

**MINUTES**  
**FREEPORT PROJECT REVIEW BOARD**  
**FREEPORT TOWN HALL COUNCIL CHAMBERS**  
**WEDNESDAY, AUGUST 21, 2019**  
**6 p.m.**

**PRESENT:** Geralyn Campanelli (Chair), Guy Blanchard, Gordon Hamlin, Ford Reiche, Adam Troidl, Suzanne Watson, Drew Wing and Caroline Pelletier, Interim Planner

**CALL TO ORDER:** Chair Campanelli called the meeting to order at 6.10 p.m. and apologized for the delay.

ITEM I: Informational Exchange

a) Update on Staff Approvals

Ms. Pelletier explained that she did a staff approval for Stars & Stripes Brewery at 8 Varney Road. They just added the word "Brewery" under the American Flag.

Ms. Pelletier advised that she was contacted by an applicant that intends to make application to the Board pending some zoning changes that are supposed to go through if they are acted upon, the beginning of September. They are hoping to submit and come to PRB with a large 144-unit housing project in the Commercial District on Desert Road near Hunter Road. She asked the Board how it feels about having a site walk before the meeting. They want to make application and come to the Board for a conceptual presentation in September. They asked if a site walk could be held prior to the meeting. Public notice would be made to abutters within 500'. They are proposing six buildings with 144 units on two parcels on Desert Road. It is a pretty high-density project. After discussion, it was decided that the site walk should be scheduled on September 18, 2019 at 5 o'clock.

ITEM II: Approval of the minutes from the Wednesday, July 24, 2019 Project Review Board meeting.

**MOVED AND SECONDED:** To adopt the July 24, 2019 Minutes as written and read.  
(Watson & Wing) **VOTE:** (7 Ayes)

ITEM III: Reviews

**CVS Pharmacy – Signage and lighting**

The applicant is seeking approval of a Design Review Certificate for replacement signage and additional lighting at their existing location at 10 Middle Street. No other changes are proposed. Design Review District I – Class C property. Zoning District: Village Commercial I (VC-I) Tax Assessor Map 13, Lot 33. Poyant Signs, applicant and representative; Vantage Realty Corporation, owner.

Ms. Pelletier explained that an application was received from Poyant Signs, representing CVS. The applicant reached out to her because they wanted to do some replacement signs. There are provisions in the Design Review Ordinance for staff approval. However, one of the things in the Ordinance that there are no provisions for, is lighting. They want to do some replacement signs and add some lighting fixtures to match other fixtures that are on the building but in a new location so it had to come to the Board. She likes to keep things together so she brought the whole application to the Board for signage

and lighting since it had to come anyway so the Board could see what they are proposing. It is pretty straight forward. The signage is on four sides of the building and they have a ground sign. The lighting fixtures are on the side. The applicants are here tonight if there are questions.

There were no Board comments or questions provided.

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.

*No changes to the scale of the building are proposed. 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 overall structure will not be altered. Based upon this information, the Board finds that this standard has been met.*

3. **Proportion of Building's Front Facade.** The "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.

*No changes to the proportion of the building's front façade are proposed. 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 not be altered. 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.

*The proportions of openings within the facility will not be altered. 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.

*No changes to the roof shape are proposed. 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.

*No changes to the building façade are 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 streets 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".

*The applicant is seeking approval of a Design Review Certificate for replacement signage and to add additional lighting. Cut sheets of the shielded LED fixture and the replacement gooseneck fixtures have been included in the submission. There are five existing signs on the property; one ground sign and four building mounted signs. All signs will be replaced with the applicant's new logo and colors. The total square footage of all signage will be decreased from 176 sf to 128.75 sf. The building mounted signs will be aluminum channel letters which will be attached from the rear and externally illuminated. The brick building façade in the sign locations will be repaired as needed and will match the existing materials. The building signs will be either red or white in color, as shown in the*

*submission. The ground sign will have an aluminum sign face with acrylic graphics applied. 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 Poyant Signs (Tax Assessor Map 13, Lot 33), for replacement signage and new lighting at CVS at 10 Middle Street, to be substantially as proposed, application dated 07/24/19, 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 any work on the building, the applicant obtain applicable permits from the Freeport Codes Enforcement Officer.
- 3) The applicant provide written approval from the property owner for the proposed changes.

**MOVED AND SECONDED:** To approve the proposed motion as read and written in the Staff Report. (Blanchard & Hamlin) **VOTE:** (7 Ayes)

### **Doten's Construction – New Buildings**

The applicant is presenting plans for a new development which would include a lot split, a 3,360 s.f. building for office, and a 2,560 s.f. car wash and associated site improvements at 392 US Route One. Zoning District: Commercial I (C-I). Tax Assessor Map 26, Lot 41. 392 Doten, LLC., applicant and owner; Rebecca Lizotte, Doten's Construction, representative.

Rebecca Lizotte, explained that last month she brought a conceptual idea of splitting their property, where they operate their office out of right now on U.S. Route One, into two parcels. They want to build two buildings on the parcel. One will have an automated car wash with two active bays. A third bay is set aside for expansion. She is not sure it will be a third active bay. There is talk about maybe having a dog wash. The other building will be their new office so they will be relocating out of the home they are in now. Presently they are operating out of two separate offices. They hope to build one office and put them all in one building. She brought her team this time as well as detailed drawings. Eric Dube from Casco Bay Engineering will be discussing storm water. Charlotte Maloney is here to discuss landscaping. Car wash representatives are here who will be selling them their overhead doors. A plan was put up.

Eric Dube, civil engineer, pointed out the one entrance they are proposing on the plan. He also pointed out the boundary of the lot with the existing building as well as an existing garage. They are proposing a single entrance lined up from the proposed entrance across the street which is Maguire Construction. The entrance will face the car wash doors which is north and south. You will come in and immediately turn and you can enter from the rear. For the other building, they kept a separate entrance so that they will not have people that have to go through and coordinate with these people. They can come in and basically work counter clockwise around the site and back out to a main shared driveway. He pointed out where the drainage would be put into a retention pond on the side where they have the ability to

discharge it to the southwest corner of the property. There will be landscaping separations on the side and also in the front. They are trying to provide a walkway but there isn't any connection at this point. He pointed out where trash would be located as well as vacuums. He pointed out the paving areas and mentioned that all the other areas are green or landscaped.

Chair Campanelli had questions about their driveway widths. She advised that one side is shown at 12 feet when it should be 15 feet for a single lane. She also advised that parking spaces are supposed to be 18.5 feet but they are drawn at 18 feet. She noted that this information is from Adam Bliss' letter. Mr. Dube indicated that he could squeeze things around to make the correct measurements work.

Mr. Hamlin noted he has concerns with the storm water drainage because it is pretty flat as it goes to the north and is curious as to how that system would work. Mr. Dube explained that catch basins would capture drainage on the rear as well as on the other side and with the car wash, an oil/ water separator would have to handle the direct impact from that and pointed out where it would be discharged.

Mr. Hamlin asked about curbing. Mr. Dube advised that no curbing is being proposed and explained why he doesn't like it in Maine. It will be chewed up. He mentioned that all the storm water would be going into the pond itself. Mr. Reiche pointed out that the Town Engineer referred to this as a Bio Basin and asked if this is a conventional retention pond. Mr. Dube explained how the storm water would be treated. Any sedimentation pond has to be cleaned out here and there to make sure they don't fill up and ruin the storage ability.

Chair Campanelli asked if he has talked to the Freeport Sewer District about spillage. Rebecca advised that everything is in line. She submitted letters from the Sewer District and the Water Company saying they have the capacity for their project.

Mr. Troidl asked what the oil/water separator would be capturing if the paving is going off to the North. Mr. Dube pointed out where it will be treated as a regular parking lot but the wash bays will be pitched from the entrance back down. Detergent will be captured. Ms. Watson mentioned that it appears the drainage is on the other parcel. She asked if there is a right-of-way. Mr. Dube indicated that they will have to have easements and shared maintenance on that. The reason the pond is so big is because the intention is for both parcels to share it. Ms. Watson asked Mr. Dube to describe the proposed landscape in general especially along the 295 boundary.

Charlotte Maloney from Charlotte Maloney Landscape Architecture noted she has been tasked with looking at Freeport's regulations about landscaping in this particular district. One of the things you are most concerned about is having an attractive front along Route One and also to screen things from abutting properties. She displayed a landscaping plan and explained what area would be graded rather steeply but pitch the parking lot towards the pond. There is a nice forest from Autowerkes and the back of the building is an attractive building. A fence along the parking lot is proposed to screen cars. She pointed out an area where they are debating putting snow but there is talk about putting in several good-sized trees/shrubs. They are proposing a 15-foot wide landscaped buffer along Route One with classic street trees. She mentioned using good size shrubs and perennials and junipers. Separating them from Autowerkes, they will provide a good wide stretch of lupines along with evergreens approximately 20 feet tall. Around the office building will be a colorful row of perennials and shrubs leading into the parking lot and the entrance to the building. At the car wash, she is proposing day lilies, sweet ferns and plants of that nature that are impossible to kill. She wants to see the two buildings broken up with landscaping.

On the sides of the vacuum areas, she is planning two additional street trees to break up the mass and does not want to see a vast amount of asphalt. False Cypress trees will go in at 6 or 7 feet and grow to 20 feet.

Mr. Troidl asked Ms. Pelletier about the proposed walkway. She mentioned the Ordinance is vague about the pedestrian path so she asked the Public Works Superintendent to look at it. He said it is not something we want in the right-of-way down there. It is a good time for the Board to talk about the pedestrian path. In looking at 527, is this something that needs to be required here? While you are in 527, there is some buffering and appearance things that would be good to give feedback to the applicant as well because when they do come back, they will be seeking final approval. Since the last time they were here, the rules for overhead doors have changed. While there is no limitation, they do have to be designed to not reasonably stand out.

Chair Campanelli asked Mr. Dube to walk her through how the cars would come in and go to the car wash and the vacuum. Mr. Dube explained what would happen. Chair Campanelli noted that it seems like a lot of parking. Rebecca advised that they always go with more rather than less. If they have a meeting with the whole crew, they can use all the space. Chair Campanelli asked where they plan to store the detergents and supplies needed for the car wash. Rebecca advised that there is a small maintenance bay for storage included with the three bays for the car wash.

Mr. Blanchard asked if renderings of the buildings could be displayed. He did have one in his packet and he found that the two buildings that are part of this project look very different from one another. He has concerns that there will be a jarring effect when looking at the two buildings. He asked if there is any way to tie the two buildings together. He feels it would look much better.

Rebecca advised that their architect is working on this. The buildings will coordinate but will not match. They are different businesses. Mr. Troidl mentioned that the car wash will have a stone base. Rebecca noted that this will be done on both buildings. Mr. Troidl mentioned that the car wash rendering facing Route One is super bland at the moment and he hopes some detail will help to make it look like the front of the building and not the end. Rebecca agreed.

Chair Campanelli brought up the garage doors and Rebecca mentioned that the rendering the Board has is to depict what color the garage doors can be. The center section of the garage door is clear so the only color panel is on the bottom and the color they selected is gray to match the siding and the band of the building to try to blend them in as much as possible. Mr. Troidl feels the doors are screened well.

Chair Campanelli brought up the dumpster in the front. Rebecca noted they are working on that but showed a corner they are thinking of putting it in with white fencing so it won't be seen from Route One. It does need to be accessible for both uses. It is super accessible right now but she doesn't love it so they may shift some of the landscaping so it can be on the other side of the corral.

Mr. Troidl explained that the Ordinance says nothing about pedestrian access in the right-of-way or on their own property. Rebecca advised that their front door will be the main entrance for people. The side door will only be used for deliveries.

Chair Campanelli advised that some things are needed before the next meeting and the applicant should work with the Sewer District and Adam Bliss on some of the issues that pertain more to car washes. Ms. Pelletier advised that Police and Fire will be signing off on it. The next meeting will be considered final so

the Board will want to see elevations and materials. The landscape plan looks like it is in good shape. The site plan needs to be fixed with the dimensions and to make sure it works. Mr. Dube mentioned he will work with the Town Engineer on drainage issues. He asked where they were ending with the sidewalk out front. He knows that sidewalks are subjective. Ms. Pelletier advised that the Town Engineer did not comment on this. She talked to the Public Works Superintendent and noted that Autowerkes does not have a connecting path. If it is in the right-of-way, it becomes a maintenance issue. If it is something the applicant adamantly wants in the town's right-of-way, we could work with the Town's engineer, Public Works and Council to see what would be involved in that but they are typically not done that way. Mr. Dube asked if it is mandatory that they have a sidewalk out here. Ms. Pelletier read the section of the Ordinance explaining it. From his standpoint it would involve maintenance and it is maintenance on something that will not be used. Ms. Maloney mentioned the health of the plants involved when reducing the area from 15 feet to 10 feet. Chair Campanelli feels this is an interesting topic but the Board has been trying not to waive this. The Board would appreciate the Town Council to make more of a stance on this but it doesn't seem to be happening.

Mr. Reiche brought up Stars & Stripes Brewery and asked if the Board approved the property and waived the installation but reserved an easement. Ms. Pelletier advised that they did reserve an area to grant an easement to the Town should a sidewalk be put in in the future. Mr. Dube mentioned that that would be a good solution and they would not have a problem with that. He asked if it would be safe to pursue that route. Chair Campanelli suggested trying that. Ms. Pelletier mentioned all that beautiful landscaping being proposed and how it possibly could be affected. Mr. Dube advised that they could strategically work on that.

Mr. Hamlin thinking of Section 527.b.1, relating to the garage doors, to try to make it more compatible visually, asked if it would be possible to move where they are going to have storage to the front towards Route One and maybe put some windows or something to make it more softer and compatible. Rebecca agreed that it can be swapped.

#### **Denney Block Freeport, LLC – Site Re-development**

The applicant is presenting plans for a redevelopment project at 56 & 58 Main Street. A new structure between the two existing structures is proposed. Site Plan Review and Design Review are required. The proposal includes a request to demolish a portion of an existing Class B building. The applicant received approval from the Freeport Town Council in May 2015 for a Contract Zone for the property. Design Review District 1 – Class B & C properties. Zoning District: Village Commercial 1. Tax Assessor Map 11, Lots 110 & 111. Denney Block Freeport LLC, applicant and owner; Kevin Nice, EBI Consulting representative.

Al Yebba, representing the ownership of the Denney Block Properties noted, he is here tonight to reacquaint Board members who have seen the project before with what they want to do and for those who have not seen it before, he hopes to acquaint them with this project. In so doing, they are hoping to get some guidance tonight as to continue on with the process that was started in 2015 and bring it to fruition. Since the initial was undertaken, they have done many things on the leasing side to enhance the tenants on the property and bringing in new tenants from the outside. They are happy with the Vineyard Vines who came from one floor to two floors. It was a long process to get it approved, to get the tenant, to get the space approved by the State Fire Marshall and to build their space. During that period of time they were by contract not allowed to construct anything near that building until their space was entirely done and they were open for business. It set them back almost two years. It really pushed this project back and that is the reason why they have seen the kinds of delays they have.

They are here now and have a national tenant committed. They want to have their architect go through the proposed design now that they have an understanding of what their needs are and how it impacts their design of the project.

Kevin Nice, Architect explained that they started with the survey, the Board has a copy. He pointed out the location he is talking about on a plan. Right now, the site has pedestrian access through stairs through the middle of it. They are looking at taking down the shed portion from the Vineyard Vines building and showed where the new pedestrian access would be created adjacent to the building. They would not be removing the stairs. He displayed a plan showing what had been previously approved for this site and it was a much larger building program than what they are asking for now. He pointed out that there was much more built on the back of the building. They were able to cut it back so they can retain the façade of the existing building and the reason for doing that is trying to get access to both buildings with an elevator and have visibility of the existing Vineyard Vine building. They are still keeping the rhythm that was agreed upon. He pointed out the roof that turned out to not be feasible so there was no reason to build an additional building in the back. He pointed to where they are keeping it open which is more typical of the street. They will be a few inches below the 38-foot height limit that was previously agreed to. He advised Mr. Reiche that these were agreements from the CZA.

Mr. Nice pointed out the Dooney & Burke building, Sperry and Vineyard Vines and where their building is proposed. They do come slightly beyond the Vineyard Vines building and are planning on providing a connection. The connection is underneath the stairs and is the corner where they would come in for the public access to the elevator. The public will be able to come through the building during open hours for the store and then 24-hour access adjacent to the building with the brick path. They plan to retain as much of the landscaping back there as they can but they are still working on the site plan. They are extending the brick around the building and will reuse the granite stairs. He mentioned that the building itself is set back from the street line up and has a little cut which allows them to keep the existing window. It also helps give them a rhythm of void, solid, void, solid which is a nice bookend to all of that. He displayed another plan and noted this is a three-level building and pointed out the elevator and the access from the lower level, and the stairs. It will be open from above for pedestrian access. The Board's sheets tell what the materials are since they didn't come out well on his 11 x 17s. They are looking at two options. There is blue on the Vineyard Vines brick building and they will be coming in with a gray/blue and gray for the building. They will be coming back in with signage and lighting at the same time. They are working this out with the tenant since they don't want them to clash. They will be showing the lighting to the stairs. The gray version is typical but he feels the street could use more color. Option 1 is the one they prefer. On the building itself, they are putting a granite base which travels down the stairs. They have cut the windows down to what one would see typical on the street. The windows will have smaller side lights. The back picks up the same theme as the front. The fire escape will be a painted steel railing. The two basement uses may be related uses but he is not sure at this time. Asphalt shingles will be used in a neutral gray.

Mr. Blanchard explained that in the Board's packets there is a letter from the Historical Society dated February, 2015. While he is currently on the Board of the Historical Society, that letter was provided before he was on the Board. Chair Campanelli advised that no one on this Board was on it when this letter came through so it is new to the Board.

Ms. Pelletier explained that the applicant came in for a Design Review Certificate for a new building, site plan approval for the site design and also demolition of a portion of a Class B building. In 2015 the



applicant came before the Town to pursue a contract zone. In this case, they couldn't meet the 35-foot building height requirement. They needed the contract zone to build higher. As part of that agreement they negotiated with the Town that approved some plantings, some public improvements, one of them providing an elevator that would be open to the public that would provide access to Main Street. In the Board's packets she gave the Board a copy of the recorded contract zone agreement and with it there were two drawings, two which they showed tonight. The contract zone specifically references the drawings that were attached. They went through and paid a fee and in January 2015 they came for a demolition of the portion of the Class B building. The Board took action at that time to determine that even that little bump out on the side, based on the information from the Historical Society appeared to have been added in the 80s, the Board took action and determined it was still part of a Class B building and was subject to the four-month notice period. The Board held a public hearing and the applicant took out two legal ads in *The Times Record* to notify that they were going to seek the demo. However, they never came back before the Board. They also came to Planning Board, Project Review Board and the Town Council as part of the Contract Zoning Agreement process which did not get approved until May. They did present conceptual site plans and building plans for design review and site plan review but that was never granted. The only action the Board took at that time was to table action on the four-month notice until such time that the time went by and the applicant adhered to the notice requirement of the Ordinance. Today, the applicant is back before us and they are ready to get going on the project and hoping that the Board will find that the four-month notice does not apply. She spoke to the Town Attorney today and learned that this is a gray area in the Ordinance. In this case, the Ordinance for a demolition certificate is kind of silent. There are some different ways the Board can handle that. The Board could look at what they have accomplished so far in regards to the notification, understanding that they will have a third notification left. The Board could look and determine it has been over five years and it is not reasonable to consider that application still on the table. It is not clear and is up for discussion whether or not the Board feels they are starting from scratch with the four-month notice or whether or not the Board will give them credit for the portion they did in 2015.

The second issue the Board needs to get through tonight is when they got the Contract Zoning Agreement approved, one of the terms in there was that the building shall be substantially as depicted on the referenced drawings. Luckily it is up to the Board to decide if the building presented today is substantially as depicted on those previously shown drawings. That is the second thing the Board has to deliberate on tonight and hopefully take action on. It makes a difference on how the applicant proceeds with the project. If the Board decides it is, they can go forward with their process. If the Board decides it isn't, it would have to go back to the Council before it comes back to the Board.

Chair Campanelli suggested taking up the demolition request. Mr. Wing asked if there is anything in the Ordinance that would prohibit the Board from waiving that requirement all together. Ms. Pelletier explained that the Ordinance is specific on how a Board can waive it and she read the Ordinance. Mr. Troidl pointed out that it is a partial demolition. Even if somebody wanted to move it, it would have to be cut away. A picture was shown of what would be demolished. There is no way into that space and after it is removed, they will put clapboards on it and paint it. Chair Campanelli clarified that the Board has to determine if they did their due diligence at this point and if it is enough for this demolition, or it is not enough and we want to do a public hearing. We need to decide that.

Mr. Troidl noting that some of our ordinances are not clear, he tries to drop back to intent. He feels the intent is to try to preserve buildings. In this instance they are preserving the building and are only demolishing a portion of it which was not built at the same time. He feels they met the intent of the

ordinance in the past and he does not see any feasible way that anyone could move that portion of the building even if they wanted to. It doesn't seem like a project anyone would want to entertain.

Ms. Pelletier advised that the Board has to do a public hearing. While it did one previously, because it has been quite a while, if the Board was to give them credit for the steps they have done, she would recommend that the Board run a legal ad and have a public hearing in case someone does come forward and wants to save that portion of the building for some reason. The responsibility of the applicant is that they make application within 15 days and do a public notice, which they did. They then did a second public notice. They have to do a third public notice approximately 15 days prior to the Board's meeting so even if the Board gives them credit for the first two, and five years of time as opposed to four months, they would still need to complete that third notice before the Board could take action. The Board would not be looking at taking action tonight. It would be looking at clarifying the process for them due to the lack of clarity in the Ordinance. If the Board is going to make a decision tonight, it would have to make a motion and a finding as to why it is taking whatever action it decides to take.

Chair Campanelli noted it would be 15 days before they could come back to the Board for concept. She asked the Board if this sounds like something it might want to do. Ms. Watson agreed that it sounded reasonable and others agreed.

Mr. Reiche asked if the Board jumps back into the timeline that has passed, and does the 15-day public notice, and if someone expresses a valid interest then, what happens. Ms. Pelletier explained the Board's options. Mr. Reiche is okay on the demo but does not see how the ordinance provision stays alive if we just do the notice and someone comes in.

Ms. Pelletier mentioned there is one other thing she is not sure they did but they could make sure it is done. A copy of the notice before removal shall be forwarded to the Historical Society, the Freeport Town Council and the Freeport Planning Board. Mr. Yebba noted that they did that but would see that it is recirculated.

Jim Cram, Executive Director of the Freeport Historical Society, advised that he became Director in December of 2015 but this project is new to him. He has one person in his organization concerned about the implications of this project and would like to speak. He doesn't believe their concerns relate to the demolition. He does not feel anybody is going to try to save that small bump. Chair Campanelli stated this would not set a precedent. This is a unique situation. Mr. Troidl mentioned he considers this an alteration. Ms. Watson wanted to make it very clear that this is a portion of a building, not a building and we value the intent of the original plan to give an opportunity to salvage a historical building.

**BE IT ORDERED:** That the Project Review Board finds that the four-month notice period for demolition does apply to the application from the Denney Block LLC to demolish a portion of a Class B building at 58 Main Street and that the Board finds that the applicant has met the intent of the ordinance by preserving Class A and B buildings through its previous public notices in 2015. The applicant must do a final notice and the Board will hold a public hearing accordingly. Furthermore, the notice of the proposed removal shall be forwarded to the Freeport Historical Society, the Freeport Town Council and the Freeport Planning Board. (Wing & Troidl) **VOTE:** (7 Ayes) (0 Nays)

Chair Campanelli noted the second part of this is the contract zone and asked Ms. Pelletier to address it. Ms. Pelletier felt she summed it up for the Board but requested that the Board refer to the two original drawings attached to the contract zone and decide whether or not the Board feels the drawings before it today are substantially as depicted on the drawings approved with the contract zone. They were acknowledged by the Planning Board, Project Review Board and Town Council who all had extensive conversations at that point in time.

Mr. Reiche noted that he doesn't know very much about contract zones but they are prickly things, they are litigation, controversy and highly scrutinized. He suspects the question isn't do we like this building better. It's are we still looking at the same thing the Council looked at five years ago. He thinks this building is only one-third of the size that they looked at before. He doesn't know what prompted the Council to approve a contract zone. It might have been improving the tax base. This is dramatically different. He feels it should go back to the Council. Chair Campanelli mentioned that this has changed substantially and wonders why the applicant would want a contract zone for this. For her, it is simple in-fill and the height throws it off.

Mr. Yebba explained that in order to get to the roof line, it had to be approved. This dimension required that they go through the contract zone. The height was why a contract zone was utilized. He explained the building plan. By putting in the elevator on the back, the space is lease-able and is now ADA compliant. They were allowed to build up to 50% coverage on the glazing but since they have a single tenant taking both levels, they don't need it. That is one of the reasons they are scaling back the glazing. He hopes that the Board will recognize that a smaller building will be much more friendly and sympathetic to what is going on in the downtown area. They obviously want to go forward with this. They have dates to meet for their tenant who does not want to be opening up after the season has come and gone. They don't want to be under construction unless it is in a season when no one is here. They want to get the foundation in before the snow flies.

Mr. Reiche asked if this did go back to the Council, when could it get on an agenda. Ms. Pelletier advised that if the Board finds it is not substantially as depicted on the previously drawings and they need to revisit the contract zone, they could be looking at going through the entire process again for the amendment which would mean going to the Council, PRB and the Planning Board and all having a series of public hearings. She doesn't know what the time would be. She asked the applicant if they still need the contract zone. Mr. Nice advised that he looked at it. There is a possibility that they do not but it depends on the location of the stairs and they are critical to whether or not they need that. He mentioned he would revisit the site plan if it would avoid going back through the CZA process. He is not sure the building will be built if they have to go back through that process.

Mr. Troidl feels substantially, as depicted, there could obviously be open interpretations. If they don't want a contract zone, they definitely have to go through the whole process because they now have a contract for that zone. He doesn't feel they can do it both ways. Ms. Pelletier explained that the Town Attorney explained to her that this contract is adding another layer of zoning to this property that we need to be looking at. Mr. Troidl feels that if Section B for the building design wasn't there, there would be no issue. He feels the Board is being placed in a spot to make a legal judgment which is not our function. What they are now proposing looks better to him than what they proposed before.

Chair Campanelli suggested taking a straw poll on whether to move forward and tweak this language to move this project forward or does the Board feel it needs to go somewhere else. 6 members agreed. Ms. Watson pointed out that under No. 1.f, it gives the Board a lot of latitude in terms of making some

judgment calls and as long as we can be definitive about why we are doing this is that the intent is still being met and improved. She feels the Board should be clear about that. Chair Campanelli mentioned that one thing she wants to see on the back of the building and it is in the contract zone. She would like the elevation to not look like the back of the building but would like to see some nice urban designed elements between the Sperry Building because there is more room in the new structure and there is room for a seating area and it would be pleasant. Mr. Nice offered to take her comments into consideration.

Ms. Pelletier pointed out that in addition to an entirely new Board, new Historical Society Director, new Fire Chief, New Codes Enforcement Officer and new Town Engineer, all since the application came in. She reached out to the applicant to come in and meet with those parties and the way they look at codes and interpret some things. Depending on how those meetings go, the Board might see some tweaks to the site or building because they do have certain codes they need to comply with. She advised that the Board has not yet seen a detailed site plan so the Board has not been able to provide feedback. They still have a lot of details to address. They are always welcome to come back for a midway check-in and for a large project it might work to their benefit.

Mr. Nice advised that they would like to get the foundation in before winter hits. He asked is there a point in the process where the Board could release them to do just the foundation for the building assuming they come in with some of the site details and meet with the Town. Ms. Pelletier explained that typically people do not proceed with their foundation until they have their design review and site plan approval in place. This Board typically meets on the third Wednesday of every month with submissions due 21 days prior.

Mr. Wing asked the applicant to confirm that all the retail spaces will have access to the Mill Street loading dock at the back of the building or from the side entrance on Mill Street. Mr. Nice indicated that yes, they will have two tenants and they will have that access.

**BE IT ORDERED:** That the Freeport Project Review Board finds that the proposed building design for the redevelopment project at 56 and 58 Main Street is as substantially described as in the approved contract zone, specifically in reference to building height, building design, the use of the building elevator, the use of the sidewalk and all retail spaces having access to the Mill Street loading dock at the back of the building or from the side entrance on Mill Street. (Wing & Troidl) **VOTE:** (6 Ayes) (1 Nay-Reiche).

Mr. Reiche explained that procedurally, it is not the same structure so he voted against it.

Mr. Yebba advised that they will submit at the next meeting on September 18. Ms. Pelletier advised that she will need their complete package by next Wednesday at noon. She encouraged them to have someone reach out to the Town Engineer who will be doing the site plans in regards to storm water. Mr. Yebba thanked the Board and noted he is excited to be moving forward.

Mr. Troidl asked if the Board is putting off discussions regarding designs to the next meeting. Ms. Pelletier explained that if the Board has any other feedback to give the applicant, it can. The Board has to give feedback but it has to meet Design Review. Ultimately the design that they presented conceptually, got through the Board for design review.

Mr. Yebba mentioned he wanted to address the comment of the back space not looking like the rear of a building. They are working on a design so that the spaces on the lower level will be inviting. It is specific to the needs of the music and art prospective tenants and they plan to make it as attractive as they possibly can.

Mr. Troidl referred to the side elevations where the demolition will be occurring and would like to see what it will look like when it is completed for next time. For 56 Main, the brick building, is the exterior wall being incorporated as an interior wall in the new building. Mr. Nice advised that it is not because they are separating the buildings. They will be structurally independent but will abut. Mr. Nice plans to come and talk to the Codes Officer. Mr. Troidl asked if the second story windows will be restored on 56 Main. Mr. Nice advised that it is not part of this project. Mr. Troidl referred to the side elevation that is now open between 58 and the new building. It appears there are no windows on the upper floors so it might create a very dark space and he suggested that it be considered. Mr. Nice mentioned it was part of the discussion about the final width and percentage of windows that are allowed for code. Mr. Troidl hopes there will be more detailing to the big fire escape than just steel tubes.

Mr. Wing referred to the front elevation where it connects to the other building. The thing he liked about the previous plan was the permeability of the glass with the transparency the glass provided. He likes that it is not connected on the other side now and feels it improves the design. Simply the clapboards connecting the two buildings on the front elevation seem like there is something more that could be done. It feels flat to him. Chair Campanelli mentioned that they are using the same material but it is speaking to something different so they could differentiate that material from the clapboard that is on the façade. Mr. Nice agreed and noted it is also set back. Mr. Wing pointed out that the roof details, eve and soffit and how it will all come together and connect and what the flat roof cornice looks like or if it is just flat, it will all matter. Mr. Nice agreed. Mr. Blanchard feels this is an improvement over what was previously brought before this Board. Mr. Wing brought up windows. Mr. Reiche advised that true divided lights, double glazed is his choice. Mr. Blanchard likes the design of the windows being proposed. Mr. Reiche asked if the heavy trim is MDF. Mr. Nice advised that it is likely to turn out to be PVC because it is more stable in this climate than wood. It holds paint twice as long as wood and once it is up, no one can tell the difference. Mr. Reiche feels there is a challenging balance to be struck between a fake 1875 building but urged the applicants to read through the Design Ordinance because they don't go far enough to comply with the language that pulls you towards the buildings that are already on Main Street. There is the lack of roof overhangs, the lack of soffit, defined cornice or cornice returns, etc. and is unlike any other buildings. Sometimes cheaply made buildings are lacking these elements but he is sure this is not one of them. Chair Campanelli hopes the applicants have enough information to move forward and they indicated they did.

Due to the lateness of the hour, Ms. Pelletier suggested discussing the upcoming Planning Board workshop and the public notice options tonight.

ITEM IV: Discussion of upcoming workshop with the Planning Board.

Ms. Pelletier explained that the goal of the Planning Board is to get a whole list of what they are already working on and things that other boards or committees feel needs to be addressed. This is an opportunity to get those laundry list items the Board has picked up in our ordinance that need to be clarified and put them on their list.

Chair Campanelli handed out a rough outline that she and Mr. Troidl wrote up regarding the Planning Board workshop and suggested looking at it quickly. She explained that Board members could write their comments on it and then give it to Caroline and they will be provided at the workshop in September. She learned that the Council is putting some list together for the Planning Board of things they want to see done like a wish list of changes to the Ordinance and staff has some things they are requesting as well. She feels the Board should get its list to them quickly because they haven't been hearing from us. She would like to have something to hand them indicating the areas we see need some changing or addressed in some way. Mr. Troidl explained that he has noticed this process has been lacking. He agrees handing the Planning Board and showing them what we see are issues that should be worked on makes sense. He feels it would be wise if the Town Council was in the work group to help define goals and process and tell us what we are trying to do. Discussion followed. Ms. Pelletier explained what would happen at the workshop and that her goal is at the end of the night, we can come out of there and see a comprehensive list of what needs to be accomplished and what our priorities are. As far as how we do them or what it entails, those are a conversation at a later date when we can get to them. Hopefully, the Planning Board can take the list and figure out with us what is the best use of Board resources, staff resources and time to get some of these things done. This is a great opportunity for them to understand some of these hurdles.

Ms. Watson would like to come out with 2 or 3 action items that we could start to move forward on; that would make her happy. Mr. Troidl feels the Board needs to prioritize these lists and tell them what we think are the most important things. Chair Campanelli feels the Planning Board needs to see all of this and they need to know there are no commercial subdivision ordinances in place and that this is something that needs to be done. They need to start working on combining the districts as quickly as possible including the infill district. She feels some of these things could fall into place if we were working with a good consultant, staff and the Boards together. She is confident it could happen sooner rather than later. Pedestrian access is a whole different topic and she feels it is the next step. She has been told that we should just put something in writing and submit this to the Council and bypass the workshop. If the Board agrees, she could work on that language for September. It is important that they see these things we are struggling with. She asked how quickly an action plan like the districts combining could be expedited.

Chair Campanelli suggested that Board members take the papers home, mark them up and get their comments to Caroline. The Board cannot work across e-mails but something can come out before the workshop. Ms. Pelletier agreed that this is a lot of information. She is hopeful that a couple of Councilors will be there as well as representatives from FEDC. She would like somebody to talk about the Design Review Ordinance and the historical inventory a little bit so they will know what the Board has been working on. It is important that they know how much work and thought the Board has put into that so far.

Chair Campanelli mentioned the historical inventory project and the Board could add it to another meeting or another workshop. Mr. Blanchard mentioned that if the additional properties could be shown where they are located within the Design Review District, it would be helpful. The Board can then decide if it wants to pursue that with them. If they are not currently in Design Review or have a classification, he asked if they would have to go to the Council to approve. Ms. Pelletier looked at them and offered to put the information up on a map. Mr. Hamlin suggested that the Board focus on one area. Chair Campanelli noted that it wouldn't hurt to have the information and if we do a workshop, it can be done in October. We would have the information and can be thinking about it. Mr. Blanchard

clarified that it is 10. Ms. Pelletier is confident once the Board sees them on a map, it will be an easy discussion.

ITEM V: Discussion of public notice options.

Ms. Pelletier advised that she called Falmouth and they said for their Planning public hearings, they use *The Press Herald*. Yarmouth advised that for standard public hearings like for subdivisions, they only use *The Notes*. She reached out to The Forecaster and sent her sample language like we would use for a subdivision and she said they would put it in a 4" x 5" ad and the cost would be \$164. Applicants currently pay a fee of \$100 or \$110 to run a legal ad in *The Record* once.

Mr. Reiche feels Freeport using *The Times Record* is not entirely logical. Not every household gets it. As one who appears before Planning Boards, he has never seen a town care what they charge him for publication. He recalls Yarmouth charged him \$406 every time he had to appear before them but it may have been for something else. In the scheme of things, layering in \$106 to the budget for a subdivision is inconsequential in his mind. We don't want to have people not know what is on our agenda.

Mr. Hamlin suggested advertising in The Forecaster and *The Times Record*. Others agreed. Ms. Pelletier mentioned she would look through the information and figure out what we would be looking at for changes we would have to make to make this happen and will bring it back to the Board. The Board can then take action and come up with the amended language that would be required with the fee. If the Board is all in favor of it, we could send it to the Council and they could do what they want with it.

ITEM VI: Discussion on the Freeport Design Review Ordinance and the historical inventory project.

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

There were no public comments provided.

ITEM VIII: Adjournment.

Chair Campanelli adjourned the meeting at 8:25 p.m.

Recorded by Sharon Coffin