



**TOWN OF FREEPORT, MAINE**

Planning Department

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

St. Jude Catholic Church – Exterior Alterations	
Property Location:	Tax Assessor Map 13, Lot 21
Zoning Information:	Village Commercial I (VC-1), Design Review District I – Class C
Review Type(s):	Design Review Certificate
Waivers Requested:	No waivers have been requested.

**Background:** The applicant is seeking approval of a Design Review Certificate for exterior alterations at the Catholic Church at 134 Main Street. The proposal includes new siding, new trim and an entrance enclosure over the basement entrance which is located on the School Street side of the building.

As depicted in the photographs included in the submission, along the School Street façade, there is an existing partial foundation at the side entrance to the basement. Due to the open area and features of the site, the applicant is having issues with water in this area and is now seeking approval to enclose it. The enclosure will be added on top of the existing portion of the concrete foundation. The footprint will remain the same, except for a slight roof overhang towards the road.

The new entrance door on the exterior will have half glass with paneling on the bottom. The door will have a metal exterior and polyurethane core. A new full cut-off lighting fixture will be added over the door. The exterior of the enclosure will have Hardy Board clapboard style (4" exposure) and PVC trim; both to match the style and widths of the remainder of the building. The applicant would also like approval to replace all of the siding and trim (currently sided in wood). The colors of the new siding and trim have not been noted. The applicant can use any color from any palette of historical colors of any paint manufacturer; if they want to use colors not from a historic palette, approval from this Board will be required. The roof of the enclosure will have a 2.5"-3" pitch with the top of the roof to be just below the bottom of the existing windows on the main level. The roof will be sided with asphalt shingles.

**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.

*Along the School Street façade, there is an existing partial foundation at the side entrance to the basement. The applicant is proposing to enclose this area. The enclosure will be added on top of the existing portion of the concrete foundation. The footprint will remain the same, except for a slight roof overhang towards the road. The overall scale of the building will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

*The enclosure will be added on top of the existing portion of the concrete foundation. The roof of the enclosure will have a 2.5"-3" pitch with the top of the roof to be just below the bottom of the existing windows on the main level. The height of the main portion of the church 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 proportion of the building's front façade along Main Street 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 enclosed will have an entrance door where there is currently an opening in the foundation. The rhythm of solids to voids will be maintained. Based upon this information, the Board finds that this standard has been met.*

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

*The new door will be of standard size and rectangular in shape. 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 of the enclosure will have a 2.5"-3" pitch with the top of the roof to be just below the bottom of the existing windows on the main level. The roof will be sided with asphalt shingles.*

*No changes to the roof shape of the main portion of the building 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 new entrance door on the exterior will have half glass with paneling on the bottom. The door will have a metal exterior and polyurethane core. A new full cut-off lighting fixture will be added over the door. The exterior of the enclosure will have Hardy Board clapboard style (4" exposure) and PVC trim; both to match the style and widths of the remainder of the building. The applicant would also like approval to replace all of the siding and trim on the building (currently sided in wood). Based upon this information, the Board finds that this standard has been met.*

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

*The rhythm of spaces to building on the streets will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

*The enclosure will be added on top of the existing portion of the concrete foundation. The footprint will remain the same, except for a slight roof overhang towards the road. Otherwise, no changes to any site features are proposed. Based upon this information, the Board finds that this standard has been met.*

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

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

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of

Fact and Design Review Certificate for the Roman Catholic Diocese of Portland (Tax Assessor Map 13, Lot 21), for exterior building alterations at the Catholic Church at 134 Main Street, to be substantially as proposed, application dated 12/18/19, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

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

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

**Background:** The applicant is presenting conceptual plans for a Design Review Certificate for exterior alterations at the First Parish Church on Main Street. The building is Class A in Design Review District I. Available historic inventory sheets are attached to the end of the staff report.

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

“Section VIII Design Guidelines

A. Buildings Classified as A or B

1. A or B Buildings: Any building classified as A or B, or any part of appurtenance thereof, including but not limited to walls, fences, light fixtures, steps, driveways, parking areas and paving shall only be moved, reconstructed, altered or maintained in a manner that will preserve its historical, architectural and neighborhood significance. When making that determination, recognition shall be given to the design and placement of buildings previously on the site and their past relationship with surrounding buildings.

2. Demolition or Removal of A or B Buildings: Should a property owner want to demolish or remove all or any portion of a building classified A or B, a four (4) month notice of the proposed demolition or removal shall be given before a demolition or removal permit is issued. The owner of the affected building shall cause notice to be published in a newspaper of general circulation at least three (3) times prior to demolition or removal. The first notice shall be published no later than fifteen (15) days after the application for a permit for demolition or removal is filed and the final notice shall be published approximately fifteen (15) days prior to the date of the Project Review Board meeting where action on the application is expected. The purpose of this section is to further the purposes of this Ordinance by preserving buildings classified A or B which are important to the architectural, historical and neighborhood significance of the Town, and to afford the Town, interested persons, historical societies or organizations the opportunity to acquire or to arrange for preservation of such buildings. The notice of the proposed removal shall be forwarded to the Freeport Historical Society, the Freeport Town Council and the Freeport Planning Board. The Project Review Board shall conduct a public 7 hearing

prior to its vote on an application to provide an opportunity for public comment of the proposed demolition or removal.

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

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

Due to the standards of the Ordinance, the applicant will have to make the formal request for demolition of the ramp and adhere to the requirements of the four month notice period, unless they meet the standards of the Ordinance that would allow the Board to act sooner.

The change of use for the building and associated changes on the interior are resulting in the need for the proposed changes on the exterior. The applicant is proposing to add a second entrance on the front façade of the building along with a new ramp and stair/deck access. The application before the Board includes the removal of the existing ramp and an the removal of an existing set of double windows on a portion of the front façade. A new entry door will be installed where the windows are being removed. There will be a wood canopy over the new entrance, with design details to match the existing canopy over the main entrance to the church. The new ramp will be of masonry construction (concrete) and have a new guard wall with stone cladding and metal guard rail on top. Details on the deck materials will need to be clarified.

Near the north side entry to the lower level, a retaining wall is proposed. The existing steps between this property and the abutting property will remain.

Does the Board have any feedback they can provide the applicant on the proposed exterior alterations with the new retaining wall, new second entrance and new ramp/deck?

**Procedure:** The demolition and building changes are one portion of what will be a larger application before the Board at a future date. The applicant will be returning seeking a change of use. It was important for the applicant to get some initial feedback from the Board on the proposed exterior alterations so they can proceed with their plans. There are some setback constraints on the site, and the use of certain materials dictates the setbacks. If the applicant cannot meet the setbacks and needs action from the Board of Appeals, final action by the Board of Appeals for any setback relief would be required before the Project Review Board could begin the Site Plan Review (the Design Review Ordinance does not have the same requirement). The applicant will also need to submit a formal application for the demolition and begin the required notification process associated with that type of application.

<b>Granite Park Subdivision – Final Review – PUBLIC HEARING</b>	
Property Location:	Tax Assessor Map 20, Lots 4 & 4-1
Zoning Information:	Medium Density B (MD-B)
Review Type(s):	Residential, Open Space Subdivision
Waivers Requested:	No additional waivers have been requested.

**Background:** The applicant is presenting final plans for a five lot, residential, Open Space Subdivision. Two of the lots/units are existing single-family dwellings and are located on Wood Thrush Lane. Three additional lots are proposed and would have access from a new road off of US Route One. The parcel is in the Medium Density B (MD-B) District. This is an open space subdivision; 264,013 sf of open space is proposed; 263,452 sf is required. There are areas of wetlands, steep slopes and flood plain reflected on the plan.

**Procedure:** This is considered a Subdivision-Minor (per Article III of the Freeport Subdivision Ordinance) and requires conceptual and final review by the Board. The Board initially reviewed the conceptual plan at the 10/16/19 Project Review Board meeting and held a sitewalk on 10/23/19. The Board deemed the review of the Site Inventory Map and Conceptual Plan complete at the 11/20/19 Project Review Board meeting.

Abutters within the required 500 foot notification radius have been notified of this meeting and a legal ad advertising the public hearing was scheduled to publish in the Times Record on 1/7/2020 and 1/13/2020.

**Access:** Wood Thrush Lane is considered a “driveway” per Article 3.2 of the Freeport Subdivision Ordinance and no road improvements are proposed. Since the last meeting, the shape of the lots on Wood Thrush have been updated so that legal road frontage for both lots is on US Route One. Wood Thrush is shown now as a shared driveway easement.

A new road off US Route One is proposed for the three additional units and the road design has been reviewed by the Town Engineer for its compliance with the road design standards of the Subdivision Ordinance (Article 11.5). In a memo dated 1/8/2020 (attached), the Engineer states that the road design is in general compliance with the applicable standards of the Ordinance. The Board also had a discussion at the November meeting about the driveway proposed for lot three and determined that they do not consider the proposed driveway location to be entering onto the turnaround. The road name of “Artemis Way” has been approved by the Town’s E911 Addressing Officer (see letter dated 1/2/2020) and has been shown on the plan.

An entrance permit from the Freeport Department of Public Works has already been obtained.

**Utilities:** Each lot will have private utilities. Passing test pit locations are shown on the plans. Each lot will also have a private well. Utilities will be required to be underground. In an email dated 10/16/19, the Fire Chief stated that he cannot require residential sprinkler systems.

**Stormwater:** This parcel is located in the Frost Gully Brook Watershed which is a watershed of an Urban Impaired Stream. Since the Town of Freeport has delegated capacity for stormwater permitting from the DEP, the Town Engineer conducted the review and stormwater permitting (DEP Chapter 500 Stormwater Permit) for the project. His comments are included in an memo dated 01/08/2020 (attached). He

concludes that the project has been designed in compliance with the DEP permitting requirements and municipal ordinances. A Maintenance Agreement for a Stormwater Management System is a recommended condition of approval. The applicant did already obtain a Permit by Rule from the Maine Department of Environmental Protection.

**Proposed Findings of Fact:**

**11.1 Pollution**

**A. State Standard**

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

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

*This parcel is not within the Shoreland Zone. The location of a brook on the property has been shown on the plan. There are areas of flood plain on the property, which are identified as FEMA Zone A, with the boundaries shown on the recording plan. No development is proposed within those areas. Each lot will have a septic system and well which will be permitted and installed in accordance with municipal and state regulations. Based upon this information, the Board finds that this standard has been met.*

**11.2 Sufficient Water**

**A. State Standard**

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

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

**11.3 Impact on Existing Water Supplies**

**A. State Standard**

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

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

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

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

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

*The submission did include an erosion control plan which has been reviewed and approved by the Town Engineer. His comments are included in a memo dated 01/08/2020. Based upon this information, the Board finds that this standard has been met.*

#### **11.5 Traffic Conditions**

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

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

*Minimal traffic is expected to be generated from the development. Wood Thrush Lane is considered a "driveway" per Article 3.2 of the Freeport Subdivision Ordinance and no road improvements are proposed to the existing driveway. The lots on Wood Thrush will have legal road frontage on US Route One. Wood Thrush is shown as a shared driveway easement.*

*A new road off US Route One is proposed for the three additional units and the road design has been reviewed by the Town Engineer for its compliance with the road design standards of the Subdivision Ordinance (Article 11.5). In a memo dated 1/8/2020 (attached), the Engineer states that the road design is in general compliance with the applicable standards of the Ordinance. The Board also had a discussion at the November meeting about the driveway proposed for lot three and determined that they do not consider the proposed driveway location to be entering onto the turnaround. The road name of "Artemis Way" has been approved by the Town's E911 Addressing Officer (see letter dated 1/2/2020) and has been shown on the plan.*

*An entrance permit from the Freeport Department of Public Works has already been obtained.*

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

#### **11.6 Sewage Disposal**

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

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

*Each lot will have a septic system which will be permitted and installed in accordance with municipal and state regulations. The locations of existing systems are shown on the lots located on Wood Thrush Lane. The location of proposed leach fields and the passing test pits are shown on lots one, two and three. Based upon this information, the Board finds that this standard has been met.*



### 11.7 Solid Waste

#### A. State Standard

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

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

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

#### A. State Standard

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

*Wetlands were delineated most recently by Mark Hampton Associates and shown on the plan. No wetland impact is proposed for the development. No significant vernal pools have been identified on the site. In a letter dated 4/23/19, Kristen Puryear from the Maine Natural Areas Program states "...there are no rare botanical features documented specifically within the project area." In a letter dated 5/1/19, Becca Settele from the Maine Department of Inland Fisheries and Wildlife states "Our Department has not mapped any Essential Habitats that would be directly affected by your project." Based upon this information, the Board finds that this standard has been met.*

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

#### A. State Standard

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

*This parcel is in the Medium Density B Zoning District. The proposed subdivision amendment complies with space and bulk standards of the Freeport Zoning Ordinance and the open space requirements of the Freeport Subdivision Ordinance. 264,013 sf of open space is proposed; 263,452 sf is required. The open space will be retained by the Homeowners Association. Based upon this information, the Board finds that this standard has been met.*

### 11.10 Financial and Technical Capacity

A. *State Standard*

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

*The plan set was prepared by Thomas Greer, PE with Walsh Engineering Associates, Inc. The recording plan was prepared by Stuart Davis, PLS. Wetlands were delineated most recently by Mark Hampton Associates and shown on the plan. In an email dated 12/03/19, James M. Whelan Vice President Business Loan Officer at Saco & Biddeford Savings Institution states that the applicant has the funds to complete the subdivision. Based upon this information, the Board finds that this standard has been met.*

**11.11 Impact on Water Quality or Shoreline**

A. *State Standard*

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

*This parcel is not located within the watershed of a great pond or lake. The location of wetlands have been shown on the plans. Wetlands were delineated by Mark Hampton Associates and the location of wetlands are shown on the plan. Based upon this information, the Board finds that this standard has been met.*

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

A. *State Standard*

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

*The submission did include stormwater management and erosion control plans which have been reviewed and approved by the Town Engineer. His comments are included in a memo dated 01/08/2020. Each lot will have a private well. Based upon this information, the Board finds that this standard has been met.*

**11.13 Floodplain Management**

A. *State Standard*

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

*There are areas of flood plain on the property, which are identified as FEMA Zone A, with the boundaries shown on the recording plan. No development is proposed within those areas. Based upon this information, the Board finds that this standard has been met.*

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

A. *State Standard*

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

*Wetlands were delineated most recently by Mark Hampton Associates and shown on the plan. No wetland impact is proposed for the development. No significant vernal pools have been identified on the site. Based upon this information, the Board finds that this standard has been met.*

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

A. *State Standard*

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

*The location of a brook is shown on the plan and the required 75 foot setback is noted. Based upon this information, the Board finds that this standard has been met.*

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

A. *State Standard*

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

*This parcel is located in the Frost Gully Brook Watershed which is a watershed of an Urban Impaired Stream. Since the Town of Freeport has delegated capacity for stormwater permitting from the DEP, the Town Engineer conducted the review and stormwater permitting (DEP Chapter 500 Stormwater Permit) for the project. His comments are included in a memo dated 01/08/2020. He concludes that the project has been designed in compliance with the DEP permitting requirements and municipal ordinances. A Maintenance Agreement for a Stormwater Management System is a recommended condition of approval. Based upon this information, the Board finds that this standard has been met.*

#### **11.17 Spaghetti Lots**

A. *State Standard*

**Spaghetti lots prohibited.** If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond, or coastal wetland as these features are defined in Title 38,

Section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than five (5) to one (1).

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

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

**A. State Standard**

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

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

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

**A. State Standard**

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

*This development is not within or does not border an adjoining municipality. Based upon this information, the Board finds that this standard has been met.*

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and subdivision amendment, for Granite Park LLC, for a 5 Lot open space, residential subdivision on Wood Thrush Lane / US Route One (Tax Assessor Map 20, Lots 4 & 4-1) recording plan dated TBD, to be built substantially as proposed, finding that it meets the standards of the Freeport Subdivision Ordinance with the following conditions of approval:

1. This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
2. Prior to any site work, including but not limited to clearing of the site, the applicant do the following:
  - A. Enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, to be recorded in the Cumberland County Registry of Deeds, with yearly stormwater reporting to the Town of Freeport being required.
  - B. Pay a Pavement Maintenance Impact Fee to the Town of Freeport, to be based upon the road length (Artemis Way) and the current impact fee effective at such time that the fee is paid. Applicants for building permits

will also be required to pay a Pavement Maintenance Impact Fee at the time a building permit is applied for and based upon the size of the structure and the current impact fee effective at such time.

- C. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in an amount to be reviewed and approved by the Town Engineer, in a form acceptable to the Town Attorney. The performance guarantee, in accordance with Article 12.9 of the Freeport Subdivision Ordinance, shall cover the cost of all site work, including the road, erosion control, stormwater management, landscaping and demarcation of property lines, etc, along with the performance guarantee, a non-refundable administrative fee of 2% of the performance guarantee, in the amount of \$TBD, be paid.
  - D. Establish an inspection account, in the amount of \$TBD, for inspection of the site improvements by the Town Engineer.
  - E. The developer have a pre-construction meeting with the Town Engineer.
  - F. Final legal documents be reviewed and approved to the satisfaction of the Town Attorney.
- 3. The final signed mylar of the recording plan shall be recorded in the Cumberland County Registry of Deeds within ninety (90) days of the date upon which the plan is signed otherwise the plan shall become null and void.
  - 4. Prior to the sale of any lot, the applicant shall provide the Town Planner with a letter from a Registered Land Surveyor, stating that all monumentation shown on the plan has been installed.

<b>The Beacon Residences – Commercial Open Space Subdivision</b>	
Property Location:	Tax Assessor Map 22, Lots 24 & 24B
Zoning Information:	Commercial IV (C-IV)
Review Type(s):	Subdivision – Commercial Open Space, Site Plan Review
Waivers Requested:	

**Background:** The applicant recently applied for Zoning and Subdivision Ordinance Amendments that allow for this application. The amendments added a new use of Subdivision – Commercial Open Space in the Commercial IV Zoning District and allows for higher density residential development. There is also a new requirement for open space (20% of the net residential acreage). The amendments also allow more than 15 units on a dead-end road (for this use). The project will require both Site Plan Review and Subdivision Review from the Board. Since this parcel is in the Commercial District; Section 527 of the Freeport Zoning Ordinance will also be applicable.

The applicant is presenting final plans for a Commercial Open Space Subdivision with 144 units (in six residential buildings), 5 garage buildings, a clubhouse with pool and associated site improvements. Based upon the updated net residential acreage calculation, 186 units would be permitted.

**Process:** This is considered a Subdivision-Major (per Article III of the Freeport Subdivision Ordinance) and process would involve three levels of review – conceptual, preliminary and then final. The Board held a sitewalk and deemed the review of the conceptual plan complete at the 9/18/19 Project Review Board meeting.

A public hearing was held and conditional preliminary approval was granted at the 11/20/19 Project Review Board meeting. The public hearing was advertised in the Times Record 11/12/19 & 11/18/19.

Abutters have been notified for tonight's meeting; a 500' radius for notification is required.

**Waivers:** Two waivers have already been granted (stall dimension and entrance separation). The applicant has requested additional waivers of the Freeport Subdivision Ordinance regarding monumentation (Article 11.5.C.2.1.1., 11.5.C.2.1.2 and 11.5.C.2.1.3). In addition, an additional waiver of the Freeport Subdivision Ordinance may be required as the proposed private road is not shown within the right-of-way. Additional details regarding this will be available at the meeting.

**Road:** A new road entrance off Desert Road is proposed. This will require proper permitting from the Freeport Department of Public Works. A road name will need to be reviewed and approved by the Town's E911 Addressing Officer and shown on the final plan.

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

Adam Bliss, Town Engineer conducted a review of the engineering for the road. His comments are included in a memo dated 01/09/20, attached.

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

**Traffic:** The applicant previously submitted a traffic study. As a condition of the preliminary approval, the Board required "A peer review of the Traffic Study be conducted prior to returning for final approval with review of internal traffic circulation applicable standards of the Freeport Zoning Ordinance and Freeport Subdivision Ordinance and comments made by Staff and appropriateness of parking near the entrance of the abutting clubhouse."

A peer review, per the condition of approval, was performed by Milone & MacBroom (attached). The plans submitted for peer review, did include the removal of the parking spaces previously shown near the entrance to the clubhouse. Overall, the comments conclude that the peer reviewer is mostly in agreement with the applicant's methodology for compiling their traffic study data however they do ask for some clarification in a few areas. The applicant will be including some updated traffic information regarding the calculation of trip generation in their final submission when they return to the Board.

One item brought up by the Town Engineer and discussed at the last meeting, was the issue of acceleration and deceleration lanes and if they would be required. As requested, the Milone and MacBroom memo did include comments on this (refer to attached memo under the heading for Acceleration/Deceleration Lanes) and concludes "...that based on the volumes of Desert Road at the

project driveway intersection being less than 7,500 ADT, no acceleration or deceleration lanes are required at this time.”

The review comments do conclude that “Based on our examination of Sebago’s capacity analysis and traffic model, we do not believe that the proposed subdivision will cause unsafe conditions or unreasonable congestion at the development driveway based on the low number of trips the development is expected to generate. There is an existing crash pattern and capacity/delay problem at the I-295 SB off-ramp.” They do suggest that “The MaineDOT project should be confirmed that the proposed road modifications will include the traffic signal and improve LOS on the ramps.”

The applicant has stated that a Traffic Movement Permit from the Maine Department of Transportation will not be required. The plan does reflect two potential areas for possible future connections to an adjoining property (Article 11.5.B.2.e).

**Parking and circulation:** Since the project is in the Commercial District, per Section 513.B.8.a of the Freeport Zoning Ordinance, the Project Review Board shall establish the parking requirement which “shall be based upon a parking analysis submitted by the applicant.” Plan sheet SB100 includes a parking requirement calculation. The calculation shows a need of 2.03 spaces per unit, with 295 parking spaces proposed.

At the 09/18/19 Project Review Board meeting, the Board granted a waiver to reduce parking stall measurements from 9’x18.5’ to 9’x18’; this has been incorporated into the plans.

Aisle widths have all been updated to comply with the minimum width of 24 feet for two-way circulation; this is something that was discussed at the last meeting. The parking area previously shown near the clubhouse has been relocated based upon Board comments at the last meeting.

**Public Safety:** Public Safety staff have reviewed the plan. The Fire Chief has reviewed the fire protections plans; his preliminary comments were previously submitting, and his final sign-off, including on hydrant details, is forthcoming.

**Utilities:** The project will be connected to public utilities. The applicant has obtained capacity letters from both MaineWater and the Freeport Sewer District. The Sewer District has signed off on the plan designs and has suggested that final sign-off by them be added into any conditions of approval. Final sign-off from MaineWater is forthcoming.

**Stormwater:** Due to the size and nature of the project, a Site Location of Development (SLOD) Permit from the Maine Department of Environmental Protection (DEP) will be required. At preliminary approval, the Board added the following condition: “The applicant may submit for final review prior to obtaining the Site Location for Development Permit from Maine DEP.” Staff would recommend since this was not required for final submission, that obtaining approval from the DEP for a SLOD permit be added as a condition of approval if/when the Board takes action on the final plan.

Some modifications to the stormwater management plans have been made since the last meeting. The applicant has discussed these changes with the DEP. In addition, the Town Engineer has reviewed the submission for compliance with the applicable standards of the Freeport Subdivision Ordinance and the Freeport Zoning Ordinance in regard to stormwater. His comments are included in a memo dated

01/09/20. He does suggest some minor adjustments to the plans and some additional details; any outstanding items should be incorporated into the final submission.

**Other site features:** The plans show a maintenance building and a mail building near the private road. Abutting the maintenance building is a fenced area which will contain dumpsters. Details on fencing/screening of the dumpster area should be including in the final plan set. Cut-sheets of site lighting fixtures were included with previous submissions and they will all be full cut-off. Cut-sheets for building mounted lighting fixtures will be included in the final submission. A detailed lighting/photometrics plan should be included with the final submission and in accordance with the lighting standards of Section 521.A of the Freeport Zoning Ordinance.

**Open Space:** 7.3 acres of open space are required; 7.7 acres of open space are proposed. Areas of open space are shown on the plan. The applicant is proposing to retain ownership of the open space. The applicant has submitted legal documents pertaining to the open space and they are currently being reviewed by the Town Attorney. It is anticipated that review will be completed before the applicant returns for final review by the Board.

**Section 527 – Performance Standards for Commercial Districts:** Since this property is in a commercial zoning district, the standards of Section 527. Performance Standards for Commercial Districts is applicable. This Section does contain standards for building design, signage, access and landscaping. General information on signage has been included in the submission. The plan incorporates size, material and design of the sign; the details of the exact wording, colors and font are unknown. If the details are not known by the time of final submission, if/when the Board takes action on the final plan, would the Board be comfortable considering this as a detail that could be conditional as a staff approval?

A detailed site landscaping plan has been included in the submission; does the Board have any feedback for the applicant?

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

The applicant did meet with the Town Council on 1/7/20 in regards to the path in the right of way. The 5 foot wide path, as shown on the plan, was generally acceptable to the Council and since it is in the right of way, the final details will be worked out between the applicant, town staff and the Council. Does the Board feel that the proposed path meets the standard of Section 527?

Building renderings were previously submitted. Photos of the proposed building appearance are included in the submission. Does the Board have any additional feedback on the building design?



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

### **Architectural Data**

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

### **Historical Data**

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

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

**Photos**

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11/122

SURVEY MAP NO. 4

SURVEY NAME Freeport Village HD

SURVEY ID M13321

MHPC USE ONLY

INVENTORY NO.

# MAINE HISTORIC PRESERVATION COMMISSION Historic Building/Structure Survey Form

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

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

## ARCHITECTURAL DATA

- PRIMARY STYLISTIC CATEGORY:
 

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

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

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

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

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

## PHOTOGRAPH:

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

## HISTORICAL DATA

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

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

## ENVIRONMENTAL DATA

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

=====

MHPC USE ONLY

DATE ENTERED IN INVENTORY: \_\_\_\_\_ PHOTO FILE #: \_\_\_\_\_

NR STATUS: ☐ L ☐ HD ☐ E ☐ NE ☐ ND REVIEWER \_\_\_\_\_

DATA SOURCE: ☐ HPF ☐ CLG ☐ R&C ☐ STAFF ☐ STATE SURVEY OTHER \_\_\_\_\_ LEVEL OF SURVEY: ☐ R ☐ I

MHPC USE ONLY

INVENTORY NO.

SURVEY MAP NO. 4

SURVEY NAME Freeport Village HD

SURVEY ID M13321

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

PROPERTY NAME: First Parish Congregational Church

TOWN: Freeport

COUNTY: Cumberland

SURVEYOR: Roberts, Janet

DATE: 6/12/2013

DATA FIELD # (From Survey Form): 35

Maps - 1909: Congregational Church

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

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

[transcription from Rand/Anderson survey form]

## 7 DESCRIPTION

### CONDITION

☐ EXCELLENT  
☒ GOOD  
☐ FAIR

☐ DETERIORATED  
☐ RUINS  
☐ UNEXPOSED

### CHECK ONE

☐ UNALTERED  
☒ ALTERED

### CHECK ONE

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

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

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

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



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## MEMORANDUM

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**TO:** Caroline Pelletier, Acting Town Planner  
**FROM:** Adam S. Bliss, P.E., Freeport Town Engineer *ASB*  
**DATE:** January 8, 2020  
**SUBJECT:** Final Plan Review for Granite Park Subdivision  
Artemis Way and Wood Thrush Lane  
Map 20, Lot 4 (000, 001)

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### Introduction

Walsh Engineering Associates, Inc. submitted Minor Subdivision application materials and plans on behalf of Jon Nichols and Granite Park LLC. The five-lot subdivision is located off U.S. Route One and accessed via Wood Thrush Lane, a driveway serving two existing house lots, and Artemis Way, a private road serving three proposed house lots. The lots and houses will be retained by the developer as rental properties. The project will create 25,900 square feet of onsite impervious area and 115,800 square feet of onsite developed area which will require a Maine DEP Chapter 500 Stormwater permit.

The subdivision is located within the watershed of Frost Gully Brook which is listed as an Urban Impaired Stream on the Maine DEP Chapter 502 list. Projects requiring a Maine DEP Chapter 500 stormwater permit within urban impaired stream watersheds have a reduced impervious area threshold from 1 acre (43,560 square feet) to 20,000 square feet. The Town has delegated Municipal Capacity to review Chapter 500 permit applications on behalf of Maine DEP. My review of the application materials includes local review for compliance with the Town's Subdivision and Zoning Ordinances and Maine DEP review for compliance with Chapter 500 Stormwater Management Law.

### Technical Engineering Review

1. The Applicant's response to comments dated December 30, 2019 have addressed prior comments and requests for information.
2. The submitted Erosion Control Plan is in general compliance with Section 11.4 of the Town's Subdivision Ordinance.
3. The proposed subdivision road has been designed in general compliance with Section 11.5.i of the Town's Subdivision Ordinance.
4. The stormwater design is in general compliance with Section 11.16 of the Town's Subdivision Ordinance and Section 529 of the Town of Freeport Zoning Ordinance. As required, the proposed development peak flows for the 2-, 10-, and 25-year storm events are limited to pre-development levels at the analysis point through the design and use of three Underdrain Soil Filters.
5. Chapter 500 stormwater management law requires the project meet the Basic and General Standards. The Basic Standards require an erosion and sedimentation control plan, an inspection and maintenance plan, and a good housekeeping plan. The applicant has addressed the Basic Standards as provided on the Erosion Control Plan (drawings C1.3); Post Construction Inspection and

Maintenance Plan of Stormwater Management Facilities (Appendix F); and, Housekeeping Report (Appendix F).

6. The General Standards have been met through design of three Underdrain Soil Filters. These stormwater control measures are in general compliance with the Maine DEP Technical Design Manual.
7. The Recording Plan should show monuments rather than pins along the subdivision boundary and road rights-of-way according to 11.5.C of the Subdivision Ordinance.

### **General Comments**

- A. In lieu of the Maine DEP requirement for 5-year recertification of the stormwater BMPs, the applicant will be required to annually certify the stormwater BMPs in a Stormwater Maintenance Agreement executed with the Town and recorded in the Cumberland County Registry of Deeds.
- B. Maine DEP Standard Conditions of Approval are attached to this memorandum as they relate to the Chapter 500 permit.
- C. A pre-construction meeting will be required prior to any ground disturbance on the project. All conditions of approval must also be met prior to initiation of any construction.



9. **Conditions of approval for Stormwater Management Law permits.** The following conditions of approval apply to an individual permit required pursuant to the Stormwater Management Law. For standard conditions of approval for a Site Law project, see 38 M.R.S. §372 (12) and Section 10 of this Chapter.

**A. Standard conditions of approval.** Unless otherwise specifically stated in the approval, a Department approval is subject to the following standard conditions.

- (1) **Approval of variations from plans.** The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the permittee. Any variation from these plans, proposals, and supporting documents must be reviewed and approved by the Department prior to implementation. Any variation undertaken without approval of the Department is in violation of 38 M.R.S. §420-D(8) and is subject to penalties under 38 M.R.S. §349.
- (2) **Compliance with all terms and conditions of approval.** The permittee shall submit all reports and information requested by the Department demonstrating that the permittee has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- (3) **Advertising.** Advertising relating to matters included in this application may not refer to this approval unless it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- (4) **Transfer of project.** Unless otherwise provided in this approval, the applicant may not sell, lease, assign, or otherwise transfer the project or any portion thereof without written approval by the Department where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval may only be granted if the applicant or transferee demonstrates to the Department that the transferee agrees to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant. Approval of a transfer of the permit must be applied for no later than two weeks after any transfer of property subject to the license.
- (5) **Time frame for approvals.** If the construction or operation of the activity is not begun within four years, this approval shall lapse and the applicant shall reapply to the Department for a new approval. The applicant may not begin construction or operation of the project until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- (6) **Certification.** Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the permittee, and the permittee and each contractor and subcontractor has certified, on a form provided by the Department, that the approval and conditions have been received and read, and that the work will be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the Department.

- (7) **Maintenance.** The components of the stormwater management system must be adequately maintained to ensure that the system operates as designed, and as approved by the Department. If maintenance responsibility is to be transferred from the permittee to another entity, a transfer request must be filed with the Department which includes the name and contact information for the person or entity responsible for this maintenance. The form must be signed by the responsible person or agent of the responsible entity.
- (8) **Recertification requirement.** Within three months of the expiration of each five-year interval from the date of issuance of the permit, the permittee shall certify the following to the Department.
- (a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
  - (b) All aspects of the stormwater control system are operating as approved, have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the system, or portions of the system, as necessary.
  - (c) The stormwater maintenance plan for the site is being implemented as approved by the Department, and the maintenance log is being maintained.
  - (d) All proprietary systems have been maintained according to the manufacturer's recommendations. Where required by the Department, the permittee shall execute a 5-year maintenance contract with a qualified professional for the coming 5-year interval. The maintenance contract must include provisions for routine inspections, cleaning and general maintenance.
  - (e) The Department may waive some or all of these recertification requirements on a case-by-case basis for permittees subject to the Department's Multi-Sector General Permit ("MSGP") and/or Maine Pollutant Discharge Elimination System ("MEPDES") programs where it is demonstrated that these programs are providing stormwater control that is at least as effective as required pursuant to this Chapter.
- (9) **Transfer of property subject to the license.** If any portion of the property subject to the license containing areas of flow or areas that are flooded are transferred to a new property owner, restrictive covenants protecting these areas must be included in any deeds or leases, and recorded at the appropriate county registry of deeds. Also, in all transfers of such areas and areas containing parts of the stormwater management system, deed restrictions must be included making the property transfer subject to all applicable terms and conditions of the permit. These terms and conditions must be incorporated by specific and prominent reference to the permit in the deed. All transfers must include in the restrictions the requirement that any subsequent transfer must specifically include the same restrictions unless their removal or modification is approved by the Department. These restrictions must be written to be enforceable by the Department, and must reference the permit number.
- (10) **Severability.** The invalidity or unenforceability of any provision, or part thereof, of this permit shall not affect the remainder of the provision or any other provisions. This permit shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

- B. Special conditions.** The Department may, as a term or condition of approval, establish any reasonable requirement, including the requirement that a Department- approved inspector must be obtained to oversee construction projects in the watershed of a lake most at risk or an urban impaired stream, to ensure that the proposed project will comply with the Stormwater Management Law and rules. However, terms and conditions relating to compliance with the Stormwater Management Law may not substitute for or reduce the burden of proof of the applicant to affirmatively demonstrate to the Department that each of the standards of the Stormwater Management Law and rules has been met.

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**TO:** Caroline Pelletier, Assistant Planner, Town of Freeport  
**FROM:** Jason Ready, PE, PTOE  
John Adams, PE, PTOE  
**RE:** Peer Review of Freeport Development – “The Beacon Residences”  
**DATE:** 1/3/20  
**MMI #:** 3807-08

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Milone & MacBroom, Inc. (MMI) was tasked with peer reviewing a traffic study by the Town of Freeport. The traffic study is from Sebago Technics, Inc. (Sebago) for “The Beacon Residences” development on Desert Road in the Town of Freeport. MMI reviewed the submittals for consistency with town ordinances (Article 11.5 [parts A and B], Section 512.D [Items 13 and 14],) general feedback on internal circulation, comments from Town Staff, MaineDOT criteria, and standard industry practices.

### **Traffic Study**

#### Existing Traffic Volumes

Establishing the existing traffic volume of the project intersections of a development is essential in establishing the base levels of vehicle delay for comparison to the projected additional trips that the development will add.

Sebago collected turning movement count data from MaineDOT, adjusting the data by a factor of 0.98 to bring the volumes to the 30<sup>th</sup> highest hour (in actuality the 6<sup>th</sup> highest week which generally contains the 30<sup>th</sup> highest hour), in order to determine the Design Hourly Volume (DHV). The calculation was made for Desert Road (classified by MaineDOT as a Type II road) by dividing the weekly factor from the date in which the data was collected to the 6<sup>th</sup> highest week.

*MMI concurs with the volume adjustment.*

#### Annual Growth

Traffic volumes need to be adjusted based on the difference between when the traffic data was collected and when the expected development will be in place.

Sebago adjusted traffic data collected in 2018 by 2% per year. The Portland MPO (Municipal Planning Organization – a federally designated urban area planning organization) PACTS (Portland Area Comprehensive Transportation System – The name of the Portland, Maine MPO) travel demand model (a traffic model that uses census and traffic data to estimate future traffic volumes) estimates 20% growth in 20 years, or roughly 1% annually. Information provided by MaineDOT shows a decrease in daily traffic from 5130 vehicles per day in 2016 to 4010 vehicles per day in 2019. A 2% increase per year is conservative. While there is a decrease of traffic volumes in this timeframe, general increases in average daily traffic in multi-year time spans are present for other near count locations. Sebago has presented the buildout date of the proposed development as 2020.

*MMI concurs with the annual growth adjustment of 2%, but would ask if the 2020 buildout is realistic and appropriate. We would ask the applicant to confirm the buildout date and adjust the traffic impact, if necessary.*

### Projected Generated Trips

The proposed development will increase the number of trips to the parcel from its current use and developers needs to state their assumptions for how the expected number of trips was determined.

Sebago utilized the 10<sup>th</sup> Edition of ITE's (Institute of Transportation Engineers) Trip Generation Manual (The industry standard manual that uses statistical data to estimate expected levels of vehicle trips for different types of land uses) to determine the projected trips from the proposed development. Industry practice is to only use the best fit curve equation when the associated statistical  $R^2$  value is greater than 0.75.

Note: The  $R^2$  value should be at least 0.75, if using the fitted curve, "because it indicates the recommended acceptable level of correlation between trips generated by a site and the value measured for an independent variable" (ITE Trip Generation Handbook, 3rd edition).

*MMI suggests that Sebago recalculate trip generation where the  $R^2$  value does not exceed 0.75 to instead use the weighted average rates. Sebago should correct the enter/exit % charts. Additionally, PM Peak hour of adjacent roadway shows 38% instead of 39%, though there is no change to the actual distribution.*

### Trip Distribution and Assignment

After determining the projected number of trips for the development, developers need to explain their assumptions in how they distributed generated vehicles into the traffic model network.

Sebago determined trip distribution to and from the proposed development based on surrounding area ADT (Average Daily Traffic – The total expected number of vehicles that use the road on an average day) volumes. The analysis with charts first shows the existing volumes of the network, then grows the volumes of the network to year 2020 (assuming full buildout in 2020) with an annual growth rate of 2%, and then assigns generated trips to the network based on the gravity model distribution.

*MMI concurs with the Trip Distribution and Assignment completed by Sebago, with respect to a previous comment regarding the proposed full buildout year.*

### Capacity Analysis

After showing the existing volumes, the new trips, and the distribution of the trips, developers needs to show what the existing and projected future traffic delay at the intersection would be.

Sebago completed a capacity analysis of the network using the latest version of the traffic modeling software *Synchro*, utilizing the HCM 6 (Highway Capacity Manual – 6<sup>th</sup> Edition) capacity analysis method. The results of the capacity analysis were presented with both the expected average vehicle delay and the Level of Service (LOS), a grading of the amount of delay from A to F, least to most respectively. MMI examined Sebago's traffic model for consistency with standard practice and general traffic model creation setup and did not find any inconsistencies of setup from accepted practice.

*MMI concurs with the Sebago model and affirms that the proposed site driveway and Desert Road/Hunter Road (the closest intersection) will operate with a satisfactory LOS, though the I-295 SB offramp is operating at an F LOS. MaineDOT may possibly improve the interchange approaches in an upcoming bridge replacement and signalization of the intersection that should improve the LOS F delay at the I-295 SB offramps. The MaineDOT project should be confirmed that the proposed road modifications will include the traffic signal and improve LOS on the ramps.*

#### Sight Distance

Sebago utilized the town standards to validate the sight distance of Desert Road (Posted Speed Limit of 40 MPH) of the development driveway and found the sight distance to be in excess of 500'.

*MMI concurs that the sight distance of the proposed development driveway appears to be adequate. MMI additionally utilized MaineDOT standards for sight distance. MaineDOT standards are less stringent than town standards for sight distance, requiring 360' of sight distance. The development driveway appears to exceed both town and MaineDOT standards.*

#### Crash History

Sebago presented the most recent three years of crash history for the project intersections and roadway links. The findings show two high crash locations, the off-ramps for northbound and southbound vehicles on I-295. The existing crash patterns should be corrected to increase safety.

*MMI concurs with the Sebago crash analysis, but adds that there may also be a correlation with the failing capacity at the intersection. The crash pattern would therefore not be limited to the rear-end collisions subset, but additionally to all exiting maneuvers for the offramps. MMI believes that it would be unfair to the applicant to singly correct the existing crash patterns, though a commitment from MaineDOT for improvements (which may increase safety and reduce crashes at the I-295 SB off-ramp) would be pertinent.*

### **Freeport Subdivision Zoning Ordinances – 11.5 Parts A and B**

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

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

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

#### **B. Performance Standards**

##### 1. General Access and Circulation

The project site as presented appears to safeguard against hazards for traffic and pedestrians. In an examination of the traffic model, there is no anticipation of a traffic congestion problem on any internal

street. Though a traffic model was not presented for the internal circulation, the volume of traffic anticipated to use the development would not be expected to generate significant congestion. Our comments of the site plan are shown below:

1. Consider improved pedestrian access from sidewalk in south east corner to buildings 2000 and 3000, either on east side of development or via the area between garages 2 and 3.
2. Consider removing parking from main access drive to new lot behind building 1000.
3. Consider traffic calming on main access drive with addition of esplanade between road and sidewalk.

## 2. Access and Circulation Standards

Based on the traffic model capacity analysis, most intersections in the project area operate at an acceptable LOS of at least C in the AM/PM peak hour, post-development 2020 conditions. The intersection of I-295 with Desert Road for the southbound ramps has an F – Failing LOS, though the intersection would be in a failed condition regardless of this proposed development.

A MaineDOT project is currently partially funded for construction that will replace the bridge over the interstate and signalize the intersection. Signalization of the intersection should decrease delay and increase safety. The applicant should confirm that the project is programmed with MaineDOT and that the improvements include signalization of the failing LOS intersection.

## Acceleration/Deceleration Lanes

Sebago completed an analysis on the need for turn lanes into the development based on Freeport Subdivision Ordinance Section 512.D.13-14.

MMI concurs with Sebago that based on the volumes of Desert Road at the project driveway intersection being less than 7,500 ADT, no acceleration or deceleration lanes are required at this time. However, should the development be expanded in the future, this should be carefully re-evaluated.

MMI additionally consulted the MaineDOT standards for implementation of acceleration and deceleration lanes. The charts confirm that auxiliary right and left turn lanes at the development driveway are not normally considered with the specific peak hour turning movements of the proposed development.

MMI also consulted the NCHRP 745 (National Cooperative Highway Research Program - The NCHRP conducts research in problem areas that affect highway planning, design, construction, operation, and maintenance in the United States) document, '*Development of Left-Turn lane Warrants for unsignalized intersections.*' The left turns in the AM and PM peak hours do not meet the minimum thresholds for consideration of an auxiliary left-turn lane.

## **Staff Comments**

### **Adam Bliss, PE, Town Engineer**

Section 11.5.B of the Subdivision Ordinance describes performance standards for intersections functioning at LOS D or lower within 2,000 feet of the proposed access road. The Traffic Impact Study reports that the intersection of Desert Road and the I-295 on/off ramps function at LOS F. The report also states the

proposed development will increase turning delays from 371 seconds/ vehicle (6.2 minutes) to 526 seconds/ vehicle (8.8 minutes). The Project Review Board (PRB) should discuss whether this added delay causes unreasonable congestion within the project vicinity. A preliminary design is not available nor a commitment in funding has been provided by the Maine DOT. Therefore, the applicant's assertion the Maine DOT will improve nearby intersections as a result of the Exit 20, I-295 bridge rehabilitation project cannot be known at this time.

*MMI analyzed the traffic model from Sebago. The model appears to show increases in delay from 371 seconds/vehicle to 526 seconds/vehicle. The increase should not be construed as direct correlation of the amount of time that a vehicle would actually spend at the intersection, but merely that it was an F LOS before and would continue to be a slightly worse F LOS after. It is clear that a project to increase the capacity of the intersection is needed, such as signalization. The intersection currently has committed funding from MaineDOT for design, but only partial funding for construction.*

### **Sue Nourse, Chief, Freeport Police Department**

MMI will address certain general questions for context and understanding of the proposed project from Sue Nourses's 11/14/19 email to Caroline Pelletier with subject line "Desert Road Proposal." Some questions outside of our review scope should be directed to Sebago or the Applicant.

- *'Peak Hour' is determined by computation of the most vehicles in a 1-hour period (collected in 15-minute intervals) from all approaches to the intersection. Peak hours of other nearby uses differing from the proposed subdivision would be a benefit for the traffic network. Peak traffic at differing times would mean that the high vehicle counts for one property would align at a lower volume of traffic for another.*
- *The applicant should show funding commitments from MaineDOT that will address the existing F LOS for the I-295 intersection. It would benefit the applicant to show that the intersection meets industry traffic signal warrants, that signalization of the intersection would decrease the overall intersection average vehicle delay, and that the improvements would reduce the number of crashes.*





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## MEMORANDUM

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**TO:** Caroline Pelletier, Acting Town Planner  
**FROM:** Adam S. Bliss, P.E., Freeport Town Engineer  
**DATE:** January 9, 2020  
**SUBJECT:** Subdivision and Site Plan Review for The Beacon Residences  
6 – 8 Desert Road  
Map 22, Lots 24, 24B

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### **Introduction**

Sebago Technics, Inc. submitted Subdivision and Site Plan application materials and plans on behalf of Devine Capital. The development is located off Desert Road and accessed via a 24-foot-wide access drive. The development consists of (6) 3-story apartment buildings. The project will create 5.3 acres of onsite impervious area and 10.2 acres of onsite developed area which will require a Maine DEP Site Location of Development permit. The project proposes wetland and stream impacts which require state and federal environmental permits. A Traffic Movement Study was submitted for the project which was peer reviewed by Milone & MacBroom of Portland. Comments relative to this peer review are provided below.

### **Technical Engineering Review**

1. The Applicant's response to comments dated January 6, 2020 have addressed most of the comments and requests for information.
2. The submitted Erosion Control Plan is in general compliance with Section 11.4 of the Town's Subdivision Ordinance.
3. The submitted Traffic Movement Study is in general compliance with traffic performance standards in Section 11.5.A and B of the Town's Subdivision Ordinance.
4. The proposed subdivision access drive has been designed in general compliance with Section 11.5.i of the Town's Subdivision Ordinance, except for the waiver granted by the Project Review Board allowing reduced separation between the entrance drive and Maine DOT driveway.
5. The stormwater design is in general compliance with Section 11.16 of the Town's Subdivision Ordinance and Section 529 of the Town's Zoning Ordinance. As required, the proposed development peak flows for the 2-, 10-, and 25-year storm events are limited to pre-development levels at the analysis point through the design and use of two wet ponds.
6. There remains a feasibility question about snow storage and plowing across the parking lot curbing. The applicant should respond how the curbing will remain intact from plowing operations over the curb lines.
7. The cost estimate should provide greater detail for review and approval by the Town Engineer, including unit costs and quantities.
8. The Town Council requested input from the Complete Streets Committee (CSC) regarding the sidewalk width along Desert Road. Input will be solicited during the CSC's meeting on February 4, 2020.

9. The 2-foot contours are illegible on the submitted plans. The Engineering and Planning Departments request a final plan set and .pdfs that are more easily read.
10. Solid Waste disposal must be contracted with a private hauler. Solid waste and recyclables may not be transported to the Transfer Station for disposal.
11. Assumptions purported by the applicant that the Maine DOT will fix the failing intersection at Desert Road and the I-295 Southbound offramp cannot be confirmed and will not be known until a preliminary design report is available in several months' time. Should signalization be warranted and implemented as part of the Exit 22 Bridge Rehabilitation Project, then the level of service at the I-295 Southbound offramp would improve.

### **General Comments**

- A. The applicant will be required to obtain all state and federal environmental permits prior to start of any construction work. Copies of these permits and revised plans must be submitted to the Town with documentation of revisions.
- B. In addition to the Maine DEP requirement for 5-year recertification of the stormwater BMPs, the applicant will be required to annually certify the stormwater BMPs in a Stormwater Maintenance Agreement executed with the Town and recorded in the Cumberland County Registry of Deeds.
- C. A pre-construction meeting will be required prior to any ground disturbance on the project. All conditions of approval must also be met prior to initiation of any construction.