



TOWN OF FREEPORT, MAINE
 Planning Department
 30 Main Street
 Freeport, ME 04032
 Phone: 207-865-4743
www.freeportmaine.com

TO: FREEPORT PROJECT REVIEW BOARD
FROM: CAROLINE PELLETIER, TOWN PLANNER
RE: STAFF REPORT
DATE: WEDNESDAY, FEBRUARY 16TH, 2022

<u>Dog House Energy Services – Site Plan Amendment/Change of Use</u>	
Property Location:	Tax Assessor Map 18, Lot 59-1 (0 US Route One)
Zoning Information:	Medium Density B (MD-B)
Review Type(s):	Site Plan Amendment / Change of Use
Waivers Requested:	None

Background – The applicant previously received approval from the Project Review Board for a 1,527 sf (footprint), two-story building to use for office and storage. The original Site Plan Approval was granted in February 2019, with an extension of the approval being granted in February 2021.

DogHouse energy is an HVAC and plumbing business. The use of the space will include office and the storage of equipment for the business. There will be occasional customers coming to the site. The use of the building was previously approved as office and storage and the applicant is now seeking a change of use to Construction Services (which makes a difference in the size allowed for the building). In actuality, the way the business will use the site will not change, with the exception that they will now be a one-story structure and be able to park vehicles inside.

The project is in the Medium Density B (MD-B) District and it is important to note that in addition to the standards for Site Plan Review (Section 602 of the Freeport Zoning Ordinance), there are some other standards in Section 406.C and 406.G (Freeport Zoning Ordinance – Medium Density Districts) for the Board to also consider with regards to the site changes.

Building –The structure will now be one-story, with a 6,500 footprint and a second level mezzanine which will be used for storage. Two overhead doors are proposed; the building will be positioned on the site so that the overhead doors will face the parking area and therefore be screened from Route One. The building will be metal, two-toned in color, with masonry veneer on the lower portion, and incorporates the use of windows and an entrance covering to help minimize the expanse of the façade.

Section 406.G (5 & 6) of the Freeport Zoning Ordinance provides some standards regarding the building and/or entrance depending on the visibility of the building from Route One. The Board previously determined that the building would be screened from the road partially from existing vegetation within the setbacks; does the Board still feel that this is the case given the changes to the building and site? The site plan still shows a lawn area with three proposed maple trees near the entrance to enhance the existing conditions.

Vehicular Access & Parking - An updated entrance permit from the Maine Department of Transportation (dated 01/14/22) was included with the submission and approves the new entrance on to Route One which will provide access to the site. The driveway will have a paved apron near the entrance. The remainder of the driveway and parking lot will be gravel.

Stormwater - The property is not within a watershed of an Urban Impaired Stream, has less than one acre of disturbed area and less than one acre of impervious area, and therefore does not trigger any DEP stormwater permitting. It was reviewed by the Town Engineer for its compliance with Section 529 Stormwater Management (of the Freeport Zoning Ordinance). His review comments are included in a memo dated 02/08/22 and in it, states that "The applicant has met this standard with a Bioretention Pond and an Underdrained Grassed Swale along the entrance drive". It is recommended that the applicant enters into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport and to be recorded in the Cumberland County Registry of Deeds. This has been added as a proposed condition of approval.

The location of wetlands and a stream are shown on the plan. Some of the stormwater treatment facilities do encroach in the 75 foot no disturbance zone from the stream. An NRPA Permit by Rule notification will need to be filed with the Maine Department of Environmental Protection (DEP) as the previously issued one has since expired.

Utilities - The building will be served by a private well and septic system. A copy of the updated septic design (form HHE-200) has been included in the submission. The system has not yet been permitted. All septic systems are required to be reviewed and permitted by the Local Plumbing Inspector prior to installation.

Signage - No signage is has been included with the submission. The applicant was made aware of this and was informed that any future new ground signs will require review and approval by this Board as a separate application.

Solid Waste & Outdoor Storage - There will be a dumpster and outdoor scrap metal storage area to the rear of the site and which have been relocated from the previously approved location. Both areas will be screened with fencing. Section 406.G.3 of the Freeport Zoning Ordinance does have some requirements for outdoor storage with one of the requirements being that the "area be fully fenced with an opaque material 5 to 6 feet high." In this case, the applicant is still proposing a 6 foot high chain link fence with PVC slats which was previously approved by the Board.

Lighting - Information on lighting has been included with the submission with the location building mounted lighting fixtures shown on the plan. The fixtures will be shielded down light fixtures. A photometrics plan has also been included.

Landscaping & Buffering - There is some natural vegetation on the property which the applicant will retain to provide a buffer. The applicant has included a landscaping plan with additional plantings to supplement the front buffer. Plantings are no longer proposed near the building. Section 406.G.2 of the Freeport Zoning Ordinance has the following provision for buffering: "Landscaping is required in all front, side and rear setbacks for a minimum depth of 25 feet. The purpose of the landscaping is to provide a buffer between low density residential uses and commercial/industrial uses. The Project Review Board shall determine the type of landscaping to be required and may use the applicable

standards listed in Section 506 (Buffer Zones) below.” Does the Board still feel that this requirement has been met?

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

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

The site is currently undeveloped. The structure will now be one-story, about 6,500 sf on the first floor, with a mezzanine on the second level which will be used for storage. The use will be changed to construction services. The project is in the Medium Density B (MD-B) District and complies with the space and bulk standards of Section 406 of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

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

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

The structure will now be one-story, about 6,500 sf on the first floor, with a mezzanine on the second level which will be used for storage. Two overhead doors are proposed, and the building will be positioned on the site so that the overhead doors will face the parking area and therefore be screened from Route One. The building will be metal, two-toned in color, with masonry veneer on the lower portion, and incorporates the use of windows and an entrance covering to help minimize the expanse of the façade. Section 406.G (5 & 6) of the Freeport Zoning Ordinance provides some standards regarding the building and/or entrance depending on the visibility of the building from Route One. In this case, the building will be screened from the road partially from existing vegetation within the setbacks. The site plan does show a lawn area with three proposed maple trees near the entrance to enhance the existing conditions. The parcel is not within the Freeport Design Review Districts. 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

An updated entrance permit from the Maine Department of Transportation (dated 01/14/22) was included with the submission and approves the new entrance on to Route One which will provide access to the site. The driveway will have a paved apron near the entrance. The remainder of the driveway will be gravel. The width of the driveway will be 24 feet in accordance with Section 512.D.10 of the Freeport Zoning Ordinance. 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 applicant is proposing eight (8) parking spaces with one being ADA and which will be striped and signed accordingly. The parking calculation, as shown on sheet C-101 of the site plan requires 8 parking spaces. The parking area and the number of spaces has been designed with the requirements of Section 514.B (8 & 9) of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

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

The property is not within a watershed of an Urban Impaired Stream, has less than one acre of disturbed area and less than one acre of impervious area, and therefore does not trigger any DEP stormwater permitting. It was reviewed by the Town Engineer for its compliance with Section 529 Stormwater Management (of the Freeport Zoning Ordinance). His review comments are included in a memo dated 02/08/22 and in the memo states that "The applicant has met this standard with a Bioretention Pond and an Underdrained Grassed Swale along the entrance drive". It is recommended that the applicant enters into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport and to be recorded in the Cumberland County Registry of Deeds. 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 building will be served by a private well and septic system. A copy of the updated septic design (form HHE-200) has been included in the submission. The system has not yet been permitted. All septic systems are required to be reviewed and permitted by the Local Plumbing Inspector prior to installation. 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 signage is has been included with the submission. Any future new ground signs will require review and approval by this Board as a separate application. Based upon this information, the Board finds that this standard has been met.

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

There will be a dumpster and an outdoor scrap metal storage area to the rear of the site. Both areas will be screened with fencing. Section 406.G.3 of the Freeport Zoning Ordinance requires that outdoor storage "area be fully fenced with an opaque material 5 to 6 feet high." A 6 foot high chain link fence with PVC slats is proposed. 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.**

Information on lighting has been included with the submission with the location of any lighting fixtures being noted on the plan. The fixtures will be a shielded, down light style. A photometrics plan has also been included. 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.

There is some natural vegetation on the property which the applicant will retain to provide a buffer. The applicant has included a landscaping plan with additional plantings to supplement the front buffer. Section 406.G.2 of the Freeport Zoning Ordinance requires landscaping "...in all front, side and rear setbacks for a minimum depth of 25 feet." Based upon this information, the Board finds that this standard has been met.

- l. **Environmental Considerations:** A site plan shall not be approved unless it meets the following criteria:
- (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 location of wetlands and a stream are shown on the plan. Some of the stormwater treatment facilities do encroach in the 75 foot no disturbance zone from the stream. An NRPA Permit by Rule notification will need to be filed with the Maine Department of Environmental Protection (DEP). The lot will have a private subsurface wastewater disposal system. 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 Site Plan for Dog House Energy Services on US Route One (Tax Assessor Map 18, Lot 59-1), for a new building and associated site improvements, to be substantially as proposed, site plan (sheet C-101) dated April 2021, 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 work on the building, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.
- 3) Prior to any site work, or a building permit being applied for, 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. The applicant obtain approval from the Maine Department of Environmental Protection for the NRPA Permit by Rule for the work in proximity to the stream.
 - C. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, 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 the road, landscaping, erosion control, and stormwater management etc. Along with the performance guarantee, a non-refundable administrative fee of 2% of the performance guarantee, in the amount to be determined by the Town Engineer, be paid.
 - D. Establish an inspection account, in the amount of \$1,500, for inspection of the site improvements by the Town Engineer.
 - E. The developer have a pre-construction meeting with the Town Engineer.
 - F. At the time that a building permit is applied for, the applicant pay a Pavement Maintenance Impact fee to the Town of Freeport based upon the size of the proposed structures and the impact fees effective at such time.
- 4) Prior to starting work on the proposed entrance, the applicant's contractor obtain a valid contractor's license from the Freeport Department of Public Works Department.

<u>Mast Landing School - Site Plan Amendment</u>	
Property Location:	Tax Assessor Map 20, Lot 75B and 75F (20 Mollymauk Lane & 0 Bow Street)
Zoning Information:	Medium Density Residential II (MDR-2); Rural Residential II (RR-2); and Freeport Village Overlay District (FVOD)
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

Background: The applicant is seeking approval of a Site Plan Amendment to add a portable classroom building at the Mast Landing School (in the area currently used as a baseball field). The structure will be about 27.5' x 68' with a wood ADA ramp proposed and wood steps to provide access. The building will have two classrooms and be used for daycare, before and after care and may be used for summer camp (which are already being conducted on the site).

The site is already developed, and the existing access to the site and ballfield area from Mollymauk lane will be retained. There is existing parking on site and no new parking is proposed. A small area of sidewalk will connect the existing paved area to the new ADA ramp which provides access to the building. The building will be positioned that the side with the door is partially facing Mollymack Lane (private). The structure will require a permit from the State Marshal's Office.

A new drip edge is proposed along the side of the building to treat any run-off. Adam Bliss, Town Engineer has reviewed the plans and has not identified any issues (see email dated 02/08/2022). No landscaping is proposed and existing vegetation/buffers will be retained. The building is setback from the public road and will not be visible. The only lighting that will be added is full cut off fixtures, near points of egress, and required by code.

The building will be connected to water and sewer utilities. A capacity letter from the Freeport Sewer District has been included in the submission and recognizes that they have the capacity to serve the project (see letter dated 02/07/2022).

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 applicant is seeking approval of a Site Plan Amendment to add a portable classroom building at the Mast Landing School (in the area currently used as a baseball field). The structure will be about 27.5' x 68' with a wood ADA ramp proposed and wood steps to provide access. The building will have two classrooms and be used for daycare, before and after care and may be used for summer camp. Impacts to the site will be minimal. Landscaping will not be altered. 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. The structure will about 27.5' x 68' and will be located in an existing ballfield. Impacts to the site will be minimal and the structure should not be visible from the public road due to proximity and existing buffering. 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. Based upon this information, the Board finds that this standard has been met.

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

No changes to the existing parking on-site are proposed and no additional spaces will be added. 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.

A drip edge will be added along the side of the building. Adam Bliss, Town Engineer has reviewed the plans and has not identified any issues (see email dated 02/08/22). Based upon this information, the Board finds that this standard.

- 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 building will not be connected to the public water or the public sewer system. A capacity letter from the Freeport Sewer District has been included in the submission and recognizes that they have the capacity to serve the project (see letter dated 02/07/2022). 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.**

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

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

Lighting will be installed at points of building egress and per code. The applicant is aware that fixtures must be shielded or full cutoff. Based upon this information, the Board finds that this standard has been met.

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

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

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

No changes to landscaping or existing buffering are proposed. 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 building will be connected to public utilities. Based upon this information, the Board finds that this standard has been met.

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and a Site Plan Amendment for Regional School Unit #5 for the installation of a modular classroom building at Mast Landing School, to be built substantially as proposed, site plan dated 01/26/22, finding that it meets the standards of the Freeport Zoning Ordinance (and the Freeport Village Overlay District, as applicable), with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any site work for the project, the applicant obtain a building permit from the Freeport Codes Enforcement Officer and approval from the State Fire Marshal's Office.

INTEROFFICE MEMORANDUM

TO: Caroline Pelletier, Town Planner
FROM: Adam Bliss, P.E., Town Engineer
DATE: February 8, 2022
SUBJECT: Doghouse Energy; 1208 U.S. Route 1; Map 18, Lot 59-1

I have reviewed the application and plans dated January 26, 2022. The following comments summarize my review.

The project is not located in an urban impaired stream, and the proposed impervious area is less than 1 acre, so a Maine DEP Chapter 500 Stormwater Permit is not required. The total developed area will be less than 1 acre and is therefore not subject to a Maine DEP Stormwater Permit-by-Rule. Section 529 of the Town's Zoning Ordinance requires stormwater quality and quantity treatment. The applicant has met this standard with a Bioretention Pond and an Underdrained Grassed Swale along the entrance drive.

An Inspection and Maintenance Plan for Stormwater Management Facilities was prepared for this project. The proposed pond will need to be maintained annually by the property owner in accordance with the maintenance plan. The project is not located in the Urbanized Area and is not subject to Chapter 53, Post-Construction Stormwater Management Ordinance. A Stormwater Maintenance Agreement should be executed with the Town and recorded in the Cumberland County Registry of Deeds.

The proposed project will not result in greater than 1 acre of disturbed area, so a Maine Construction General Permit will not be required through the Maine DEP. Erosion and Sediment Control notes and details were provided on Drawings C-102 and C-300. The contractor should implement and maintain erosion and sediment control measures throughout construction as specified on the plan. The contractor will need to schedule a pre-construction meeting with the Town Engineer before any earth disturbance.

The applicant has applied for and received a Maine DOT Driveway Entrance Permit.

The applicant has met the regulatory and design aspects of the project, and I recommend final approval with the conditions stated below.

- Renew the Maine DEP Permit-by-Rule Notice of Intent application.
- Schedule a pre-construction meeting with the Town Engineer.
- Maintain erosion and sediment control BMPs throughout construction.

From: [Adam Bliss](#)
To: [Caroline Pelletier](#)
Subject: Mast Landing School
Date: Tuesday, February 8, 2022 1:56:50 PM

Hi Caroline,

I have completed my review of the portable classrooms proposed at the Mast Landing School, and I do not have any concerns with the application.

Thank you,

Adam

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

Freeport Town Hall
30 Main Street
Freeport, Maine 04032