 proportions of the front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

- 4. Rhythm of Solids to Voids in Front Facades.** 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.

The rhythm of solids to voids in the front façade will be retained as windows will be replaced in their existing locations. 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.

Proportions of openings within the facility will remain unchanged. 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.

The roof shape of the building will not be altered. 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 building currently has a variety of doors and windows and includes a combination of wood, vinyl and aluminum materials. The windows proposed for replacement are currently wood; vinyl is proposed. 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 rhythm of spaces to building on the street will not be altered. 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 signage is 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.

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Maine Windows and Doors, representing the Urban Trust, for exterior building alterations at 149 Main Street (Tax Assessor Map 12, Lot 28), to be built substantially as proposed, application dated 02/24/2020, finding that it meets the standards of 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. (Blanchard & Watson) **ROLL CALL VOTE:** (7 Ayes) (0 Nays)

Fairhurst Residence – Main Street

The applicant is seeking approval of a Design Review Certificate for exterior alterations including the removal and replacement of an existing covered porch on the front and side of the existing dwelling. No other changes are proposed. A four month notice of demolition may be required per Section VIII.A.2 of the Freeport Design Review Ordinance. Zoning Districts: Village I (V-I), Design Review District I – Class B Building, Color Overlay District and Freeport Village Overlay District. Tax Assessor Map 12, Lot 53. John and Christina Fairhurst, applicant and owner.

Mrs. Pelletier explained that this is a residential dwelling on Main Street that has a porch on the front that wraps round to the side. The applicant is proposing to remove it and replace it. The new porch will be a bit smaller. They are hoping to make a little more room between the existing windows on the front façade and the start of the new covered porch. It would be wood material and they will be adding a set of steps which will allow them to exit from the rear. She is not aware of how visible they will be. At the back set of steps they are also proposing a patio but it would not be visible from the right-of-way. As far as procedure due to the building classification, there are a couple of things the Board needs to discuss here. One, sometimes we look at these applications as demolitions and then it would require a four-month notice period. The other option because the applicant is proposing to take the porch off and replace it in a very similar style, trying to make it more historically accurate than the current porch would be for the Board to look at this as a replacement. If it is a replacement, the Board would strictly make the finding and consider it as a replacement rather than a demolition. They would then go through the standard process of issuing a Design Review Certificate. If the Board doesn't feel this is a replacement and does not meet that definition, the Board could look at it as a demolition request in which case the applicant has a four-month notice period. At the end of the four months, they would come back to the Board for the Board to deem that process complete and then issue a Design Review Certificate for the new porch. If the Board does want to look at this as a demolition, the applicant has made the request that the Board consider the four-month clock starting March 18th.

Mrs. Pelletier discussed this with the Town Attorney and since this is an unprecedented situation and we haven't had the ability with normal meetings that get cancelled to reschedule it. Here we are a month later, she felt that this is something that the Board could consider to allow the four-month clock to start when we had the application originally scheduled on March 18th or they could look at it starting today which would push the applicant back another month. Board members did not have any questions.

Mr. Fairhurst pointed out that the existing porch is in very poor shape and has had numerous repairs and patched together. They deemed it would be easier to remove it and replace it with everything that needed repair. They worked with Joe Waltman, a Yarmouth architect, to help them change a few of the lines so it matches better with the existing house. He noted that the porch roof runs into a bay window which causes issues with water drainage. They are mostly trying to replace the porch as new.

Chair Campanelli asked for Board questions or comments. Mr. Troidl noted he does not have any questions and that everything presented was pretty thorough. He would not have a problem considering

this as a reconstruction which he feels makes the most sense in this scenario. In reading all the documents, the existing porch was not original and is fairly plain. The new one will improve the appearance of the house. For him, it would fall under reconstruction just fine. Mr. Hamlin and Ms. Watson supported the same conclusion. Chair Campanelli also agreed and mentioned that with any reconstruction, you have to have demolition but some of the demolition we have seen in the past, there hasn't been any replacement. Although the applicant is not replacing exactly what was there, it seems to fit fairly well contextually and spatially with the existing house.

Mr. Reiche mentioned his concerns are if we bump into this in the future and the precedent for us calling this as reconstruction. This is clearly going to be a very thoughtful replacement and improvement to the design in terms of authenticity, etc. While he was a little concerned about calling it a replacement, he is fine going along with it. There were no public comments provided.

Chair Campanelli pointed out that if the Board is comfortable calling this a reconstruction, we would want the proposed motion for reconstruction. Mrs. Pelletier added that she shared Mr. Reiche's concerns. It is important. This is a different way of looking at stuff but it seems like the Board feels it might be appropriate. In the draft motion, the Board has No. 2 why it is considering it a reconstruction but it is the Board's motion so if it feels there needs to be more reason or clarity in that, somebody could add it to the draft motion before you. Chair Campanelli pointed out that she feels No. 2 explains it fairly well and pretty complete. She thinks what the Board is concerned about is setting a precedent and No. 2 defines it well enough so if someone wanted to try this, they would have to be able to replace in similar size and scale, historically accurate, etc. In the demolitions we have seen so far, that hasn't been the case which was removal and not rebuild.

Mr. Blanchard asked if the Board would agree to add anything that the existing porch is not original or altered to qualify this a bit more. Mr. Troidl mentioned that technically he doesn't feel this porch should be on this style of home. Going down the road, the house is over 100 years old and the porch is 100 years old. Chair Campanelli would not be opposed to adding an amendment and suggested coming up with some verbiage. Mr. Blanchard feels it is fine but if others want to qualify it a bit more, we can just to get us out of the weeds a little bit. Mr. Reiche advised that he would just as soon be as far out of the weeds as possible and on No. 2 if we added at the end of the first clause so that it reads: The Board finds that this is an application for reconstruction of a porch not original to the structure. Mr. Troidl suggested striking historically accurate and just put to be more compatible with the front façade.

Chair Campanelli asked someone to reread what they are thinking. Mr. Troidl read: The Board finds that this is an application for reconstruction, as the applicant will be removing and replacing an existing porch that was not original to the house, in the same approximate location, of similar size and scale, and to be more compatible with the front façade. Chair Campanelli asked what Board members thought. Mr. Blanchard feels this is fine but the most important fact is that the porch is not original versus that it is trying to look historic so it kind of gets us in the reconstruction versus demolition. He feels that the demolition portion of the Ordinance speaks to protecting and giving opportunity for preservation of historic buildings. By qualifying that it is not original or substantially altered, we are giving the applicant the ability to reconstruct versus forcing this four-month delay. Mr. Reiche also gave his stamp of approval.

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.

The scale of the building will not be altered as the proposal includes removing and replacing an existing porch, in the same approximate location, of similar size and scale, and to be more historically accurate in regards to the compatibility of the front façade. 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 the building will not be altered. The height of the reconstructed porch will be the same as the existing. 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 proportions of the front façade will not be altered. The proposal includes removing and replacing an existing porch, in the same approximate location, of similar size and scale, and to be more historically accurate in regards to the compatibility of the front façade. There will be more space between the porch and the existing window on the front façade. 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.**

The rhythm of solids to voids in the front façade will be retained. 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.**

Proportions of openings within the facility will remain unchanged. 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.

The roof shape of the building will not be altered. The roofline of the new porch will closely match the original porch. There will be an increase in the space between the windows on the front façade, and the start of the new covered porch. Trim details and the porch roof overhang will be retained. 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 materials of the reconstructed porch will be wood with architectural asphalt shingles on the roof. Any areas of pressure treated wood will be not visible or will be painted. IPE decking will be used for the porch. The new guard and railing system will use balusters and lattice will be used to cover the area below the porch. 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 rhythm of spaces to building on the street will not be altered as the reconstructed porch will be in the same approximate location. Based upon the plot plan included in the submission, the proposal appears to comply with this space and bulk standards of the underlying zoning district and the Freeport Village Overlay District. 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 visible changes to any site features are proposed. There is a patio proposed off the rear of the porch, however since it will not be visible from any right-of-way, it is not subject to Design Review. 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 signage is 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 (Reconstruction):

MOVED AND SECONDED: That the Board consider this a reconstruction with the following motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for John and Christina Fairhurst, for the reconstruction of a porch at 195 Main Street (Tax Assessor Map 12, Lot 53), to be built substantially as proposed, application dated 02/25/2020, finding that it meets the standards of 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) The Board finds that this is an application for reconstruction, as the applicant will be removing and replacing an existing porch that was not original to the house, in the same approximate location, of similar size and scale, and to be more compatible with the front façade.
- 3) Prior to the start of any construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer. (Troidl & Hamlin) **ROLL CALL VOTE:** (7 Ayes)

ITEM III: Persons wishing to address the Board on non-agenda items.

There were no public comments or questions for the Board.

Mrs. Pelletier mentioned the Board's meeting timeline. Tonight, the Board got through its first meeting in a half hour and it went pretty good. She still has two items tabled from the March meeting. We have certain timelines and notification that we need to adhere to. Her first thought was to take the first Wednesday in May which would be May 6 and have a virtual meeting on that day. We would have a conceptual subdivision presentation which was tabled from March and one of the applications for a dock. We would then potentially have the regularly scheduled meeting on the third Wednesday which would be May 20th. She feels that the Board will get at least two or three applications for the 20th. The option would be to do everything on the 20th or try to have a small meeting on the 6th. She asked if the Board would prefer to have a meeting on the 6th to address the two tabled items or go for a big agenda on the 20th. Chair Campanelli noted she would prefer to have two shorter meetings since we can do them from home but asked how others felt. Mr. Troidl mentioned he would prefer two short ones and Ms. Watson also agreed she is up for two short meetings. Chair Campanelli advised that if we can do two short meetings in May, we can get caught up and hopefully in June, if we can meet, we won't be so overwhelmed and won't have such an overwhelming agenda which would be nice, she hopes. Mrs. Pelletier feels that after the 20th, unless we get a bunch of unexpected stuff, she could see getting back

on the normal schedule of meeting on the third Wednesday of each month. There was support from the Board for two meetings in May.

ITEM IV: Adjourn.

MOVED AND SECONDED: To adjourn. (Hamlin & Watson) Mr. Joseph hit the end button before a vote was taken!

Recorded by Sharon Coffin