

**MINUTES
FREEPORT PROJECT REVIEW BOARD
SEPTEMBER 16, 2020
6 P.M.**

This meeting was held online/virtually, using Zoom teleconferencing

Attending: Chair Geralyn Campanelli, Guy Blanchard, Ford Reiche, Vice Chair Adam Troidl, Suzanne Watson, Tod Yankee and Planner, Caroline Pelletier
Excused: Gordon Hamlin

CALL TO ORDER: Chair Campanelli called the meeting to order at 6 p.m. and thanked everyone for attending. She explained the process that would be followed this evening and that there may be a couple of projects where Board members will need to recuse themselves. She mentioned that when the project is announced, the recusing Board member should give their name and the reason they are recusing themselves. She asked that they turn off the video but not leave the meeting because as soon as that project is reviewed and a motion is taken, she would like them to rejoin the Board again.

ITEM I: Information Exchange

1) Update on Planning Board agenda items

Ms. Pelletier noted that the Planning Board is starting to see a steady stream of applicant-driven agenda items. Last month they reviewed a request to allow existing single-family houses to be permitted uses in the Village Commercial I District. We have about a dozen of them and they are not permitted uses so they are limited in adding on. They couldn't add on without getting a variance from the Board of Appeals which is a challenge. The Board found it was consistent with the Comprehensive Plan and did recommend that amendment to the Council. It will be on a Council agenda in a few weeks. They also had a discussion on changing the word in Village Commercial I from "masonry" to "Non-combustible" with regard to setbacks. An applicant will be before the Board tonight that will explain the need for the change in that wording. The Planning Board has been discussing an application from the Desert of Maine to create an Overlay District at the end of Desert Road.

2) Update on Staff Approvals

Ms. Pelletier announced that last night the Council did extend the emergency Ordinance to support our business community as they open and try to recover from the Covid19 Pandemic and adjust their business plans. We have had about 17 businesses take out permits to make some changes to support their existing businesses. The Ordinance was approved and extended through the middle of November. They require Staff Approval from the Town Planner and the Code Enforcement Officer. She displayed two other staff approvals. One was for the James Place Inn on Holbrook Street. They had to reface their sign which is the same size and in its existing location. The other project that came in for Staff Approval is the Casco Bay Ford Building. We had a lot of discussion about the façade she held up, when the applicant came back, they added some trim detail and windows up top. They realized that where they put the windows was a little lower with looking into not anything glamorous such as boxes and storage so they moved it up. When they did that, they realized it was visually appealing better to extend it over the garage. They made the change and it was signed off at Staff level.

Chair Campanelli explained that the Minutes approval will be moved to the October meeting.

ITEM II: Review of Tabled Items

The Beacon Residences – Commercial Open Space Subdivision

The applicant is seeking final approval for a Commercial Open Space Residential Subdivision at 6 & 8 Desert Road. 144 units (in six residential buildings), 5 garage buildings, a clubhouse with pool and associated site improvements are proposed. A new road is proposed. Open space is required. Site Plan Review and Subdivision review are required. Zoning District: Commercial IV (C-IV). Tax Assessor Map 22, Lots 24 & 24B. Ben Devine, Devine Capital LLC, applicant; L.L. Bean, Inc, owner; Frank Dougherty, KGI Properties, representative.

Mr. Yankee recused himself because he was not involved in prior discussions on this project. He plans to stay with the Board but will cut his audio and video.

Ms. Pelletier pointed out that if anyone makes any motions tonight, a Roll Call Vote will be needed. Any applicants or representatives when their item is before the Board, they need to stay present with audio and video, whoever is going to be speaking as do Board members.

Ms. Pelletier explained that Divine Capital LLC came to the Board in 2019 for a major subdivision. They went through conceptual, the preliminary stage where we had to have the official public hearing for the item and then they were almost ready for final, but not quite. They had a couple of loose ends so they came to the Board in January for discussion on the final plans. They made some changes and then got tabled. They asked to remain tabled and there were no objections from the Board so they remained tabled through the pandemic but they are here with us now.

Back in January when they were here, they received some comments from the public and the Board on the appearance of the exterior facades of the building. They tweaked some of the building facades and the Board has renderings in their packet. They are here tonight and can go through those changes for the Board. One of the other items they had outstanding was the legal review. That has been concluded by the Town Attorney. When they were doing some of the legal work and it was getting reviewed, some issues came up with the Ordinance in the nature of the project and we all know that we have one Subdivision Ordinance for all types of subdivisions. In this subdivision, it is an apartment complex that will all be retained under the same ownership. They don't need a private road for frontage purposes because they get their required frontage on Desert Road but they need access. We have some requirements in the Ordinance that a road be in a right-of-way. In this case, because they are going to retain ownership, they are not going to give anyone, other than themselves, permission to go over the road and they didn't need it for frontage. The applicant said it didn't really make sense and the Town Attorney agreed. There is nobody to give a right-of-way to in this case because they are going to own the whole thing. They have requested a few waivers. Two of them pertain to the right-of-way. One is the requirement for the right-of-way itself. There is also a width requirement of 50 feet which again the recommendation is that they don't really need in this case. Right-of-ways can also create issues because they create additional property lines. They also have a dead-end street and our dead-end street design standard requires a cul-de-sac or some kind of adequate turn-around. While the applicant could have easily cut a cul-de-sac at the end of the parking lot, it didn't seem to make much sense. The Fire Chief reviewed the plans and it seems there is adequate room to maneuver fire trucks and cars through the site even at the end of the road where there is a parking lot. That is another request.

They also requested a waiver of the speed design of the road. The Ordinance says you need to require a private road design to have the speed requirement at 35 mph. They designed it to have vehicles go 20 mph. Slower, given the size and nature of the development, it was felt that this was an appropriate request. They also asked for waivers on the monumentation to use iron pins instead of granite. Again, they are not going to have a lot of the internal property lines to mark like a typical subdivision would have. They also asked for a waiver for street monuments. Again, they are not going to have a right-of-way there. They did get their road names approved by the E911 Addressing officer. Those have been added to the plan. In January the Board asked the Town Engineer to

weigh in on the waiver requests. He did think they were reasonable and did comment on that request in the memo. Probably the thing we talked about the most at the last meeting and heard from the public was the issue of the traffic. They presented a traffic study and the Board requested that it be peer reviewed. Malone and MacBroom was selected out of Portland to conduct the peer review on behalf of the Town. Malone and MacBroom is working for the Town but it is done at the expense of the applicant. We had the peer review done and received the comments which were reviewed by the Board in January and the Board had additional questions. One of the questions that came up at the last meeting was to the timing and why they took the traffic counts when they did. Some abutters from the Maine Coast Waldorf School noted that when they took the traffic counts coming in and out of the School was when the school was not in session. Attached to the Staff Report is an e-mail from Jason Ready back in February touching upon that issue. He clarified that there are certain times when they have to do these studies and then make adjustments. He felt they did the traffic study in the acceptable window (April through October) and did it in the peak times. He noted that school typically release off hours from the peak hours which are typically commuter hours. The Fulfillment Center employees get out between 3 or 4 p.m. He also clarified the levels of service. Intersections are given rankings: A through F. We would love A intersections because it means we can all get to work with less traffic and less stops. Unfortunately, that area is already a level of service "F". In the opinion of the Peer Reviewer, you can't get any worse than an "F". That addressed the traffic questions from the last meeting.

The Board also wanted clarification on where the DOT project stands. Ms. Pelletier got an e-mail today from Adam Bliss. He was able to connect with DOT and learned that the project for the Desert Road Overpass is still going forward. It is his understanding that there will be some ramp improvements with that project. They did get their Site Location Permit. They already met with the Council. They will have to work out details on the pedestrian walkway in the right-of-way. If the Board decides to take action tonight, one thing that was omitted in the motion is that they would have to get applicable permits from the Freeport Department of Public Works. It would be just an entrance permit to make a curb cut and a permit is required for any of the utility work. The Board also got in their packets, two e-mails from public comment. She noted that there are members of the public here tonight.

Frank Dougherty, on behalf of his team, thanked Staff and everyone in Town for their help, cooperation and understanding regarding extending their hearing. He asked Bill Fletcher to give an update on some of the changes to the facade. Bill Fletcher, attorney, pointed out that they are seeking final approval for this project tonight and that Caroline provided an excellent summary and update. It started back in June of 2019 with a zoning amendment to allow this particular use within this zoning district which is a relatively small district in itself. The Board has a 3-phase approval process, the conceptual approval, preliminary approval and then the final approval. They are at that stage now but like much of the world they were delayed by the Covid landscape but were able to make some progress including building renderings the team's architect will talk about shortly. This is a time-sensitive request. They have needed to extend their contract to purchase the property in order to accommodate the delay and hope to receive the Board's support tonight. They feel they made good progress in responding to the feedback from Town Staff, Peer Reviewer and the Town Attorney. They are excited about this project.

Tim Wentz, architect shared a screen with the Board of the original rendering of the apartment building from their 2/19/2020 submission. This was a flat rendering and one of the Board's concerns was they felt the elevation itself was too flat and that the roof was not varied enough. They felt it was too monolithic and felt that the shingle siding was not appropriate for the architecture. They then took those concerns into account and made changes. He displayed a drawing dated 8/16/2020 where they took out all the cedar shake that was in the building and put in a vinyl clapboard in two different color schemes, light gray and darker gray. As they stand now, there are no shakes on the building. He showed the Board a photo called the Beacon Front Elevation dated 8/16/2020 and pointed out that there are areas he popped out on the elevation itself that contain the balcony and the closed in section of the

mechanical rooms. Going from left to right, they dropped back and a portion pops back out again to emphasize the front entrance and a shed roof over the front doors. The pop-out is approximately 4' and then there is a balcony so it visually goes back again and into the main section of the building which is in the center. They then repeat it and that building is a mirror image of itself. At the peak, they are typically divided in half at that point. On the sides, they are stepping it out so one will not see a perfectly flat plane on the side's elevations. They basically have gable end roofs and then go into a hip up to the peak. As they step the building, they are actually stepping the roof itself so it is not a flat plane and does not have a flat peak to it. There is a lot of variation in the height of the gables but in the heights of the peaks of the roof. He then displayed the Original Street Elevation and Revised Street Elevation dated 8/16/2020. On the original elevations the garages which were facing the street, the thought was that they were too plain and concerned again about a long, monotonous façade that was flat. He pointed out that he added windows underneath the gables of the roof and a long planting trellis area. They feel the combination of the trellis and plantings which will be in front of the garages facing the street will have some visual interest in them. In the next slide entitled Garage Plan Offset dated 8/16/2020, the Board can see where they took the center section of the garage and pushed it forward so you basically get a 3-part garage, the building is stepped back for another 3 cars and then stepped forward again for another 3 cars so you are not looking at a flat monolithic plane. They are varied and with the windows and the trellis they feel this is a much better elevation that faces the street. Garages that don't face the streets will also have these steps. He mentioned there was concern about how they averaged the grade in accordance with the definitions. He put together a slide showing the balance of where the definition is taken from, 20' off the face and the Ordinance now says that the building height is allowed to be 3 stories which is what they are. On the final slide, the Town was concerned about the column styles. They were confused from the front elevation rendering and they show three different column styles which they could potentially do. This is a Column Style Drawing dated 8/16/2020. He explained the three different styles and that from these types of columns they felt the best one for the architecture of their buildings would be a plinth and they would do a square column. He displayed what that column looks like. These are the changes that they have made to the building. He pointed out that in the overall planning of this site, you can see from Desert Road they have a one-story clubhouse, garages that are one-story. This provides a good visual buffer for the three-story buildings which are behind.

Chair Campanelli advised that two residents sent letters regarding the height of the structure. She explained that this applicant went before the Planning Board in 2019 and had the zoning change which changed the height. There is no height restriction. It is 3-stories. She explained how zoning changes go before the Planning Board and the Council and when they are approved, they become the policy. This Board uses that Planning Policy to review these projects. She understands there may be concerns or questions regarding that Ordinance change but that is not what we do on our Board. She can only state that it was approved by the Council and the Planning Board. If there are concerns, she suggested that they talk to the Town Manager, Planning Board and the Council because that is where that discussion belongs. This project now fits in with the requirements of the new zoning changes.

Mr. Blanchard asked if these square columns are being applied to all of the buildings in the development including the clubhouse and the pergola at the rear of the clubhouse. Mr. Wentz advised that it is correct. Mr. Blanchard asked about the columns at the mail kiosk and asked what the purpose is for putting this colonnade around that building since there is only one entry. Mr. Wentz advised the reason for putting the colonnade around the mail kiosk was to protect people from the rain while they were picking up their mail. On the inside there is a room that will be a package center. Mr. Blanchard feels that the colonnade surrounding that building gets a little more "Southern Plantation" when he looks at it. In Section 527 of the Ordinance really wants consistency between buildings and the various elevations, particularly the buildings closest to the public view. He feels it may be a little much for a mail kiosk but understands the intent to keep the user dry concerning the Maine elements. Next to the mail kiosk, there is a maintenance building that doesn't seem to have any ornamentation that is being applied to all the other buildings. Mr. Wentz advised that it will have the same building materials and the same color schemes

but it is a maintenance building. Stylistically Mr. Blanchard feels it looks out of place compared to everything else that is being done at the site. He suggested that they provide more consistency between the buildings. Regarding the comment on shingles, Mr. Blanchard noted that shingles are absolutely appropriate for Maine. The comment at the previous meeting was more that the shingles and clapboards were mixed across the façade and it looked visually jarring when looking at the rendering. If one uses one type of exterior material, they will not have that problem. It is a moot point but that is what that comment was about. Mr. Blanchard noted that these buildings are big and will be here for a long time. Mr. Troidl agreed with Mr. Blanchard and suggested adding a couple of columns to make the maintenance building relate to the mail buildings and Mr. Wentz advised that he could do that. Mr. Reiche agreed.

Chair Campanelli noted this is a public hearing and the Board will hear comments from the public. Ms. Pelletier advised that Lynn Espy is wishing to speak. Ms. Espy advised that she had a clarifying question about the DOT report at Exit 20 and if there was any timing reported on that. Chair Campanelli read Adam Bliss' e-mail stating that MDOT wants to go out to bid on the project next year. The money that was committed to this project is still committed and they are moving forward. Those discussions are happening and it sounds like there will be an October meeting on the bridge. Mr. Troidl stated that in the e-mail, the project must be bid by the agreed deadline so it seems like they are under time constraints in order to access those funds. Ms. Pelletier advised that the Police Chief met with the applicant early on and had concerns about traffic. She still has general concerns about the Desert Road area. She indicated to Ms. Pelletier that sometimes police are needed at the L.L. Bean facility when the shifts get out between 2-5 p.m.

Mr. Troidl mentioned that the bridge has been pushed back but asked the applicants about their construction timeline. Mr. Doherty advised that they are hoping to get their approval this evening. With that in place, they would then have to wait out the appeal period. They hope to start construction at the end of this year. It is at least a 12-month project depending on the weather.

Ms. Pelletier pointed out two additions to what was printed out in the Staff Report is that the Board needs to insert the final date on the recording which is 12/17/19 revised through 9/13/2020. The other thing is that the Board needs to add a condition under 2 add an F The applicant obtain any applicable permits from the Freeport Department of Public Works. She mentioned that the Board obviously cannot sign mylars at this meeting since we are not altogether. The Board will have to coordinate any signings for any projects after the meeting if the Board takes action tonight.

Chair Campanelli asked about the walk proposed in front of this project. Ms. Pelletier mentioned that Section 527 is specific. The requirement is a pedestrian access at least 5' wide connecting abutting parcels. In this case the applicant proposed a pedestrian path in the public right-of-way. The Council acknowledged that it would be open to allowing and acceptable and agreed on the width. Any final details would be worked out with Town Staff. At this point what this Board needs to look at is having that pedestrian path in the right-of-way, does it satisfy the standard in Section 527?

Chair Campanelli feels that as the standard is written, it complies with it. While we would like more, we can't ask for more at this point. How do we know if this is going to be on the plan or is language needed to make sure it is going to happen? Ms. Pelletier advised that it does show on the Recording Plan that Adam Bliss will be inspecting for on his role as inspector of the project and any work the Council agrees to. The Board has a condition of approval under No. 5. If for some reason it fell apart and the applicant was not going to do it, they would have to come back and they couldn't get a certificate of occupancy until it is done.

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 proposed development consists of two parcels at 6 & 8 Desert Road. One parcel contains a vacant dwelling and the other is vacant land. The proposal is for a Commercial Open Space Subdivision with 144 units (in six residential buildings), 5 garage buildings, a clubhouse with pool and associated site improvements. The proposal complies with the standards of Section 412 (Commercial District IV) and 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.

- 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 proposal is for a Commercial Open Space Subdivision with 144 units (in six residential buildings), 5 garage buildings, a clubhouse with pool and associated site improvements. The proposal complies with the standards of Section 412 (Commercial District IV) and Section 527 (Performance Standards for Commercial Districts) of the Freeport Zoning Ordinance. This parcel is not within the Design Review District. Based upon this information, the Board finds that this standard has been met.

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

vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible

A new road entrance off Desert Road is proposed. This will require proper permitting from the Freeport Department of Public Works. Road names of Rogers Road and Conway Street have been reviewed and approved by the Town's E911 Addressing Officer and shown on the final plan.

There is only one entrance with a total road length of about 1,000 feet; this is within the allowable length per Article 11.5.C.2.i.8 of the Freeport Subdivision Ordinance. The road will be paved and 24 feet wide with sidewalks and some parking on one side.

Adam Bliss, Town Engineer conducted a review of the engineering for the road. His comments are included in a memo dated 03/18/2020.

At the 11/20/19 Project Review Board meeting, the Board granted the following waiver of the Freeport Subdivision Ordinance: "Be it ordered that the Freeport Project Review Board waive Article 11.5.C.2.E.2 of the Freeport Subdivision Ordinance to allow entrance separation of the proposed road entrance and the entrance of the abutting MDOT property, in that the nature of the use of the abutting property generates minimal vehicular traffic, safe and adequate access is provided to the proposed development, and the proposed location provided further separations from the nearby 295 on/off ramps." The proposed road location has been designed to incorporate this waiver.

The applicant has requested to not locate the road in a right-of-way. The Town Attorney did comment (email dated 2/14/20) about this issue and that no easements from abutters would be required. Since there is no right-of-way proposed, the applicant has requested a waiver that the road not be required to be in the center of the right-of-way. In addition, since the road leads to a parking lot with adequate room to maneuver and turn around, a waiver for the requirement of the turn around is also requested.

The applicant submitted a traffic study prepared by Sebago Technics Inc. (Sebago) for "The Beacon Residences" development on Desert Road in the Town of Freeport, dated 11/14/19. The Board required a peer review of the Traffic Study with review of internal traffic circulation with applicable standards of the Freeport Zoning Ordinance and the Freeport Subdivision Ordinance. A peer review was performed by Milone & MacBroom. The comments conclude that the peer reviewer is mostly in agreement with the applicant's methodology for compiling their traffic study data. The review comments do conclude that "Based on our examination of Sebago's capacity analysis and traffic model, we do not believe that the proposed subdivision will cause unsafe conditions or unreasonable congestion at the development driveway based on the low number of trips the development is expected to generate. There is an existing crash pattern and capacity/delay problem at the I-295 SB off-ramp."

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 the project is in the Commercial District, per Section 513.B.8.a of the Freeport Zoning Ordinance, the Project Review Board shall establish the parking requirement which "shall be based upon a parking analysis submitted by the applicant." Plan sheet SB100 includes a parking requirement calculation. The calculation shows a need of 2.03 spaces per unit, with 295 parking spaces proposed. Aisle widths comply with the minimum width of 24 feet for two-way circulation.

Section 527 does have a requirement for a 5 foot wide pedestrian path connecting to abutting properties. The plan does show a pedestrian path (5 foot wide, paved) along the front of the property and within the public right of way. Connections with the internal pedestrian site circulation have been provided.

The Board granted a waiver at the 9/18/19 Project Review Board meeting to reduce parking stall measurements from 9'x18.5' to 9'x18'.

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.

Due to the size and nature of the project, a Site Location of Development (SLOD) Permit from the Maine Department of Environmental Protection (DEP) will be required. Since the last review by the Board, some grading changes have been made to the plans based upon comments from DEP. The SLOD permit from the Maine DEP was issued 05/13/2020; a copy of the permit has been included in the submission.

The Town Engineer has reviewed the submission for compliance with the applicable standards of the Freeport Subdivision Ordinance and the Freeport Zoning Ordinance in regards to stormwater management and erosion control. His comments are included in a memo dated 03/12/2020 (attached). A Maintenance Agreement for a Stormwater Management System is a suggested condition of approval.

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 buildings will be connected to the public water and public sewer system. The project will be connected to public utilities. The applicant has obtained capacity letters from both MaineWater and the Freeport Sewer District. MaineWater did issue a capacity to serve letter, with conditions, dated 11/14/19 and subsequently sent an email regarding the hydrants, which they also approved with conditions (email from Marcus Knipp to Charles Jordan dated 01/27/2020). The Freeport Sewer District did issue a capacity to serve letter dated 12/16/19, with conditions. The Sewer District has signed off (letter dated 01/06/2020) on the plan designs and has suggested that final sign-off by them be added into any conditions of approval. The location of dumpsters have been shown on the plan. 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.

General information on signage has been included in the submission. The plan incorporates size, material and design of the ground sign; the details of the exact wording, colors and font are unknown and will require the applicable level of review when the details are known. In addition, the applicant intends to have additional signage within the site for internal circulation etc. The details of that signage are also unknown, and depending on what ends up being proposed, may require additional review in the future. 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.

The location of a dumpster has been shown on the plan. The dumpsters will be screened with fencing. The plans also includes a fenced area with a pool, a club house and a fenced dog park. 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.

Cut-sheets of site lighting fixtures were included with previous submissions and they will all be full cut-off. Cut-sheets for building mounted lighting is also shown on Sheet D103 of the plan set. A detailed lighting/photometrics plan was included with the final submission and in accordance with the lighting standards of Section 521.A of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

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

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

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

A detailed landscaping plan has been included in the submission. The Board finds that the proposed landscape/buffer plan complies with Section 527 of the Freeport Zoning Ordinance. 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 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.

This parcel is not within the Marine Waterfront District or the Shoreland Zone. The project is subject to a Site Location of Development Permit from the Maine Department of Environmental Protection. The lot will be connected to the public water and public sewer system.

There are no known historic sites or significant wildlife habitat identified on the site. In a letter dated 08/08/2019, Kirk Mohnney from the Maine Historic Preservation Commission states that "No national register buildings or known national register eligible properties are on or adjacent to the parcels. In addition, the project area is not considered sensitive for archaeological resources." In a letter dated 8/15/19, Becca Settele from the Maine Department of Inland Fisheries and Wildlife states that they have "...not mapped any Essential Habitats that would be directly affected by the project." They are not aware of any Significant Wildlife Habitats within the project area. They do recommend that there be a 100-foot undisturbed vegetative buffer maintained along the any streams.

A vernal pool assessment and wetland evaluation was completed by Sebago Technics Inc with a report dated 10/11/19. No significant vernal pools were identified on the site and the location of wetlands has been shown on the recording plan.

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 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 parcel is not located within the watershed of an Urban Impaired Stream. The location of a stream and its associated wetlands have been shown on the plan. No areas of flood plain have been identified on the site. There is approximately 7.8 acres of open space on the parcel which will be retained by the developer and include the stream and many areas of wetlands. This open space will be protected from future development with applicable legal documents which have been reviewed and approved by the Town Attorney.

Due to the size and nature of the project, a Site Location of Development (SLOD) Permit from the Maine Department of Environmental Protection (DEP) will be required. Since the last review by the Board, some grading changes have been made to the plans based upon comments from DEP. The SLOD permit from the Maine DEP was issued 05/13/2020; a copy of the permit has been included in the submission.

The Town Engineer has reviewed the submission for compliance with the applicable standards of the Freeport Subdivision Ordinance and the Freeport Zoning Ordinance in regards to stormwater. His comments are included in a memo dated 03/12/20 (attached).

The applicant has obtained capacity letters from both MaineWater and the Freeport Sewer District. MaineWater did issue a capacity to serve letter, with conditions, dated 11/14/19. The Freeport Sewer District did issue a capacity to serve letter dated 12/16/19, with conditions.

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 development will be connected to the public water system. MaineWater did issue a capacity to serve letter, with conditions, dated 11/14/19. 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 development will be connected to the public water system. MaineWater did issue a capacity to serve letter, with conditions, dated 11/14/19. 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.

Erosion control plans have been included in the submission. Due to the size and nature of the project, a Site Location of Development (SLOD) Permit from the Maine Department of Environmental Protection (DEP) will be required and erosion control plans will be reviewed as part of that process. The SLOD permit from the Maine DEP was issued 05/13/2020; a copy of the permit has been included in the submission.

The Town Engineer has reviewed the submission for compliance with the applicable standards of the Freeport Subdivision Ordinance and the Freeport Zoning Ordinance in regards to stormwater management and erosion control. His comments are included in a memo dated 03/12/2020 (attached). A Maintenance Agreement for a Stormwater Management System is a suggested condition of approval. 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 applicant submitted a traffic study prepared by Sebago Technics Inc. (Sebago) for "The Beacon Residences" development on Desert Road in the Town of Freeport. and date 11/14/19. As a condition of the preliminary approval, the Board required "A peer review of the Traffic Study be conducted prior to returning for final approval with review of internal traffic circulation applicable standards of the Freeport Zoning Ordinance and Freeport Subdivision Ordinance and comments made by Staff and appropriateness of parking near the entrance of the abutting clubhouse."

A peer review, dated 1/3/2020 & 02/26/2020, was performed by Milone & MacBroom. The comments conclude that the peer reviewer is mostly in agreement with the applicant's methodology for compiling their traffic study data. The comments from the peer reviewed did request that the applicant include some updated information regarding the calculation of trip generation; this has been completed to the satisfaction of the Peer Reviewer.

In regards to acceleration and deceleration lanes and if they would be required, Milone and MacBroom memo did concluded "...that based on the volumes of Desert Road at the project driveway intersection being less than 7,500 ADT, no acceleration or deceleration lanes are required at this time."

The review comments do conclude that "Based on our examination of Sebago's capacity analysis and traffic model, we do not believe that the proposed subdivision will cause unsafe conditions or unreasonable congestion at the development driveway based on the low number of trips the development is expected to generate. There is an existing crash pattern and capacity/delay problem at the I-295 SB off-ramp."

The review did take into consideration the level of service at the closest nearby intersection and planned improvements at the Desert Road overpass and possibly the 295 on/off ramps.

Additional traffic information was submitted and reviewed as a result of the last meeting (dated 01/17/2020) with review comments from Jason Ready at Milone and MacBroom included in an email dated 02/26/20).

The applicant has stated that a Traffic Movement Permit from the Maine Department of Transportation will not be required.

The plan does reflect two potential areas for possible future connections to an adjoining property (Article 11.5.B.2.e).

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 project will utilize the public sewer system. The Freeport Sewer District did issue a capacity to serve letter dated 12/16/19, with conditions. The Sewer District has signed off (see letter dated 01/06/2020) on the plan designs and has suggested that final sign-off by them be added into any conditions of approval. 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.

In accordance with Town of Freeport Chapter 28: Solid Waste Disposal Ordinance, the owner will be required to contract with a private waste hauler for the disposal of solid waste. The location of dumpsters has been shown on the plan. 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

11.9 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.

There are no known historic sites or significant wildlife habitat identified on the site. In a letter dated 08/08/2019, Kirk Mohny from the Maine Historic Preservation Commission states that “No national register buildings or known national register eligible properties are on or adjacent to the parcels. In addition, the project area is not considered sensitive for archaeological resources.”

In a letter dated 8/15/19, Becca Settele from the Maine Department of Inland Fisheries and Wildlife states that they have “...not mapped any Essential Habitats that would be directly affected by the project.” They are not aware of any Significant Wildlife Habitats within the project area. They do recommend that there be a 100-foot undisturbed vegetative buffer maintained along the any streams.

In a letter dated 08/12/2019, Kristen Puryear, Maine Natural Areas Program, states “...that there are no rare botanical features documented from the vicinity of the project...”

A vernal pool assessment and wetland evaluation was completed by Sebago Technics Inc with a report dated 10/11/19. No significant vernal pools were identified on the site and the location of wetlands has been shown on the recording plan. Based upon this information, the Board finds that this standard has been met.

11.10 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 project requires both Site Plan Review and Subdivision Review. The parcel is in the Commercial IV (C-IV) Zoning District. A Commercial Open Space Subdivision with 144 units (in six residential buildings), 5 garage buildings, a clubhouse with pool and associated site improvements is proposed.

This is considered a Subdivision-Major (per Article III of the Freeport Subdivision Ordinance). The Board held a sitewalk and deemed the review of the conceptual plan complete at the 9/18/19 Project Review Board meeting. A public hearing was held and conditional preliminary approval was granted at the 11/20/19 Project Review Board meeting. The public hearing was advertised in the Times Record 11/12/19 & 11/18/19. The Board conducted an initial review of the final submission at the January 15, 2020 Project Review Board meeting.

7.4 acres of open space are required; 7.8 acres of open space are proposed. Areas of open space are shown on the plan. The applicant is proposing to retain ownership of the open space and submitted legal documents pertaining to the protection of open space. Legal documents were reviewed and approved by the Town Attorney (emails dated 3/2/2020 & 02/14/2020 from Lisa Magnacca). The proposal is in

harmony with the vision of the 2011 Freeport Comprehensive Plan which states part of the vision as “allowing a variety of neighborhoods and housing types, at a variety of prices; protecting natural and historic resources; maintaining large tracts of undeveloped fields and forests, and providing opportunities to enjoy these places.” 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 subdivision plan was prepared by Sebago Technics Inc and Charles D. Marchese, a Professional Land Surveyor licensed by the State of Maine. The applicant’s team of professionals includes; Sebago Technics Inc. and GATE 17 Architecture.

The cost estimate included in the submission for the proposed site improvements is estimated at \$2,755,000.00. A letter was submitted from Rockland Trust, dated 09/24/2019 indicating that they will be providing the construction financing for KGI Properties. A letter was also included in the submission, from KGI Properties and dated 10/31/2019, clarifying the relationship between KGI Properties and Devine Capital LLC who will form one entity to complete the project. 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-B¹, 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.

11.12 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 development will be connected to the public water system. 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.

The parcels are 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.

11.14 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.

A vernal pool assessment and wetland evaluation was completed by Sebago Technics Inc with a report dated 10/11/19. No significant vernal pools were identified on the site and the location of wetlands has been shown on the recording plan. 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.

The location of a stream and its associated wetlands have been shown on the plan. There is approximately 7.8 acres of open space on the parcel which will be retained by the developer and include the stream and many areas of wetlands. This open space will be protected from future development with applicable legal documents which have been reviewed and approved by the Town Attorney.

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.

Due to the size and nature of the project, a Site Location of Development (SLOD) Permit from the Maine Department of Environmental Protection (DEP) will be required. Since the last review by the Board, some grading changes have been made to the plans based upon comments from DEP. The SLOD permit from the Maine DEP was issued 05/13/2020; a copy of the permit has been included in the submission.

The Town Engineer has reviewed the submission for compliance with the applicable standards of the Freeport Subdivision Ordinance and the Freeport Zoning Ordinance in regards to stormwater management and erosion control. His comments are included in a memo dated 03/12/2020. A Maintenance Agreement for a Stormwater Management System is a suggested condition of approval. 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. 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.

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.

Waivers: Be it ordered that the Freeport Project Review Board approve a waiver of Article 11.5.C.2.i.6 of the Freeport Subdivision Ordinance which requires that to the extent possible, the centerline of the roadway shall be the centerline of the right-of-way, in that based upon the nature of the development, the fact that the property already meets the road frontage requirement, the fact that the property will remain under the same ownership, and the support of the Town Attorney, a right-of-way is not required for this project. (Troidl & Blanchard) **ROLL CALL VOTE:** (5 Ayes) (1 Recused-Yankee) (1 Excused: Hamlin)

Be it further ordered that the Freeport Project Review Board approve a waiver of Article 11.5.C.2.i.8 which requires a dead end road to have a cul-de-sac or other turn around, in that based upon the layout of the development, the ability to safely maneuver public safety vehicles on the site, and the parking lot layout, safe and adequate space for vehicular turn around has been provided. (Troidl & Blanchard) ROLL **CALL VOTE:** (5 Ayes) (1 Recused-Yankee) (1 Excused: Hamlin)

Be it further ordered that the Freeport Project Review Board approve a waiver of Table 11.5-1 Street Design Guidelines, requiring a private road – dead end to have a minimum 50-foot wide right-of-way, in that based upon the nature of the development, the fact that the property already meets the road frontage requirement, the fact that the property will remain under the same ownership, and the support of the Town Attorney, a right of way is not required for this project. (Troidl & Blanchard) **ROLL CALL VOTE:** (5 Ayes) (1 Recused-Yankee) (1 Excused: Hamlin)

Be it further ordered that the Freeport Project Review Board approve a waiver of Table 11.5-1 Street Design Guidelines, requiring a private road – **dead end to be designed for a speed of 25 miles per hour, in that the road design has been designed for 20 miles per hour**, which is appropriate given the size, nature and layout of the development. (Troidl & Blanchard) ROLL **CALL VOTE:** (5 Ayes) (1 Recused-Yankee) (1 Excused: Hamlin)

Be it further ordered that the Freeport Project Review Board approve a waiver of Article 11.5.C.2.i.1 which requires monuments at certain points along the edge of the street, in that based upon the layout of the development, the fact that there is no right-of-way and the property will remain under single ownership, it does not appear to be necessary. (Troidl & Blanchard) **ROLL CALL VOTE:** (5 Ayes) (1 Recused-Yankee) (1 Excused: Hamlin)

Be it further ordered that the Freeport Project Review Board approve a waiver of Article 11.5.C.2.i.2 which requires stone or precast reinforced concrete monuments shall be set at all corners and angle points of the subdivision boundaries where the interior angle of the subdivision boundaries is one hundred and thirty-five (135) degrees or less, in that based upon the layout of the development, the fact that there is no right-of-way, the property will remain under single ownership, and the impact to natural resources, the use of iron pins should adequately provide markers. (Troidl & Blanchard) **ROLL CALL VOTE:** (5 Ayes) (1 Recused-Yankee) (1 Excused: Hamlin)

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Site Plan and final subdivision plan for Devine Capital LLC (represented by KGI Properties LLC), for a 144 unit, commercial open space residential subdivision, to be located on Desert Road (Tax Assessor Map 22, Lots 24 & 24B), subdivision recording plan dated 12/17/19 and revised through 9/13/20 to be built substantially as proposed, finding that it meets the standards of the Freeport Zoning Ordinance and 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, and prior to the issuance of any building permits, the applicant do the following:
 - A. Enter into a Maintenance Agreement for a Stormwater Management System with

- the Town of Freeport, to be recorded in the Cumberland County Registry of Deeds, with yearly stormwater reporting to the Town of Freeport being required.
- B. Pay a Pavement Maintenance Impact Fee to the Town of Freeport, to be based upon length of the road and the current impact fee effective at such time that the fee is paid. Applicants for building permits will also be required to pay a Pavement Maintenance Impact Fee at the time a building permits are applied for and based upon the size of the structure and the current impact fee effective at such time.
 - C. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in the amount of \$2,755,000.00, 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 established by the Freeport Town Council, be paid.
 - D. Establish an inspection account, in the amount to be determined by the Town Engineer, to cover the cost of site for inspection of the site improvements by the Town Engineer.
 - E. The developer have a pre-construction meeting with the Town Engineer.
 - F. The applicant shall obtain any applicable permits from Freeport Public Works.
- 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) 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 continue to work with Town Staff and the Town Council on the final details for the five-foot-wide path in the public right-of-way, to be constructed prior to the issuance of a certificate of occupancy for any of the proposed structures.
 - 6) The applicant shall provide the Town with digital file, in a format compatible with the Assessor's records, containing the information shown on the recording plan. (Reiche & Blanchard) **ROLL CALL VOTE:** (5 Ayes) (1 Recused-Yankee) (1 Excused-Hamlin)

The applicants thanked the Board and advised that they are looking forward to becoming part of the community.

ITEM III: Reviews

Eastern Mountain Sports – Kayak Racks

The applicant is seeking approval of a Design Review Certificate and Site Plan Amendment to install kayak racks and displays at their location at 4 Mill Street. Existing landscaping will be removed. No other changes are proposed. Zoning District: Village Commercial I (VC-I). Design Review District One – Class C & Color Overlay District. Tax Assessor Map 11, Lot 120. Eastern Mountain Sports, applicant; GWB Freeport, LLC, owner; Mary Johns, representative.

Mr. Yankee returned to the Board. Ms. Pelletier explained that this business opened in the lower level of a building on the corner of Main and Mill Street. Years ago, it was occupied by Wilson's Leather. Along side of the building there is an area where they have landscaping. They came to the Board a few months ago for the enclosure of an exterior electrical panel. EMS is proposing to put a wooden kayak rack but will have to remove the landscaping. It

will be 10 feet high and 24 feet in length. It won't go anymore into the setbacks than the current building overhang. There is an existing gravel area between this kayak rack and the sidewalk. The base will be of pea stone. They will not have room for landscaping so none is proposed. They want to do a display kayak on either side of their entrance facing Mill Street. Design Review requires any new construction of a building or accessory building or structure subject to view from a right of way come before the Board. Mary Johns is here. Ms. Johns advised that they just opened their store on August 26. They were delayed because of the Covid pandemic but are happy to be open in Freeport. Mr. Troidl asked about the bush by the electrical panel enclosure. Ms. Johns advised that everything left of the doghouse will remain. No other questions or comments were received.

Design Review Ordinance: Chapter 22 Section VII.C.

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

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

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

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

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

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

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

The rhythm of solids to voids in the front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

Proportions of openings within the facility will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

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

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

Facade materials will not be altered. Two display boats will be near the entrance door; one on either side, attached by an eye hook, and with a strap. 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 area is currently landscaped and existing landscaping will be removed. A pea stone base will be installed below the kayak racks. 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 boat rack will be installed on the side of the building in an area that is currently landscaped. Landscaping will be removed, and a pea stone base will be installed. The overall length of the rack will be 10 feet in height by 24 feet in length. It will not project any further into the setback than the current building overhang. 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. The area is currently landscaped and existing landscaping will be removed. A pea stone base will be installed below the new kayak racks. 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. No new buildings 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

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. 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. 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. 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.

Two display boats will be near the entrance door; one on either side, attached by an eye hook, and with a strap. 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 are 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.

The boat rack will be installed on the site of the building in an area that is currently landscaped. Landscaping will be removed and a pea stone base will be installed. 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 Marine Waterfront District or the Shoreland Zone. The building will remain connected to public utilities. No historic or archaeological resources will be disturbed. Based upon this information, the Board finds that this standard has been met.

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Site Plan Amendment, and Design Review Certificate for Eastern Mountain Sports, for exterior boat displays and outdoor kayak storage at 4 Mill Street (Tax Assessor Map 11, Lot 120), to be substantially as proposed, application dated 08/10/20, finding that it meets the standards of the Freeport Design Review Ordinance and 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. (Blanchard & Troidl) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Hamlin)

DeGrandpre Residence – Exterior Alterations

The applicant is seeking approval of a Design Review Certificate for exterior alterations at their existing single-family dwelling at 32 Maple Avenue. Zoning District: Village I (V-I). Design Review District I – Class C. Tax Assessor Map 12, Lot 39. Charles DeGrandpre, applicant and owner.

Ms. Pelletier explained that the applicant has a cape-style home at the end of Maple Avenue. It is in Design Review and he wants to put a farmer's porch along the front façade and needs to come to the Board because it will be visible from the public right-of-way. The applicant provided drawings for the Board's packets. It will be a wood structure with asphalt shingles. It will not have a railing since it is low to the ground and will not be required by our building code. They will use 6 x 6 posts with pressure treated decking. The trim will match what is on the existing house. The porch will be on sonatubes and there will be a little bit of exposure from the concrete but the applicant does not expect much. Mr. DeGrandpre is here if the Board has questions.

Mr. DeGrandpre advised where the sonatube exposure is below the carrying timbers, it will be covered by pea stone which will take care of any runoff from the roof line. There will be a gutter area at any of the entry stairwells going onto the porch. Mr. Blanchard advised that it looks good to him in materials and scale. Others agreed.

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 existing dwelling is cape style and a farmer's porch will be added for the full length on the front side facing the road. The porch will be 7 feet in depth and 42 feet in length, with a 4/12 roof pitch. The porch will not be enclosed. Based upon this information, the Board finds that this standard has been met.

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

The height of the porch will be in proportion to the existing structure. 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 existing dwelling is cape style and a farmer's porch will be added for the full length on the front side facing the road. The porch will be 7 feet in depth and 42 feet in length, with a 4/12 roof pitch. The porch will not be enclosed and will maintain the proportions of the existing front building façade. Based upon this information, the Board finds that this standard has been met.

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

The rhythm of solids to voids in the front façade will not be altered as the porch will be open on the front. Based upon this information, the Board finds that this standard has been met.

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

Proportions of openings within the facility will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

The roof shape of the porch will be 4/12. 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 porch will be constructed of wood, with 6"x6" posts and pressure treated decking. The trim on the new porch will be pine, 8" to match the existing trim on the house. Roofing will be asphalt shingles. The supports will be on sonotubes with limited concrete exposure. A railing is not proposed. Based upon this information, the Board finds that this standard has been met.

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

The proposal appears to comply with the setback requirements for the underlying zoning district and the Freeport Village Overlay District. Based upon this information, the Board finds that this standard has been met.

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

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

10. In addition to the requirements of the Freeport Sign Ordinance, signs in the Freeport Design Review District shall be reviewed for the following: materials, illumination, colors, lettering style, location on site or building, size and scale. Minor changes that do not alter the dimensions or lettering style of an existing sign need not be reviewed, i.e. personal name changes for professional offices, or changes in hours of operation. See Special Publication: "Sign Application Requirements".

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

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Design Review Ordinance.

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Charles DeGrandpre, for a new porch at a residential structure at 32 Maple Avenue (Tax Assessor Map 12, Lot 39), to be substantially as proposed, application dated 08- 31-2020, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer. (Troidl & Blanchard) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Hamlin)

Freeport Historical Society – Site Alterations

The applicant is seeking approval of a Design Review Certificate and Site Plan Amendment at their property at 46 Main Street. The proposal includes relocating an existing barn, shed and outhouse on the property and installing a new brick ADA compliant ramp. Associated exterior building alterations and drainage improvements are also proposed. The applicant is also seeking feedback on conceptual plans for Phase Two of the project which would include the construction of a new, non-combustible vault. Zoning District: Village Commercial I (VC-I). Design Review District One – Class A & Color Overlay District. Tax Assessor Map 11, Lots 26, 26A & 29. Freeport Historical Society, applicant and owner; Jim Cram, Director, representative.

Mr. Blanchard recused himself because he has had early involvement with this project even though it has changed since then but he feels he should recuse himself. Mr. Reiche disclosed that he is on the Collections Committee for the Freeport Historical Society which is a non-elected position. It is a voluntary position on the Board and he has no financial or vested interest in the outcome. Other Board members did not see any problem with Mr. Reiche staying on the Board.

Ms. Pelletier explained that this is part of a bigger project. Earlier she explained what the Planning Board has been up to. We have an applicant seeking a wording change in the Zoning ordinance and Jim Cram is that applicant. Ultimately the Historical Society wants to make a new vault for archival storage and they also want to make the site ADA accessible. They have some setback issues because right now in order to get the lowest setbacks they would have to build an entirely masonry construction building. They don't want to do that but were willing to build a non-combustible structure. Looking back, the wording in the Ordinance in the early 80s was changed to "masonry" and we can't tell why. Clearly, we don't have all these new masonry construction buildings. We have a couple of them. The applicant felt and Staff agreed that changing the wording to "non-combustible" made sense. Jim met with the Planning Board and has an application going forward. Because they can't meet the current standard, he can't come to the Board for approval of his whole project. He knows the Board wants to understand how the entire fits together. He is presenting to the Board a 2-phase project. Phase One which he would like to get approval for tonight if the Board is ready to take action would be relocating the existing Frosty's building and an existing shed by moving them over five feet and putting them on a foundation so they will go up slightly. They also have an old outhouse on the rear of the ell which they are hoping to relocate to another side of the building. Also, part of Phase One is a new ADA ramp that would go around the existing Frosty's into the grassed garden area and connect to other existing ramps on the property. They don't show any new landscaping except to loam and seed to stabilize. Adam Bliss did suggest that they consider a rain garden for stormwater. That is something the Board might see. They also in their submission are presenting Phase Two renderings so the Board can give them some feedback on the façade of the structure. One of the things they are concerned about is that due to the nature of the building, they can't have a lot of openings in the façade. They are looking for the Board to give them some feedback on that. The applicant is here tonight and the Board has a Staff Report that is set up should you feel you are ready to take action on Phase One. To clarify, she thinks there was some confusion with the drawings because the existing conditions were not totally accurate. On the Frosty's building, other than moving it and adding the foundation, the only changes to that façade is that new covered opening on the South side. They are not changing any other windows or doors. She asked Jim to clarify that in his comments.

Jim Cram ran through where they are right now. He referred to the plans he provided that showed the aerial view of the two buildings and the ramp in very general terms. That is exactly what he is trying to do. In Phase One he is trying to get permission to pick up the barn and get that part done while they wait another 30 days for other plans to be further developed. He mentioned he has to be ready by September 29 in order to be ready for the Board's October meeting. He is confident the Board has seen the building and understands that it is low property and there is water sitting in the basement. To pick it up and bring it out of the hole it is in will bring it more to being level. The advantage to them would allow the front part of the property to be more useful. There is a brick walk there today that is not to ADA standards and is very slippery and treacherous in the winter. That is the reason why they want to build a ramp and to move it forward 4 or 5 feet would allow them to build a new ADA ramp that would come from the rear parking lot sidewalk which gains 3 feet in elevation from the existing entrance when you go up to the upper end of the parking lot on their property. That makes it possible for them to bring the ramp right into their existing porch. Previous plans were developed had an L shaped ramp to get up right in the middle of their courtyard or the lawn area. This allows them to get a wheelchair into the building without chopping up that lawn space. When the barn is raised 2 feet, it means they will need 5 or 6 steps to get in which is what happens at the Banana Republic and then create a very simple porch on that end of the building. It is designed to look quite barn-like. Historically this building had large sheds on the south end and the north side so the sheds and barn are nothing new. There is an amendment he wants to make to the application. He initially proposed that they would match the railing on the existing porch. The architect drew it with a single pipe rail, it became apparent to him that putting a Victorian rail system on a barn is not appropriate and not something they should do. His amendment would be to allow a pipe rail on that set of steps to minimize the effect of that railing. The porch itself would have

a simple rail because it is less than 28 inches at the highest point. Another amendment is to the drainage plans after meeting with Adam Bliss. The drainage plans will be different and much more detailed when they go for a building permit. They are proposing a gutter on the eve on the street side of Frosty's barn. It would be a simple 'C' shape galvanized gutter that comes down with a downspout. It is shown on Plan "D". He spent time with Adam Bliss trying to see how much rain garden type of techniques they could use to slow any rainwater that comes off those buildings and that is where they spent time on the details from the surface down to the footing drains and the different types of crushed stone and sand and layers of fabrics they are using. Since it is all underground, he is assuming it is not the Board's jurisdiction.

He referred to the list he provided to the Board which was the summary of the request. He added that they do want to add a small bulkhead. It was going to be a crawl space so it won't be big. Currently the only way to get into a very wet and damp place is through a hole in the floor. For decades they relied on the barn's rental space to help support the organization and they are hoping to find a good tenant in the future. It would be a much better space if they could get that hatch out of the main operating area. The bulk head would probably be wooden. It is only 4 feet deep under there. Post construction to approve a charcoal asphalt shingle roof that was put on the barn after a temporary roll roofing was put on. It blew off and that is when they had to put on a new roof to match the existing house as quickly as they could. This is what he would like approval on tonight with the two amendments.

Mr. Troidl mentioned he doesn't understand how raising Frosty's 2 feet, it looks like it will be 3 feet higher than the sidewalk. In looking at B versus C of the drawings, it seems that the barn is closer to the sidewalk than it would be when the bulk head is put in. The bulk head on Drawing C, it doesn't look like there is that much space there. Mr. Cram advised that it goes from 9 to 10 ½ feet between the barn and the sidewalk as you go up hill. The sidewalk gains 3 feet of elevation and the engineer says we need 6 steps. Moving 5 feet they are moving to the very lowest point on that side. Mr. Troidl noted there is no landscape shown in the plan. The photo on "E" shows one light pole there and adding the bulk head for folks in the parking lot might not be so attractive without landscaping Mr. Cram noted he plans to come back with the landscaping hopefully next month. Other changes to the barn are disintegrating windows that are 60s type that he would like to replace with simulated divided light windows with insulated glass. He will be coming back with a window amendment.

Mr. Troidl feels the shed roof would look appropriate on the side and prolong the use of the building. He knows it can be treacherous getting down to that entrance so it would definitely be a safety improvement. Mr. Reiche asked about the grading plan and what would be showing between grade and the barn on the parking lot side. Mr. Cram advised that the only place there will be any concrete will be next to the staircase on that end of the building and they will be landscaping it. There won't be much because it goes from at grade to low grade.

Chair Campanelli advised that we have a historical survey of the main building and it doesn't have a barn on it or any of the sheds. She asked if Mr. Cram has any historical information on these structures. Mr. Cram advised that the house was built in 1830 and they have not been able to find any definitive information as to whether the barn dates to 1830. It does not appear to be quite that old. He noted that he feels the shed has been there for a long time and it contributes to the character of their courtyard to have that smaller agricultural building. It feels like it was a chicken house. It helps with breaking up the space between this building and the new wall. The outhouse is the building on stilts next to the shed and plans are to move it around to the north side. When they move it, they will reassess if this is something to be maintained or whether the photographic memory will be enough.

Chair Campanelli referred to the rendering on "G" and asked if there are going to be windows above the doors. Mr. Cram noted they are existing but they are just wood panels and will remain the same. He advised that on the barn the doors rotted away and were not replaced. He is not sure they will replace those doors but may replace them.

Chair Campanelli mentioned being confused. When looking at the plans, she does not see a lot of elevations showing the different sidewalks. She doesn't feel the site plan is integrated and is trying to figure how someone coming into this site might travel through it. She was looking at Page "C". She asked what use is planned for the barn? Mr. Cram explained that the future use for the barn is hopefully for a tenant that will pay rent. In talking with the architects today, they are revisiting Page "C" of the layout, the sidewalk. The engineer fixed the plan but not the architect so they are talking about relaxing the curb so if you are coming from the parking lot out back with a stroller, they want to have a more gentle curve as you come back towards Main Street.

Mr. Troidl had questions about "C" and "G" and the brick walk that goes south. Mr. Cram advised that all the sidewalks have a purpose and the number of steps is correct. Chair Campanelli noted there is a lot of sidewalks and it is nice that they are able to preserve so much of the front green space because there are so many hard surfaces there. She feels it is a shame there is no design to integrate the sidewalks more and integrate the site. In the future if they were going to use the barn for the Historical Society, someone would have to go back all the way down the ramp, back down the sidewalk and back around to the building. There is no integrated ADA accessibility between the two structures. That is a lot of walking and was the reason she asked about the shed. While the Board is not allowed to design, but when she looks at this, she wants to tear it apart and redesign it to get more function out of this site. She feels they are wasting this valuable site. There is even the potential for a functioning patio. She feels they are not getting the most out of this. They are doing a lot of work and are losing some historical integrity. She asked if there is a way to make this a better design.

Mr. Yankee asked on "G" and looking at the barn from Main Street, we are showing a set of stairs on the right side that may lead into the attached shed. Where do those stairs go? Mr. Cram advised that the set of stairs on "G" was a cut and paste from the original plan that was very different. If you move the steps forward on Plan "B" 5 feet, that is where they would be but that is not what they are proposing. The stairs on "G" should not be there. Mr. Cram advised that the retaining wall on "G" is not there and also not on the drawing showing 2 people.

Mr. Cram advised that the concern with the vault is that they want zero daylight which means no windows. They want to use the walls in the stairwell for valuable storage space. They have the shape of a barn with cement clapboards. They will match the trim on the existing barn. There are many barns in the country that have no windows on large expanses of walls so the question for the Board is are you okay with them doing a simple barn wall. The biggest elevation is from the parking lot. He envisions this as being a red barn. On the plan that is in development now, you are not seeing a walkway at the end of that building which has a Victorian balustrade running up the right side of it and you are looking at the end of the porch which is attractive and the brick building beyond. There is a very nice view through there. The walkway comes along the left side so you don't see any of the foundation under this barn. Plan "C" shows what he is referring to. The balustrade comes from the end of the porch all the way past the end of the building and then it is all at grade. It is 18 or 20 inches above the other sidewalk as it comes down to meet it.

Mr. Troidl referred to "K" and asked if there were chimneys shown. Mr. Cram advised that they are the chimneys on the Harrington House. Mr. Troidl noted he understands the functional use but from the experience component, they are taking all the weathered shingles on the barn, shed and outhouse and providing a new clapboard wall instead facing the parking lot. Chair Campanelli added that what is being added is kind of not a tunnel but you can't go through it between two buildings and then you are just going to see the shed. She wonders what they are going to do with that space. It will be like a wind tunnel and trap trash or a maintenance issue. This is why she thinks this should be looked at and feels the site should be more integrated. She is aware that Mr. Cram is in a time crunch but feels this plan has not evolved as well as it should be. There are questions about the elevations and things Mr. Cram told us have not been worked out or have changed since he submitted these plans. There is

enough that is significant that she is having a hard time feeling good about this project right now. It would be nice if the architects could look at this some more, look at the elevations, look at the integration, the wasted space in back of the shed and materials. Mr. Troidl added that from a Design Review standpoint he is struggling with the moves and the new façade that will be back there as opposed to the weathered shingles we have now. More discussion followed.

Mr. Cram advised that they have been challenged with taking a \$2.5M project and get it down to a \$700,000 project. They are desperately trying to preserve their archives as efficiently as they can. Chair Campanelli understood that but since they are going to be spending this money, they want a good outcome. The ramp coming in from the parking lot she feels is good. She asked if it could be made more interesting. Could it be planted. The shed seems odd to her. She feels there is a way to design it since they have enough lawn and could have functions out there. Mr. Cram noted there appears to be more interest in having a food establishment in that location so they want to provide function space. Mr. Troidl asked if there was a way to connect the archive building to the back of the Harrington House? Will those buildings be used together? Mr. Cram noted that it has to be connected because it is a constant relationship. Mr. Troidl feels like if we are going to approve moving the barn, perhaps the barn should go another 30 feet to the west to open things up and have a much lighter connection between the archives building so it is clear to the observer that these are historical buildings and they are on their own and then there is a small connection to what will obviously be a new building for the archives. There is just a lot going on. Mr. Cram advised that they have spent \$40,000 on design work. Chair Campanelli suggested they get their money back. She would love to see them get the most out of this site that they can and feels they are not getting that right now. Mr. Cram pointed out that the space between the two buildings he is hoping to develop into a bath, toilet and cooking area if they can find a tenant and that is what they want to do there. There is a plan for that space. They have plans to build a shed off the end of the barn. They have at least 12 individuals who volunteer their time every Wednesday to garden and they need a shed to keep their stuff in somewhere on the site that is convenient to the gardens.

Mr. Troidl suggested going back to Design Review and the Section 8 Design Guidelines for Class A or B buildings and read them into the public record. Mr. Cram feels he is copying the existing barn identically. Mr. Troidl noted that at the same time they are proposing to move and decouple buildings that may have been there for more than 100 years. Mr. Cram advised that they are decoupling them by the width of a handicap ramp. Chair Campanelli added that they are raising it as well.

Chair Campanelli suggested that the Board decide how to move forward. Mr. Reiche asked why this is a 2-meeting project instead of taking it up next month. Mr. Cram explained that it is the middle of September and he is anxious to get two foundations poured this fall and is the reason for his urgency tonight. The vault is because they needed to see if they could get a change in the Zoning Ordinance to allow non-combustible construction. The time needed to develop schemes because they looked at should they do fake windows. They divided the project to get it started before winter sets in.

The Board recapped what the concerns are:

- Moving the barn
- Shifting the barn
- Lack of clarity on the sidewalks in the renderings versus the drawings
- An opportunity to provide a patio in front of the barn on the street side
- The space between the vault and the barn with a shed and where to locate the shed
- Do we know that that barn has been there forever?

Chair Campanelli has concerns about elevations and there are several questions about how many steps, how the elevation on the site changes. It would be nice to have more clarity on that. Some of the renderings are not what Mr. Cram is actually proposing so it confuses the Board when they see things that are not happening. There is also the railing change.

Mr. Cram asked for permission to move the barn as it is, 5 feet and 2 feet. If he can do that, he can resolve the rest of it in the same timeframe with no other changes. Ms. Pelletier explained that if the Board decides it wants to take action on a portion tonight, there would be a couple of things that would require the Findings to change that would include the railing, the bulkhead would be wood and Mr. Cram mentioned the drainage. She knows Adam Bliss met with him but maybe a condition requiring Adam to sign off on that would be needed. While Mr. Cram is going through the Zoning amendment process, it hasn't gone to public hearing and then it needs to go to Council public hearing so until that language changes, he cannot come back to the Board for a building that is not permitted. He will have to wait for that new language to be adopted or change it to masonry construction.

Chair Campanelli explained that the options are to change the motion as Caroline said or table it but it may not be coming back in October if it hasn't moved through the Planning Board or Council. Ms. Watson suggested allowing the barn to be moved but table the balance. Mr. Blanchard was okay with moving the barn. Mr. Troidl feels there is a lot going on and a lot of moving pieces but from the Design Review and historic context, there are a lot of other methods that could be done to preserve the structures as they are. He is not comfortable with the proposal but there are six other members here. Ms. Pelletier added that the burden of proof is on the applicant and the Board can react to the proposal in front of it. We can't design this for him. It is up to him to present it and show how he feels it meets the standards of the Ordinance and if the Board feels part of the problem in making that determination is that it does not have enough information to make that determination. The Board should be clear and give him some feedback as to what else you would need when he comes back to make some of those determinations. Chair Campanelli feels it should be tabled until these issues are worked out.

Mr. Reiche asked Mr. Cram if this is tabled, can he put this together and bring it back next month. Mr. Cram noted he will bring it back with a foundation for a masonry building or change it if he gets the ordinance changed. He sees that the Board wants landscaping to soften the edges of the property and he can have a fully developed landscape plan. The courtyard will stay the same. The flat lawn out front is so valuable for future events. Chair Campanelli agrees that green space is important.

Eric Smith, President of the Historical Society apologized that he missed a significant part of the discussion so far. He made a small plea that if they could get approval for the barn moving because it is important in terms of their timeline to move forward with the project and do that piece. He reiterated Jim's request for the barn move. More discussion followed. Ms. Pelletier suggested that if the Board allows them to move the barn, it is important to put a timeline on which they need to come back for the site changes because then they will end up with this barn that they technically can't get in or out of. The grades will be off and the Board has not seen the grading plan. Mr. Cram pointed out that the grading and some of the details for access to the new barn cleaned up and back pretty quickly. He advised that it has been done and is in hand. Mr. Yankee asked if it would also include the stairs and is there a foundation for a landing on the side of the barn considered part of the foundation of the barn. Mr. Cram advised that the foundation piece is not included. He asked if construction documents are usually submitted to the Board? Chair Campanelli replied no, but the Board should see the elevation changes and there seems to be questions on how many steps there are. The renderings don't have accurate information so the Board does not have information to go on. Ms. Pelletier clarified what the Board needs. She added that the Codes Enforcement Officer needs a Design Review Certificate and technically the Site Plan Amendment to move the two structures over. Before issuing a building permit. In this case of moving the barn, they have a site plan and can easily show

moving it over 5 feet. If they are looking to table it to the next Board meeting, October 21st would be the first regularly scheduled October meeting. The application would need to be in by September 30th at Noon.

Mr. Yankee asked if the Board can split this apart and are we opening ourselves up for other projects down the road to try to do similar things. Chair Campanelli feels this is a little unique but always worries about setting a precedent and it is always possible. Mr. Troidl feels in Design Review you always want to see the exact final design and what you are approving. Anything can happen. Ms. Pelletier asked if the Board would be willing to table it and have an additional meeting before the 21st. Mr. Cram does not have more accurate building renderings showing what the barn is going to look like in the finished product. Mr. Cram advised that they are not complete but he would have to have 10 days to complete them. More discussion followed on breaking things apart. Ms. Pelletier provided options to the Board. Mr. Cram requested a tabling. He will be back but hopes he can do it this fall.

MOVED AND SECONDED: To table the project until October. (Reiche & Yankee) **ROLL CALL VOTE:**
(5 Ayes) (1 Recused-Blanchard) (1 Excused-Hamlin)

Hanscome Woods Subdivision – Open Space Residential Subdivision – PUBLIC HEARING

The applicant is presenting preliminary plans for a six-lot residential open space subdivision on Pownal Road. Access to the lots will be from driveways on Pownal Road. Approximately 10.86 acres of open space is proposed. Zoning District: Rural Residential I (RR-I). Tax Assessor Map 22, Lot 63. Warren Gerow, applicant and owner.

Ms. Pelletier advised that this has already been before the Board. It was noted incorrectly in the Staff Report and advertised as a preliminary review for a major subdivision and is advertised as a public hearing. The Board reviewed the conceptual plans and held a site walk once the State started to reopen. The applicant was granted conceptual approval of the lots on Pownal Road. The applicant is proposing to split it into six lots. Entrance permits were required from the State and they have already been obtained. They are proposing 10.6 acres of open space to be transferred to the Town of Freeport. The applicant met with the Town Council and the Council indicated it did indicate it has some interest in the property with some details to work out. It was a condition of the conceptual that the applicant do that before coming back. There was a draft deed included with the submission. We did give some comments that before the transfer because it is an open space subdivision, it needs to include the provisions for open space subdivision noting what can and can't be done on the land. That is a cut and paste out of the Ordinance. If it goes forward to final, it would have to have some kind of condition that the applicant finalize details with the Town Council and the transfer of the land occur before development because it would be approved as an option for the open space ownership to go to the Town but it doesn't make sense for the developer to do that without the approval in hand. Nobody is going to give away their land if they don't have to before approval. There was interest from the Conservation Commission since it abuts Hedgehog Mountain. The applicant did some stormwater management but it is pretty minor because there is no road or a lot of infrastructure. Adam Bliss looked it over and recommended some drip edges along the houses which Mr. Gerow agreed to. There will be wells and septic. They did wetlands and vernal pools and no significant vernal pools were identified on the site. They did submit draft covenants she looked over and gave him comments on. He did get a letter from Maine Historic Preservation. This is preliminary so if the Board grants approval, he would go and finalize his plans. At this point a lot of it would be stormwater and the legal. He would then come back to the Board. Just because the Board approved the preliminary plan does not mean that you will approve the final plan or intend to. It really shows the applicant that he has a good guide as he goes forward toward completing that final plan.

Mr. Gerow explained that he felt that Ms. Pelletier introduced the plan accurately. Adam reached out last week about the drip edge and he thinks that is fine. Chair Campanelli mentioned she read the Minutes from the Council

meeting where they talked about environmental issues. He asked if Mr. Gerow is working with the Town on the open space. He advised that Mr. Joseph indicated to the Council that the onus on that would be on the Town. Mr. Gerow's understanding was that the land was always been farmland without any structures or development on it. He has not heard anything. Chair Campanelli added that the Board has not heard anything from Mr. Joseph even though he said he would be in contact with the Project Review Board. She feels it is great that Mr. Gerow is turning this property over and that it is a good addition to what is already out there. She would like to see this part of the project move forward. She encouraged Mr. Gerow to get in touch with the Town Manager and the Town Planner and get this part done so the Council can approve it as quickly as possible for his sake as well as the Town's.

MOVED AND SECONDED: To open the public hearing. (Blanchard & Troidl) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Hamlin)

There were no public comments provided.

MOVED AND SECONDED: To close the public hearing. (Blanchard & Troidl) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Hamlin)

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the preliminary subdivision plans submitted by Warren Gerow for the proposed Hanscome Woods Subdivision (Tax Assessor Map 22, Lot 63) for a 6-lot residential open-space subdivision, preliminary plan set dated 08/19/19, revised through 11/13/19. The Board finds that based upon the materials submitted by the applicant and the information contained in the record, the layout of the development is consistent with the information presented in the conceptual submission, that the applicant has submitted the required information per the Freeport Subdivision Ordinance and the applicant is working towards the development of the final plans. The following condition(s) of approval and/or items shall be incorporated into the final submission:

- 1) The approval of the preliminary plan shall not constitute approval of the final plan or intent to approve the final plan.
- 2) Prior to final approval, the applicant obtain a final sign-off of the plans by the Town Engineer.
- 3) The final submission include a detailed cost estimate to cover the cost of all sitework, including but not limited to, the cost of drainage, road and parking area construction, landscaping, buffers, stormwater management, erosion control, etc.
- 4) The final submission shall incorporate the requirements of Article 8, Appendix C, and Appendix H of the Freeport Subdivision Ordinance. (Reiche & Blanchard) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Hamlin)

Chair Campanelli thanked Mr. Gerow.

The Paint Washes Out, LLC – Exterior Alterations

The applicant is seeking approval of a Design Review Certificate for after-the-fact exterior alterations to replace existing wood siding with vinyl siding and aluminum trim. Zoning District: Village Commercial I (VC-I). Design Review District One – Class C & Color Overlay District. Tax Assessor Map 13, Lot 22A. The Paint Washes Out, LLC, applicant and owner; Laura Empey, representative.

Ms. Pelletier explained that the applicant owns a Class C property in the Design Review District One, the Color Overlay District on School Street. They needed work done on the building and had people look at the siding to be told that it was rotten. They proceeded with replacing the wood clapboards and putting vinyl clapboards to then get a stop work order. They didn't realize they were in Design Review and had to come to the Board. They stopped

work and are here before the Board tonight and are proposing changing from wood clapboards to vinyl. The detail on the type of material was included in the packet. They are using a CertainTeed double orange wood grained clapboard which has the same reveal as what was on there before. The trim will be replaced using aluminum coil to match. In front of the Board there is a virtual color chip. In person it looks a little more bluish if the Board has been by there. Because it is in the Color Overlay District but not on an official historic palette, they need approval from the Board. This is called Downing Slate and if the Board decides to make a motion to proceed, that would need to be inserted that you are approving the use of this color. Ironically, when she was going through old photos there used to be a very similar color and it was recently a bright red, kind of a brick color. The applicant is here tonight if the Board has questions. There were no questions and Ms. Empty did not have anything to add.

Ms. Pelletier advised that the Sherwin color is a very similar match to the CertainTeed . She went through the historic color palette and how it works. It is tough because vinyl companies do not typically have historic color palettes that she has seen so they paint matched it to Sherwin Williams and it is a pretty accurate portrayal of a blue/gray. Mr. Troidl asked if the aluminum trim is being matched to the CertainTeed ? Ms. Empty advised that the trim will be the same color and explained how she chose the color.

There were no public comments provided.

Design Review Ordinance: Chapter 22 Section VII.C.

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

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

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

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

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

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

- 4. Rhythm of Solids to Voids in Front Facades.** When you look at any facade of a building, you see openings such as doors or windows (voids) in the wall surface (solid). Usually the voids appear

as dark areas, almost holes, in the solid and they are quite noticeable, setting up a pattern or rhythm. The pattern of solids and voids in the front facade of a new or altered building should be visually compatible with that of its neighbors.

The rhythm of solids to voids in the front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

Proportions of openings within the facility will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

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

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

The building was previously sided with wood clapboards and wood trim. The applicant is proposing to use a CertainTeed Double 4" woodgrain clapboard. The existing clapboards are also 4". The wood trim will be replaced using aluminum coil which will be bent to match shape, detail and widths. The applicant is siding will be a shade of blue. Since it is not specifically listed on a historic color pallet of a paint manufacturer, approval is required. 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 buildings on the street will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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

10. In addition to the requirements of the Freeport Sign Ordinance, **signs** in the Freeport Design Review District shall be reviewed for the following: materials, illumination, colors, lettering style, location on site or building, size and scale. Minor changes that do not alter the dimensions or lettering style of an existing sign need not be reviewed, i.e. personal name changes for professional offices, or changes in hours of operation. See Special Publication: "Sign Application Requirements".

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

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Design Review Ordinance.

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for The Paint Washes Out, LLC, for new vinyl siding at 15 School Street (Tax Assessor Map 13, Lot 22A), to be substantially as proposed, application dated 09/02/20, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The Board approves the use of the CertainTeed siding color, Flagstone to match Sherwin Williams' Downing Slate which is SW2819 as depicted in the submission. (Troidl & Blanchard)

ROLL CALL VOTE: (6 Ayes) (1 Excused-Hamlin)

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

Chair Campanelli explained that the Election of Officers will be next month. There are three officers, the Chair, the Vice Chair and the Secretary. She is not planning to throw her hat in the ring so Board members should think about it and we will do it next month. She mentioned that the Board will have mylars to sign for Beacon so Caroline will be getting in touch with us regarding when they will be available for us to go in and sign.

Ms. Pelletier has two copies of the plan if the Board wants to come in tomorrow after 10 a.m. or anytime next week. Tod will get a pass because he didn't participate on that subdivision. She acknowledged that Cecilia is our new Assistant Planner. She is watching from her home. She hopes everyone will get a chance to meet her when they come in to sign the mylars. She would love to meet you. She thanked Cecilia for hanging in for the longest meeting in months. Chair Campanelli welcomed her.

ITEM V: Adjournment

MOVED AND SECONDED: To adjourn at 8:50 p.m. (Reiche & Blanchard) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Hamlin)

Recorded by Sharon Coffin

