



**TOWN OF FREEPORT, MAINE**

Planning Department

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**TO: FREEPORT PROJECT REVIEW BOARD**  
**FROM: CAROLINE PELLETIER, TOWN PLANNER**  
**RE: STAFF REPORT**  
**DATE: WEDNESDAY, JULY 15, 2020**

<b>Arts and Cultural Alliance of Freeport – Demolition Request – PUBLIC HEARING</b>	
Property Location:	Tax Assessor Map 11, Lot 122
Zoning Information:	Village Commercial I (VC-1), Design Review District I – Class A
Review Type(s):	Design Review Certificate
Waivers Requested:	No waivers have been requested.

**Background:** The applicant returning the Board seeking approval of a Design Review Certificate for a demolition request at the First Parish Congregational Church at 40 Main Street. An existing pressure treated ramp, pair of windows, wooden handrail and set of pressure treat steps at the entrance are all proposed to be demolished/removed. Since this is a Class A building, the four-month notice period for demolition is applicable. The demolition is part of a larger project for the property which will include a change of use, new building entry and new ADA access (to be reviewed as a separate application). The Board reviewed the initial demolition request at the January 15, 2020 meeting and at that time tabled the application until such time that the requirements of the four month notice period have been met.

Section VII of the Freeport Design Review Ordinance has the following Design Guidelines for buildings Classified as A or B, with number 2 pertaining to the requirement for the four month notice period for demolition:

“Section VIII Design Guidelines

A. Buildings Classified as A or B

1. A or B Buildings: Any building classified as A or B, or any part of appurtenance thereof, including but not limited to walls, fences, light fixtures, steps, driveways, parking areas and paving shall only be moved, reconstructed, altered or maintained in a manner that will preserve its historical, architectural and neighborhood significance. When making that determination, recognition shall be given to the design and placement of buildings previously on the site and their past relationship with surrounding buildings.
2. Demolition or Removal of A or B Buildings: Should a property owner want to demolish or remove all or any portion of a building classified A or B, a four (4) month notice of the proposed demolition or removal shall be given before a demolition or removal permit is issued. The owner of the affected building shall cause notice to be published in a newspaper of general circulation at least three (3) times prior to demolition or removal. The first notice shall be published no later than fifteen (15) days after the application for a permit for demolition or removal is filed and the final notice shall be published approximately fifteen (15) days prior to the date of the

Project Review Board meeting where action on the application is expected. The purpose of this section is to further the purposes of this Ordinance by preserving buildings classified A or B which are important to the architectural, historical and neighborhood significance of the Town, and to afford the Town, interested persons, historical societies or organizations the opportunity to acquire or to arrange for preservation of such buildings. The notice of the proposed removal shall be forwarded to the Freeport Historical Society, the Freeport Town Council and the Freeport Planning Board. The Project Review Board shall conduct a public hearing prior to its vote on an application to provide an opportunity for public comment of the proposed demolition or removal.

In addition, the property owner shall also submit a statement to the Board describing the need for demolition and why the building can't be saved or renovated for another use.

3. **Negotiation to Avoid Demolition:** During this four (4) month period, the Board may negotiate with the owner of the property and with any other parties in an effort to find a means of preserving the property. Such negotiations may include relocation to a new site, recommendation for a historic easement pursuant to Section XI of this Ordinance, adaptive re-use of the structure, or inducements to interested third parties to purchase the property for the purpose of preserving it. The Project Review Board may issue a permit to remove a building prior to the expiration of the four month notice period if adequate provisions are made to move the building for the purpose of preserving it.”

Due to the standards of the Ordinance, the applicant published ads in the Times Record advertising their intent to demolish. The ads ran in the paper on 3/6/20, 4/15/20 and 6/17/20. The ads did not result in anyone coming forward in interest of preserving the items proposed for demolition.

**Proposed Motion:** Be it ordered that the Freeport Project Review Board issue a Design Review Certificate for Arts & Cultural Alliance of Freeport, for the demolition of a portion of the building at 40 Main Street, application dated 01/29/20, as the Board finds that the requirements of the four month notice period have been met, with the condition that the demolition not occur until the applicant first obtains a Design Review Certificate for restoration of the remaining building façade.

Freeport Crossing – Design Review Certificate and Change of Use	
Property Location:	Tax Assessor Map 7, Lot 1
Zoning Information:	Commercial I (C-I), Design Review District I – Class C, & Color Overlay District
Review Type(s):	Change of Use, Design Review Certificate
Waivers Requested:	None

**Background:** The applicant is seeking a change of use from retail to artisan food and beverage and restaurant in one of the existing buildings (n/f Carter’s) at 200 Lower Main Street. Exterior building modifications are proposed.

The artisan food and beverage use (Mast Landing Brewery) will use 9,685 sf of the two-story building, and the remaining 1,000 sf will be allocated to either a restaurant use or remain as part of the brewery; (the applicant would like approval for either use in the 1,000 sf). The site plan also shows an existing paved area where a potential food truck could be located (with proper permits).

**Exterior Building Alterations:** A small deck and ADA ramp will be added to the rear of the existing building (on the façade facing the 295 off ramp). The deck surface will be Trex (composite material) with all other portions to be cedar (stained/sealed). Guard balusters will metal. A new door will be added to provide access to the deck along with two aluminum framed overhead doors. In addition, four small existing windows on this rear façade will be removed and third egress door along with associated concrete steps will be added.

On the façade facing the parking lot, existing aluminum doors will be replaced with matching doors. One additional door will be added on the left side and providing access to the upstairs.

On the building façade facing the 295 North ramp, two existing vinyl windows will be removed and the façade will be repaired with matching clapboards.

On the façade facing Lower Main Street, alterations include removing some small existing windows and repairing the siding with matching clapboards.

**Other site features:** Signage and any associated lighting have not been included in the submission. The applicant is aware that this could require review and approval from the Project Review Board in the future.

Solid waste will be disposed of in existing dumpsters on the site; no changes to this area are proposed.

**Traffic & Parking:** Since this parcel is in the Commercial I Zoning District, the parking requirement is based upon a parking analysis submitted by the applicant. The applicant has submitted a parking analysis demonstrating that the peak demand for all uses on the property is anticipated to be 366 spaces; 381 spaces are existing (paved and striped) on the site, with 16 of those being accessible spaces.

The applicant has been asked to provide some additional information on any impacts this change will have to traffic; this information is forthcoming. There is already a Maine Department of Transportation Traffic Movement Permit in place for the development.

**Utilities:** The submission did include an ability to serve letter from MaineWater (02/24/20) with some conditions being noted and to be worked out between the two parties. The applicant has contacted the Freeport Sewer District and a capacity letter dated 03/10/2020 was issued.

**Section 527:** Since this parcel is in the Commercial I Zoning District, the standards of Section 527 of the Freeport Zoning Ordinance are applicable. The applicant has included a summary in their submission, demonstrating how the requirements of this section will still be met after the change of use. It is important to note, that the property has an existing paved sidewalk along the front of the property abutting Route One. No change to signage, lighting, landscaping or the flagpoles are proposed at this time.

**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 new buildings are proposed. A small deck will be added to the rear of one of the existing buildings on the property. 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 overall height of the 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.

*The building has four facades of varying visibility. Minor exterior alterations are proposed and the changes will not significantly alter the proportions of the building's 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.

*There are some existing small windows on the side facades that will be removed and replaced with clapboard siding match the existing materials. Two new overhead doors will be added to the façade facing the 295 off-ramp. 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.

*Existing doors will be replaced with those of a similar size. Two new overhead doors will be added leading to the deck which will be located on façade of the building facing the 295 off ramp. 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 overall roof shape 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.

*A small deck and ADA ramp will be added to the rear of the existing building (on the façade facing the 295 off ramp). The deck surface will be Trex (composite material) with all other portions to be cedar (stained/sealed). Guard balusters will metal. The two new overhead doors will be aluminum framed. An egress door along with associated concrete steps will be added to the rear facade. New and replacement doors on the front of the building will be aluminum to match the existing. Any areas with replacement siding will match the existing material. 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 open spaces surrounding the existing structure will be retained. 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.

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

- a. **Preservation of Landscape:** The landscape shall be developed in such a manner as to be in

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

*The site is already developed with existing buildings. A small deck will be added to the rear of the structure, but otherwise no additional disturbance to the site is proposed. No landscaping is proposed to be removed or added. Existing buffering will be retained. Based upon this information, the Board finds that this standard has been met.*

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

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

*The parcel is Class C in Design Review District I and is in the Color Overlay District. A small deck will be added to the rear of an existing structure, but otherwise no additional disturbance to the site is proposed. The project is in the Commercial I District (C-1) and complies with the space and bulk standards of Section 409 of the Freeport Zoning Ordinance. Minimal changes are proposed for the overall building facades and it will still comply to the standards of Section 527. Performance Standards for Commercial Districts (of the Freeport Zoning Ordinance). Based upon this information, the Board finds that this standard has been met.*

- c. **Vehicular Access:** The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrian traffic patterns. Special consideration shall be given to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible

*No changes to vehicular access are proposed. 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 and circulation are proposed. The applicant has submitted a parking analysis demonstrating that the peak demand for all uses on the property is anticipated to be 366 spaces; 381 spaces are existing (paved and striped) on the site, with 16 of those being accessible spaces. Based upon this information, the Board finds that this standard has been met.*

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

*No changes to surface water drainage are proposed. 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. The submission did include an ability to serve letter from MaineWater (02/24/20) with some conditions being noted and to be worked out between the two parties. The applicant has contacted the Freeport Sewer District and a capacity letter. Based upon this information, the Board finds that this standard has been met.*

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

*No new signs are proposed at this time. The applicant is aware that any future signage may require review and approval by the Board. Based upon this information, the Board finds that this standard has been met.*

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

*Solid waste will be disposed of in existing dumpsters on the site; no changes to this area are proposed. 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.

*No changes to any exterior lighting is proposed. 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 landscaping are proposed. Existing vegetation and buffers will be retained. 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:
  - a. The project will not result in water pollution, erosion or sedimentation to surfacewaters;
  - b. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
  - c. The project will conserve shoreland vegetation;
  - d. The project will conserve points of public access to waters;
  - e. The project will adequately provide for the disposal of all wastewater;
  - f. The project will protect archaeological and historic resources;
  - g. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.



*The parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will remain connected to public utilities. No historic or archaeological resources will be disturbed. The existing cemetery on the property will not be disturbed. No changes affecting environmental considerations 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.**

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Change of Use, and Design Review Certificate for WS Development, for exterior building alterations and a change of use to artisan food and beverage and restaurant in Freeport Crossing at 200 Lower Main Street (Tax Assessor Map 7, Lot 1), to be substantially as proposed, application dated February 26, 2020, building renderings dated 9-18-19, revised through 01-28-2020, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) This approval includes the flexibility for the applicant to occupy the area shown as a 1,000 s.f. tenant space to be either a restaurant or artisan food and beverage.

<b>Regional School Unit #5 – Site Plan Amendment</b>	
Property Location:	Tax Assessor Map 11, Lot 24
Zoning Information:	Village I (V-I)
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

**Background:** The applicant is seeking approval for a Site Plan Amendment to add one temporary modular classroom at Morse Street School. The structure is needed to provide additional classroom space for students. The structure is expected to be temporary; between two and five years depending on class size.

The structure will about 28’ x 52’ and located on the front lawn near the bus route that leads to Nathan Nye Street. There will be wood steps and a wood ramp providing access to the building. The structure will require a permit from the State Marshal’s Office.

Impacts to the site will be minimal. No parking will be displaced and pedestrian walkways will remain unchanged. Other than the existing grass area, landscaping will not be altered. The only lighting that will be added is full cut off fixtures, near points of egress, and required by code.

The applicant is proposing to install a two foot wide stone drip edge along parts of the building. A new underdrain will be installed and tie into the existing stormwater system on the property. Adam Bliss, Town Engineer has reviewed the plans and stated “This proposal is de minimus relative to the overall development and approved Site Plans. I have no comments or issues with the proposal.”

This work falls under the Site Law exemption for educational facilities, which allows up to 30,000sf of disturbance without submitting a formal permit amendment through Maine DEP. RSU#5 will need to send a letter before the end of the year to Maine DEP describing work that has been done on the site under the exemption.

The building will not be connected to the public water or the public sewer system.

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

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

*The applicant is seeking approval for a Site Plan Amendment to add one temporary modular classroom at Morse Street School. The structure will about 28' x 52' and located on the front lawn near the bus route that leads to Nathan Nye Street. Impacts to the site will be minimal. Other than the existing grass area, landscaping will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

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

*The parcel is not within the Design Review District. The structure will about 28' x 52' and located on the front lawn near the bus route that leads to Nathan Nye Street. Impacts to the site will be minimal. Other than the existing grass area, landscaping will not be altered. Based upon this information, the Board finds that this standard has been met.*

- c. **Vehicular Access:** The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrian traffic patterns. Special consideration shall be given to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible

*Vehicular traffic to the site will not be altered and is existing. 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.

*The structure will about 28' x 52' and located on the front lawn near the bus route that leads to Nathan Nye Street. There will be wood steps and a wood ramp providing access to the building. No parking will be displaced and pedestrian walkways will remain unchanged. No additional parking is 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 above. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a two year, ten year and twenty-five year storm frequency. Emphasis shall be placed on the protection of floodplains; reservation of stream corridors; establishment of drainage rights-of-way and the adequacy of the existing system; and the need for improvements, both on-site and off-site, to adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

*The applicant is proposing to install a two foot wide stone drip edge along parts of the building. A new underdrain will be installed and tie into the existing stormwater system on the property. Adam Bliss, Town Engineer has reviewed the plans and stated "This proposal is de minimus relative to the overall development and approved Site Plans. I have no comments or issues with the proposal."*

*This work falls under the Site Law exemption for educational facilities, which allows up to 30,000sf of disturbance without submitting a formal permit amendment through Maine DEP. RSU#5 will need to send a letter before the end of the year to Maine DEP describing work that has been done on the site under the exemption. Based upon this information, the Board finds that this standard has been met.*

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

*The building will not be connected to the public water or the public sewer system. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*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.

*Lighting will be installed at points of building egress and per code. The applicant is aware that fixtures must be shielded or full cutoff. 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 landscaping are proposed. Based upon this information, the Board finds that this standard has been met.*

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

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

*This parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will not have water or sewer/septic connections as students will use the facilities in the main building. Based upon this information, the Board finds that this standard has been met.*

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and a Site Plan Amendment for Regional School Unit #5 for the installation of a modular classroom building at Morse Street School, to be built substantially as proposed, plans dated April 2020, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any site work for the project, the applicant obtain a building permit from the Freeport Codes Enforcement Officer and approval from the State Fire Marshal's Office.
- 3) Prior to the start of any site work, establish an inspection account, in the amount of \$300 for inspection of the site improvements by the Town Engineer.

Habitat for Humanity Subdivision – US Route One / Old Brunswick Road – PUBLIC HEARING	
Property Location:	Tax Assessor Map 18, Lot 15
Zoning Information:	Medium Density A (MD-A)
Review Type(s):	Residential Open Space Subdivision
Waivers Requested:	Underground Utilities

**Background:** The applicant recently purchased a vacant piece of land on Old Brunswick Road / US Route One and is presenting final plans for a three-lot residential open-space subdivision. The parcel is 4.9 acres and is currently vacant and forested. The parcel is in the Medium Density A (MD-A) District. This is an open space subdivision; 122,737 sf of open space is proposed; 116,496 sf is required. The applicant is proposing that access to the site would be from private individual driveways off Old Brunswick Road. Driveway Entrance Permits from the Freeport Department of Public Works Would be required.

The general layout of the plan remains unchanged since the last meeting. All lots appear to meet the space and bulk requirements for the Zoning District (Medium Density A) and driveway locations appear to be placed in locations where the site distance can be met.

**Wetlands:** Wetland and vernal pool studies were completed by Albert Frick Associates, Inc.; a copy of this information was included in the submission and dated 05/04/2020. The locations of wetlands and vernal pools have been shown on the recording plan. None of the vernal pools identified were determined to be significant vernal pools (which would have required additional buffering).

**Utilities:** Lots would be served by individual wells and septic systems. The location of passing test pits have been shown on the plan; test pit information has been submitted in a report dated 02/18/20 and completed by Albert Frick Associates. At the 06/24/2020 Project Review Board meeting, the Board granted a waiver of Article 11.5.C.2.k of the Freeport Subdivision Ordinance to allow for overhead utilities.

Per the Freeport Fire Protection Code, residential sprinkler systems will be required. A note indicating such has been added to the recording plan.

**Stormwater:** The Town Engineer conducted the review and stormwater permitting for the project. His comments are included in a memo dated 07/08/2020 (attached). He concludes that the project has been designed in compliance with municipal ordinances.

**Process:** This is considered a Subdivision-Minor (per Article III of the Freeport Subdivision Ordinance) and process would involve two levels of review – conceptual and final. The Board conducted an initial review of the application at the 5/20/20 Project Review Board meeting, held a sitewalk on 6/10/20 and the conceptual review was determined to be complete at the 06/24/2020 Project Review Board meeting.

Abutters within the required 500 foot notification radius have been notified of this meeting and a legal ad advertising the public hearing was scheduled to publish in the Times Record on 7/7/2020 and 7/13/2020.

**Waiver:** No additional waivers have been requested.

*Proposed Findings of Fact:*

### **11.1 Pollution**

#### **A. State Standard**

**Pollution.** The proposed subdivision will not result in undue water or air pollution. In making the determination, the Board shall at least consider:

1. The elevation of the land above sea level and its relation to the flood plains;
2. The nature of soils and subsoils and their ability to adequately support waste disposal;
3. The slope of the land and its effect on effluents;
4. The availability of streams for disposal of effluents; and
5. The applicable state and local health and water resources rules and regulations.

*This parcel is not within the Shoreland Zone. No streams or floodplain areas have been identified on the plan. The location of wetlands and vernal pools (non-significant) have been shown on the*

*plan. Each lot will have a septic system and well which will be permitted and installed in accordance with municipal and state regulations. Based upon this information, the Board finds that this standard has been met.*

#### **11.2 Sufficient Water**

##### **A. State Standard**

**Sufficient water.** The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision.

*Each lot will have a private well. In accordance with Article 11.2.C.1.b of the Freeport Subdivision Ordinance, "Within one (1) year of the date of purchase, each lot owner shall be guaranteed by the subdivider access to a supply of potable water of at least three hundred and fifty (350) gallons/day, or the purchase price shall be refunded." A note indicating such has been added to the plan. Based upon this information, the Board finds that this standard has been met.*

#### **11.3 Impact on Existing Water Supplies**

##### **A. State Standard**

**Municipal water supply.** The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used.

*The lots will not be served by the Public Water System. Based upon this information, the Board finds that this standard has been met.*

#### **11.4 Soil Erosion.**

##### **A. State Standard**

**Erosion.** The proposed subdivision will not cause unreasonable sedimentation a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.

*The submission did include an erosion control plan which has been reviewed and approved by the Town Engineer. His comments are included in a memo dated 07/08/2020. Based upon this information, the Board finds that this standard has been met.*

#### **11.5 Traffic Conditions**

##### **A. State Standards**

**Traffic.** The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.

*Minimal traffic is expected to be generated from the development. The applicant is proposing that access to the site would be from private individual driveways off Old Brunswick Road. Driveway locations appear to be placed in locations where the site distance can be met. Driveway Entrance Permits from the Freeport Department of Public Works Would be required. Based upon this information, the Board finds that this standard has been met.*

#### **11.6 Sewage Disposal**

##### **A. State Standards**

**Sewage disposal.** The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.

*Each lot will have a septic system which will be permitted and installed in accordance with municipal and state regulations. The location of passing test pits have been shown on the plan; test pit information has been submitted in a report dated 02/18/20 and completed by Albert Frick Associates. Based upon this information, the Board finds that this standard has been met.*

**11.7 Solid Waste**

**A. State Standard**

**Municipal solid waste disposal.** The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized.

*Each lot owner will be required to contact with a private waste hauler in accordance with Freeport Solid Waste Disposal Ordinance. Based upon this information, the Board finds that this standard has been met.*

**11.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas, or Public Access to the Shoreline**

**A. State Standard**

**Aesthetic, cultural, and natural values.** The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline.

*Wetland and vernal pool studies were completed by Albert Frick Associates, Inc.; a copy of this information was included in the submission and dated 05/04/2020. The locations of wetlands and vernal pools have been shown on the recording plan. None of the vernal pools identified were determined to be significant vernal pools (which would have required additional buffering). Based upon this information, the Board finds that this standard has been met.*

**11.9 Conformance with Zoning Ordinance and Other Land Use Ordinances.**

**A. State Standard**

**Conformity with local ordinances and plans.** The proposed subdivision conforms with a duly adopted subdivision ordinance, zoning ordinance, floodplain ordinance, the comprehensive plan, and other ordinances included in the municipal code as appropriate. In making this determination, the municipal reviewing authority may interpret these ordinances and plans.

*The parcel is in the Medium Density A (MD-A) Zoning District. The proposed subdivision amendment complies with space and bulk standards of the Freeport Zoning Ordinance and the open space requirements of the Freeport Subdivision Ordinance. 122,737 sf of open space is proposed; 116,496 sf is required. The open space will be retained by the Homeowners Association. Based upon this information, the Board finds that this standard has been met.*

**11.10 Financial and Technical Capacity**

**A. State Standard**

**Financial and technical capacity.** The subdivider has adequate financial and technical capacity to meet the standards of this section.



*The plan set was prepared by Travis Letellier, PE with Northeast Civil Solutions, Inc. The recording plan was prepared by Troy McDonald, PLS. Wetlands were delineated most recently by Albert Frick Associates and shown on the plan. There is limited infrastructure with the development and information on financial capacity has been provided. Prior to any sitework for the project, the applicant will be required to establish a performance guarantee to cover the cost of site improvements. Based upon this information, the Board finds that this standard has been met.*

#### **11.11 Impact on Water Quality or Shoreline**

##### **A. State Standard**

**Surface waters; outstanding river segments.** Whenever situated entirely or partially within the watershed of any pond or lake or within two hundred and fifty (250) feet of any wetland, great pond, or river as defined in Title 38, Chapter 3, Subchapter I, Article 2-B<sup>1</sup>, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

*This parcel is not located within the watershed of a great pond or lake. The location of wetlands have been shown on the plans. The location of passing test pits have been shown on the plan; test pit information has been submitted in a report dated 02/18/20 and completed by Albert Frick Associates. Based upon this information, the Board finds that this standard has been met.*

#### **11.12 Impact on Ground Water Quality or Quantity**

##### **A. State Standard**

**Ground water.** The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

*The submission did include stormwater management and erosion control plans which have been reviewed and approved by the Town Engineer. His comments are included in a memo dated 07/08/2020. Each lot will have a private well. Based upon this information, the Board finds that this standard has been met.*

#### **11.13 Floodplain Management**

##### **A. State Standard**

**Flood areas.** Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps, Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement at least one foot above the 100-year flood elevation.

*No areas of flood plain have been identified on the site. Based upon this information, the Board finds that this standard has been met.*

#### **11.14 Identification of Freshwater Wetlands**

##### **A. State Standard**

**Freshwater wetlands.** All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and

water conservation district.

*Wetland and vernal pool studies were completed by Albert Frick Associates, Inc.; a copy of this information was included in the submission and dated 05/04/2020. The locations of wetlands and vernal pools have been shown on the recording plan. None of the vernal pools identified were determined to be significant vernal pools. Based upon this information, the Board finds that this standard has been met.*

#### **11.15 Rivers, Streams, and Brooks**

##### **A. State Standard**

**River, stream or brook.** Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of this section, “river, stream or brook” has the same meaning as in Title 38, Section 480-B, Subsection 9.

*No rivers, streams or brooks have been identified on the site. Based upon this information, the Board finds that this standard has been met.*

#### **11.16 Storm Water Management**

##### **A. State Standard**

**Storm water.** The proposed subdivision will provide for adequate storm water management.

*The Town Engineer conducted the review and stormwater permitting for the project. His comments are included in a memo dated 07/08/2020 (attached). He concludes that the project has been designed in compliance with municipal ordinances. Based upon this information, the Board finds that this standard has been met.*

#### **11.17 Spaghetti Lots**

##### **A. State Standard**

**Spaghetti lots prohibited.** If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond, or coastal wetland as these features are defined in Title 38, Section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than five (5) to one (1).

*No spaghetti lots are proposed with this development. Based upon this information, the Board finds that this standard has been met.*

#### **11.18 Phosphorus Impacts on Great Ponds**

##### **A. State Standard**

**Lake phosphorus concentration.** The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond’s phosphorus concentration during the construction phase and life of the proposed subdivision.

*The development is not within the watershed of a great pond. Based upon this information, the Board finds that this standard has been met.*

#### **11.19 Impacts on Adjoining Municipalities**

##### **A. State Standard**

**Impact on adjoining municipality.** For any proposed subdivision that crosses municipal

boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

*This development is not within or does not border an adjoining municipality. 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 Subdivision Ordinance.**

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and subdivision plan for Habitat for Humanity for Freeport Woods Subdivision, a three lot residential open space subdivision on Old Brunswick Road / Route One (Tax Assessor Map 18, Lot 15), recording plan dated 06/24/20, revised through 07/08/2020, to be built substantially as proposed, finding that it meets the standards of the Freeport Subdivision Ordinance with the following conditions of approval:

1. This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
2. Prior to any site work, including but not limited to clearing of the site, the applicant do the following:
  - A. Submit a revised copies of the Association Documents to the Freeport Planning Department to incorporate the required restriction pertaining to the use and ownership of the open space
  - B. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in an amount to be reviewed and approved by the Town Engineer, in a form acceptable to the Town Attorney. The performance guarantee, in accordance with Article 12.9 of the Freeport Subdivision Ordinance, shall cover the cost of all site work, including the road, erosion control, stormwater management, landscaping and demarcation of property lines, etc, along with the performance guarantee, a non-refundable administrative fee, at the rate set by the Freeport Town Council, in the amount of \$TBD, be paid.
  - C. Establish an inspection account, in the amount of \$1000 for inspection of the site improvements by the Town Engineer.
  - D. The developer have a pre-construction meeting with the Town Engineer.
3. The final signed copy of the recording plan shall be recorded in the Cumberland County Registry of Deeds within ninety (90) days of the date upon which the plan is signed otherwise the plan shall become null and void.
4. Prior to the sale of any lot, the applicant shall provide the Town Planner with a letter from a Registered Land Surveyor, stating that all monumentation shown on the plan has been installed.
5. The applicant shall provide the Town with a file, in a format compatible with the Assessor's records, containing the information shown on the recording plan.

<b>Quarry Ridge Apartments – Subdivision Amendment – PUBLIC HEARING</b>	
Property Location:	Tax Assessor Map 20, Lot 74C & Map 13, Lot 85
Zoning Information:	Village I and Medium Density Residential II
Review Type(s):	Subdivision Amendment
Waivers Requested:	None

**Background:** The applicant is seeking approval for a lot line amendment of the previously approved Quarry Ridge Subdivision located at 60 Bow Street. Since Quarry Ridge is a subdivision approved after 9/23/71, changes to the plan require review and approval by the Board.

The amendment involves a land swap with an abutting property. This issued was last before the Board in August of 2018 when the lot line issue was thought to be fixed, however was not correctly executed. Additional survey work has been conducted and this amendment should correct a lot line issue between two abutting properties. The building on the abutting lots will comply with setbacks, if this amendment is approved.

Since there will be no additional lots or units created and the overall lot sizes will remain the same, the Net Residential Acreage was not calculated nor is any open space or an open space fee required. Applicable notes have been added to the plan.

One unique thing to note is that the Quarry Ridge parcel is in the Medium Density Residential II Zoning District and the abutting parcel (owned by Creighton) is in the Village I Zoning District. The zoning district boundaries will remain unchanged by this amendment.

## **Proposed Findings of Fact:**

### **11.1 Pollution**

#### **A. State Standard**

**Pollution.** The proposed subdivision will not result in undue water or air pollution. In making the determination, the Board shall at least consider:

1. The elevation of the land above sea level and its relation to the flood plains;
2. The nature of soils and subsoils and their ability to adequately support waste disposal;
3. The slope of the land and its effect on effluents;
4. The availability of streams for disposal of effluents; and
5. The applicable state and local health and water resources rules and regulations.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. Based upon this information, the Board finds that this standard has been met.*

### **11.2 Sufficient Water**

#### **A. State Standard**

**Sufficient water.** The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created; the only change is the lot line between the two*

*parcels. No new utility connections are proposed. Based upon this information, the Board finds that this standard has been met.*

### **11.3 Impact on Existing Water Supplies**

#### **A. State Standard**

**Municipal water supply.** The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. No new utility connections are proposed. Based upon this information, the Board finds that this standard has been met.*

### **11.4 Soil Erosion.**

#### **A. State Standard**

**Erosion.** The proposed subdivision will not cause unreasonable sedimentation or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.

*The plan involves a land swap between two abutting parcels that are already developed. No additional development is proposed at this time. Based upon this information, the Board finds that this standard has been met.*

### **11.5 Traffic Conditions**

#### **A. State Standards**

**Traffic.** The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. No changes to traffic conditions are proposed. Based upon this information, the Board finds that this standard has been met.*

### **11.6 Sewage Disposal**

#### **A. State Standards**

**Sewage disposal.** The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. No new utility connections are proposed. Based upon this information, the Board finds that this standard has been met.*

### **11.7 Solid Waste**

#### **A. State Standard**

**Municipal solid waste disposal.** The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized.

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

**11.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas, or Public Access to the Shoreline**

**A. State Standard**

**Aesthetic, cultural, and natural values.** The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. Based upon this information, the Board finds that this standard has been met.*

**11.8 Conformance with Zoning Ordinance and Other Land Use Ordinances.**

**A. State Standard**

**Conformity with local ordinances and plans.** The proposed subdivision conforms with a duly adopted subdivision ordinance, zoning ordinance, floodplain ordinance, the comprehensive plan, and other ordinances included in the municipal code as appropriate. In making this determination, the municipal reviewing authority may interpret these ordinances and plans.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created; the only change is the lot line between the two parcels. Since there will be no additional lots or units created and the overall lot sizes will remain the same, the Net Residential Acreage was not calculated nor is any open space or an open space fee required. Based upon this information, the Board finds that this standard has been met.*

**11.9 Financial and Technical Capacity**

**A. State Standard**

**Financial and technical capacity.** The subdivider has adequate financial and technical capacity to meet the standards of this section.

*The subdivision plan was prepared by John Schwanda, licensed land surveyor with Owen Haskell. Based upon the size and nature of the development, information on financial capacity was not required. Based upon this information, the Board finds that this standard has been met.*

**11.10 Impact on Water Quality or Shoreline**

**A. State Standard**

**Surface waters; outstanding river segments.** Whenever situated entirely or partially within the watershed of any pond or lake or within two hundred and fifty (250) feet of any wetland, great pond, or river as defined in Title 38, Chapter 3, Subchapter I, Article 2-B<sup>1</sup>, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

*This parcel is not located within the watershed of a great pond or lake nor is it within the Shoreland Zone. Based upon this information, the Board finds that this standard has been met.*

### 11.11 Impact on Ground Water Quality or Quantity

#### A. State Standard

**Ground water.** The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. Based upon this information, the Board finds that this standard has been met.*

### 11.12 Floodplain Management

#### A. State Standard

**Flood areas.** Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps, Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.

*The land is in Zone C, areas of minimal flooding, on the FEMA Flood Insurance Rate Maps (FIRM). Based upon this information, the Board finds that this standard has been met.*

### 11.13 Identification of Freshwater Wetlands

#### A. State Standard

**Freshwater wetlands.** All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. Based upon the size and nature of the proposal, information on wetlands was not submitted. Based upon this information, the Board finds that this standard has been met.*

### 11.14 Rivers, Streams, and Brooks

#### A. State Standard

**River, stream or brook.** Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in Title 38, Section 480-B, Subsection 9.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. No rivers, streams or brooks are shown on the plan. Based upon this information, the Board finds that this standard has been met.*

### 11.15 Storm Water Management

#### A. State Standard

**Storm water.** The proposed subdivision will provide for adequate storm water management.

*The plan involves a land swap between two abutting parcels that are already developed. No additional lots or units are being created. Based upon the size and nature of the proposal, information on stormwater management was not submitted. Based upon this information, the Board finds that this standard has been met.*

### 11.16 Spaghetti Lots

#### A. State Standard

**Spaghetti lots prohibited.** If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond, or coastal wetland as these features are defined in Title 38, Section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than five (5) to one (1).

*No spaghetti lots are proposed with this development. Based upon this information, the Board finds that this standard has been met.*

### 11.17 Phosphorus Impacts on Great Ponds

#### A. State Standard

**Lake phosphorus concentration.** The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.

*The development is not within the watershed of a great pond. Based upon this information, the Board finds that this standard has been met.*

### 11.18 Impacts on Adjoining Municipalities

#### A. State Standard

**Impact on adjoining municipality.** For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

*The parcels do not abut or cross the municipal boundary. 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 Subdivision Ordinance.**

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and amended subdivision plan for FHT Quarry Ridge LP and William Creighton for an alteration to a lot line, subdivision recording plan dated 7/8/20, finding that it meets the standards of the Freeport Subdivision Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent



- that they are not in conflict with other stated conditions.
- 2) Prior to the sale of any lot, the applicant shall provide the Town Planner with a letter from a Registered Land Surveyor, stating that all monumentation shown on the plan has been installed.
  - 3) The applicant shall provide the Town with a file, in a format compatible with the Assessor's records, containing the information shown on the recording plan.

Meetinghouse Arts – Design Review Certificate and Change of Use – PUBLIC HEARING	
Property Location:	Tax Assessor Map 11, Lot 122
Zoning Information:	Village Commercial I (VC-1), Design Review District I – Class A
Review Type(s):	Design Review Certificate, Change of Use, Site Plan Amendment
Waivers Requested:	No waivers have been requested.

**Background:** The applicant is seeking approval of a Design Review Certificate and Change of Use at the existing First Parish Church at 40 Main Street. The change of use is from church to church and arts center – indoor. Exterior building modifications are proposed and include a new entrance and accessibility ramp. Minimal site changes are proposed. The project was first presented to the Board in January 2020 and has since been updated to comply with the setbacks of the Village Commercial I (VC-I) Zoning District.

The building is Class A in Design Review District I; a Design Review Certificate will be required for the building modifications.

**Change of Use:** The applicant is proposing a change of use to church and arts center indoor. Since this property is in the Village Commercial I District, the parking requirement is set forth by Section 514 of the Freeport Zoning Ordinance. There is an existing parking lot on the site (43 spaces) which is leased to another property owner as part of the shared parking concept. Since it is part of shared parking, it can be used by anyone and other than ADA spaces, none of the parking can be restricted (signed) to one individual and or use. The applicant will be required to provide 9.7 parking spaces (based upon calculated parking square footage of 3,870) which they will need to provide through the leased parking pool; this has been added as a condition of approval, prior to the issuance of a Certificate of Occupancy for the change of use.

Access to the site is existing and no changes are proposed. Based upon the size and nature of the development, information on stormwater management and erosion control were not submitted. This has been reviewed by the Town Engineer and he has no concerns (see email dated 07/05/2020).

The building is connected to public utilities; due to the change of use, capacity letters from MaineWater and the Freeport Sewer District are required and will need to be obtained prior to the issuance of a building permit. The applicant will utilize the existing dumpsters on the site.

No new landscaping or signage is proposed. A new landscaped area has been shown in front of the new ramp, however details were not included in the submission. The applicant is aware that they will need to return to the Board in the future of any changes are proposed.

New lighting is proposed near points of building egress. Cut sheets of proposed fixtures have been included in the submission.

**Design Review:** The project requires the removal of an existing double set of windows and the existing wood ramp. A new ADA compliant ramp will be installed, and a new entrance will be added. The materials used in the construction of the ramp/entrance will include a painted metal railing system, wood shingles covering a knee wall, composite decking, new wood canopy and trim with asphalt shingles on the roof.

The covered entry over the new entrance will be designed to match the existing one on the front of the building, however will be smaller in scale. The existing front steps at the main entrance will also be replaced to match the ramp in both style and materials. No other changes to the existing building, including doors, windows and decorative details are proposed to be altered.

As for site features, an existing stone wall in the area of the proposed ramp will be removed. Some of the stones will be used to create a new garden in front of the ramp. Other existing vegetation in the area will be removed.

**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 project requires the removal of an existing double set of windows and the existing wood ramp. A new ADA compliant ramp will be installed in the same general area, and a new entrance will be added. The overall scale of the main structure 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 project requires the removal of an existing double set of windows and the existing wood ramp. A new ADA compliant ramp will be installed in the same general area, and a new entrance will be added. The overall height of the main 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.

*The area of openings on the front façade is being retained and the proportion of the building's 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 new door will be added in the same location as an existing set of windows which will help maintain the rhythm of solids to voids in the front facades. 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 new door and sidelight will be standard size and rectangular in shape. No changes to any other openings in the facades are proposed. 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 overall roof shape will not be altered. The new covered entry will be similar in style to that over the main entrance, however will be smaller in scale. 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 used in the construction of the ramp/entrance will include a painted metal railing system, wood shingles covering a knee wall, composite decking, new wood canopy and trim with asphalt shingles on the roof. The door will have a solid glass panel and aluminum clad surface. 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 deck will be in the same general area and due to its design, will maintain the appearance of the rhythm of spaces to building in streets as the ramp will be much lower than other nearby structures. 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.

*The change of use is from church to church and arts center – indoor. Exterior building modifications are proposed and include a new entrance and accessibility ramp. Minimal site changes are proposed. The project was first presented to the Board in January 2020 and has since been updated to comply with the setbacks of the Village Commercial I (VC-I) Zoning District. An existing stone wall in the area of the proposed ramp will be removed. Some of the stones will be used to create a new garden in front of the ramp. Other existing vegetation in the area will be removed. 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 Findings of Fact:** (Section 602.F. of the Freeport Zoning Ordinance)

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

*The applicant is seeking approval of a Design Review Certificate and Change of Use at the existing First Parish Church at 40 Main Street. The change of use is from church to church and arts center – indoor. Exterior building modifications are proposed and include a new entrance and accessibility ramp. Minimal site changes are proposed. Based upon this information, the Board finds that this standard has been met.*

- b. **Relation of Proposed Buildings to the Environment:** The design and layout of the buildings and/or other development areas shall encourage safety, including fire protection. Proposed structures shall be related harmoniously to the terrain and to existing buildings and land uses in

the vicinity which have a visual relationship to the proposed buildings. Visual compatibility, not uniformity with the surrounding area, shall be emphasized. Special attention shall be paid to the scale (mass), height and bulk, proportions of the proposed buildings, the nature of the open spaces (setbacks, landscaping) around the buildings, the design of the buildings (including roof style, facade openings, architectural style and details), building materials and signs.

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

*The property is in the Village Commercial I (VC-I) Zoning District. The building is Class A in Design Review District I; a Design Review Certificate will be required for the building modifications. The project requires the removal of an existing double set of windows and the existing wood ramp. A new ADA compliant ramp will be installed, and a new entrance will be added. Minimal site changes are proposed. Based upon this information, the Board finds that this standard has been met.*

- c. **Vehicular Access:** The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrian traffic patterns. Special consideration shall be given to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible

*Access to the site is existing and will remain unchanged. 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.

*Since this property is in the Village Commercial I District, the parking requirement is set forth by Section 514 of the Freeport Zoning Ordinance. There is an existing parking lot on the site (43 spaces) which is leased to another property owner as part of the shared parking concept. Since it is part of shared parking, it can be used by anyone and other than ADA spaces, none of the parking can be restricted (signed) to one individual and or use. The applicant will be required to provide 9.7 parking spaces (based upon calculated parking square footage of 3,870) which they will need to provide through the leased parking pool; this has been added as a condition of approval, prior to the issuance of a Certificate of Occupancy for the change of use. Based upon this information, the Board finds that this standard has been met.*

- e. **Surface Water Drainage:** Adequate provisions shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, down-stream conditions, or the public storm drainage system. The increase in rate of runoff in the post development condition shall be held to a zero or less percent of the predevelopment condition unless an engineering study has been performed as described in Section

529.2 above. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a two year, ten year and twenty-five year storm frequency. Emphasis shall be placed on the protection of floodplains; reservation of stream corridors; establishment of drainage rights-of- way and the adequacy of the existing system; and the need for improvements, both on-site and off-site, to adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

*Based upon the size and nature of the development, information on stormwater management and erosion control were not submitted. This has been reviewed by the Town Engineer and he has no concerns (see email dated 07/05/2020). Based upon this information, the Board finds that this standard has been met.*

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

*The building is already connected to public utilities. The applicant has contacted the Freeport Sewer District and Maine Water for capacity letters. Those are forthcoming and obtaining the capacity letters has been added as a condition of approval. Based upon this information, the Board finds that this standard has been met.*

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

*No new signage is proposed. 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.

*As for site features, an existing stone wall in the area of the proposed ramp will be removed. Some of the stones will be used to create a new garden in front of the ramp. Other existing vegetation in the area will be removed. 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 lighting is proposed near points of building egress. Cut sheets of proposed fixtures have been included in the submission. 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.

*As for site features, an existing stone wall in the area of the proposed ramp will be removed. Some of the stones will be used to create a new garden in front of the ramp. Other existing vegetation in the area will be removed. No additional plantings are proposed at this time and the applicant is aware that any changes to landscaping in the future may require review and approval by the Board. Based upon this information, the Board finds that this standard has been met.*

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

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

*The parcel is not within the Shoreland Zone or the Marine Waterfront District. The building is connected to public utilities. Based upon this information, the Board finds that this standard has been met.*

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

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Design Review Certificate and Change for Meetinghouse Arts at 40 Main Street (Tax Assessor Map 11, Lot 122), for exterior building and site alterations and a change of use to church and arts center indoor, to be built substantially as proposed, application dated 06/24/2020, finding that it meets the standards of the Freeport Design Review Ordinance and Section 602 of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer for the change of use and building alterations.
- 3) Prior to obtaining a building permit from the Town of Freeport, the applicant obtain approval from the State Fire Marshal's Office.
- 4) The applicant obtain written capacity to serve letters from the Freeport Sewer District and Maine Water Company, with copies to be submitted to the Freeport Planning Department.
- 5) The applicant will be required to provide parking in accordance with Section 514 of the Freeport Zoning Ordinance.

<b>Lighthouse Laundromat - Design Review Certificate and Site Plan Amendment</b>	
Property Location:	Tax Assessor Map 12, Lot 33A
Zoning Information:	Village Commercial II (VC-II), Design Review District I – Class C
Review Type(s):	Design Review Certificate, Site Plan Amendment
Waivers Requested:	No waivers have been requested.

**Background:** The applicant has an agreement to purchase the property at 12 Mallett Drive. The building is Class C in Design Review District I. The building is currently occupied by a laundromat and there is a small vacant space that is currently for lease. No change of use is proposed.

**Exterior Alterations:** The project consists of mostly exterior building and site improvements. No building expansion is proposed. The applicant is proposing to reside the building with individual vinyl shakes. New PVC trim will be installed along with fiberglass columns on the front façade. Windows will be solid plate glass with interior grills and vinyl exterior. Doors will be aluminum with a sidelight and transom. New LED full cut off lighting fixtures will be installed on the building façade. The westerly façade will be repainted white. The four existing windows will be removed and a new steel egress door will be installed. A new full cut-off fixture will be installed over the door. The roof will remain unchanged. The rear façade is not visible from the right of way and therefore not subject to Design Review.



The applicant shows two signs over the front entrances. The signs will have a gray background with yellow lettering. The signs will most likely be made of PVC sign material. Each sign will be about 12 square feet.

**Site Improvements:** Changes to the site include restriping the existing parking lot; two of the spaces will be ADA accessible and signed and striped accordingly for a total of 30 spaces that meet the dimensional requirements of the Ordinance. An existing walkway along the building will be widened by 36" (72" total) and connect three sides of the building. There will be minimal increase to the amount of impervious area as most of the area where the walkway is being expanded is already paved. New planters will be added to the site, as shown in the rendering.

**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 proposal includes significant rehabilitation of the exterior building façade, however the overall 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 overall 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 relationship of the width to the height 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 two doors on the front façade will be replaced in their current locations. Window replacement along the front façade will follow the existing pattern with two additional windows being added between columns. 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 new door with transom and sidelights will be standard size and rectangular in shape. New windows will be square, as are the existing windows on the front façade. 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 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.

*The applicant is proposing to reside the building with individual vinyl shakes. New PVC trim will be installed along with fiberglass columns on the front façade. Windows will be solid plate glass with interior grills and vinyl exterior. Doors will be aluminum with a sidelight and transom. The westerly façade will be repainted white. The four existing windows will be removed and a new steel egress door will be installed. A new full cut-off fixture will be installed over the door. The roof will remain unchanged. 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 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.

*Changes to the site include restriping the existing parking lot; two of the spaces will be ADA accessible and signed and striped accordingly for a total of 30 spaces that meet the dimensional requirements of the Ordinance. An existing walkway along the building will be widened by 36" (72" total) and connect three sides of the building. There will be minimal increase to the amount*

*of impervious area as most of the area where the walkway is being expanded is already paved. New planters will be added to the site, as shown in the rendering. 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 shows two signs over the front entrances. The signs will have a gray background with yellow lettering. The signs will most likely be made of PVC sign material. Each sign will be about 12 square feet. 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 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 site is already developed and the applicant is proposing improvements to rehabilitate the exterior building façade and parking lot. No vegetation is being removed from the site. Based upon this information, the Board finds that this standard has been met.*

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

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

*The property is in the Village Commercial II (VC-II) Zoning District. The building is Class C in Design Review District I; a Design Review Certificate will be required for the building modifications. The*

*building is existing and the relation of the proposed building to the environment will not be altered. Based upon this information, the Board finds that this standard has been met.*

- c. **Vehicular Access:** The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrian traffic patterns. Special consideration shall be given to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible

*Access to the site is existing and will remain unchanged. 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.

*Changes to the site include restriping the existing parking lot; two of the spaces will be ADA accessible and signed and striped accordingly for a total of 30 spaces that meet the dimensional requirements of the Ordinance. An existing walkway along the building will be widened by 36" (72" total) and connect three sides of the building. There will be minimal increase to the amount of impervious area as most of the area where the walkway is being expanded is already paved. Based upon this information, the Board finds that this standard has been met.*

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

*Based upon the size and nature of the development, information on stormwater management and erosion control were not submitted. The only area that will add impervious surface, is a small area of concrete walkway being added along the western façade of the building. 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.

*The applicant shows two signs over the front entrances. The signs will have a gray background with yellow lettering. The signs will most likely be made of PVC sign material. Each sign will be about 12 square feet. 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.

*Dumpsters on site are existing and will remain. There are no other 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 LED full cut off lighting fixtures will be installed on the building façade. A new full cut-off fixture will be installed over the new door on the westerly façade. 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.

*New planters will be added to the site, as shown in the rendering. No other vegetation is being removed and/or added. Based upon this information, the Board finds that this standard has been met.*

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

*The parcel is not within the Shoreland Zone or the Marine Waterfront District. The building is connected to public utilities. Based upon this information, the Board finds that this standard has been met.*

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

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Design Review Certificate and minor site modifications for Lighthouse Laundry at 12 Mallett Drive (Tax Assessor Map 12, Lot 33A), for exterior building alteration and minor site alterations to be built substantially as proposed, application dated 07/02/2020, finding that it meets the standards of the Freeport Design Review Ordinance and Section 602 of the Freeport Zoning Ordinance, with the following Conditions of Approval:

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

1. **Historic Property Name(s):** First Parish Congregational Church
2. **Street Address:** 40 Main Street
3. **Tax Parcel:** 11-122
4. **Survey Date:** 5/23/2019

### **Architectural Data**

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5. **Style and/or Form:** Shingle, church
6. **Stories:** 1
7. **Appendages and Additions (Porches, Ells, Dormers, etc.):** Side ell, front porch, bell tower with hip roof
8. **Windows:** Stained glass, single-pane double hung replacement sash windows, pointed arch in tower and sanctuary
9. **Roof Configuration and Materials:** Gable front, asphalt shingles (hipped on tower)
10. **Chimneys:** Interior
11. **Exterior Wall Materials:** Wood shingle
12. **Foundation:** Brick
13. **Outbuildings and Barns:** None
14. **Alterations:** Pressure treated wood ramp on side of tower
15. **Site Features:** Small garden at north and low stone wall separating lawn from brick sidewalk
16. **Significant Architectural Elements of Style:** Asymmetrical façade, steeply pitched roof line, continuous wood shingles, projecting wall in gable, shingled brackets below projection, emphasis on shape and volume rather than decorative elements, flared eaves, rustic detailing on porch

### **Historical Data**

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17. **Construction Date:** 1894-95
18. **Architect/Builder (If Known):** Will S. Aldrich, Jere Phillbrook & Sons
19. **Significant Person:**
20. **Historic Context:** Built after the original church burned in 1894. Good example of a Shingle style ecclesiastical structure and an uncommon style in Freeport. Contributing resource in the National Register-listed Freeport Main Street Historic District.

1. **Historic Property Name(s):** First Parish Congregational Church
2. **Street Address:** 40 Main Street
3. **Tax Parcel:** 11-122
4. **Survey Date:** 5/23/2019

**Photos**

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11/122

SURVEY MAP NO. 4

SURVEY NAME Freeport Village HD

SURVEY ID M13321

MHPC USE ONLY

INVENTORY NO.

# MAINE HISTORIC PRESERVATION COMMISSION Historic Building/Structure Survey Form

- PROPERTY NAME (HISTORIC): First Parish Congregational Church
- PROPERTY NAME (OTHER): First Parish Congregational Church UCC; MHPC #161-0823
- STREET ADDRESS: 40 Main St., Route 1
- TOWN: Freeport
- COUNTY: Cumberland
- DATE RECORDED: 6/12/2013
- SURVEYOR: Roberts, Janet
- OWNER NAME: First Parish Congregational
- ADDRESS: 40 Main Street Freeport, ME 04032
- PRIMARY USE (PRESENT):
 

<input type="checkbox"/> SINGLE FAMILY	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> COMMERCIAL/TRADE	<input type="checkbox"/> FUNERARY
<input type="checkbox"/> MULTI-FAMILY	<input type="checkbox"/> GOVERNMENTAL	<input type="checkbox"/> EDUCATION	<input type="checkbox"/> HEALTH CARE
<input type="checkbox"/> INDUSTRY	<input checked="" type="checkbox"/> RELIGIOUS	<input type="checkbox"/> HOTEL	<input type="checkbox"/> LANDSCAPE
<input type="checkbox"/> TRANSPORTATION	<input type="checkbox"/> DEFENSE	<input type="checkbox"/> SUMMER COTTAGE/CAMP	<input type="checkbox"/> SOCIAL
<input type="checkbox"/> RECREATION/CULTURE	<input type="checkbox"/> UNKNOWN		
<input type="checkbox"/> OTHER			
- CONDITION: ☒ GOOD ☐ FAIR ☐ POOR ☐ DESTROYED, DATE \_\_\_\_\_

## ARCHITECTURAL DATA

- PRIMARY STYLISTIC CATEGORY:
 

<input type="checkbox"/> GEORGIAN	<input type="checkbox"/> STICK STYLE	<input type="checkbox"/> 19 <sup>TH</sup> /20 <sup>TH</sup> C. REVIVAL	<input type="checkbox"/> MODERN/CONTEMPORARY
<input type="checkbox"/> FEDERAL	<input type="checkbox"/> QUEEN ANNE	<input type="checkbox"/> COMMERCIAL STYLE	<input type="checkbox"/> MINIMAL TRADITIONAL
<input type="checkbox"/> GREEK REVIVAL	<input checked="" type="checkbox"/> SHINGLE STYLE	<input type="checkbox"/> CRAFTSMAN	<input type="checkbox"/> RANCH
<input type="checkbox"/> GOTHIC REVIVAL	<input type="checkbox"/> ROMANESQUE	<input type="checkbox"/> ART DECO / MODERNE	<input type="checkbox"/> SPLIT LEVEL
<input type="checkbox"/> ITALIANATE	<input type="checkbox"/> NEO-CLASSICAL REV	<input type="checkbox"/> INTERNATIONAL	<input type="checkbox"/> VERNACULAR
<input type="checkbox"/> SECOND EMPIRE	<input type="checkbox"/> RENAISSANCE REV	<input type="checkbox"/> OTHER	
- SECONDARY STYLISTIC CATEGORY:
 

<input type="checkbox"/> GEORGIAN	<input type="checkbox"/> STICK STYLE	<input type="checkbox"/> 19 <sup>TH</sup> /20 <sup>TH</sup> C. REVIVAL	<input type="checkbox"/> MODERN/CONTEMPORARY
<input type="checkbox"/> FEDERAL	<input type="checkbox"/> QUEEN ANNE	<input type="checkbox"/> COMMERCIAL STYLE	<input type="checkbox"/> MINIMAL TRADITIONAL
<input type="checkbox"/> GREEK REVIVAL	<input type="checkbox"/> SHINGLE STYLE	<input type="checkbox"/> CRAFTSMAN	<input type="checkbox"/> RANCH
<input type="checkbox"/> GOTHIC REVIVAL	<input type="checkbox"/> ROMANESQUE	<input type="checkbox"/> ART DECO / MODERNE	<input type="checkbox"/> SPLIT LEVEL
<input type="checkbox"/> ITALIANATE	<input type="checkbox"/> NEO-CLASSICAL REV	<input type="checkbox"/> INTERNATIONAL	<input type="checkbox"/> VERNACULAR
<input type="checkbox"/> SECOND EMPIRE	<input type="checkbox"/> RENAISSANCE REV	<input type="checkbox"/> OTHER	
- HEIGHT:
 

<input checked="" type="checkbox"/> 1 STORY	<input type="checkbox"/> 1 1/2 STORY	<input type="checkbox"/> 2 STORY	<input type="checkbox"/> 2 1/2 STORY	<input type="checkbox"/> 3 STORY	<input type="checkbox"/> 4 STORY
<input type="checkbox"/> 5 STORY	<input type="checkbox"/> OVER 5 (_____)				
- PRIMARY FACADE WIDTH (MAIN BLOCK; USE GROUND FLOOR):
 

<input type="checkbox"/> 1 BAY	<input checked="" type="checkbox"/> 2 BAY	<input type="checkbox"/> 3 BAY	<input type="checkbox"/> 4 BAY	<input type="checkbox"/> 5 BAY	<input type="checkbox"/> MORE THAN 5 (_____)
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- APPENDAGES:
 

<input checked="" type="checkbox"/> SIDE ELL	<input type="checkbox"/> REAR ELL	<input type="checkbox"/> FRONT	<input type="checkbox"/> ADDED STORIES	<input type="checkbox"/> SHED
<input type="checkbox"/> DORMERS	<input checked="" type="checkbox"/> PORCH	<input checked="" type="checkbox"/> TOWER	<input type="checkbox"/> CUPOLA	<input type="checkbox"/> BAY WINDOW

## PHOTOGRAPH:

17. PORCH:  
☒ ATTACHED ☐ ENGAGED ☒ ONE STORY ☐ MORE THAN ONE STORY  
☐ FULL WIDTH ☐ WRAPAROUND ☐ SLEEPING PORCH ☐ SECONDARY PORCH
18. PLAN OR FORM  
☐ HALL AND PARLOR ☐ 1/2 CAPE ☐ CAPE ☐ CENTRAL HALL ☐ 2-STORY DOUBLE PILE  
☐ SIDE HALL ☐ BACK HALL ☐ IRREGULAR ☐ FOURSQUARE ☐ BUNGALOW  
☐ MOBILE HOME ☐ MODULAR ☒ OTHER \_\_\_\_\_
19. PRIMARY STRUCTURAL SYSTEM:  
☐ TIMBER FRAME ☐ BRACED FRAME ☐ BRICK ☐ STONE ☐ BALLOON FRAME  
☐ CONCRETE ☐ STEEL ☐ LOG ☐ PLANK WALL ☐ PLATFORM FRAME  
☒ FRAME CONSTRUCTION - TYPE UNKNOWN ☐ OTHER \_\_\_\_\_
20. CHIMNEY PLACEMENT:  
☒ INTERIOR ☐ INTERIOR FRONT/REAR ☐ CENTER ☐ INTERIOR END ☐ EXTERIOR  
☐ OTHER \_\_\_\_\_
21. ROOF CONFIGURATION:  
☐ GABLE SIDE ☒ GABLE FRONT ☐ HIP ☐ MANSARD ☐ FLAT  
☐ GAMBREL ☐ PARAPET GABLE ☐ SHED ☐ CROSS GABLE  
☐ COMPOUND ☐ OTHER \_\_\_\_\_
22. ROOF MATERIAL: ☐ WOOD ☐ METAL ☐ TILE ☐ SLATE ☒ ASPHALT ☐ ASBESTOS
23. EXTERIOR WALL MATERIALS:  
☐ CLAPBOARD ☐ BRICK ☐ FLUSH SHEATHING ☒ WOOD SHINGLE ☐ STONE  
☐ LOG ☐ PRESSED METAL ☐ CONCRETE ☐ STUCCO ☐ ASPHALT  
☐ GRANITE ☐ ASBESTOS ☐ TERRA COTTA ☐ BOARD AND BATTEN ☐ ALUMINUM/VINYL  
☐ OTHER \_\_\_\_\_
24. FOUNDATION MATERIAL:  
☐ FIELDSTONE ☒ BRICK ☐ WOOD ☐ CONCRETE ☐ GRANITE ☐ ORNAMENTAL CONC. BLOCK  
☐ OTHER \_\_\_\_\_
25. OUTBUILDINGS/FEATURES:  
☐ CARRIAGE HOUSE ☐ FENCE OR WALL ☐ CEMETERY ☐ BARN (CONNECTED)  
☐ BARN (DETACHED) ☐ FORMAL GARDEN ☐ LANDSCAPE/PLANT MAT ☐ ARCHAEOLOGICAL SITE  
☐ GARAGE ☐ OTHER \_\_\_\_\_

## HISTORICAL DATA

26. DOCUMENTED DATE OF CONSTRUCTION: 1894 - 1895 27. ESTIMATED DATE OF CONSTRUCTION: \_\_\_\_\_
28. DATE MAJOR ADDITIONS/ALTERATIONS: \_\_\_\_\_
29. ARCHITECT: Will S. Aldrich (1862-1947) 30. CONTRACTOR: Jere Phillbrook & Sons, Portland
31. ORIGINAL OWNER: First Parish Congregational
32. SUBSEQUENT SIGNIFICANT OWNER: \_\_\_\_\_ DATES: \_\_\_\_\_
33. CULTURAL/ETHNIC AFFILIATION:  
☐ ENGLISH ☐ FRENCH ACADIAN ☐ NATIVE AMERICAN ☐ SCOTTISH ☐ FRENCH CANADIAN  
☐ EAST EUROPEAN ☐ IRISH ☐ OTHER \_\_\_\_\_
34. HISTORIC CONTEXT(S):  
☒ COMMERCE ☐ INDUSTRY ☐ TRANSPORTATION ☐ AGRICULTURE ☐ MILITARY  
☒ RELIGION ☐ CIVIC AFFAIRS ☐ RECREATION ☐ HABITATION ☐ EDUCATION  
☐ ART, LIT, SCIENCE ☐ SOCIAL
35. COMMENTS/SOURCES: See Continuation Form

36. HISTORICAL DRAWINGS EXIST: ☐ YES ☒ NO 37. KIT HOUSE ☐ YES ☒ NO 38. PATTERN BOOK HOUSE ☐ YES ☒ NO

## ENVIRONMENTAL DATA

39. SITE INTEGRITY: ☒ ORIGINAL ☐ MOVED DATE MOVED \_\_\_\_\_
40. SETTING: ☐ RURAL/UNDISTURBED ☐ RURAL/BUILT UP ☒ SMALL TOWN ☐ URBAN ☐ SUBURBAN
41. QUADRANGLE MAP USED: Freeport
42. UTM NORTHING: 5443164.05806141 43. UTM EASTING: -7804032.87143399
44. FACADE DIRECTION (CIRCLE ONE): N S E W NE **NW** SE SW

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MHPC USE ONLY

- DATE ENTERED IN INVENTORY: \_\_\_\_\_ PHOTO FILE #: \_\_\_\_\_
- NR STATUS: ☐ L ☐ HD ☐ E ☐ NE ☐ ND REVIEWER \_\_\_\_\_
- DATA SOURCE: ☐ HPF ☐ CLG ☐ R&C ☐ STAFF ☐ STATE SURVEY OTHER \_\_\_\_\_ LEVEL OF SURVEY: ☐ R ☐ I

SURVEY MAP NO. 4  
SURVEY NAME Freeport Village HD  
SURVEY ID M13321

MHPC USE ONLY

INVENTORY NO.

**MAINE HISTORIC PRESERVATION COMMISSION**  
**Historic Building/Structure Survey Form**  
**Continuation Sheet**

PROPERTY NAME: First Parish Congregational Church

TOWN: Freeport COUNTY: Cumberland

SURVEYOR: Roberts, Janet DATE: 6/12/2013

DATA FIELD # (From Survey Form): 35

Maps - 1909: Congregational Church

Three Centuries of Freeport, p. 214 - "During April, 1894, the old church (now site of L.L. Bean) was burned in the fire...the site of the present church was purchased of E.B. Mallet, Jr. for \$1000...Work was started on the building in August 1894."

Pamphlet "A History of The First Parish Church Congregational, Freeport, Maine 1774 - 1959."

[transcription from Rand/Anderson survey form]

# 7 DESCRIPTION

## CONDITION

☐ EXCELLENT  
☒ GOOD  
☐ FAIR

☐ DETERIORATED  
☐ RUINS  
☐ UNEXPOSED

## CHECK ONE

☐ UNALTERED  
☒ ALTERED

## CHECK ONE

☒ ORIGINAL SITE  
☐ MOVED DATE \_\_\_\_\_

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The Main Street Historic District, Freeport, comprises nine architecturally significant buildings which line both sides of the street. Dating from the late 18th to the early 20th centuries, the district's buildings have not undergone major alteration. The district is strictly residential in nature and contains no intrusions. From the earliest to the latest, the buildings are stylistically very compatible and represent the prosperous and self-assured society which built them. The Main Street Historic District's good state of preservation is remarkable, given its position on much - used U.S. Route 1.

- 11-21 A. Belcher House (31 - 33 Main Street): 1828-29 Federal, 2 stories with monitor, hip roof, clapboarded, frame construction.
- gone B. Gould House (35 Main Street): 1922 Modern 2 stories, gambrel roof, shingled, frame construction.
- 11-25 C. Pratt-Soule-Mitchell House (39 Main Street): c. 1829 Federal with Greek Revival ell, 2½ stories, gable roof, brick, fan over doorway.
- 11-24 D. Harrington House (45 Main Street): c. 1830, Transitional Federal-Greek Revival, 2½ stories, gable roof with double facade dormer, brick, arched entrance in gable end, non-functional Neo-Classical portico with Ionic columns on facade (partico removed 1988)
- 11-27 E. Mitchell-Soule-Davis House (49 Main Street): c. 1790, Post-Colonial cape, 1½ stories, gable roof, vinyl clapboarding, frame construction, central chimney.
- 11-31 F. B.H. Bartol Library (55 Main Street): c. 1906, 1967, Colonial Revival, 1 story, hip roof, brick, compatible modern addition, George Burnham, architect.
- 11-124 G. Estes House (32-34 Main Street): c. 1889, vernacular, 2½ stories, gable roof, clapboarded, frame construction, 2 facade doorways.
- 11-123 H. Andrews-Brewer House (36 Main Street): c. 1840, Federal Cape, 1½ stories, gable roof, brick fan over doorway.
- 40 11-122 I. Congregational Church (38 Main Street): 1895, Shingle style, 1 story with tower, gable roof, shingled, frame construction. Will S. Aldrich, architect.



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## MEMORANDUM

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**TO:** Caroline Pelletier, Town Planner  
**FROM:** Adam S. Bliss, P.E., Town Engineer  
**DATE:** July 8, 2020  
**SUBJECT:** Final Subdivision Plan Review for Habitat for Humanity  
Old Brunswick Road  
Map 018, Lot 15

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### **Introduction**

Northeast Civil Solutions, Inc. submitted Minor Subdivision application materials and plans on behalf of Habitat for Humanity/ Greater Portland Inc. The three-lot subdivision is located off Old Brunswick Road. The house lots will be accessed via separate driveways off Old Brunswick Road. The lots and houses will be developed by Habitat for Humanity and sold to prospective homeowners. Each lot will create approximately 6,000 square feet of impervious and 5,000 square feet of developed area. Each lot will receive water quality treatment through Roof Dripline Filters and Rain Gardens. These Stormwater Control Measures are acceptable treatment methods and were designed in accordance with Maine DEP standards. The proposed project will not require a Maine DEP Stormwater Permit-By-Rule since the developed area is below the state's 1-acre regulatory threshold.

My review of the application materials includes local review for compliance with the Town's Subdivision and Zoning Ordinances. My comments relative to the Ordinances are summarized below.

### **Technical Engineering Review**

1. The Applicant's response to comments dated July 8, 2020 have addressed prior comments and requests for information.
2. The submitted Erosion Control Plan is in general compliance with Section 11.4 of the Town's Subdivision Ordinance.
3. The proposed subdivision will be served by individual driveways off Old Brunswick Road. This approach is acceptable given the small-scale development and low volume traffic conditions.
4. The waiver to allow overhead utilities is acceptable for this project.
5. The stormwater design is in general compliance with Section 11.16 of the Town's Subdivision Ordinance and Section 529 of the Town of Freeport Zoning Ordinance. As required, the proposed development peak flows for the 2-, 10-, and 25-year storm events are limited to pre-development levels at the analysis points through the design and use of Roof Dripline Filters and Rain Gardens.

### **General Comments**

A pre-construction meeting will be required prior to any ground disturbance on the project. A street excavation permit will be required through the Public Works Department for driveway construction in the Town's right-of-way. All Project Review Board conditions of approval must be met prior to initiation of any construction.