

**TOWN OF FREEPORT, MAINE**

Planning Department

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www.freeportmaine.com**TO: FREEPORT PROJECT REVIEW BOARD****FROM: CAROLINE PELLETIER, TOWN PLANNER****RE: STAFF REPORT****DATE: WEDNESDAY, OCTOBER 21, 2020**

Hanscome Woods Subdivision – Pownal Road	
Property Location:	Tax Assessor Map 22, Lot 63
Zoning Information:	Rural Residential I (RR-I)
Review Type(s):	Final Review – Residential, Open Space Subdivision
Waivers Requested:	None

Background: The applicant recently purchased a vacant piece of land on Pownal Road and is presenting final plans for a six-lot residential open-space subdivision. The site is mostly wooded, with a small area of overgrown field. The parcel does contain areas of forested wetlands and a small area of steep slopes. There are some existing tote roads and trails on the property. Although the trails will be interrupted by the proposed development, there is the opportunity for them to be relocated into the proposed open space. No vernal pools have been identified on the site.

Access: Access to the lots will be from driveways on Pownal Road. Entrance permits from the Maine Department of Transportation would be required and copies have been included in the submission. The submission indicates that the entrances would have the required site distance (per the Freeport Subdivision Ordinance) of 450 feet in each direction.

Open Space: Approximately 10.86 acres of open space is proposed, which is the amount required by the Ordinance. Most of the wetlands identified on the property have been incorporated into the open space. The area of open space includes access from Murch Road and Pownal Road and includes an old Range Road.

The proposed open space abuts municipal property (Hedgehog Mountain). There is an existing trail on this property which users of Hedgehog currently utilized. This trail will be incorporated into the open space. The intent of the applicant is to donate the open space to the Town of Freeport to be incorporated into the abutting Hedgehog Mountain property. The Freeport Conservation Commission previously submitted a letter to the Board indicating their recommendation that the Town accept the donation of the open space. The applicant also went before the Council at their 07/21/20 meeting, and they noted that they would be interested in the land donation. Peter Joseph, Town Manager, also summarized the Town's intent in an email dated 09/29/20.

The applicant did include a draft deed for the transfer in the submission. The deed contains the require restriction for open space, as outlined in Section 504A of the Freeport Zoning Ordinance. Obtaining the final review by the Town Attorney has been added as a condition of approval. The actual transfer of the open space to the Town of Freeport has also been added as a condition of approval. If for some reason this transaction did not go forward, the applicant would need to return to the Project Review Board to amend the subdivision plan.

Stormwater: Stormwater management and erosion control plans were completed by Maine-Land Development Consultants, Inc. The plans include rain gardens on each lot and a drip edge around the foundations. A note has been added to the recording plan to highlight that the installation of these items will be the responsibility of the property owner and must be reviewed and inspected to the satisfaction of the Town Engineer. In addition, the Town Engineer (see attached memo dated 10/15/20) did recommend that maintenance provisions be added to the Association documents; this has been done. Annual stormwater reporting via a maintenance agreement is also a suggested condition of the approval.

Other: Each lot will be served by a well and septic system. The location of passing test pits have been shown on the plan. Wetlands and vernal pools were surveyed by FB Environmental. The proposed plan does not include any wetland impact. In a letter dated 06/23/20, Kevin Ryan from FB Environmental explains that no wetlands of special significance and no significant vernal pools have been identified on the site.

A letter dated 02/27/20 from the Maine Historic Preservation Commission stated that there are no National Register eligible properties on or adjacent to the parcel and that the area is not considered sensitive for archaeological resources.

Process: This is considered a Subdivision-Major (per Article III of the Freeport Subdivision Ordinance) and process involves three levels of review – conceptual, preliminary and then final. The Board previously held a sitewalk and deemed the review of the conceptual plan complete at the 06/24/20 Project Review Board meeting. Preliminary review and a public hearing was completed at the 09/16/2020 Project Review Board meeting at which time the Board also approved the preliminary plan.

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 within the watershed of an Urban Impaired Stream. No streams or brooks have been identified on the site. There parcel is in FEMA Zone C, on the flood

plain maps. There is approximately 10.86 acres. of open space on the parcel which will be given to the Town of Freeport and abut existing municipal property. This open space will be protected from future development. Each lot will be served by a private wastewater disposal system and each lot meets the required State minimum lot size of 20,000 s.f. for lots with septic systems. Based upon this information, the Board finds that this standard has been met.

11.2 Sufficient Water

A.

State Standard

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

Each lot will have a private well. The location of passing test pits have been shown on the plan. A note has been added to the plan to indicate "Within one (1) year of the date of purchase, each lot owner shall be guaranteed by the subdivider access to a supply of potable water of at least three hundred and fifty (350) gallons/day, or the purchase price shall be refunded". 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.

Each lot will have a private well and will not be connected to the public water system. Based upon this information, the Board finds that this standard has been met.

11.4 Soil Erosion.

A. *State Standard*

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

Erosion control plans have been reviewed and approved by the Town Engineer (see memo dated 10/15/20). 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.

Access to the lots will be from driveways on Pownal Road. Entrance permits from the Maine Department of Transportation would be required and copies have been included in the submission. The submission indicates that the entrances would have the required site distance (per the Freeport Subdivision Ordinance) of 450 feet in each direction. Based upon this information, the Board finds that this standard has been met.

11.6 Sewage Disposal

A. State Standards

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

Each lot will be served by a private wastewater disposal system and each lot meets the required State minimum lot size of 20,000 s.f. for lots with septic systems. 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, each lot owner will be required to contract with a private waste hauler for the disposal of solid waste. There will be no road, and therefore will be no significant clearing and no waste associated with road construction. Clearing of lots for house construction will be the responsibility of the individual lot owners. Building contractors will handle their own construction debris. Based upon this information, the Board finds that this standard has been met.

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

A.

State Standard

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

There are no known historic sites or significant wildlife habitat identified on the site. The proposed open space abuts municipal property (Hedgehog Mountain). There is an existing trail

on this property which users of Hedgehog currently utilized. This trail will be incorporated into the open space. The intent of the applicant is to donate the open space to the Town of Freeport to be incorporated into the abutting Hedgehog Mountain property. Based upon this information, the Board finds that this standard has been met.

11.9 Conformance with Zoning Ordinance and Other Land Use Ordinances.

A. State Standard

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

The parcel is in the Rural Residential I Zoning District. This is an open space, residential subdivision and 10.86 acres of open space are required and proposed. The proposed open space abuts municipal property (Hedgehog Mountain). The intent of the applicant is to donate the open space to the Town of Freeport. The applicant went before the Council at their 07/21/20 meeting, and they noted that they would be interested in the land donation. The actual transfer of the open space to the Town of Freeport has also been added as a condition of approval. If for some reason this transaction did not go forward, the applicant would need to return to the Project Review Board to amend the subdivision plan. 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 Warren Gerow, applicant, and licensed land surveyor and professional engineer with Associated Design Partners. All property pins will be set by the applicant and there is no road proposed. Stormwater treatment is has been designed, is minimal, and will be the responsibility of the property owners, as it is dependent on how each house lot is developed. 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.

Passing test pit locations were determined by James Mancini and the locations have been shown on the plan. Each lot will have a private septic 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 developed area is in Zone C, areas of minimal flooding, on the FEMA Flood Insurance Rate Maps (FIRM). Based upon this information, the Board finds that this standard has been met.

11.14 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.

Wetlands and vernal pools were surveyed by FB Environmental. The proposed plan does not include any wetland impact. In a letter dated 06/23/20, Kevin Ryan from FB Environmental explains that no wetlands of special significance and no significant vernal pools have been identified on the site. Based upon this information, the Board finds that this standard has been met.

11.15 Rivers, Streams, and Brooks

A. State Standard

River, stream or brook. Any river, stream or brook within or abutting the proposed

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

No rivers, streams or brooks have been identified on the plan. 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.

Stormwater management and erosion control plans were completed by Maine-Land Development Consultants, Inc. The plans include rain gardens on each lot and a drip edge around the foundations. A note has been added to the recording plan to highlight that the installation of these items will be the responsibility of the property owner and must be reviewed and inspected to the satisfaction of the Town Engineer. In addition, the Town Engineer (see memo dated 10/15/20) did recommend that maintenance provisions be added to the Association documents; this has been done. 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.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and subdivision plan for Warren Gerow for the Hanscome Woods Subdivision (Tax Assessor Map 22, Lot 63) for a 6 lot residential open-space subdivision, on Pownal Road, subdivision recording plan dated 09/28/20, to be built substantially as proposed, finding that it meets the standards of the Freeport Subdivision Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any site work, including but not limited to clearing of the site, the applicant establish an engineering review and inspection account, in the amount of \$1,500.00, for inspection of the site improvements by the Town Engineer.
- 3) The final signed mylar of the recording plan shall be recorded in the Cumberland County Registry of Deeds within ninety (90) days of the date upon which the plan is signed otherwise the plan shall become null and void.
- 4) Prior to the sale of any lot, the applicant shall provide the Town Planner with a letter from a Registered Land Surveyor, stating that all monumentation shown on the plan has been installed.
- 5) The draft deed be reviewed and revised to the satisfaction of the Town Attorney, with a copy of the final draft to be sent to the Freeport Planning Department.
- 6) Prior to the sale of any lots or any sitework, the applicant complete the transfer of the open space parcel to the Town of Freeport. If some reason this transaction does not go forward, the applicant would need to return to the Project Review Board to amend the subdivision plan.
- 7) Prior to the sale of any lots or any sitework, the 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.

Freeport Historical Society – Site Alterations	
Property Location:	Tax Assessor Map 11, Lots 26, 26A & 29
Zoning Information:	Village Commercial I (VC-I), Design Review District I – Class A, & Color Overlay District
Review Type(s):	Design Review Certificate & Site Plan Amendment
Waivers Requested:	None

Background: 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 carriage house, shed and outhouse on the property, a new vault building and installing a new brick ADA compliant ramp. The carriage house and shed will be moved horizontally by 6.5 feet, and vertically 2 feet, as new foundations will be installed. Associated exterior building alterations, ADA improvements, and drainage improvements are also proposed. They intend to submit a landscaping plan separately.

The applicant was previously before the Board at the 09/16/2020 Project Review Board meeting and is now before the Board for review and possible action on the entire project. Revised plans have been included in the submission.

Carriage house: The carriage house will be relocated, and a new foundation will be installed below, resulting in the building being raised two feet. The two existing double doors facing Main Street will be replaced with new doors of the same size and style, however they will have an aluminum exterior and wood interior.

A new covered entry and steps will be added at the entrance to the carriage house (south end). The platform will be made of wood, with gray Azek composite decking. The railing system will be an iron railing. The roof over the entry will have two wood posts and a pitched roof with asphalt shingles. Trim will be wood. The colors will match the existing ell of the Harrington House.

Part of this approval is also an after-the-fact request to approve the use of asphalt roof shingles on the main roof, as it was previously temporarily covered and replaced with charcoal asphalt shingles during the pandemic due to water issues. The vault will have a steel bulkhead on the rear façade.

The existing 12'x10' garden shed will be relocated to the end of the carriage house. It will be setback about 22+/- feet from the rear façade near the parking lot.

Ell (Harrington House): A new ramp will provide access to the ell of the Harrington House via the rear parking lot. The ramp will start as brick with metal railing (along the back of the vault) and then turn toward Main Street (wood section) and connect into the existing porch of the ell (Harrington House). The new section will have a railing height of 42" inches to meet building code requirements. On the ell of the Harrington House, the applicant is proposing to replace an existing window (true divided light, wood to simulated divided light, aluminum exterior, wood interior). The existing door will also be replaced with a window and the existing double window will be replaced with a door and sidelites (aluminum exterior, wood interior, ¾ light door).

They are also proposing to relocate the existing outhouse to the northwest corner of the existing ell of the main structure. Two windows on that façade will also be replaced; visibility of this area from

any right-of-way is limited.

New Vault: The new vault building has been designed to be similar in size and scale of the existing carriage house, with trim details and roof pitch to match. The structure will have a full foundation. The exterior is proposed to be fiber cement clapboards and trim, with the structure itself to be either masonry/steel, depending on the requirements of the Ordinance at such time that a building permit is issued for the entire structure. Due to the nature and use of the structure, openings in the façade will be limited. The structure will be painted red to match the ell of the Harrington House.

Site Changes: The changes will also require associated grading and drainage work, including a drip edge around the carriage house. A new ADA brick walkway will be installed in the existing garden/grass area to provide adequate ADA access to the site and some existing vegetation will be removed. The applicant is aware that they will need to return to the Board with a revised landscaping plan; this has been added as a suggest condition of approval, prior to a certificate of occupancy being issued for the carriage house and/or vault.

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 application includes a request to relocate the existing carriage house (n/f Frosty's), an existing shed and existing outhouse. The structures would be moved horizontally by 6.5 feet, and vertically 2 feet, as new foundations will be installed. Openings on the facades will not change and open spaces on the property will be retained. The new vault building has been designed to be similar in size and scale of the existing carriage house, with trim details and roof pitch to match. 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 structures would be moved horizontally by 6.5 feet, and vertically 2 feet, as new foundations will be installed. The height of the roof over the entrance to the carriage house will be about 12 feet. The new vault building has been designed to be similar in size and scale of the existing carriage house, with trim details and roof pitch to match. 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 existing buildings' front façades will not be altered. The new vault building has been designed to be similar in size and scale of the existing carriage house, with trim details and roof pitch to match. 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 facades of the existing buildings will not be altered. Due to the nature and use of the vault structure, openings in the façade will be limited, however, openings on multiple facades of the existing carriage house are limited as well. Based upon this information, the Board finds that this standard has been met.

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

The proportions of opening within the carriage house facility will not be altered. The existing door on the ell of the Harrington house will be replaced with a window and the existing double window will be replaced with a door and sidelites. Based upon this information, the Board finds that this standard has been met.

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

The overall roof shape of the existing structures will not be altered. The roof over the new entry to the carriage house will have two wood posts and a pitched roof (6/12) with asphalt shingles. The new vault building has been designed to be similar in size and scale of the existing carriage house, with trim details and roof pitch to match. Based upon this information, the Board finds that this standard has been met.

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

A new covered entry and steps will be added at the entrance to the carriage house. The platform will be made of wood, with gray Azek composite decking. The railing system will be metal. The roof over the entry will have two wood posts and a pitched roof (6/12) with asphalt shingles. Part of this approval is also an after-the-fact request to approve the use of charcoal asphalt roof shingles on the main roof.

A new ramp will provide access to the ell of the Harrington House via the rear parking lot. The ramp will start as brick with metal railing (along the back of the vault) and then turn toward Main Street (wood section) and connect into the existing porch of the ell (Harrington House). The new section will have a railing height of 42" inches to meet building code requirements.

The new vault building has been designed to be similar in size and scale of the existing carriage house, with trim details and roof pitch to match. The structure will have a full foundation. The exterior is proposed to be fiber cement clapboards and trim, with the structure itself to be either masonry/steel. The structure will be painted red to match the ell of the Harrington House.

Any new/replacement doors and windows on any of the structures will be Anderson E-series with aluminum exteriors and wood interiors. Any mullions will be simulated divided lights.

Based upon this information, the Board finds that this standard has been met.

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

The open spaces surrounding the existing structures will be minimally impacted by the structures being relocated 6.5 feet. The new vault will be located towards the rear of the site to maintain the existing open area on the Main Street side of the property. New ADA ramps have been designed in a way to minimize impact on the existing gardens and open spaces. 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 existing structures are being relocated on the site. The changes will require associated grading and drainage work, including a drip edge around the carriage house. A new ADA brick walkway will be installed in the existing garden/grass area to provide adequate ADA access to the site. No additional landscaping is proposed at this time and the applicant will need to return to the Board for review and approval of a landscaping plan. 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. Existing structures are being relocated on the site. Some existing vegetation will be removed and the applicant will need to return to the Board for review and approval of a landscaping plan. 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 A in Design Review District I and is in the Color Overlay District. The proposal includes a request to relocate the existing carriage house (n/f Frosty's), an existing shed and existing outhouse. The carriage house and shed will be moved horizontally by 6.5 feet, and vertically 2 feet, as new foundations will be installed. With the exception of a new covered entry and steps on the carriage house, and the after the fact roof changes to asphalt shingles, the

remainder of the exterior facades of the structures will not be altered. The vault will be located to the rear of the site and connected to the main building through a new ramp. Based upon this information, the Board finds that this standard has been met.

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

No changes to vehicular access are proposed. Based upon this information, the Board finds that this standard has been met.

- d. **Parking and Circulation:** The layout and design of all means of vehicular and pedestrian circulation, including walkways, interior drives, and parking areas shall be safe and convenient and, insofar as practical, shall not detract from the proposed buildings and neighboring properties. General interior circulation, separation of pedestrian and vehicular traffic, service traffic, drive-up facilities, loading areas, and the arrangement and use of parking areas shall be considered.

No changes to parking and circulation are proposed. The applicant has existing surplus parking in the lot to the rear of the site. Since parking is based upon the interior measurements, the final parking requirement for the new vault will need to be determined at such time that a building permit is issued. Based upon this information, the Board finds that this standard has been met.

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

The building changes will require associated grading and drainage work, including a drip edge around the carriage house. A new ADA brick walkway will be installed in the existing garden/grass area to provide adequate ADA access to the site. The Town Engineer did review the proposal and has no issues (see memo dated 10/15/20). 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.

There are no special features associated with this project. Based upon this information, the Board finds that this standard has been met.

- i. **Exterior Lighting:** All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public. For all proposed lighting, the source of the light shall be shielded and the light should be directed to the ground, except in the case of ground sign lighting. In the Village Commercial 1 and 2 Districts, lighting for pedestrian walkways and adjacent public sidewalks shall also be provided.

No changes to any exterior lighting is proposed. New lighting will be required near any new points of egress and will need to be full cut-off fixtures. 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 building changes will require associated grading and drainage work. A new ADA brick walkway will be installed in the existing garden/grass area to provide adequate ADA access to the site. This area will be disturbed, and some existing landscaping removed. The applicant is aware that they will need to return to the Board with a revised landscaping plan; this has been added as a suggest condition of approval, prior to a certificate of occupancy being issued for the carriage house and/or vault. 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.

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.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Design Review Certificate, and Site Plan Amendment for the Freeport Historical Society, for a new vault, ADA improvements, relocation of the Carriage House, Shed and Outhouse relocation and associated pedestrian, site and drainage improvements, at 45 Main Street (Tax Assessor Map 11, Lots 26, 26A & 29), to be substantially as proposed, application dated 09/30/20, 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.
- 3) 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) Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in the to be reviewed and approved by the Town Engineer, and in a form acceptable to the Town Attorney. The performance guarantee, shall cover the cost of all site work, including, but not limited to, stormwater management, erosion control, drainage, landscaping and walkways, etc., along with the performance guarantee, a non-refundable administrative fee, at the rate established by the Freeport Town Council, be paid.
 - b) 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.
 - c) The developer have a pre-construction meeting with the Town Engineer.
 - d) The applicant is aware that they will need to return to the Board with a revised landscaping plan; this has been added as a suggest condition of approval, prior to a certificate of occupancy being issued for the carriage house and/or vault.
 - e) The final parking requirement for the new vault will need to be determined at such time that a building permit is issued.

Creighton Residence – 74 Bow Street	
Property Location:	Tax Assessor Map 13, Lot 85
Zoning Information:	Village I (V-I), Freeport Village Overlay District, & Design Review District 2 – Class C
Review Type(s):	Design Review Certificate & Site Plan (Change of Use)
Waivers Requested:	None

Background: The applicant is seeking approval of a Change of Use and Design Review Certificate for their property at 74 Bow Street. The change of use is from two-family dwelling and office to multiple family dwelling (3 units). Exterior alterations include the removal of a front door and porch, and removal and relocation of the roof over the entrance. No site changes are proposed.

Building Alterations: The applicant is proposing to remove the front door and porch as the entrance is not functioning and there is a bathroom on the other side. The roof over the door is causing water damage and the applicant is proposing to relocate it to over the main entrance to the building which is near the parking area. The roof would be added to the existing structure with diagonal wood posts being

added for support. The applicant is proposing to replace the door with a double-hung window, which will be PVC, and have a 2/1 mullion pattern, with mullions between the sheets of glass. Any trim will be white PVC to match the existing.

This parcel is in the Freeport Village Overlay District. Since the change is adding a multi-family unit, there is a standard that requires "The incorporation of a recognizable front door facing the street is required. Sliding glass doors or patio doors leading to exterior spaces are acceptable only in locations leading to usable outdoor space not facing the public space." Although the door closest to the road is being proposed for removal since it is non-functioning, does the Board feel that the entrance on the side façade facing the road meets this standard?

Change of Use / Site Conditions: The property was previously approved to have two residential units and an office. The applicant is proposing to convert the existing office into a third residential unit, with no building additions proposed.

Driveway, parking lot areas, landscaping and buffering were previously approved, and no changes are proposed (see previously approved site plan which was included in the packet). There are two existing driveways on the property which will remain; one serving the two-bedroom unit and the other that serves the two one-bedroom units. There are parking areas designated on the previously approved plan, and additional gravel areas existing on the site that are also utilized for parking. The total requirement for all of the uses on the property is five spaces; two are in a garage and the remainder are surface spaces. Pictures of the existing landscaping have been included in the submission.

The applicant will need to obtain a capacity letter from the Freeport Sewer District for the change of use; this has been added as a condition of approval. Since this is multi-family, which is considered a commercial use per the Freeport Solid Waste Ordinance, the users will be required to sort cardboard from other waste and contract with a private waste hauler for the removal of waste. Waste is currently store outside in containers near the porch/entry stairs and will remain in this location. The applicant already contracts with a private waste hauler (DW Wentworth) and will continue to do so.

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 with the exception of a door which the applicant is proposing to change to a window. 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 overall building will not be altered. The applicant is proposing to remove the front door, roof overhang and porch entrance. The roof over the door is causing water damage and the applicant is proposing to relocate it to over the main entrance to the building which is near the parking area. Based upon this information, the Board finds that this standard has been met.

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

The applicant is proposing to remove the front door, roof overhang and porch entrance. The applicant is proposing to relocate the roof to over the main entrance to the building which is near the parking area. The roof would be added to the existing structure with diagonal wood posts being added for support. The applicant is proposing to replace the door with a double-hung window, which will be PVC, and have

a 2/1 mullion pattern, with mullions between the sheets of glass. Any trim will be white PVC to match the existing. 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 features approved on the previously approved site plan are proposed. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

No site changes are proposed. The applicant is proposing to remove the front door and porch and to removed and relocate the existing roof overhang. 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 II and is in the Freeport Village Overlay District. No new structures are proposed. An existing porch and door will be removed and a roof overhang will be relocated. 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. There are two existing driveways on the property which will remain; one serving the two-bedroom unit and the other that serves the two one-bedroom units. 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. There are parking areas designated on the previously approved plan, and additional gravel areas existing on the site that are also utilized for parking. The total requirement for all of the uses on the property is five spaces; two are in a garage and the remainder are surface spaces. Based upon this information, the Board finds that this standard has been met.

- e. **Surface Water Drainage:** Adequate provisions shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, down-stream conditions, or the public storm drainage system. The increase in rate of runoff in the post development condition shall be held to a zero or less percent of the predevelopment condition unless an engineering study has been performed as described in Section 529.2 above. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a two year, ten year and

twenty-five year storm frequency. Emphasis shall be placed on the protection of floodplains; reservation of stream corridors; establishment of drainage rights-of-way and the adequacy of the existing system; and the need for improvements, both on-site and off-site, to adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

No site changes 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.

There are no special features associated with this project. Based upon this information, the Board finds that this standard has been met.

- i. **Exterior Lighting:** All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public. For all proposed lighting, the source of the light shall be shielded and the light should be directed to the ground, except in the case of ground sign lighting. In the Village Commercial 1 and 2 Districts, lighting for pedestrian walkways and adjacent public sidewalks shall also be provided.

No changes to any exterior lighting is proposed. Based upon this information, the Board finds that this standard has been met.

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

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

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

No changes to landscaping are proposed. 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.

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.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Design Review Certificate, and Change of Use for the Bill Creighton, for exterior building alterations and a change of use from two-family dwelling and office to multi-family (3 units) dwelling

at 74 Bow Street (Tax Assessor Map 13, Lot 85), to be substantially as proposed, application dated 09/29/20, finding that it meets the standards of the Freeport Design Review Ordinance, the applicable section of the Freeport Village Overlay District 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) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) The applicant obtain a written capacity letter from the Freeport Sewer District for the change of use, with a copy to be submitted to the Freeport Planning Department.



MEMORANDUM

TO: Caroline Pelletier, Town Planner
FROM: Adam S. Bliss, P.E., Town Engineer *ASB*
DATE: October 14, 2020
SUBJECT: Final Subdivision Plan Review for Hanscome Woods Subdivision
Pownal Road
Map 22, Lot 63

Introduction

Associated Design Partners, Inc. submitted Final Subdivision application materials and plans. The proposed six-lot subdivision is served by Pownal Road. The house lots will be accessed via separate driveways. The houses and driveways will be constructed by a developer and sold to prospective homeowners. Each lot will receive water quality treatment through Roof Dripline Filters and Rain Gardens. These Stormwater Control Measures are acceptable treatment methods and were designed in accordance with Maine DEP standards. The proposed project will not require a Maine DEP Stormwater Permit-By-Rule since the developed area is below the State's 1-acre regulatory threshold.

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

Technical Engineering Review

1. The Applicant's response to comments have addressed prior comments and requests for information.
2. The submitted Erosion Control Plan is in general compliance with Section 11.4 of the Town's Subdivision Ordinance.
3. The proposed subdivision will be served by individual driveways off Pownal Road. The driveway entrances are within the State of Maine Department of Transportation's jurisdiction. The Maine DOT has provided permits for the proposed driveway entrances.
4. The stormwater design is in general compliance with Section 11.16 of the Town's Subdivision Ordinance and Section 529 of the Town's Zoning Ordinance. As required, the proposed development peak flows for the 2-, 10-, and 25-year storm events are limited to pre-development levels at the analysis points through the design and use of Roof Dripline Filters and Rain Gardens.

General Comments

A Building Permit application will be required prior to any ground disturbance on the house lots. All Project Review Board conditions of approval, including establishment of a Performance Guarantee and Stormwater Maintenance Agreement, must be met prior to initiation of any construction.

Caroline Pelletier

From: Adam Bliss
Sent: Thursday, October 15, 2020 11:45 AM
To: Caroline Pelletier
Cc: Cecilia Smith
Subject: Historical Society Building Addition Application

Hi Caroline,

This email provides my comments for the Historical Society application for a building addition.

I support the application and believe this project can enhance the Village character. This project is located within Concord Gully Brook, an Urban Impaired Stream, but does not require stormwater treatment at the state level. Water quality treatment and stormwater quantity management is required according to Section 529 of the Zoning Ordinance. The applicant proposes treatment for the marginal increase in impervious area through Roof Dripline Filters installed around the buildings. With this email, I am signing off on the applicant's proposal. Feel free to let me know if you and the Project Review Board have any questions.

Thank you,

Adam

Adam S. Bliss, P.E.
Freeport Town Engineer / Public Works Director
abliss@freeportmaine.com
207.865.4743 x106

Freeport Town Hall
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