

**MINUTES
FREEPORT PROJECT REVIEW BOARD
WEDNESDAY, JUNE 16, 2021
6:00 p.m.**

HELD REMOTELY USING ZOOM TELECONFERENCING TECHNOLOGY

PRESENT: Guy Blanchard, (Chair,) Linda Berger, Geralyn Campanelli, Ford Reiche, Adam Troidl and Caroline Pelletier, Town Planner

EXCUSED: Alexis Bond, Tod Yankee

CALL TO ORDER: Chair Blanchard called the meeting to order at 6 p.m.

ITEM I: Information Exchange

1) Update on Staff Approvals

Ms. Pelletier noted she did not have a drawing tonight but would show it to the Board at the next meeting. At the last meeting the Board reviewed an application from Mast Landing Brewery for some changes and Chair Blanchard had some recommendations for the use of the stone material they had on the entrance. They took those comments to heart and altered the entrance. Since it is set back and not super visible and appeared to be consistent with the recommendations made at the meeting, they did make those changes and she signed off on that. That is like the canopy kind of on the inside facing the parking lot but back away from the road.

2) Update on topics being discussed by the Planning Board

Ms. Pelletier advised that the Planning Board is back to talking about solar. They did all their solar recommendations and sent them to the Town Council. The Council made a few changes. There was a developer out there who wanted to do a solar farm that was impacted by the changes so he brought forward a contract zone. The Council did not feel a contract zone was the way to go so they asked the Planning Board to reconsider allowing large solar farms on U.S. Route One South and to further consider what could be an appropriate setback requirement. There were concerns that if they were allowed there, it would take up a lot of the prime U.S. Route One frontage so the Planning Board is going to look at that at their next meeting in July. She is not sure of the date. There has been some Staff push-back due to their outage. The Planning Board is still working on Shoreland Zoning and doing some clean-up to Rules of Order and Board of Appeals as well.

3) Update on Freeport Downtown Vision Plan

Ms. Pelletier pointed out that Phase One is complete. There is an Early Action Plan that was presented to the Council. If anyone has not seen the plan or presentation, it is on the Principle website. She mentioned that Chair Blanchard and Mr. Troidl can give details. There is a recommendation of a series of pilot projects for the Town to consider, creating things like parklets, outdoor seating opportunities, things to test out for pedestrian and vehicular circulation. There are a bunch of things involved. That information is on line on the website and feedback is welcomed. If it goes forward to a Phase Two, she would be happy to invite Councilor Whitney or Mary Davis from FEDC back to share the process and steps involved in that.

Ms. Pelletier thanked everyone. The Town had an I-T outage that caused quite a bit of disruption this week. They had no phones, no computers and no internet so it added chaos and the Board felt the effects of that. Applicants were very flexible in providing materials in a new way. Stuff has been straggling into the Board and she apologized for that. One of the results of the chaos is that she does not have the final edited Minutes tonight. It will be bumped to next month so the Board will have time to read them.

A lot of items on tonight's agenda are for discussion. If there is anything the Board feels it did not have adequate time to review and we need to table to another meeting, that is an option for the Board. If the Board decides there is stuff that the Board did not get to read like motions or findings, we can do that in the meeting tonight.

ITEM II: Review of the minutes from the May 19, 2021 Project Review Board meeting.

Ms. Pelletier advised that edited Minutes will be provided at the next meeting.

ITEM III: Review of tabled items

LL Bean Corporate Headquarters – Site Plan Amendment

The applicant is seeking approval of a Design Review Certificate and Site Plan Amendment for site and building alterations at their Corporate Headquarters on Casco Street. Changes include the demolition of some existing structures, parking lot changes, grading, revegetation, landscaping and stormwater improvements. Design Review District I – Class C & Color Overlay District. Zoning Districts: Commercial III (C-III), Industrial I (I-I) and Rural Residential I (RR-I). Tax Assessor Map 8, Lots 13 ETC, 19 & 20 and Tax Assessor Map 20, Lots 98-ETC & 101 (1 Casco Street). LL Bean, Inc, applicant and owner; Kylie Mason, Sebago Technics, representative.

Ms. Pelletier advised that most of the Board is pretty familiar with that site. L.L. Bean pre-pandemic came to the Board for some renovations to their corporate headquarters on Lower Main Street and Casco Street. The Board approved Phase One and Two and some site and building improvements. A lot of them are visible from Route One and you can see the significant building renovations that are underway. As part of that, it was discussed that the Taylor Building would be removed and they would need to reconfigure parking and take another look at that. This is Phase Three of that project. Just like the other two phases, a lot of it is site changes. There is a lot of parking. There is a lot of stormwater. There is erosion control and there is a bunch of landscaping. It is a big project. It was tabled for May due to some things that were identified by Staff. The applicant went back to work it out and they did get preliminary engineering comments from Adam Bliss. They are still working on that but it made sense to bring it forward to the Board to see if the Board has feedback for the other site components. Although Mr. Bliss is still working on his review of the technical comments, they really should not impact the overall layout before the Board tonight.

A portion of the property within 600 feet back from the center line of U.S. Route One is in Design Review so that will be the area that the Class C Taylor Building is being taken down from. There will be a new façade of the building that will be partially visible. They have a lot of pedestrian and landscaping improvements in that area. Kylie Mason and Dave Lockman are here tonight and can walk the Board through the plans and explain where they are at. Two letters were included in the Board's packets. Comments were made by Rod Regier who is an abutter and the Freeport Sewer District. There were some comments made about some off-site impact. She consulted with the Town's Attorney and the scope of the Board's review is limited to the application before the Board, the site before the Board and specifically regarding stormwater and drainage. Mr. Bliss's review will comply with the standards of the Municipal Ordinance which looks at the quality and quantity of the stormwater resulting in changes at the property line. As they go forward in the project, before they come back to the Board, there will be an engineering memo to give a little clarity. There were a lot of photos and comments made in writing to the Board which the Board should have received.

Mr. Reiche noted he has raised this in the past every time L.L. Bean has been on the agenda. He has a landlord/tenant relationship with them and is actually their landlord. He has a financial relationship with them but in his opinion does not affect the matter before the Board so he deferred to the Board. He does not feel he has a conflict of interest which would cause him to recuse himself. Board members did not voice any concerns with Mr. Reiche participating.

Kylie Mason displayed a plan and familiarized the Board with the project. She pointed out where the Taylor Building is located and also pointed out where they will be removing a large parking lot and turning it into a vegetated area. She went through renderings showing the Board what it would see when this project is done. They are hoping the front

parking lots will see quite a bit of use. They are closer to the building. She pointed out another parking lot that would offer another alternative so that everything will be interconnected so there will not be any dead ends in circulation and drivers will be able to navigate all the parking lots to find a space. This is a more efficient use of land. She displayed a plan showing a bird's eye view of the site. She also pointed out where the tree houses would be located. She asked that the Board keep in mind that the vegetation will need a few years to catch up with their renderings. She advised that DEP's technical review has been completed and there were no technical adjustments to the plan. As far as she knows, the technical review is complete and is currently being written as a permit. She hopes to have that before she comes back. She offered to answer questions.

Mr. Reiche asked Ms. Pelletier if she said she checked with the Town Attorney and learned that the Board does not have jurisdiction over the matter raised by the abutter. Ms. Pelletier replied, yes but added that if there is a known violation or if they were flagging a violation of a past approval, or a condition on site related to Board action, then it would be something the Board could get involved in if non-compliance was causing the issues. As for what is before the Board tonight, they need to demonstrate that they meet the standards exiting the site so anything beyond there since there is no known violation or cited violation or anything like that, it would really be a private matter at this point.

Mr. Reiche noted that the Board received comments with a similar tone from the Sewer District. Ms. Pelletier agreed that the Board did receive public comments and they are part of the public record so she forwarded them because that is why we have a public process. One of the abutters is here tonight but she does not know if he will comment or not.

Mr. Troidl mentioned the bridge that was pictured and asked if it is on L.L. Bean property? Is it between Casco and the existing parking lot? Ms. Mason advised that she suspects the bridge is the Casco Street bridge coming over the gully.

Ms. Berger mentioned that in looking at that same picture it seemed that some of the items photographed seemed to be on L.L. Bean property and her original question was, if it is on the property, then it can be included in some of the engineering review? She understands if it is not but asked Ms. Pelletier if the area where they are showing eroded storm crossings or gullies or culverts, if it is on the property itself, then the Board could see if they want to address that with the engineer? Ms. Pelletier added that she knows there were some issues on the site and there were some failures. They were doing some repairs outside of this project and she is not sure if those areas could be on other parts of the site and they are doing miscellaneous stormwater drainage repairs. If they are identified to be part of the site where they are proposing alterations, they would definitely be under the purview of the Board. She invited Dave Lockman to comment.

Mr. Lockman advised that he did not have a copy of the packet that is being referenced. He can talk about some of the improvements they made over the last year. They had a failure in the corner of the Fitts Lot and that section of the parking lot will remain. They had some sub-surface structures that had failures there and they did a large repair of the area to shore up and repair that stormwater treatment system and resulting erosion. In addition, in back of their warehouse they had a large failure that they also repaired and ended up putting a large system in that really slows the water down as it gets introduced into the stream. Both of those repairs happened last year and as they identify any other areas that require stabilization or repair on their property, they will move forward with those repairs.

Ms. Mason displayed a plan and pointed out a pedestrian crossing with a culvert underneath it which is part of some of the work they are doing which improves the drainage situation. She noted they are capturing a significant amount of runoff that is coming from other contributing areas and reducing it and slowing it down. She noted that everything that can be done has been done at this point with the exception of getting into any stream restoration which is a very specific discussion topic with the Town and L.L. Bean during the TIF package. They believe the project has gone beyond satisfying any stormwater component. She displayed a plan and pointed out where improvements have been made on L.L. Bean property recently.

Ms. Campanelli mentioned that Ms. Mason brought up the TIF and asked if the trail being proposed crosses into this project at all? Mr. Lockman advised that the trail does not cross on to that section of land. Right now, through

conversations with the Freeport Conservation Trust, it will be on the lower section of the property closer to the main runs of the stream. They still have some work to do there to figure out what the exact path would look like. As of right now, the intent is not to bring it up onto the campus itself. Ms. Campanelli feels the landscaping plan looks great but it appears to be labor intensive to her. There are a lot of trees in the grass beds. She asked what would be done to protect the trees from mowers? Is it part of the plan? Do they really need this much grass? Environmentally it is not the best plan. How does this plan help with erosion? She feels that some of the green spaces will capture some run-off but asked if there is a better way to do it that is more environmentally friendly?

Ms. Mason feels the creation of this much green space is an improvement from what the lot coverage could be. The L.L. Bean Facilities Team is pretty adept at mowing lawns with trees and they are not too worried about damage from a mower. Understanding that creating green space that is useable for their employees during the course of a normal workday and other considerations, they wanted to be mindful for it is desirable to them. Ms. Mason did not know that she would recommend anything different at this time. Most of the plantings are fairly robust but providing space for people to be outside is desirable.

Chair Blanchard noted that at the Casco Street Intersection with Route One there are many mature trees and asked how many would be coming down to put in this parking area? Ms. Mason advised that they would be keeping quite a few of them. The biggest impact to the trees is not the parking lot but rather the grading associated. The Tree material between Route One and the sidewalk stays but everything that is inside the sidewalk towards the building is impacted by the grading to support the project. There may be a few trees that can be salvaged but it is unclear if roots will get into it during construction. Chair Blanchard feels disappointed that they can't save the mature trees.

Chair Blanchard opened the public portion of the meeting. Rod Regier, abutter, noted that he sent a letter with photographs. He asked Ms. Mason to go back and show the gully in a higher elevation. He pointed out a couple of things in his letter. The first is on Bean's property and is called Mallett Avenue, also Concord Road and goes under the bridge and the Board can see the clear space between the parking lot and the buildings where the course of the tributaries as well as the course of the sewer line runs, that is something where a year ago L.L. Bean and the Town cooperated and there was fairly substantial work to try break up the flow of the water down those tributaries. He thinks it is fair to say both for Adam Bliss and the Sewer District that everybody is waiting to see how the degree to which that stabilization has actually stabilized and secured the stream channel. That is a work in progress where everybody is waiting to see with fingers crossed that it was successful.

Mr. Regier described another point which is on his property and he does not want to beat it as a horse but in private conversation with L.L. Bean, he is persuaded and convinced that as abutters they will be able to resolve that issue he described with the washout of the culvert there. He is satisfied that that will be taken care of without intervention by the Project Review Board.

Chair Blanchard noted this was a conceptual review by the Board. He asked if the Board should table this? Ms. Pelletier suggested tabling it to a subsequent meeting. She does not see them returning to the Board until Ms. Bliss completes his final review. They do need a Site Location of Development. They need to amend their existing permit. Sometimes the Board has been comfortable doing conditionally in the past but not always on a case-by-case basis. She asked if this is something the Board would consider in this case or do they want to wait to have the applicant have it in hand before they return?

Mr. Troidl noted he knows the Board has done it before but it is a foregone conclusion that if they don't get that permit, then they can't do it anyway. Ms. Mason hopes to have it before coming back to the Board. She advised Ms. Campanelli that she and Mr. Lockman will be adding clover to the lawn area to see if they can reduce the content.

MOVED AND SECONDED: To table the Site Plan Amendment for L.L. Bean Corporate Headquarters.

(Berger & Troidl) **ROLL CALL VOTE:** (5 Yes) (2 Excused-Bond & Yankee) (0 No)

ITEM IV: Reviews

Desert of Maine – Change of Use and Site Plan Amendment

The applicant is presenting conceptual plans for a Change of Use and Site Plan Amendment to add the use of Nature-Based Commercial Enterprise to the existing uses on the site. The proposal includes adding a miniature golf course on the property. Zoning District: Rural Residential I (RRI). Tax Assessor Map 22, Lot 8 (95 Desert Road). Heestand Family Holding, LLC (Mela and Doug Heestand), applicants and owners; Thomas Emery, RLA-- Harriman Architects and Engineers, representative.

Ms. Campanelli recused herself from this application. She will mute and turn off her video but will join the Board in the next application.

Ms. Pelletier advised that this is a conceptual presentation. They have some basic drawings and they still have a lot of work to do. She had a pre-application meeting with the applicants and they presented these conceptual plans. It is a change for the area. The Board may recall that sometime during the pandemic the applicant came before the Planning Board and the Council for an Overlay District out there. This parcel is not only in the Rural Zone but is also part of the Nature-based Arts and Overlay District so there are some additional standards and additional uses that are allowed which is why they are back tonight. They have an existing campground that predates zoning and now they are proposing to change the use of the site to nature-based commercial enterprise and add it to the existing uses. Part of that would include the proposal of a mini golf course. Again, the applicant is here tonight to show the Board conceptually what and where they are thinking to get some initial discussion going. The abutters have been notified and there may be some abutters here tonight that may have interest or comments. She asked if this is a project that the Board feels it would be helpful to have a site walk on? That is an option the Board can discuss if it wants to.

Doug Heestand walked through the project and showed a few visual aids to the Board. In the pandemic when they received approval for a new use called Nature Based Commercial Enterprise and explained that it may include family activities and games including mini golf. That was one thing they wrote in and it is important to note that anything they do as a Nature Based Commercial Enterprise should incorporate educational components highlighting the natural, cultural and historical values prevailing. This is something they have been wanting to do for a long time and the reason is there are a lot of important lessons to be learned at the Desert of Maine. It has fabulous history, fascinating geology and ecology. There are a lot of people who engage with these stories on different levels. There are tourists stopping by on their way somewhere else in Maine that are much more casual and they really want to reach those people with these important stories. The mini golf course they designed is really telling the story of the Desert of Maine hole by hole and explained them. Often when a family comes, there is a lot of serious learning that happens out on the Desert and they can sense that kids want a bit of a break and something fun to do. That is a big part of the reason why they want to build this. They feel mini golf courses are a great activity and they are relatively quiet.

The goals were to build something educational, with minimal impact, accessible and fun. He pointed out the location they chose. It was an RV site and is already crushed gravel. Their goal was to make use of the space that was already clear. There are two mature trees and they would like to take out the pine because of the pitch that would be dropping everywhere. They plan to add a lot of native species and make this a garden-style botanical course. It is really beautiful with a lot of water features. The water feature is important because it acts as sort of a white noise machine.

He provided a high-level view of the course for the Board. They designed a 9-Hole ADA accessible loop which golfers who have mobility issues can play that loop twice for their 18-Hole experience. He displayed a drawing showing the lighting but noted they do not plan to be operating much in the dark mainly because they are open in the summer and it is light quite late. The lighting being proposed are low bollard full cut-off lights. He is not sure how much they will be used but they will put them in.

The other part of this application is consideration of traffic and parking. It is a new use and it is open to the public and it will inevitably draw more visitors that they had today. They just re-did their main parking lot and found it to be more functional and working beautifully. They feel it could absorb the additional parking from the miniature golf course but maybe at their busiest time when the course is full, they are conscious that if they don't have enough parking, it will create a lot of problems for their neighbors. The last thing they want is for their main parking lot to be full and people spilling out on Desert Road. They want to avoid that at all costs and is why in this proposal they are also asking for approval to take this spot (he pointed it out) which shows the outline of an existing mobile home on the premises which they propose to demolish. He also pointed out what was an RV campground site that currently has hard crushed gravel and they would like to turn that into some additional parking. They don't feel they need additional parking on the other side but they are so cautious about not creating a problem out on Desert Road, they think they would like to go through the process of getting it approved so they could build it quickly if it became apparent at their busiest time that was required. If they waited and had to go through a review process, they would have possibly months of impact for their neighbors. He offered to answer questions.

Mr. Troidl asked if he had the more updated drawing showing parking. Mr. Heestand replied yes, and added that they have some additional engineering work to complete. They had a site visit last week by Harriman. He pointed out that he drew the plan the Board is looking at, the ultimate lay person, so it is not to scale but does show generally what they are thinking. Harriman will design those lots for optimal traffic flow and safety and will count up the number of spots they can get.

Ms. Berger mentioned that Mr. Heestand said he had additional existing parking and noted it is not shown on Mr. Heestand's map. He agreed that he cut it off but pointed out their main parking lot which was redesigned and has something like 47 parking spots. Ms. Berger had read that Mr. Heestand plans to have other events such as music and asked where it would take place? Mr. Heestand advised that the music events would take place in their barn and pointed it out. Mr. Troidl asked if a lot of trees would have to be taken down for the overflow lot? Mr. Heestand advised that they do not plan to take down a single tree because the lot is completely open. He pointed out a grassy area that was previously an above-ground pool which they took out. They really would like to leave that a grassy spot because they don't really want to make that lot into an overflow lot too because they don't feel they need it.

Mr. Reiche ask Mr. Heestand if he is anticipating coming before the Board for further expansions? He asked this in the context of whether or not the Board should do a site walk at some point. Mr. Heestand replied yes. Ms. Pelletier reached out today or yesterday proactively that there are a number of things coming and they will meet and package these up and make sure they are not just coming to the Board piece meal.

They have previous approval for building four large cabins in the existing campground. They would like to come back with a request for building cabins in three different sizes, small, medium and the ones already approved are the large. They are scaling down the size of the cabins so they fit better in their campground. They would like to come forward with that and also approval for additional cabins. They would like to add an 1800's farmhouse which is essentially an educational tool. It is an example of what a farmhouse looked like in the 1800s. They found this building in pristine condition in New Hampshire and the owner has agreed to sell it to them and transport it. It would be sort of like a museum. You walk in and someone is in period costume showing visitors what life was like on a farm. They will have activities such as spinning yarn from wool, etc.

This is their long-term vision for the site.

Mr. Reiche feels a site walk would be helpful and Chair Blanchard and Mr. Troidl agreed that it would help the Board become familiar with the site itself. With this particular project, it is the parking and how far does it go? The overflow lot looks like it is getting out there near a neighbor.

Mr. Heestand mentioned they would love to host the Board. Things have changed a lot and it would be good to see it in person. Ms. Berger asked if Mr. Heestand could have certain quadrants marked out on the ground with small flags or

whatever so the Board would have a better idea? She feels it would be helpful if Mr. Heestand could mark off at least in general where they are putting all the things. Mr. Heestand agreed. He added that there will be lots of dunes but no actual sand in the mini golf course.

There were no public comments received. Ms. Pelletier explained that if the Board does a site walk, it does it together and notices are sent out to abutters. She asked Mr. Heestand is there is an appropriate time for the Board to do a site walk and not come at his peak business time and disrupt his business? Typically, the Board does it prior to the start of their meeting so late afternoon. She also asked how much time the Board would need to walk and see some of these things? Mr. Heestand advised that they can handle quite a few visitors so he could not imagine the Board would disrupt their operations but they are busiest from 10 a.m. to 2 p.m. and after 2 p.m., it drops off significantly so anytime that is convenient for the Board. The mini golf, parking, barn and campground are really close. He feels it would be best if he could cart people down to the 1800s farmhouse because it is a good 10–15-minute walk to the far side of the property. He could drive or 2 or 3 people could drive there.

MOVED AND SECONDED: To table review of the Desert of Maine until such time that the Board could have a site walk. (Troidl & Reiche) **ROLL CALL VOTE:** (4 Yes) (2 Excused-Bond & Yankee) (1 Recused-Campanelli) (0 No)

Harraseeket Ridge – Residential Open Space Subdivision

The applicant is presenting conceptual plans for an 80-unit residential open space subdivision on a vacant parcel (approximately 90 acres) on US Route One North. Forty duplex structures and two new road entrances off US Route One are proposed. Approximately 43 acres of open space will be required. Zoning District: Medium Density A (MD-A). Tax Assessor Map 18, Lot 16 (0 US Route One). Beta Zeta Properties, LLC, applicant and owner; Thomas Perkins, representative.

Ms. Pelletier advised that this is a conceptual review for a residential subdivision on U.S. Route One. This parcel abuts the parcel owned by the Freeport Conservation Trust. They came to the Board for some parking. It is about 90 acres based upon the net residential acreage calculation and allowable density in the Zoning District. They can get 80 units and that is what they are proposing. They will have two road entrances off of U.S. Route One. The Board did receive an e-mail last night with the Staff Report from an abutter who has concerns about the entrances. It is a State road up there and any entrance permits would have to meet any standards in the Subdivision Zoning Ordinance but the actual entrance permits will be issued by the State of Maine and the applicant has already had contact. They show two roads due to the number of units and the limitation on the length and the number of houses you can have on a dead-end road per the Freeport Subdivision Ordinance. They have designed these to be middle-income housing and will be set up like condos so they would be on common land with wells that would be shared with the duplexes. There is no public water or sewer up there so they would also have septic systems which would be clustered. There are 43 acres of open space which does abut some other open space land. They haven't said what they intend to do with that land in the future as far as whether the HOA would retain it or if they are looking to give it to an outside agency or some other options identified. They are here to present the conceptual plan tonight and get some feedback. Thomas Perkins is here and can walk the Board through the site.

Mr. Perkins explained that he owns Dirigo Architectural Engineering. On this project they have been working for about a year now with BH2M out of Gorham who is their site engineering mainland consultants who are doing environmental science and soils and survey work. Beta Zeta Properties is a developer that has been around the last few years. They have done a successful development in Cumberland as well as some smaller developments in Bath, Brunswick and Harpswell. They work pretty much exclusively with Brett Davis Realty here in Freeport and has been working with Brett's Team for the visioning of this project and fulfilling a home inventory need in Freeport with what they have put forth in a sketch plan for the Board's review. He appreciates the Staff guidance and the Staff Review meeting they have had that has been helpful and they look forward to further guidance from the Board as the project moves forward. He shared a

screen showing a large irregular shaped parcel north of Allen Range Road. The back part of the parcel abuts the railroad and there is about 600 feet of frontage on Route One. This is a 91.5-acre parcel surveyed with old boundaries identified by pine tree stumps over the years. The reconciled land mass is just over 91 acres. It is in the MDA Zone. They are developing about 35 acres of this and are proposing to do that in a phased approach. The remainder that is undeveloped open space and are very open to what wants to happen as far as retained ownership and use of that open space land. He flipped over to the site inventory that was included in the Board's packets. They have pieced a few things together. There is a trail system that already exists up there. They have some peach colored or forested wetland areas that are designated differently from the green areas which are qualifying wetlands for the Subdivision Ordinance. They have stream beds identified with some setback areas. They have one vernal pool in the middle of the open space so as they were putting together their plan, they said it makes sense to stay well clear of that upper area and let the upper area be preserved as open space for continued use, perhaps an extension of the trail system or some other things that could happen up there that are all environmentally positive in preserving this substantial acreage and they would condense their development onto the lower area. The red area is the approximate limit of the salvage yard that is on their abutting property. They have weaved their roadways around the forested wetland areas so they can minimize their environmental impact with the crossings and as it stands right now, while still preliminary, they are trying to keep underneath the first tier of permitting that would be required for those crossings and impacts. There is a vernal pool at the front but it was reviewed by their Environmental Science Team this past April and deemed not to be significant but just the same they are doing their best to avoid it. Other items they have done based on some initial feedback from abutters, is knowing they need two entrances. They have tried to move those away from abutting property lines as best they can in an effort to try to be good neighbors. The layout is as Ms. Pelletier described. They have 40 duplex units for 80 new dwelling units in a condo association arrangement. The crossroad delineates the first phase of work so the initial build-out would be the front portion and the second phase of work to follow would be the rear portion.

They have started their consultations with DEP, Army Corps of Engineers and MDOT. They consulted with MDOT specifically making sure that they would be okay with two entrances off of Route One. For the most part, they followed the four-step process and he highlighted the narrative in their sketch plan application. Tonight, they would like to hear comments from the Board and any abutters that might be near them so they can be good neighbors in the early stage of planning and do the best they can to incorporate their thoughts and ideas into their layout.

Mr. Reiche mentioned that Mr. Perkins said they were doing what they can to avoid the vernal pool at the street entrance and asked if it was factored into their design or are they going to be moving it again? Mr. Perkins replied that it is already factored in. Mr. Reiche noted that one of the surveys he looked at raises a question about the west boundary and if he reads it correctly, they may own a lot of that junk yard. Mr. Perkins advised that back when the original lot size they thought was 96 acres, there was a challenge by that abutter so additional work was done by the survey team and they ultimately agreed that the land they were on top of was actually their land so they reconciled that and the overall lot size got smaller.

Ms. Berger advised that she reviewed the drawings and the soil survey trying to reconcile one with the other. She wonders where some of the septic tanks are going to go with all the steep slopes and the various soils. She asked if there is a way Mr. Perkins could show a superimposed map of the site on top of the soils survey map so the Board could see which things fit on top of which? Mr. Perkins agreed he could do an overlay.

Ms. Campanelli mentioned that they have one-car garages and if there is space for overflow parking? Mr. Perkins advised that they have a minimum of 40-foot long driveways with each of these duplexes leading into the single-car garage so it would certainly provide space for two vehicles outside of the garage and then one in. Ms. Campanelli noted that the Freeport Conservation Trust abuts this property and Mr. Perkins said there was an existing trail system. Mr. Perkins displayed a drawing showing that if the Board walks the property and hopefully the Board is so inclined, he would be happy to do that with the Board. This property was logged within the last 20 years so there are many logging trails on the property but there is a distinctive foot path following the stream bed and they believe it connects onto the Land Trust beside them. In the spirit of moving forward, if an arrangement could be made, they would certainly like to

talk to them for continuing that trail formally across the property and where it connects in and how it affects these other abutters. He is not sure but at least it would provide more walking space. Ms. Campanelli mentioned the abutter with a dump and asked if there is concern for toxins. Mr. Perkins advised that they did initial screenings to make sure they didn't inherit a problem there but the tests all came up negative. Ms. Campanelli encouraged the Board to do a site walk. Chair Blanchard agreed and feels a site walk for a project of this size would be appropriate. Other Board members agreed. Mr. Troidl mentioned looking at the density of the plan, asked how many trees will remain in that area as the applicant is building all the roads and all the houses? Mr. Perkins noted that a lot of the nice trees have already been cut from the property but there are some that they would design around and preserve as best they can. They would need to pick them up on their survey and lay them out as it relates to this roadway alignment. They would definitely would want to preserve any shrub growth that is left over in there. Mr. Troidl would like to have them flagged so it is obvious when the Board does its site walk. Mr. Perkins agreed.

Ms. Berger asked if Mr. Perkins would be able to flag the duplexes and the turn-arounds and whatever else he feels would be important for the Board to see? Mr. Perkins agreed. Chair Blanchard added that Mr. Perkins would not have to do every single building but some visual clues and markers for the Board so when they are walking around with the plan, they will have an idea of where they are standing and what they are looking at. Mr. Troidl added that particularly roads and driveways should be flagged. Mr. Perkins agreed.

Mr. Troidl asked if Mr. Perkins would be seeking approval of the whole thing? Would there be two phases or would it be broken up more than that? Mr. Perkins advised that they are planning on the two phases. It would be the entrance and the cross street in back which is for dead-end street compliance and they would continue on and build the back section out as the second phase.

Chair Blanchard asked if there were members of the public that wanted to provide comment? Matt Cheney thanked the developer for keeping all of the open space contiguous in the interest of reducing habitat fragmentation and conserving the trails. He has a concern that our Town has a Comprehensive Plan that is somewhat out of date. It seems as though having a more complete vision for the Town would be important before considering such a large-scale development like this in a non-walkable location. We recently approved a 144-unit subdivision on Desert Road and he wonders about the impacts of a highly resource intense development such as this on our community. This does not address our affordable housing needs in our community. It appears to address the middle- and upper-income group. He thanked the Board for hearing him.

Abigail Gray wanted to second what the previous speaker said about our Comprehensive Plan and the need to supply affordable housing for families looking to start home ownership and also the need for those in our community to downsize and they don't have an option in Freeport to downsize in a way that they can actually afford to stay. That is her concern with any new development and she knows this is one of a few coming down the pike. She feels we haven't addressed the need to focus on revitalizing Main Street and figuring out a way to get affordable housing down there before we develop any new land towards this. With the development on Desert Road, we still don't know the impact that will have on our town population and also our schools. Nationally with housing, there is a real shortage and a real demand for housing but she wants to be sure we are not growing too fast in a way that will sort of create a bubble that impacts those of us who are already here.

Michelle Harrison asked what are the projected price points of these units? Mr. Perkins advised that he would not dare to predict what middle income is these days with the way the real estate market is going. He does not have that expertise. It is definitely designed so that first-time homeowners and folks that want a taste of not paying rent but having some home ownership and living in a nice neighborhood part of the Freeport community is the vision. Mr. Troidl noted there is great natural space and the developer is leaving open space but has there been any thought to doing something like a field or a gazebo or a recreation area that is not right next to each of the duplexes that might be community space. It is not walkable to town where folks can go to the track or the football field. Mr. Perkins advised

that they haven't gotten that far yet but will take it as a constructive comment to put into their plans. He doesn't see why they couldn't do a community green or dovetail getting into the trails system.

Ms. Campanelli pointed out it is important to note that this Board does not make the Comprehensive Plan. That is done by the Planning Board and the Town Council approves it. She feels the speakers' energy would be better spent talking to their Council members and also to the Planning Board. The Comprehensive Plan is not getting the attention it needs but it is not this Board's purview. The process is not clear so she wanted to clarify that.

Chair Blanchard explained that when the Board does a site walk, it will be publicly noticed so anyone that spoke tonight is welcome to attend and ask questions.

Mr. Reiche asked Ms. Pelletier to let the Freeport Conservation Land Trust know the date the Board does the site walk? Ms. Pelletier advised that she can do that. She has had some conversations with them and they are very interested in talking to the applicant. That is their trail that is on the applicant's property. She will also share the information with Mr. Perkins and hopefully the two parties can get together in a conversation. Mr. Reiche thanked the public for their comments tonight.

BE IT ORDERED: that the Freeport Project Review Board table the review of the Site Inventory Map, Site Analysis and Conceptual Plan for Beta Zeta Properties LLC, for a proposed residential open space subdivision (Tax Assessor Map 18, Lot 16, 0 US Route One) until after the Board is able to conduct a site walk. (Reiche & Troidl) **ROLL CALL VOTE:** (5 Yes) (2 Excused-Bond & Yankee) (0 No)

KLIF LLC – Exterior Alterations

The applicant is seeking approval of a Design Review Certificate for exterior alterations and signage at their property at 13 Bow Street. Signs and awnings will be replaced, some new signage is proposed and a small area of grass will be removed in front of the lower-level storefront to provide area for outdoor seating. Design Review District I – Class C. Zoning District: Village Commercial I (VC-1). Tax Assessor Map 11, Lot 102. KLIF Enterprises LLC, applicant and owner; Andrew Wilbur, representative.

Ms. Pelletier advised that Andy Wilbur is the applicant behind this application. He was before the Board a while back for some building rehab and solar panels. He is here for some additional changes. If the Board has been by the property, there is a ton of work underway. If the Board had been there while it was occupied by the previous tenant, you would have noticed that there are two small areas of grass out front that people like to cut across so it is hard to keep the grass alive. Andy is opening a retail shop on the lower level and providing an area where the grass will be removed. He will put in some brick and some outdoor seating. The Board has cut sheets of the brick material and a picture of the seating which he promises to paint a historic color. He has included impervious coverage calculations and he also has some signage. There is a whole bunch of signage in this submission and most of it is replacement signage all within similar size, shape and color schemes and location of the past approvals so it could be signed off at the Staff level. The new signage in this case is awnings. He wants to put some words on the awnings as shown. The awnings are replacements and will replace the previously approved striped awnings that were on the building. Due to the current limits in the Sign Ordinance, he can only have three more signs and each one of the wordings on the awning counts as a sign. One word will be "Fudge." The letters will be white as shown in the submission.

Andy Wilbur added that the other two words will be "Candy" and "Taffy". The hope was to actually do more awnings but as Ms. Pelletier mentioned, he had to stay within the limit of eight right now based on the number of occupants and the square footage of the building so he is doing three of the nine. Several of them are down that alley that runs between the building, not very visible but staying with the intent of visibility and trying to do the right thing so they are sticking with three right now. He explained that in working on this property, they wound up with what has been communicated by some of the work being done on the Downtown Revisioning. They had the intent of offering some outdoor seating but there is no restaurant there. It is mostly the same use they had with candy and gifts but the goal is to provide an

area for people to stop and rest while they are shopping. It is sort of a round table of a bench. As Caroline mentioned, the previous tenant did a lot to try to keep people from walking across the plantings with not much success. In talking with their landscape designer, his recommendation was to use pavers and planters to be able to bring in the floral they like to bring in in the spring and summer. It would allow them to bring those elements in and out so in the winter months when there is limited space for snow removal, they will be able to take the planters out. In the last couple of seasons, they have done decorations there with trees so they will be able to do those changeable decorations based on the seasons and what makes sense for the use of the space but not limit it to be one or the other.

Ms. Campanelli feels this is great. She never noticed that stairway going up to the second floor. She asked if this is something Andy looked at maybe removing and doing a different approach? Andy advised that with that building, as they improve each thing, they notice the things that need improvement. He would like to do something but obviously would require a return to this Board if it is a change in material and they haven't moved forward with what the best approach would be but that deck has been there in excess of 30 years and the challenge would be if they move away from a deck to something that was stone, they would be up against the challenge of impervious surface. They are not right up against the number of 90% but they are closing in on it in that space. If they were to go to complete stone on the deck and the stairway, they would cross that threshold so there may be an opportunity to do something that is a hybrid between deck and stone and stay within that. It is not something they have spent a lot of time on yet but it is probably amongst the next things to work on.

Mr. Troidl wanted to say that the impervious surface Andy pointed out and the planters look to be important with that building. The building is very tall and looms over the street so anything they can do to soften it, would be great. Obviously dead plants that are there are not helping either. Andy advised that the foundation stones have been continued from the foundation on the left side out to the roadway and it is their intention to build some custom pieces that go along that to soften the vertical line.

Chair Blanchard asked if there were any members of the public interested in providing comment. There were none 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 building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

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

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

The façade materials will not be altered. Existing awnings will be replaced with like materials and in the same locations. 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).

Rhythm of spaces to buildings on the streets are not being 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.

The applicant is proposing to remove the small areas of grass in front of the building and install brick. Although the use is retail, some outdoor seating and planters are proposed. The seating will be metal and painted a color from a historic color palette and the planters will be either wood or stone, similar to shown in the submission; both will be seasonal. With the addition of the brick, it appears that the property will still be compliant with the maximum

impervious coverage to lot area ration of 90%. Based upon this information, the Board finds that this standard has been met.

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

The applicant is proposing to add signs to three of the awnings which requires Board approval. The lettering will be white and as shown in the submission. The building and ground signs are all replacement of similar size, location and appearance and although included in the submission, do fall under the threshold for staff approvals. 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 KLIF LLC for exterior alterations and new/replacement signage at 13 Bow Street (Tax Assessor Map 11, Lot 102), to be substantially as proposed, application dated 06/03/2021, finding that it meets the standards of Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any installation, the applicant obtain a sign permit from the Freeport Codes Enforcement Officer. (Campanelli & Berger) **ROLL CALL VOTE:** (5 Yes) (2 Excused-Bond & Yankee) (0 No)

Lighthouse Laundromat - Design Review Certificate, Site Plan Amendment and Change of Use

The applicant is seeking approval of a Design Review Certificate, Site Plan Amendment and Change of Use at the existing laundromat building located at 12 Mallet Drive. The change of use is for a small vacant portion of the building from business and professional office to restaurant- carry out. Minor site alterations and new signage are proposed. Design Review District I – Class C & Freeport Village Overlay District. Zoning District: Village Commercial II (VCII). Tax Assessor Map 12, Lot 33A. Tim Mahoney, Land Development by Mahoney LLC, applicant and owner.

Ms. Pelletier apologized for the lateness in getting some of these materials to the Board. Mr. Mahoney reached out to her for a new building sign but she couldn't find any reference that it was a replacement so she told him he would need to come back to the Board which he already did once before for the improvements he made to the Laundromat. He had a couple of other changes but the Town went into I-T lockdown so there was a delay in being able to work with him to get some of the materials together. The Board did get last night an updated plan and some cut sheets. Essentially, the Board will recall that he came for the Laundromat that remained. He did some rehabilitation and there is a small space that said June's Beauty Salon and it still might be there which we consider business and professional office and he is proposing to change it to a fresh fish market. The initial conversations we had with him was that it was going to be a restaurant/carry-out. Based on the updated information, it sounds like in the beginning it will have more of a retail component and then add a restaurant/carry-out with seats so you can sit there and eat a lobster roll or sandwich-type things. He is before the Board for Design Review and a change of use from office to retail/restaurant/carry-out. The changes before the Board would be the addition of a walk-in cooler. It is considered a structure and needs to meet setbacks and the addition of a vinyl fence to enclose the cooler and dumpster area to screen it from Mallett Drive. Along the side of the building, he would propose where they are able to offer some food that you could sit down and eat, to add some outdoor seating. The material was unclear to Ms. Pelletier but it appears to be some metal seating that

he included information on. Finally, there is a building sign and he showed two options, blue or black. It would be a carved sign and we need some clarification on material and it would have a gooseneck lighting fixture. There are about 29 parking spaces on the site. Initial estimates show he might need 9 or 10 so there is a condition that he finalize that calculation with the Town so they have it on record but it appears he will have well in excess with the 29 spaces on site even if he is going to repurpose some seasonally with the outdoor seating. It is a change of use and even though it is only 600 square feet, he does need to get a capacity letter from the Freeport Sewer District. He has reached out to them but it has been added as a condition of approval. He would then need to get any applicable permits from the Codes Officer for any building signage, etc. Tim Mahoney is here if the Board has questions.

Mr. Mahoney noted he did not have much more to add after Caroline's introduction but he wanted to provide a more detailed description of the fish market concept and what the idea is for the seasonal outdoor seating area that would be located on the far-right side of the Laundromat. The fish market is just a fresh fish market that will have live lobsters in large tanks for purchase as well as an array of other fresh fish, shellfish and other sundry items that would go well in the retail market of fresh fish. It is a very small space of about 600 square feet and is broken up with about two-thirds of that space in the front and there is a wall that separates about one-third of the space to the rear. The front would be the retail portion and the rear area would be more of a prep area within the market. They will need an outdoor walk-in cooler to keep the product fresh and it is proposed to be about a 10-foot square walk-in cooler. The idea is that they would like to place it on the back right side of the property but then screen it with the proposed vinyl fence that would start at the side of the building and continue all the way to the far right of the property and then return back to the neighboring property where their existing vinyl fence currently exists. They would screen not only the walk-in cooler but also the dumpster. The last time he was before the Board, we talked about the idea of improving the entire streetscape of 12 Mallett Drive and back then we talked about moving the dumpster and getting it out of the public's eye and trying to capture a bit of green space on the left side. There is an awesome maple tree there and putting in a park bench where the dumpster once was so the idea was that the dumpster would go to the far-right side. It has been currently located to that general location where they show it on the post site plan. There has been a park bench installed in the former dumpster location. He is really trying to enhance 12 Mallett Drive and firmly believes that the fish market is a great use for the space. The idea is that Year One is the retail portion of the market and assuming that all things go as planned, it would then grow into this take-out offering with an outdoor area to sit and enjoy the outdoors. It would be located on the right side of the property where the parking lot wraps around the building. They would then cordon off an area for the outdoor seating. As Caroline mentioned, it is small sandwiches, a very limited menu that goes along the line of the fresh fish market. They are not competing with McDonald's across the road. They are simply going to offer a limited menu. Relative to the sign, he would like to get a little more presence for the laundromat so on the far-left side of the building on the cedar shakes portion, there is a section between the columns that is all shakes and the idea is that they will put this 4-foot diameter decorative painted and carved sign that would be as per the illustration he provided. It would be in the black and white version not the blue and white version in terms of the color scheme. It would be illuminated via a gooseneck light very similar to the other gooseneck lights that have already been installed on the face of the 12 Mallett Drive building.

Mr. Troidl noted that overall, he likes the changes but his concern would be the walk-in cooler and probably more noise and the 8-foot fence. He is assuming it is a little taller than that. Mr. Mahoney explained that walk-in coolers are 8-feet tall which is why he proposed an 8-foot-tall fence. It could be a few inches above the 8-foot-tall fence. He noted the fence behind the laundromat is an 8-foot-tall fence and he wanted to match the style and design of the existing fence there. As he thought about it, he said it makes sense because the walk-in cooler is 8-foot 6 inch in height. The cooling machinery is side wall mounted.

Ms. Campanelli had to say it is a huge improvement. She passes that building multiple times a day and she appreciates what Mr. Mahoney is doing on it and she hopes it continues.

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. A walk-in cooler will be added to the rear corner of the building. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

The 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 opening within the facility will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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

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

The walk-in cooler will be located towards the rear of the site and screened with a fence. No changes to exterior building materials of the existing structure are proposed. Based upon this information, the Board finds that this standard has been met.

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

The outdoor seating area (seasonal) will be added to the side of the building in an existing parking area. 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.

A walk-in cooler and outdoor seating (in the existing parking area) are proposed. The outdoor seating appears to be metal. The privacy fence will be used to screen the cooler and dumpster from the outdoor seating area and Mallet Drive. The proposed fence will be white vinyl, eight (8) feet in height with an access gate to the dumpsters. The dumpsters and walk-in cooler will be on concrete pads and will need to comply with required setbacks. A few parking spaces will be displaced. This area will be seasonal and enclosed with movable planters. Based upon this information, the Board finds that this standard has been met.

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

The project consists of a new building mounted sign which will be four feet in diameter. It will be a carved sign and illuminated with exterior gooseneck fixtures. This will be in addition to the previously approved building mounted signs. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

The site is already developed and the applicant is proposing improvements within the developed area. No landscaping is proposed for removal and planters will be added. Based upon this information, the Board finds that this standard has been met.

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

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

The property is in the Village Commercial II (VC-II) Zoning District. The building is Class C in Design Review District I; a Design Review Certificate will be required. The building is existing and the relation of the proposed building to the environment will not be altered. Based upon this information, the Board finds that this standard has been met.

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

Access to the site is existing and will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

Information included in the submission shows that there is ample parking on site for the existing laundromat use and the new use of the retail/restaurant space. The parking calculation will need be finalized based upon the square footages. Final calculation of the requirement has been added as a condition of approval since preliminary estimates show excess parking on site. Based upon this information, the Board finds that this standard has been met.

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

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

Based upon the size and nature of the development, information on stormwater management and erosion control were not submitted. Based upon this information, the Board finds that this standard has been met.

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

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

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

The project consists of a new building mounted sign which will be four feet in diameter. It will be a carved sign and illuminated with exterior gooseneck fixtures. This will be in addition to the previously approved building mounted signs. Based upon this information, the Board finds that this standard has been met. 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 privacy fence will be used to screen the cooler and dumpster from the outdoor seating area and Mallet Drive. The proposed fence will be white vinyl, eight (8) feet in height with an access gate to the dumpsters. The dumpsters and walk-in cooler will be on concrete pads and will need to comply with required setbacks. Based upon this information, the Board finds that this standard has been met.

- i. **Exterior Lighting:** All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public

ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public. For all proposed lighting, the source of the light shall be shielded and the light should be directed to the ground, except in the case of ground sign lighting. In the Village Commercial 1 and 2 Districts, lighting for pedestrian walkways and adjacent public sidewalks shall also be provided.

New gooseneck lighting is proposed for the sign. Based upon this information, the Board finds that this standard has been met.

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

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

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

New planters will be added to the site, as noted in the submission. No vegetation will be removed. 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 Shoreland Zone or the Marine Waterfront District. The building is connected to public utilities. Based upon this information, the Board finds that this standard has been met.

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

BE IT ORDERED: that the Freeport Project Review Board approve the printed Findings of Fact, Design Review Certificate and minor site modifications for Land Development by Mahoney LLC at 12 Mallett Drive (Tax Assessor Map 12, Lot 33A), for a change of use for a portion of the building from business and professional office to retail and/or restaurant carry-out, to be built substantially as proposed, cover letter dated 06/15/2021, finding that it meets the standards of the Freeport Design Review Ordinance and Section 602 of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) Prior to applying for any permits from the Codes Officer for this project, the applicant obtain a capacity to serve letter from the Freeport Sewer District.
- 4) The applicant will need to submit and updated parking calculation for the site to demonstrate they meet the parking requirements of Section 514 of the Freeport Zoning Ordinance. (Reiche & Campanelli) **ROLL CALL VOTE:** (5 Yes) (2 Excused-Bond & Yankee) (0 No)

Mr. Mahoney pointed out that the parking is noted on the site plan and asked what more he needs to do to have it documented? Ms. Pelletier advised that she was unclear on the exact square footage of the uses so she will connect with him and clarify the uses and make sure they are using the right standard and figure out what the total is. She would like to get it documented in the folder. She mentioned it looks like he will have quite a bit of excess but wants to have a clean paper trail for the future. Mr. Mahoney mentioned he appreciates the efforts the Board puts in and that Caroline is a huge asset and has been tremendously helpful in getting him before the Board. Mr. Reiche seconded the part about Caroline and Chair Blanchard agreed 100%.

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

Ms. Pelletier noted the Board talked about two site walks. They are good sized projects and could take a while. She asked if the Board wanted to do both of them back-to-back before the July meeting or split them up and do two Wednesdays in a row. Chair Blanchard feels the Desert of Maine should be its own site walk and will take a lot of time. He is fine splitting them. Mr. Reiche feels doing one on a Wednesday and then one on a Wednesday of a meeting makes sense. Ms. Berger wonders if the subdivision site walk will be long and hopes it will not be more than an hour. She feels the Board should allow enough time to go up and see the open space area. Ms. Pelletier mentioned she was planning on an hour but would need to coordinate with the Planning Board on scheduling. She is not sure they will meet on the first or second Wednesday.

After discussion, July 14th works for the majority of Board members. Ms. Pelletier advised that this is tick season so Board members should dress appropriately. She noted she could schedule one tentatively for the 14th and then one for the night of the meeting. She will figure out the schedule but it could be 4:30-5:30 if the Planning Board is meeting or perhaps 5-6 p.m. The Board's next meeting will be in-person but Ms. Pelletier is not sure we will do all in-person or we will be able to do some hybrid. Board members will not be able to participate in the hybrid mode and will need to be present and visible. If anyone has concerns for meeting in person in the Council Chambers, she asked that they reach out to her directly and she will see what she can do about it to get the Board to participate. She wants everyone to feel safe. The current requirement at the Town Office the recommendation is that if you are not vaccinated, you wear a mask which is pretty much the same as everywhere else you go but nobody has to show vaccination cards. It is the honor system. Her understanding is that it is going to be back to our traditional setup which Linda and Alexis have not experienced yet but the Board will be sitting in the Council Chambers with the public there.

Ms. Berger asked if it was okay for her to bring food on the site walk and Chair Blanchard advised her, she could bring a picnic if she would like. Ms. Pelletier advised that the Board usually meets on site as a group and will make sure that the walk is ended so the Board can get back here and get water, etc.

If the Planning Board doesn't meet on the 14th, Mr. Troidl asked if the Board would prefer to do both site walks on the 14th and then just do the meeting on the 21st? Ms. Pelletier noted she is okay doing both on the 14th but would have to start at 3:30 or 4 p.m. Ms. Campanelli added that the good thing about that plan is that the Board can go home and de-tick and after walking through the woods, Board might not look so good. Board members agreed and felt they could do both on the 14th between the hours of 3 and 6 p.m. Ms. Pelletier offered to finalize it on her end and will send notices. She will allow for an hour for each with a bit of drive time in between.

Chair Blanchard asked if anyone wanted to discuss Phase One of the Village Revisioning. Ms. Campanelli added that she watched the presentation and felt it was a good one. The consultant touched on things that we have talked about in committees. It was refreshing that he didn't sugarcoat things too much. He didn't like chains controlling pedestrians which she thought was great. She appreciated that they picked up on some of the intersection issues and how it is not safe or conducive to pedestrians. She feels it is a good mindset and hopes it can be a mindset shift for the Town when making decisions. When she travels, she sees that communities do use spaces with seating, planters and urban design elements and feels it could change the environment quite a bit. She thinks the projects are all within reach or feasible.

The biggest concern she has is implementation. When she started, she looked into plans and studies and was confused why they pay for so many plans and studies when so few things ever come to fruition. She thinks it is important that we push the idea of an implementation plan. She is not sure why the FEDC plans or some of the studies that have been done have not had the follow through. The Active Living Plan had over 200 action items and the committee spent months trying to organize it but it is unrealistic for citizen volunteers to do that. The consultant had a chart showing how these different groups could come together to then make these projects happen. That is not going to cut it. We know that our Planning Department is already overtaxed and can't take this on and she doesn't know if FEDC is going to be taking this on. She encouraged everyone when talking to Council members or this Vision Board, to ask questions about is this going to happen and who will act as managing the implementation of these projects. That is critical and has been the failure of all the plans funded by Freeport in the past.

Ms. Pelletier pointed out that this will not be another plan sitting on a shelf. She has seen enough of those and she will sign Ms. Campanelli up so she better watch out. She met this week with Council leadership and Mary Davis of FEDC because they are hearing from the community. They are engaged and want to participate in these things and last night at the Council meeting when they gave an update, the Council is committed to making stuff happen and trying some of this stuff out. Councilors Whitney, Piltch and Daniele have been charged with making stuff happen. The Council has committed a half hour prior to each Council meeting to hold open office hours for the Vision and the Early Action Projects. The list of those projects was generated by Principle Group and additional ideas that came in from the community They looked at those ideas to see which ones we could easily and cost effectively implement quickly and which ones are of interest but might take a little longer. Some of the challenges are on Route One which is a state road and we need to get approvals from the State that require engineering and adds another layer. These are pilot projects and everyone is tired of her saying, "you can't do any of these things" but they will find a way to try them out because they are temporary. They will try them out hopefully in the community and hopefully there will not

be too much cost because they are going to go away. She thinks we can get some good feedback from it. One of the things she has been saying is “okay we are going to talk about painting crosswalks or painting logos” and that is wonderful but the guy next door just came for the color of shutters. We need to be aware of some of the loopholes we are putting people through. Some of the plans that were identified that we have community volunteers, we are holding back until we are ready and have proper protocol in place. There are a couple of groups interested in public art through painting crosswalks. She did advocate for a historic color palette. There are public sidewalks that Girl Scouts are interested in doing and there is a lot of interest from the business community for a Main Street Parklet. That is the biggest project identified for the early days because we have to involve Adam Bliss and get some engineering and include DOT. There is a lot of interest in partnerships in some outdoor seating in the pedestrian plaza between Brickyard Hollow, Freeport Station and Mexicali Blues. The owners are working together. There have been some musicians there and L.L. Bean has been providing some seating temporarily on the weekends. That is already coming to life. Another idea that is coming to life is to try to close a small portion of Nathan Nye between Starbucks and the Bartol Library where MOFGA will be opening a store and doing something in that area. There is momentum, interest and volunteers. She just signed Ms. Campanelli up so she thinks the Board will see some of these things happen. The Board may see some of them later in the summer because there is a balance. Our businesses are bouncing back. They had a really tough year as did the whole world. As Freeport gets busy, we need to balance the resources and everyone’s time to help our businesses succeed while working together and get stuff done. She will be happy to keep the Board in the loop Her assistant, Cecilia is doing work behind the scene to research some of this stuff to make it happen. There is a lot going on.

Ms. Pelletier advised that she now has a Comprehensive Plan budget of \$100,00 that was approved last night to start the process. The budget approved had \$50,000 for each of the last two phases. It has not been awarded to anyone. The Council will need to go through that process. We are now in a holding pattern as we do Phase One and do some Early Action plans. We want to get data and measurables to see what people think both pros and cons to some of these things and what kinds of changes this could be for Freeport. We will see about Phase Two and Three when they review a contract or decide to give funding to a specific group to continue the work.

Mr. Troidl added that he liked what they presented and it was a lot of interesting stuff. People are very interested in housing downtown, affordable housing and some other issues. That can’t happen on a pilot project. A large apartment building downtown obviously needs some structural and systemic changes so if they do retain someone for the next phases, we have heard all this feedback already both from the Downtown process and in many of our meetings what people are interested in, trying to think about and how that is going to work and the steps involved to get there is an important thing. A lot of the pilot projects are great because they could be small and done this summer and over the winter we could see if we want to make this permanent and how can we actually do that legally and get that done? Some of the larger things need to get started with thinking sooner rather than later to be able to have anything happen soon enough because the Ordinance needs to get changed and someone has to be enticed to do a project and they have to come to this Board so it is a year or more in the process when you think about changing ordinances.

Ms. Pelletier added that they had a lot of public engagement in various capacities through residents and tourists. They had more than 2,000 responses. She invited the Board to review the data from the community that is on the website. She found it interesting. People care about open space and walkability.

Ms. Campanelli asked if at the end of summer, the Board could set up a workshop with the Council. Ms. Pelletier agreed because the Council seemed enthusiastic about getting together and the timing would be great because we will have seen some of the Early Action stuff tried out and the Board will have something to relate to and shed some light on some of the hoops you have to do to do some stuff.

ITEM VI: Adjourn.

MOVED AND SECONDED: To adjourn at 8:21 p.m. (Troidl & Campanelli) **ROLL CALL VOTE:**
(5 Yes) (2 Excused-Bond & Yankee) (0 No)

Recorded by Sharon Coffin