



**TOWN OF FREEPORT, MAINE**  
Planning Department  
30 Main Street  
Freeport, ME 04032  
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**TO:** FREEPORT PROJECT REVIEW BOARD  
**FROM:** CAROLINE PELLETIER, TOWN PLANNER  
**RE:** STAFF REPORT  
**DATE:** WEDNESDAY, JANUARY 19, 2022

<b>Desert of Maine –Site Plan Amendment</b>	
Property Location:	Tax Assessor Map 22, Lot 8
Zoning Information:	Rural Residential I (RRI), Nature Based and Art Overlay District (NBAOD)
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Site Plan Amendment at the Desert of Maine Property. They presented plans on this application to the Board on 11/17/21 and the Board held a sitewalk on 12/06/21.

Proposed changes include adding guest cabins, restoring and repurposing the Tuttle barn (to be used as a performance venue), adding a farmhouse (to be used as a museum), changes to the previously approved stormwater management plans, after the fact approval for a maintenance shed and garage, and other associated site improvements. The site is currently used as a campground and nature-based commercial enterprise (which would include, the Desert of Maine attraction and welcome center; mini-golf; performing arts center; & the museum).

The property is located in the Nature Based and Art Overlay District for which the standards are contained in Section 428 of the Freeport Zoning Ordinance. The definition of a nature-base commercial enterprise (per Section 104 of the Freeport Zoning Ordinance) is as follows:

“Nature-Based Commercial Enterprise: Any commercial activity carried out on land with significant natural, cultural, or historical values whose principal purpose is to provide members of the general public with opportunities to observe and appreciate the values prevailing on the land, typically for a fee. A “Nature-Based Commercial Enterprise” constructs, maintains, and operates facilities and offers services and activities in a manner that provides for the long-term conservation of existing natural, cultural or historical values. A “Nature-Based Commercial Enterprise” may include, but is not limited to: family activities and games, mini-golf, and a vehicle or train tour, all incorporating educational components highlighting the natural, cultural, or historical prevailing on the land; a gift shop; arts gallery; arts museum; and a café for sale of food items primarily prepared offsite and beverages with limited indoor and patio seating. A “Nature-Based Commercial Enterprise” shall not include a restaurant or amusement park rides.”

The application before the Board includes the following:

- 1) Tuttle Barn – the applicant is proposing to restore the structure and repurpose it to a four-season performing arts center. The renovated barn will include a basement, offices, warming kitchen, mechanical rooms, restrooms, a green room for artists, and on the main level: a bar area, ticket area, stage and rows of folding chairs for a capacity of 249, plus 5-10 employees. There will also be a mezzanine.
- 2) Farmhouse Museum – this will be a house that will serve as a living museum and located on the southwest corner of the property. It will also be used for educational programming.
- 3) Cabins – the applicant previously got approval for four cabins. They are now changing the cabin design and plans; 18 cabins of various sizes are now proposed. The result will be 27 campsites on the property.
- 4) Other – the applicant is also seeking after-the-fact approval for a maintenance shed and garage and a change to their stormwater management system.

**Parking:** For the NBOAD, the parking requirement is as follows: “Where construction of new buildings or additions to existing buildings or a change of use or new use is proposed, the Project Review Board shall establish the parking requirement for such structures or uses. The established parking requirement shall be based upon a parking analysis submitted by the applicant. In making a decision, the Project Review Board may require a peer review of the parking analysis.”

The narrative included with the first submission, did note that the applicant may partner with Maine Coast Waldorf School for additional parking and shuttle service. Per Section 514.B.7 of the Freeport Zoning Ordinance, due to the distance between the two properties, this could not be used to meet the off-street parking requirement for this use.

The parking lot plans remain unchanged since the last meeting and can be summarized as follows: 52 spaces in the main lot; 23 in the upper parking lot; 45 in the lower parking lot and 7 in the satellite lot; for a total of 127 in the lots. Per Section 514.B.10 of the Freeport Zoning Ordinance; based upon the number of parking spaces being provided, five (5) are required to be designed as accessible (ADA) spaces, with at least one of the five being van accessible. Six ADA spaces are shown on the plan, with multiple that are proposed to be van accessible.

Parking for users staying at the campground will be provided at or near each of the campsites; the plan reflects 23 spaces at cabins, and another five general parking spaces existing in that area. One of the cabins has been designed to be accessible and the parking space for that cabin is shown to be designed to be accessible as well.

The initial submission by the applicant included general information about traffic and a traffic assessment letter (dated 10/25/2021) from Randy Dutton at Gorill Palmer. One of the conclusions contained in the letter was that the project will not require any traffic permits from the Maine Department of Transportation (MDOT). Two of the conclusions recommended that “For events selling over 100 tickets, we recommend the event start no earlier than 7:00 pm to minimize impact on the adjacent roadway system during typical commuter peak hours” and “We recommend that events selling more than 100 tickets start no earlier than 7:00pm to minimize the potential for parking demand overlap between the existing on-site attractions and the proposed special events.” This is something the Board may want to consider as it relates to the review criteria.

Based upon the discussion at the last meeting, the applicant has provided additional information regarding traffic and parking and the combined uses on the site. This information is included in a document titled “Consolidated Parking Analysis” submitted 11/24/2021. It provides additional background information on the expected traffic/parking needs of each use and how the timing of the uses will work with the shared parking they are proposing on the site. (*Note: The analysis has slightly different parking numbers than shown on the plan. The space count for each lot, as noted above, is what is reflected on the site plan.*) The analysis also references possible employee parking areas; if the intent is to use additional areas for employee parking, that should be designated on the plan.

The Town Engineer did include some comments regarding traffic and parking in his review memo dated 01/13/22 (attached).

Does the Board feel that based upon the information submitted by the applicant, that the 127 parking spaces being provided on in the parking lots and the spaces at the campsite area will meet the demands of all of the combined uses on the site? If not, what other additional information does the Board need from the applicant to demonstrate that the standard has been met.

**Utilities:** The Desert of Maine is a public water supplier licensed through the State of Maine. Wastewater disposal will be though private systems. The location of a new well to serve the Tuttle Barn has been shown on the plan and approval from the Maine Department of Health and Human Services will be forthcoming.

New septic systems are proposed. Copies of proposed septic system designs have been included in the submission. The approximate locations of existing/proposed wells and septic system locations have been included on Sheet C40-1 in the plan set.

No additional dumpsters are proposed for solid waste disposal.

**Stormwater:** Additional information on stormwater treatment and an updated stormwater management plan sheet were provided in a memo dated 12/22/21 with an attached Sheet C60-1, revised on 12/22/21 (*please note that this sheet is not included in the plan set in the packet*). The Town Engineer has reviewed the plans; his review comments are included in a memo dated 01/13/22 and he concludes that the stormwater design for the project complies with Section 529 of the Zoning Ordinance.

**Lighting & Signage:** A cut sheet of a new full cut-off lighting fixture has been included in the submission. No new signage is proposed at this time.

**Buffering:** No changes to previously approved buffering plans are proposed and due to the proposed changes to the stormwater management system, some additional existing vegetation will be retained. This will result in saving existing vegetation on the portion of the property near the closest abutter.

**Other:** Details on the square footages of all proposed structures and the quantity and types of all remaining/resulting campsites has been included in the final submission. The eight small cabins will be 110 square feet each; the seven medium cabins will be 252 square feet each; the three large cabins will be 450 square feet each; there will be eight tent/RV sites; and there will be one tent-only site.

Regarding educational programming, the programming includes classes of less than 25 people. The classes are currently being held on the site in the barn and the new farmhouse will allow for the same classed to be held, but in a different educational setting.

No additional landscaping near the barn is proposed.

**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 parcel is in the Rural Residential I Zoning District and the new Nature-Based and Art Overlay District (Section 428 of the Freeport Zoning Ordinance). Proposed changes include adding guest cabins, restoring and repurposing the Tuttle barn (to be used as a performance venue), adding a farmhouse (to be used as a museum), changes to the previously approved stormwater management plans, after the fact approval for a maintenance shed and garage, and other associated site improvements. The site is currently used as a campground and nature-based commercial enterprise. Areas of vegetation removal have been minimized, and changes to the stormwater management system will help to retain existing vegetation that was previously proposed for removal. Based upon this information, the Board finds that this standard has been met.*

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

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

*The parcel is not within the Design Review District. All new or replacement structures will comply with the setback requirements of the applicable zoning districts. The site is currently used as a campground and nature-based commercial enterprise. Areas of vegetation removal have been minimized, and changes to the stormwater management system will help to retain existing vegetation that was previously proposed for removal. Based upon this information, the Board finds that this standard has been met.*

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

**adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible.**

*Vehicular traffic to the site will not be altered and is existing from the end of Desert Road. Information on sight distances at the existing entrance were included in the submission and reviewed by the Town Engineer. The initial submission by the applicant included general information about traffic and a traffic assessment letter (dated 10/25/2021) from Randy Dutton at Gorill Palmer. One of the conclusions contained in the letter was that the project will not require any traffic permits from the Maine Department of Transportation (MDOT). Two of the conclusions recommended that "For events selling over 100 tickets, we recommend the event start no earlier than 7:00 pm to minimize impact on the adjacent roadway system during typical commuter peak hours" and "We recommend that events selling more than 100 tickets start no earlier than 7:00pm to minimize the potential for parking demand overlap between the existing on-site attractions and the proposed special events." The applicant has provided additional information regarding traffic and parking and the combined uses on the site. This information is included in a document titled "Consolidated Parking Analysis" submitted 11/24/2021. It provides additional background information on the expected traffic/parking needs of each use and how the timing of the uses will work with the shared parking they are proposing on the site. The Town Engineer did include some comments regarding traffic and parking in his review memo dated 01/13/22. Based upon this information, the Board finds that this standard has been met.*

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

*The parking areas and ADA parking have been designed to be compliant with the requirements of Section 514 of the Freeport Zoning Ordinance. The uses on the site will include the Nature Based Commercial Enterprise (including the Desert of Maine attraction and welcome center; mini-golf; performing arts center; & the museum) and the campground. The parking lot plans remain unchanged since the last meeting and can be summarized as follows: 52 spaces in the main lot; 23 in the upper parking lot; 45 in the lower parking lot and 7 in the satellite lot; for a total of 127 in the lots. Per Section 514.B.10 of the Freeport Zoning Ordinance; based upon the number of parking spaces being provided, five (5) are required to be designed as accessible (ADA) spaces, with at least one of the five being van accessible. Six ADA spaces are shown on the plan, with multiple that are proposed to be van accessible. Parking for users staying at the campground will be provided at or near each of the campsites; the plan reflects 23 spaces at cabins, and another five general parking spaces existing in that area. One of the cabins has been designed to be accessible and the parking space for that cabin is shown to be designed to be accessible as well. 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.

*Stormwater management and erosion control plans were prepared and included in the original submission. Additional information on stormwater treatment and an updated stormwater management plan sheet were provided in a memo dated 12/22/21 with an attached Sheet C60-1, revised on 12/22/21. The Town Engineer has reviewed the plans; his review comments are included in a memo dated 01/13/22 and he concludes that the stormwater design for the project complies with Section 529 of the Zoning Ordinance. A suggested condition of approval is that the applicant enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport. Based upon this information, the Board finds that this standard has been met.*

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

*The Desert of Maine is a public water supplier licensed through the State of Maine. Wastewater disposal will be through private systems. The location of a new well to serve the Tuttle Barn has been shown on the plan and approval from the Maine Department of Health and Human Services will be forthcoming. New septic systems are proposed. Copies of proposed septic system designs have been included in the submission. The approximate locations of existing/proposed wells and septic system locations have been included on Sheet C40-1 in the plan set. No additional dumpsters are proposed for solid waste disposal. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*Due to the proposed changes to the stormwater management system, some additional existing*

*vegetation will be retained. This will result in saving existing vegetation on the portion of the property near the closest abutter. 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.

*A cut sheet of a new full cut-off lighting fixture has been included in the submission. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*A planting plan has been included in the submission. Previously approved plantings will still be installed. No additional landscaping is proposed near the barn. No changes to previously approved buffering plans are proposed and due to the proposed changes to the stormwater management system, some additional existing vegetation will be retained. This will result in saving existing vegetation on the portion of the property near the closest abutter. Based upon this information, the Board finds that this standard has been met.*

- I. **Environmental Considerations:** A site plan shall not be approved unless it meets the following criteria:
  - (1) The project will not result in water pollution, erosion or sedimentation to surface waters;
  - (2) The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
  - (3) The project will conserve shoreland vegetation;
  - (4) The project will conserve points of public access to waters;

- (5) The project will adequately provide for the disposal of all wastewater;**
- (6) The project will protect archaeological and historic resources;**
- (7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.**

*This parcel is not within the Marine Waterfront District or the Shoreland Zone. The Desert of Maine is a public water supplier licensed through the State of Maine. Wastewater disposal will be through private systems. New septic systems are proposed. Copies of proposed septic system designs have been included in the submission. The approximate locations of existing/proposed wells and septic system locations have been included on Sheet C40-1 in the plan set. Based upon this information, the Board finds that this standard has been met.*

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

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and a Site Plan Amendment for Heestand Family Holding, LLC for a Site Plan Amendment with changes to include adding guest cabins, restoring and repurposing the Tuttle barn to be used as a performance venue, adding a farmhouse which will be used as a museum, changes to the previously approved stormwater management plans, after the fact approval for a maintenance shed and garage, and other associated site improvements, at the Desert of Maine (Tax Assessor Map 22, Lot 8), to be built substantially as proposed, plan set dated 10/27/21, with Sheet C60-1 revised through 12/22/21, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and their 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 associated with this approval, and prior to the issuance of any building permits, the applicant do the following:
  - a) Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in the to be reviewed and approved by the Town Engineer, and in a form acceptable to the Town Attorney. The performance guarantee, shall cover the cost of all site work, including, but not limited to, erosion control, drainage, landscaping and walkways, parking areas, etc., along with the performance guarantee, a non-refundable administrative fee, at the rate established by the Freeport Town Council, be paid.
  - b) Establish an escrow account, in the amount of \$TBD to cover the cost of plan review and inspections of the site improvements by the Town Engineer.
  - c) The developer have a pre-construction meeting with the Town Engineer.
  - d) The applicant enter into a new Maintenance Agreement for a Stormwater Management System with the Town of Freeport, to be recorded in the Cumberland County Registry of Deeds.

<b>Route One Freeport Solar – Ground Mounted Solar Facility – Site Plan Approval</b>	
Property Location:	Tax Assessor Map 23, Lots 45 (portion of), 49, & 64 (0 Stagecoach Road, 0 Stagecoach Road & 0 US Route One)
Zoning Information:	Rural Residential I (RR-I) and Commercial I (C-I)
Review Type(s):	Site Plan Approval
Waivers Requested:	None

**Background:** The Town of Freeport recently adopted definitions and standards pertaining to solar energy generation systems, including the specific uses of solar farm – large and solar farm-small and a definition for solar array development area. The definitions are included in Section 104 of the Freeport Zoning Ordinance. In addition, new Section 534 of the Freeport Zoning Ordinance, Solar Energy Generation Systems, includes standards for solar farms.

**Project Description:** The applicant initially presented plans to the Board at the November 17, 2021 meeting. The Board then held a sitewalk on December 20, 2021. Since the original application, the size of the proposed system has decreased. Initially the applicant was proposing a 4.990 MWac system. Due to a change in State regulations, a 1.999 MWac system is now proposed. This results in a change to about 1.06 acres of solar array development area in the portion of the property in the Rural Residential I (RR-I) District (previously 1.99 acres in this portion) and 5.84 acres of solar array development area in the Commercial I (C-1) portion of the property (previously 10.68 acres in this portion). A solar farm – small is allowed in the Rural Residential I District and both a solar farm- small and a solar farm – large are allowed in the Commercial One District.

Since the initial presentation the applicant has obtained ownership of the land. Since it is still multiple parcels, as part of the project, the parcels would need to be merged to eliminate internal property lines.

The portion of the properties near Route One was previously cleared, but most of the site is currently undeveloped and wooded. The area of the panels has been designed to minimize grade changes and retain existing vegetation to the extent possible. There were a few wet areas and an area with water observed during the sitewalk. As a result, the applicant has since met on-site with Tim Forrester from Atlantic Environmental to further evaluate some of these areas. The area observed as potentially being a stream was determined to not meet the Department of Environmental Protection classification but has been noted as a drainage swale and has been shown on the plans. The panels have been adjusted to avoid this area. Two wetlands have now been identified on the southern portion of the site and are shown on the plan. This has resulted in an adjustment to the panel and fencing location in this area which will avoid any wetland filling.

Access to the site will be from US Route One, with existing access to the water tank off of Stagecoach Road to remain. The access from US Route One will be in the similar area as the existing curb-cut. Per the Town of Freeport Street Regulation Ordinance – Chapter 15, the project would require an Entrance Permit from the Freeport Public Works Department due to the change in use of the property. A gravel access road will provide access to the site and development area. The applicant may be required to provide a paved apron along Route One.

There will be no public water or public sewer connections.

Based upon conceptual plans and information presented, it appears that a Site Location Permit from the Maine Department of Environmental Protection (DEP) will not be required, and it appears that a Permit

by Rule will be necessary. The DEP does not consider solar panels impervious area. The Town of Freeport does consider solar panels structures, which counts toward lot coverage, and therefore stormwater treatment will be required at the municipal level. Stormwater management and erosion control plans will need to be included in the final submission and reviewed and approved by the Town Engineer.

**Other:** A majority of this land is in the Commercial I District and the standards of Section 527. Performance Standards for Commercial Districts of the Freeport Zoning Ordinance will be applicable. There is one standard for connectivity with abutting properties. Although this is something that we typically see along Route One, there have been some public inquiries about a possible easement for future trail connection. The applicant did meet with representative from the Complete Streets Committee and identified a location that would be suitable for a future trail. The applicant is willing to provide an easement to the Town of Freeport for future tail development. The location of the proposed easement is reflected on the plan. Does the Board feel that this would satisfy the connectivity requirement of Section 527, or would something additional be required to meet the standard?

In addition to Section 527, Section 534.C.3.b.v has additional performance standards that will need to be addressed in the final submission.



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## MEMORANDUM

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**TO:** Caroline Pelletier, Town Planner  
**FROM:** Adam S. Bliss, P.E., Town Engineer  
**DATE:** January 13, 2021  
**SUBJECT:** Desert of Maine, Tuttle Barn  
95 Desert Road  
Map 22, Lots 8  
RR-1 Zone / NBAO District

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I received the following information for review from the Applicant and their consultant, Harriman.

- Response letter dated December 22, 2021
- Site Plans (drawings), Tuttle Barn, dated 10/27/2021; Revised 12/22/2021
- Traffic Assessments, August 12, 2021, and October 25, 2021
- Stormwater Management Plan, October 21, 2021
- Consolidated Parking Analysis, November 24, 2021

I have reviewed the technical engineering components of the project for compliance with Town Ordinances and generally accepted engineering standards.

### **Technical Engineering Review**

1. The Applicant's response to engineering comments has been deemed acceptable.
2. The Erosion Control Plan complies with Section 602 of the Zoning Ordinance.
3. The stormwater design for the project complies with Section 529 of the Zoning Ordinance. As required, the post development peak flows for the 2-, 10-, and 25-year storm events are below pre-development levels at the analysis points. The proposed Subsurface Sand Filters and Roof Dripline Filters will effectively provide stormwater quality and quantity treatment.
4. This approval relates to the application and plans submitted through the Town's Project Review Board (PRB) application process. The Applicant is responsible for communicating all changes to plans and applications beyond PRB approval.

### **Traffic Analysis**

The Applicant submitted a Traffic Assessment for the proposed Tuttle Barn assembly and 18-hole mini-golf course. The methodology, analysis, and conclusions are satisfactory per Section 602.D.4.p of the Zoning Ordinance.

The Town does not have any quantitative or qualitative traffic improvement standards for any peak hour trip threshold. The Maine DOT's peak hour threshold related to traffic improvements is greater than 99 additional peak hour trips. The Applicant stated their combined uses would not exceed 99 vehicle trips during the peak hour. The Desert of Maine has also indicated they will manage traffic, parking, and vehicle access through event scheduling and historical sales data.

The parking analysis submitted also speaks to how their proposed operations will manage visitors and patrons. The traffic and parking analyses are deemed satisfactory as presented and will not require a Traffic Movement Permit from the Maine DOT for the proposed operations. The Applicant will be responsible for monitoring site circulation, vehicle access, and traffic generated from their site to ensure that existing and future uses do not create adverse traffic conditions. That is, the sum of the individual uses permitted over time should not create traffic congestion or nuisances. Changes to these operations would need to be carefully monitored should the submitted information become outdated.

### **Parking Analysis**

The Applicant provided an estimate of the required parking for the various uses. Their presentation and proposed operations are acceptable according to the Zoning Ordinance standards.

### **Performance Guarantee**

The Applicant should submit a revised cost estimate for the revised Stormwater Management design and any site work associated with the Tuttle Barn.

### **Stormwater Maintenance Agreement**

I recommend the Applicant record a new local stormwater maintenance agreement at the Cumberland County Registry of Deeds.

### **Pre-construction Meeting**

The Town requires a pre-construction meeting between the Contractor, Desert of Maine, and Town Engineer before any earthwork construction. I request a minimum 72-hour notification period.