

**TOWN OF FREEPORT, MAINE**

Planning Department

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**TO: Freeport Project Review Board**

**FROM: Caroline Pelletier, Town Planner**

**RE: Staff Report**

**DATE: Wednesday, April 21, 2021**

<b>Freeport Crossing – Design Review Certificate and Change of Use</b>	
Property Location:	Tax Assessor Map 7, Lot 1
Zoning Information:	Commercial I (C-I), Design Review District I – Class C, & Color Overlay District
Review Type(s):	Change of Use, Design Review Certificate
Waivers Requested:	None

**Background:** The applicant received approval from the Board in July 2020 for a change of use from retail to artisan food and beverage and restaurant in one of the existing buildings (n/f Carter’s) at 200 Lower Main Street. Exterior building modifications were also approved. The applicant is now returning to the Board for a Design Review Certificate and Site Plan Amendment for site and building alterations and new signage.

**Exterior Building Alterations:** On the façade facing the parking lot a new covered entrance is proposed. The entrance has been designed to incorporate design features and materials of the existing building façade. The existing entrance doors will be replaced with aluminum full-lite doors to match what is currently in place. The roof will be peaked with asphalt shingles. The posts will be covered in stone veneer with architectural timber supports on top. Some repair and replacements will be done to the existing stone sidewalk leading to the entrance.

The building will also be repainted; although since it is from a historic color pallet, review and approval from the Board is not required.

A new building mounted sign will be installed in the peak of the new entrance. The sign will be powder coated aluminum letters on a wood backer. It will be externally illuminated, and the lighting fixture will not be visible. A second building mounted sign will be installed on the rear façade (facing the 295 off ramp) and will consist of white powder coated aluminum letters mounted on the rear façade. This sign will be illuminated with bronze gooseneck lighting fixtures. Sign Permits from the Codes Officer will be required. The signs appear to be within the limits permitted by the Freeport Sign Ordinance.

**Other site features:** The applicant is proposing to add a patio off the rear deck (previously approved). The patio will consist of a hardscape area and a lawn area for games. These areas will be enclosed with a wooden post fence. Minimal lighting will be added; full cut-off fixtures are required.

A portion of an existing stone wall will be removed and provide a location for additional dumpsters (if required to supplement existing dumpsters on site).

A new pedestrian walkway will connect the new rear patio area to the Lower Main Street side of the building. This walkway will be for emergency access and primary access to the rear deck and patio area will be from the building.

**Traffic & Parking:** Since this parcel is in the Commercial I Zoning District, the parking requirement is based upon a parking analysis submitted by the applicant. The applicant previously submitted a parking analysis demonstrating that the peak demand for all uses on the property is anticipated to be 366 spaces; 381 spaces are existing (paved and striped) on the site, with 16 of those being accessible spaces. An updated parking analysis was prepared by Gorrill Palmer (dated 03/01/21) and included in the submission. The updated analysis shows that with the patio the parking requirement will be 371 spaces; with 10 excess still being provided on the site.

**Utilities:** No change to the connections with public utilities are proposed. A new concrete pad and above ground propane tanks are proposed in the existing grass area on near Lower Main Street. No screening is proposed at this time and if the applicant wants to add it in the future, may need to return to the Board for Design Review approval.

**Stormwater:** A stormwater analysis was prepared by Gorrill Palmer (dated 03/12/21) and included in the submission. The increase in runoff will be directed to the existing soil filter basin which will be enlarged to accommodate the increase in volume. The Town Engineer has reviewed the submission; initial comments are included in an email dated 04/12/21.

**Section 527:** Since this parcel is in the Commercial I Zoning District, the standards of Section 527 of the Freeport Zoning Ordinance are applicable. The property has an existing paved sidewalk along the front of the property abutting Route One. No new ground signs are proposed. Removal of existing trees will be minimized; a supplemental landscaping plan is proposed.

**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.**

*On the façade facing the parking lot a new covered entrance is proposed. The entrance has been designed to incorporate design features and materials of the existing building façade. 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 overall height of the structure 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.

*Minor exterior alterations are proposed and the changes will not significantly alter the proportions of the building's front façade. 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.

*No changes to the rhythm of solids to voids in front facades will be altered. Based upon this information, the Board finds that this standard has been met.*

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

*On the façade facing the parking lot a new covered entrance is proposed. The entrance has been designed to incorporate design features and materials of the existing building façade. The existing entrance doors will be replaced with aluminum full-lite doors to match what is currently in place. Based upon this information, the Board finds that this standard has been met.*

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

*The overall roof shape will not be altered. The new covered entrance will have a peaked roof. 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.

*On the façade facing the parking lot a new covered entrance is proposed. The entrance has been designed to incorporate design features and materials of the existing building façade. The existing entrance doors will be replaced with aluminum full-lite doors to match what is currently in place. The roof will be peaked with asphalt shingles. The posts will be covered in stone veneer with architectural timber supports on top. Some repair and replacements will be done to the existing stone sidewalk leading to the entrance. Based upon this information, the Board finds that this standard has been met.*

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 applicant is proposing to add a patio off the rear deck (previously approved). The patio will consist of a hardscape area and a lawn area for games. No other areas abutting the building will be altered and existing buffer areas will be retained. Based upon this information, the Board finds that this standard has been met.*

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

*The applicant is proposing to add a patio off the rear deck (previously approved). The patio will consist of a hardscape area and a lawn area for games. These areas will be enclosed with a wooden post fence. A portion of an existing stone wall will be removed and provide a location for additional dumpsters (if required to supplement existing dumpsters on site). A new pedestrian walkway will connect the new rear patio area to the Lower Main Street side of the building. Supplemental landscaping is 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".**

*A new building mounted sign will be installed in the peak of the new entrance. The sign will be powder coated aluminum letters on a wood backer. It will be externally illuminated and the fixtures will not be visible. A second building mounted sign will be installed on the rear façade (facing the 295 off ramp) and will consist of white powder coated aluminum letters mounted on the rear façade. This sign will be illuminated with bronze gooseneck lighting fixtures. Sign permits from the Codes Officer will be required. The signs appear to be within the limits permitted by the Freeport Sign Ordinance. Based upon this information, the Board finds that this standard has been met.*

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

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

- a. **Preservation of Landscape:** The landscape shall be developed in such a manner as to be in keeping with the character of the surrounding neighborhoods and in accordance with good development practice by minimizing tree and soil removal, retaining existing vegetation where desirable, and

keeping any grade changes in character with the general appearance of neighboring areas. If a site includes a ridge or ridges above the surrounding areas and provides scenic vistas for surrounding areas, special attempts shall be made to preserve the natural environment of the skyline of the ridge. Existing vegetation and buffering landscaping are potential methods of preserving the scenic vista.

*The site is already developed with existing buildings. A new covered entrance will be added on the façade facing the parking lot and a new outdoor patio is proposed in the rear. Tree removal will be minimized, and supplemental landscaping is proposed. Existing buffering will be retained. Based upon this information, the Board finds that this standard has been met.*

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

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

*The parcel is Class C in Design Review District I and is in the Color Overlay District. A covered entrance is proposed on the front façade and an outdoor patio will be added in the rear of the site. The project is in the Commercial I District (C-1) and complies with the space and bulk standards of Section 409 of the Freeport Zoning Ordinance. Minimal changes are proposed for the overall building facades and it will still comply to the standards of Section 527. Performance Standards for Commercial Districts (of the Freeport Zoning Ordinance). Based upon this information, the Board finds that this standard has been met.*

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

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

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

*No changes to parking and circulation are proposed. Since this parcel is in the Commercial I Zoning*

*District, the parking requirement is based upon a parking analysis submitted by the applicant. The applicant previously submitted a parking analysis demonstrating that the peak demand for all uses on the property is anticipated to be 366 spaces; 381 spaces are existing (paved and striped) on the site, with 16 of those being accessible spaces. An updated parking analysis was prepared by Gorrill Palmer (dated 03/01/21) and included in the submission. The updated analysis shows that with the patio the parking requirement will be 371 spaces; with 10 excess still being provided on the site. Based upon this information, the Board finds that this standard has been met.*

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

*A stormwater analysis was prepared by Gorrill Palmer (dated 03/12/21) and included in the submission. The increase in runoff will be directed to the existing soil filter basin which will be enlarged to accommodate the increase in volume. The Town Engineer has reviewed the submission; his comments are included in an email dated 04/12/21. Based upon this information, the Board finds that this standard has been met.*

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

*No change to the connections with public utilities are proposed. A new concrete pad and above ground propane tanks are proposed in the existing grass area on near Lower Main Street. 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.

*A new building mounted sign will be installed in the peak of the new entrance. The sign will be powder coated aluminum letters on a wood backer. It will be externally illuminated and the fixtures will not be visible. A second building mounted sign will be installed on the rear façade (facing the 295 off ramp) and will consist of white powder coated aluminum letters mounted on the rear façade. This sign will be illuminated with bronze gooseneck lighting fixtures. Sign permits from the Codes*

*Officer will be required. The signs appear to be within the limits permitted by the Freeport Sign Ordinance. Based upon this information, the Board finds that this standard has been met.*

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

*The applicant is proposing to add a patio off the rear deck (previously approved). The patio will consist of a hardscape area and a lawn area for games. These areas will be enclosed with a wooden post fence. A portion of an existing stone wall will be removed and provide a location for additional dumpsters (if required to supplement existing dumpsters on site). A new pedestrian walkway will connect the new rear patio area to the Lower Main Street side of the building. 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 for the sign over the entrance will not be visible as it will be mounted in the peaked roof. The second building mounted sign will be installed on the rear façade (facing the 295 off ramp) and will be illuminated with bronze gooseneck lighting fixtures. Minimal lighting will be added to the new outdoor patio; all fixtures will be full cut-off. 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.**

*Tree removal will be minimized, and supplemental landscaping is proposed. Existing buffering will be retained. 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:**
- a. The project will not result in water pollution, erosion or sedimentation to**
  - b. Surface waters;**
  - c. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;**
  - d. The project will conserve shoreland vegetation;**
  - e. The project will conserve points of public access to waters;**
  - f. The project will adequately provide for the disposal of all wastewater;**
  - g. The project will protect archaeological and historic resources;**
  - h. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.**

*The parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will remain connected to public utilities. No historic or archaeological resources will be disturbed. The existing cemetery on the property will not be disturbed. No changes affecting environmental considerations 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 Freeport Zoning Ordinance.**

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Change of Use, and Design Review Certificate for WS Development, for exterior building alterations and a Site Plan Amendment in Freeport Crossing at 200 Lower Main Street (Tax Assessor Map 7, Lot 1), to be substantially as proposed, application dated 03/31/21, building renderings dated 3/26/21, revised through 3/31/21, and site plans most recently revised 4/15/21, finding that it meets the standards of the Freeport Design Review Ordinance and the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) The conditions from the July 15, 2020 Project Review Board approval are still applicable.
- 4) Prior to any site work 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 an amount to be determined 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, stormwater management, landscaping and the patio area, etc.. Along with the performance guarantee, a non-refundable administrative fee, at the rate established by the Freeport Town Council, be paid.



- B. Establish an inspection account, in the amount to be determined by the Town Engineer, to cover the cost of inspection of the site improvements by the Town Engineer.
- C. The developer have a pre-construction meeting with the Town Engineer.

<b>Linda Bean’s Maine Kitchen and Topside Tavern Addition – Site Plan Amendment</b>	
Property Location:	Tax Assessor Map 11, Lot 107
Zoning Information:	Village I (V-I), Design Review District I – Class C
Review Type(s):	Site Plan Amendment and Design Review Certificate
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Design Review Certificate and Site Plan Amendment. The applicant is proposing to demolish the existing structure (which houses and ATM) and construct a new restaurant addition in its place. The first floor of the structure will include a new walk-up ice cream window. The second story will consist of additional outdoor seating and some enclosed space to support the restaurant. The addition was last approved by the Board in November 2020, however, needs to be further amended due to some issues with the location of utilities.

**Building Alterations:** The previous approval included a building design that extended to the property line abutting Ralph Lauren. There are utilities in that area, including underground electrical and communication lines; both of which run perpendicular to Main Street and towards the back of the applicant’s property. Central Maine Power will not allow the building addition to cover these lines. The applicant is therefore proposing to reduce the size of the addition and create an ally in this area. There will be a wooden gate installed in this area to keep people out of the alley. Impacts to the second floor and deck area will be minimal, as it will be elevated in this area. The side of the building façade (facing Polo) will use fiber-cement clapboards on the first level and concrete blocks on the upper level.

Alterations to the rear of the structure are proposed as an interior electrical room will not be allowed by CMP. This elevated area will no longer be enclosed and will be accessible through a set of exterior stairs.

**Site Alterations:** Much of the site is already paved. The site is non-conforming regarding the amount of impervious area; there will be a slight increase in the amount of pervious area on the site and as a result of this project. The Town Engineer has asked for some clarification (see email dated 04/12/21).

The submission still notes that the current parking requirement for the use is 18 spaces. Based upon their calculation, 6.7 additional parking spaces will be required for the addition. The applicant has surplus parking available in their off-site parking lot.

No other changes to signage, lighting, or building materials are proposed. The same conditions of approval from the original approval will still be applicable.

**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.

*No changes to the overall size and scale of the building will be altered. The width of the front façade will be shortened. 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.**

*No changes to the previously approved height are proposed. 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 new addition will maintain the proportions of the building's front façade through the incorporation of some of the same architectural features and materials. 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 applicant will maintain the existing rhythm of solids to voids in the front façade. Although the lower portion of the alley will be enclosed with a fence, the area above will remain partially open allowing for space between the two abutting buildings. 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.**

*No changes to previously approved openings are proposed. Based upon this information, the Board finds that this standard has been met.*

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

*No changes to the previously approved roof shape is 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.

*No changes to previously approved building materials are proposed. The gate enclosing the alley will be made of wood to match materials on other portions of the building. 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 width of the building will be shortened to create an alley between two abutting structures. A gate will be used to enclose the alley area. Based upon this information, the Board finds that this standard has been met.*

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

*Much of the site is already paved. Driveway location will not be altered. The sidewalk and outdoor seating areas will be retained. Signage will be building mounted. The amount of impervious area on the site will decrease slightly. 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 changes to any previously approved signage 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 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 previously received approval for this project and is now seeking an amendment to shorten the length of the building. This will result in an alley way between two abutting buildings. The alley will be covered with pervious area. No new clearing of the site is proposed. 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.

*This building is Class C in Design Review District I. An existing one-story structure will be removed and a new two-story addition, with upper-level outdoor seating is proposed. The structure will comply with all setbacks for the zoning district. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*The submission noted that the current parking requirement for the use is 18 spaces. Based upon their calculation, 6.7 additional parking spaces will be required for the addition. The applicant has surplus parking available in their off-site parking lot. 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 Town Engineer has reviewed the submission; his comments are included in an email dated 04/12/21. He does ask for clarification on the amount of impervious area on the site and changes over time. Based upon this information, the Board finds that this standard has been met.*

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

*No additional changes to utility connections are proposed. Based upon this information, the Board finds that this standard has been met.*

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

*No changes to previously approved signage is 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.

*Dumpsters are located on the rear of the site and will be retained. Based upon this information, the Board finds that this standard has been met.*

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

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

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

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

*All public safety department heads have reviewed the plans. An existing hydrant is proposed to be relocated. The applicant will need to get final sign-off from the Freeport Fire-Rescue Chief and Maine Water Company, with copies of the signoffs to be submitted to the Freeport Planning Department prior to any sitework. Based upon this information, the Board finds that this standard has been met.*

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

*The site is non-conforming in regard to the amount of impervious area; there will be a slight increase in the amount of pervious area on the site and as a result of this project. No new landscaping is proposed. Based upon this information, the Board finds that this standard has been met.*

- l. Environmental Considerations: A site plan shall not be approved unless it meets the following criteria:**

- a. The project will not result in water pollution, erosion or sedimentation to surface waters;
- b. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
- c. The project will conserve shoreland vegetation;
- d. The project will conserve points of public access to waters;
- e. The project will adequately provide for the disposal of all wastewater;
- f. The project will protect archaeological and historic resources;
- g. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

*The parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will remain connected to public utilities. No historic or archaeological resources will be disturbed. Based upon this information, the Board finds that this standard has been met.*

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

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Design Review Certificate, and Site Plan Amendment for David Matero, for an addition and associated site improvements at Linda Bean’s Maine Kitchen and Topside Tavern at 88 Main Street (Tax Assessor Map 11, Lot 107), to be built substantially as proposed, application dated 03/18/21, finding that it meets the standards of the Freeport Design Review Ordinance and the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The conditions of the December 2020 Project Review Board approval are still applicable.

<b>Derosier’s – Exterior Building Alterations</b>	
Property Location:	Tax Assessor Map 11, Lot 93 (120 Main Street)
Zoning Information:	Village Commercial I (VC-I), Design Review District I – Class B & Color Overlay District
Review Type(s):	Design Review Certificate
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Design Review Certificate for exterior building alterations at their property on Main Street. Some of the alterations are after-the-fact. The existing second floor windows on the front façade have been replaced with new 2/2, vinyl windows, with the panes being simulated divided lites. The previous windows were solid plate glass with no grills and were also vinyl. A replacement entrance door on the second story side façade is also proposed. The existing door is steel, and the new door will be made of fiberglass, and a half lite with two panels. The sizes of all openings and all trim will remain unchanged. No other changes are proposed.

**Design Review Ordinance: Chapter 22 Section VII.C.**

1. **Scale of the Building.** The scale of a building depends on its overall size, the mass of it in relationship to the open space around it, and the sizes of its doors, windows, porches and balconies. The scale gives a building "presence"; that is, it makes it seem big or small, awkward or graceful, overpowering or unimportant. The scale of a building should be visually compatible with its site and with its neighborhood.

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

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

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

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

*The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*No changes to openings are proposed. 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 shape of the roof will remain unchanged. 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 existing second floor windows on the front façade have been replaced with new 2/2, vinyl windows, with the panes being simulated divided lites. The previous windows were solid plate glass with no grills and were also vinyl. A replacement entrance door on the second story side façade is also proposed. The existing door is steel, and the new door will be made of fiberglass, and a half lite with two panels. 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 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.

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

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

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Philip Wagner – Derosier’s, for exterior building alterations at 120 Main Street (Tax Assessor Map 11, Lot 93), to be substantially as proposed, application dated 03/22/21, 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) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.

<b>Chilton Furniture – New Replacement Sign</b>	
Property Location:	Tax Assessor Map 8, Lot 3 (184 Lower Main Street)
Zoning Information:	Commercial III (C-III); Design Review District I – Class B & Color Overlay District
Review Type(s):	Design Review Certificate
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Design Review Certificate for a replacement ground

sign at their property on Lower Main Street. The sign will be in the same approximate location, but since it is being replaced, will need to be located on private property and entirely out of the right-of-way. The new sign face will be 67"x67". The sign construction will consist of a 12" aluminum cabinet which will be mounted on a rectangular base. The background will have a ship-lap appearance with the business name and logo in the center. Details on colors have been included in the submission. No new lighting is proposed. No additional changes are proposed with this application.

**Design Review Ordinance: Chapter 22 Section VII.C.**

1. **Scale of the Building.** The scale of a building depends on its overall size, the mass of it in relationship to the open space around it, and the sizes of its doors, windows, porches and balconies. The scale gives a building "presence"; that is, it makes it seem big or small, awkward or graceful, overpowering or unimportant. The scale of a building should be visually compatible with its site and with its neighborhood.

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

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

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

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

*The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*The sizes of all openings will remain unchanged. 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 shape of the roof will remain unchanged. 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.**

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

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

*The rhythm of spaces to building on 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.**

*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".**

*The sign will be in the same approximate location, but since it is being replaced, will need to be located on private property and entirely out of the right-of-way. The new sign face will be 67"x67". The sign construction will consist of a 12" aluminum cabinet which will be mounted on a rectangular base. The background will have a ship-lap appearance with the business name and logo in the center. Details on colors have been included in the submission. No new lighting is proposed. Based upon this information, the Board finds that this standard has been met.*

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

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Chilton Furniture Company, for a replacement ground sign at 184 Lower Main Street (Tax Assessor Map 8, Lot 3), to be substantially as proposed, application dated 03/24/2021, 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) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) Per the Freeport Sign Ordinance, the sign will need to be located entirely on private property and out of the public right-of-way.

<b>Palmer and Company – Change of Use, Exterior Building Alterations and Replacement Signage</b>	
Property Location:	Tax Assessor Map 11, Lot 95 (9 Mechanic Street)
Zoning Information:	Village Commercial I (VC-I), Design Review District I – Class C
Review Type(s):	Design Review Certificate
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Design Review Certificate for replacement building signs, exterior building alterations and a new walkway connecting the proposed stairs to the existing public sidewalk. A change of use from restaurant to retail (1<sup>st</sup> floor) and dwelling unit on other than the first floor (2<sup>nd</sup> level) is also proposed.

**Building:** The applicant is proposing to add a new first floor entrance door facing Mechanic Street. The door will be reused, as it is the current entrance door (facing Main Street and under the existing covered porch). The trim and paneling around the door will match exiting trim in paneling in style, color and material. A new set of steps will be added to the existing ramp and provide pedestrian access from the sidewalk on Mechanic Street. The new steps will have PVC risers and trim and wood decking; no railing is required or proposed.

The entrance door to the residential unit, will be a new solid, fire rated, metal door and painted white.

The new walkway connecting the steps to the sidewalk will be constructed of stone pavers which will match the existing pavers used on-site. A portion of this walkway will be in the public right-of-way and an entrance permit will be required.

Two replacement building signs are proposed in the same location and will be similar in size to the existing signs. The signs will be painted and constructed of MDO. Existing lighting will be retained. A sign permit from the Codes Officer will be required.

**Utilities:** The building is connected to public utilities. Obtaining a capacity to serve letter from the Freeport Sewer District has been added as a condition of approval.

**Access & Parking:** The applicant will participate in the shared parking system. Parking will be required per Section 514 of the Freeport Zoning Ordinance and will be determined at such time that a building permit is applied for. Since there is limited parking on site, the applicant will be required to lease some of the required parking.

**Other:** One thing to note is that some existing landscaping will be removed. A suggested condition of approval is that the applicant demonstrate that with the installation of the walkway and stairs, they will still be in compliance with the requirement of a maximum impervious surface to lot area ratio of 90%.

**Design Review Ordinance: Chapter 22 Section VII.C.**

1. **Scale of the Building.** The scale of a building depends on its overall size, the mass of it in relationship to the open space around it, and the sizes of its doors, windows, porches and balconies. The scale gives a building "presence"; that is, it makes it seem big or small, awkward or graceful, overpowering or unimportant. The scale of a building should be visually compatible with its site and with its neighborhood.

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

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

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

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

*The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

*The rhythm of solids to voids in the front facades will be altered with the addition of a new entrance door facing Mechanic Street. The door location will maintain the existing rhythm of the openings. 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 sizes of all openings will be rectangular in shape and residential in scale. 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 shape of the roof will remain unchanged. 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 entrance door to the residential unit, will be a new solid, fire rated, metal door and painted white. The new door to the retail space will be reused, as it is the current entrance door (facing Main Street and under the existing covered porch). The trim and paneling around the door will match existing trim in paneling in style, color and material. A new set of steps will be added to the existing ramp and provide pedestrian access from the sidewalk on Mechanic Street. The new steps will have PVC risers and trim and wood decking; no railing is required or proposed. Based upon this information, the Board finds that this standard has been met.*

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

*A new walkway will connect the new steps to the walkway leading to the existing sidewalk on Mechanic Street. 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 new walkway connecting the steps to the sidewalk will be constructed of stone pavers which will match the existing pavers used on-site. A portion of this walkway will be in the public right-of-way and an Entrance Permit will be required. 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".

*Two replacement building signs are proposed in the same location and will be similar in size to the existing signs. The signs will be painted and constructed of MDO. Existing lighting will be retained. A sign permit from the Codes Officer will be required. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*Proposed site changes will be minimal. A small area of vegetation will be removed, and a stone walkway will be installed to connect to the sidewalk on Mechanic Street. Based upon this information, the Board finds that this standard has been met.*

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

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

*The parcel is Class C in Design Review District I. No new structures are proposed, and exterior building alterations will be minimal. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*No changes to parking and circulation are proposed. The applicant will participate in the shared parking system. Parking will be required per Section 514 of the Freeport Zoning Ordinance and will be determined at such time that a building permit is applied for. Since there is limited parking on site, the applicant will be required to lease some of the required parking. 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.

*Proposed site changes are minimal and therefore no changes to surface water drainage are proposed. Based upon this information, the Board finds that this standard has been met.*

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

*The building is connected to public utilities. Obtaining a capacity to serve letter from the Freeport Sewer District has been added as a condition of approval. Since no dumpsters are shown on the plan, it is assumed that waste will be stored inside. Waste is currently stored to the rear of the building and no changes to this are proposed. Based upon this information, the Board finds that this standard has been met.*

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



*Two replacement building signs are proposed in the same location and similar in size to the existing signs. The signs will be painted and constructed of MDO. Existing lighting will be retained. A sign permit from the Codes Officer will be required. Based upon this information, the Board finds that this standard has been met.*

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

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

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

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

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

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

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

*Proposed site changes will be minimal and no new landscaping is proposed. A small area of vegetation will be removed, and a stone walkway will be installed to connect to the sidewalk on Mechanic Street. 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:
- a. The project will not result in water pollution, erosion or sedimentation to surface waters;
  - b. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
  - c. The project will conserve shoreland vegetation;
  - d. The project will conserve points of public access to waters;
  - e. The project will adequately provide for the disposal of all wastewater;
  - f. The project will protect archaeological and historic resources;
  - g. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

*The parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will remain connected to public utilities. No historic or archaeological resources will be disturbed. Based upon this information, the Board finds that this standard has been met.*

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Change of Use, Design Review Certificate and Site Plan Amendment for Benjamin Palmer at 9 Mechanic Street (Tax Assessor Map 11, Lot 95), for exterior building alterations and a change in use from restaurant to retail (1<sup>st</sup> floor) and dwelling unit on other than the first floor (2<sup>nd</sup> level), to be built substantially as proposed, submission dated 03/11/21, finding that it meets the standards of the Freeport Design Review Ordinance and the Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any sitework or applying for a building permit, the applicant submit documentation to the Town Planner to demonstrate that with the installation of the walkway and stairs, they will still be in compliance with the requirement of a maximum impervious surface to lot area ratio of 90%.
- 3) Prior to the start of any sitework, the applicant obtain an entrance permit (for the proposed walkway) from the Freeport Department of Public Works.
- 4) Prior to the start of any building construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer
- 5) Prior to applying for a building permit, the applicant obtain a written capacity to serve letter from the Freeport Sewer District, with a copy to be submitted to the Freeport Planning Department.
- 6) Prior to a Certificate of Occupancy being issued for the Change of Use, the applicant submit the required paperwork for a parking recalculation to the Town Planner and subsequently submit proof of providing the amount of required parking.
- 7) Prior to installation of proposed signage, the applicant receive a Sign Permit from the Freeport Codes Enforcement Officer.
- 8) .

<b>Winslow Park – Site Plan Amendment</b>	
Property Location:	Tax Assessor Map 25, Lot 67
Zoning Information:	Rural Residential II (RRII), Shoreland Zone
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Site Plan Amendment for beach access and ADA parking. New vegetation and a sitting and picnic area will also be added.

**Site Changes:** The plans consist of two new parking spaces with access off the existing road and then a six (6) foot wide ADA compliant ramp and four (4) foot wide staircase providing access to the beach. One of the parking spaces will be marked and sized appropriately for ADA van accessible parking. To accommodate for the improvements, the existing erosion control wall will be modified, but will remain stable. Disturbed lawn areas will be revegetated, and some Northern Bayberry shrubs will be planted on the upland side of the erosion control wall. An erosion control plan (in accordance with DEP Best Management Practices) was included in the submission. This has been reviewed by the Town Engineer, and his initial review comments are included in an email dated 04/12/21. A copy of the DEP Permit by Rule has been included in the submission. Comments from the Codes Enforcement Officer for compliance with Shoreland Zoning regulations will be forthcoming. No lighting, signage, and no new water or sewer connections are proposed with this project.

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

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

*No new structures are proposed. The new parking spaces will be located directly off the existing road with the ramp and stairway connected to this area. To accommodate for the improvements, the existing erosion control wall will be modified, but will remain stable. Disturbed lawn areas will be re-vegetated and some Northern Bayberry shrubs will be planted on the upland side of the erosion control wall. 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.

*No new buildings are proposed. 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 access to the site is from Winslow Park Way and will not be altered. 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 plans consist of two new parking spaces with access off the existing road. One of the parking spaces will be marked and sized appropriately for ADA van accessible parking. 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.

*To accommodate for the improvements, the existing erosion control wall will be modified, but will remain stable. Disturbed lawn areas will be revegetated, and some Northern Bayberry shrubs will be planted on the upland side of the erosion control wall. An erosion control plan (in accordance with DEP Best Management Practices) was included in the submission. This has been reviewed by the Town Engineer, and his initial review comments are included in an email dated 04/12/21. A copy of the DEP Permit by Rule has been included in the submission. Based upon this information, the Board finds that this standard has been met.*

- f. **Utilities:** All utilities included in the site plan shall be reviewed as to their adequacy, safety, and impact on the property under review and surrounding properties. The site plan shall show what provisions are being proposed for water supply, wastewater, solid waste disposal and storm

drainage. Whenever feasible, as determined by the Project Review Board, all electric, telephone and other utility lines shall be installed underground. Any utility installations above ground shall be located so as to have a harmonious relationship with neighboring properties and the site.

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

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

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

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

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

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

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

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

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

- k. Landscaping:** Landscaping shall be designed and installed to define, soften, or screen the appearance of off-street parking areas from the public right(s)-of-way and abutting properties, to enhance the physical design of the building(s) and site, and to minimize the encroachment of the proposed use on neighboring land uses. Particular attention should be paid to the use of planting to break up parking areas. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, retaining existing vegetation where desirable, and

keeping any grade changes in character with the general appearance of neighboring areas. Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping may include trees, bushes, shrubs, ground cover, perennials, annuals, plants, grading and the use of building and paving materials in an imaginative manner.

*Existing vegetation will be retained to the greatest extent possible. Disturbed lawn areas will be revegetated, and some Northern Bayberry shrubs will be planted on the upland side of the erosion control wall. 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 but is in the Shoreland Zone. No changes to utilities are proposed and there are no known historic or archaeological resources on the site. To accommodate for the improvements, the existing erosion control wall will be modified, but will remain stable. Disturbed lawn areas will be revegetated, and some Northern Bayberry shrubs will be planted on the upland side of the erosion control wall. An erosion control plan (in accordance with DEP Best Management Practices) was included in the submission. This has been reviewed by the Town Engineer, and his initial review comments are included in an email dated 04/12/21. A copy of the DEP Permit by Rule has been included in the submission. Comments from the Codes Enforcement Officer for compliance with Shoreland Zoning regulations will be forthcoming. 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 Amendment for The Town of Freeport (Winslow Park), (Tax Assessor Map 25, Lot 67), for beach access and ADA parking, to be built substantially as proposed, application dated 03/29/2021, 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 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 sitework, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.

Spruiell/Sense – Residential Fence	
Property Location:	Tax Assessor Map 13, Lot 68 (4 Park Street)
Zoning Information:	Design Review 2 – Class B; Freeport Village Overlay District; Village Mixed Use II (VMU-2)
Review Type(s):	Design Review Certificate
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Design Review Certificate for a new fence at their residential property on Park Street. There is an existing section of 6’ wooden fence on the front portion of the property (which abuts one of the parking lots for the Hilton Garden Inn). The proposal would use different types of fencing to enclose the remainder of the backyard. Most of the area would be enclosed with a 4’ high aluminum fence. An 80-foot section of 5’ high wood shadowbox style fencing is proposed along the property line near the abutting residential properties. Four-foot-high aluminum gates will be used abutting the dwelling and to enclose the backyard. No other changes are proposed.

**Design Review Ordinance: Chapter 22 Section VII.C.**

- 1. Scale of the Building.** The scale of a building depends on its overall size, the mass of it in relationship to the open space around it, and the sizes of its doors, windows, porches and balconies. The scale gives a building "presence"; that is, it makes it seem big or small, awkward or graceful, overpowering or unimportant. The scale of a building should be visually compatible with its site and with its neighborhood.

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

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

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

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

*The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*The sizes of all openings will remain unchanged. 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 shape of the roof will remain unchanged. 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.

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

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

*The rhythm of spaces to building on 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.

*There is an existing section of 6' wooden fence on the front portion of the property (which abuts one of the parking lots for the Hilton Garden Inn). The proposal would use different types of fencing to enclose the remainder of the backyard. Most of the area would be enclosed with a 4' high aluminum fence. An 80-foot section of 5' high wood shadowbox style fencing is proposed along the property line near the abutting residential properties. Four-foot-high aluminum gates will be used abutting the dwelling and to enclose the backyard. Based upon this information, the Board finds that this standard has been met.*



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

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

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

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Mark Spruiell and Gail Senese, for a new fence at their property at 4 Park Street (Tax Assessor Map 13, Lot 68), to be substantially as proposed, application dated 3/29/21, 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.

<b>Freeport Heights Retirement Community – Old County Road – PUBLIC HEARING</b>	
Property Location:	Tax Assessor Map 26, Lots 38A, 38B, & 38C
Zoning Information:	Rural Residential I (RR-1)
Review Type(s):	Extension of Site Plan and Subdivision Approvals
Waivers Requested:	None

**Background:** The applicant is seeking an extension of a previous approval of a retirement community on Old County Road. The approval is set to expire on 05/15/2021.

The proposal includes adding an 85-unit assisted living/independent care facility and 73 cottage units to the existing facilities. The development will add to the complex that currently includes Freeport Place, Webster Commons and the Hawthorne House. Freeport Place is an assisted living facility, Webster Commons and Hawthorne House is a skilled nursing facility. In total, at completion, there will be 288 beds and/or units on the site.

This project required both Subdivision and Site Plan Review and an extension of both approvals is requested. As part of the extension request, the dates of the previously approved phasing plan have also been updated. There have been no changes to the Freeport Zoning Ordinance or Freeport Subdivision Ordinance that would result in change to this application. The applicant still has a valid Site Location of Development Permit from the Maine Department of Environmental Protection.

The Town Engineer has reviewed the extension request; his comments are included in an email dated 04/12/21.

**Process:** Section 602.C.1.r of the Freeport Zoning Ordinance and Article 8.3.G of the Freeport Subdivision Ordinance both allow the Board to grant extensions of past approvals, if the request is made prior to the date of the approval expiration. The last approval is set to expire in May, as the project has not yet begun construction. The same conditions of approval and previously approved Findings of Fact would be applicable and should be referenced in any action by the Board on the extension request.

**Proposed Motion:** Be it ordered that the Freeport Project Review Board grant an extension of the previously approved Site Plan and Subdivision approvals for the proposed Freeport Heights Retirement Community on Old County Road (Tax Assessor Map 26, Lots 38A, 38B, & 38C), to be built substantially as proposed, updated subdivision recording plan dated 03/29/2021, finding that no municipal ordinances affecting the approvals have changed and therefore the application would still meets the standards of the Freeport Subdivision Ordinance and the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The Findings of Fact and conditions of approval related to the Board’s 06-28-17 approvals (and most recently extended on 05/15/2019) are still applicable with the exception of condition 2 which is updated as follows:

The Board approves the phases as presented by the applicant in the submission cover letter dated March 31, 2021, and each phase is approved for the time as noted. Construction of the first phase must be initiated (as defined by the Freeport Subdivision Ordinance) within two years of this approval (by 04/21/21). The Construction Phasing Plan is approved for the construction of all site work, including the driveway, roads, parking areas, landscaping, erosion control, and stormwater management etc. The buildings do not need to be completed within this phasing schedule.

The commencement date for the start of a subsequent phase under the phasing schedule may be extended by the Project Review Board. Phasing may be accelerated if the required performance guarantee has been established for each separate phase under construction and if applicable fees will be paid, but such acceleration shall not alter the beginning and end date for commencement of other subsequent phases, unless requested by the applicant in accordance with this approval.

If a construction of a phase is not initiated in the time allotted, the approval for all remaining phases becomes void unless otherwise approved by the Project Review Board prior to expiration of such phase. If during such time prior to construction, rules and regulations of the State or other governing body besides the Town change and require changes to the plan, the applicant may be required to return to the Town for approval of such changes. If Town standards affecting the plan change, those standards will be applicable at such time that the applicant returns to the Board.

<b>Goslings Nursery School – Change of Use and Site Plan Amendment</b>	
Property Location:	Tax Assessor Map 26, Lot 52 (262 US Route One)
Zoning Information:	Commercial I (C-I)
Review Type(s):	Change of Use and Site Plan Amendment

Waivers Requested:	None
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**Background:** The applicant is seeking approval of a Change of Use and Site Plan Amendment for a portion of an existing multi-tenant commercial building on US Route One (South). The building is currently occupied by Freeport Hardware on one end and the applicant will be occupying a portion of the space formerly occupied by Wayside Publishing.

**Exterior Building Alterations:** No changes are proposed to the exterior of the building.

**Other site features:** The parking area is existing and no changes are proposed. A fenced, outdoor play area is proposed near the side of the parking lot. A walkway will connect this area to the building. The material of the walkway is to be determined; most likely gravel or grass. There is an existing concrete pad that will be utilized for dumpsters. A chain-link fence is proposed to enclose the dumpsters. A new building mounted sign is proposed; details are included in the submission.

**Traffic & Parking:** Since this parcel is in the Commercial I Zoning District, the parking requirement is based upon a parking analysis submitted by the applicant. The applicant has included information in the submission to note that the existing hardware store requires 15 spaces. The daycare will require 15 spaces for parents and 4 spaces for teachers for a total of 34 spaces required for the current uses on the site; 46 parking spaces are shown on the site plan.

**Utilities:** No change to the connections with public utilities are proposed. Since this is a change of use a capacity letter from the Freeport Sewer District is required and has been included in the submission (dated 04/02/21).

**Stormwater:** No changes to the amount of impervious area are proposed and therefore a stormwater management plan was not submitted. Upon inspection, the Town Engineer did observe that the existing stormwater facilities on the site need some maintenance (see email dated 04/12/21). This is just something to note and that will be addressed with the property owner.

**Section 527:** Since this parcel is in the Commercial I Zoning District, the standards of Section 527 of the Freeport Zoning Ordinance are applicable. No changes to the previously approved landscaping and buffer plans are proposed. No vegetation will be removed. No new ground signs are 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 site is already developed and the building is existing. Site alterations will be minimal. 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.

*This parcel is located on Route One South and is not within the Design Review Districts. The building is existing and no exterior alterations are proposed. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*Since this parcel is in the Commercial I Zoning District, the parking requirement is based upon a parking analysis submitted by the applicant. The applicant has included information in the submission to note that the existing hardware store requires 15 spaces. The daycare will require 15 spaces for parents and 4 spaces for teachers for a total of 34 spaces required for the current uses on the site; 46 parking spaces are shown on the site plan. Based upon this information, the Board finds that this standard has been met.*

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

adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

*No changes to the amount of impervious area are proposed and therefore a stormwater management plan was not submitted. Upon inspection, the Town Engineer did observe that the existing stormwater facilities on the site need some maintenance. This is just something to note and that will be addressed with the property owner. Based upon this information, the Board finds that this standard has been met.*

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

*No change to the connections with public utilities are proposed. Since this is a change of use a capacity letter from the Freeport Sewer District is required and has been included in the submission (dated 04/02/21). There is an existing concrete pad that will be utilized for dumpsters. A chain-link fence is proposed to enclose the dumpsters. 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.

*A 4'x10', wood, building mounted sign is proposed. No new lighting is proposed. Two replacement building signs are proposed in the same location and similar in size. 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 is an existing concrete pad that will be utilized for dumpsters. A chain-link fence is proposed to enclose the dumpsters. Based upon this information, the Board finds that this standard has been met.*

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

**case of ground sign lighting. In the Village Commercial 1 and 2 Districts, lighting for pedestrian walkways and adjacent public sidewalks shall also be provided.**

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

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

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

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

*No changes to the previously approved landscaping and buffer plans are proposed. No vegetation will be removed. 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:**
- a. The project will not result in water pollution, erosion or sedimentation to surface waters;**
  - b. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;**
  - c. The project will conserve shoreland vegetation;**
  - d. The project will conserve points of public access to waters;**
  - e. The project will adequately provide for the disposal of all wastewater;**
  - f. The project will protect archaeological and historic resources;**
  - g. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.**

*This parcel is not within the Marine Waterfront District or the Shoreland Zone. The building is connected to public utilities. Based upon this information, the Board finds that this standard has been met.*

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Change of Use, and Site Plan Amendment for The Goslings Nursery School (Tax Assessor Map 26, Lot 52), to be built substantially as proposed, application dated 03/20/2021, 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 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 installation of a sign, the applicant obtain a Sign Permit from the Freeport Codes Enforcement Officer.
- 3) Prior to the start of any construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.

<b>Chilton Furniture – Exterior Building Alterations</b>	
Property Location:	Tax Assessor Map 8, Lot 3 (184 Lower Main Street)
Zoning Information:	Commercial III (C-III); Design Review District I – Class B & Color Overlay District
Review Type(s):	Design Review Certificate
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Design Review Certificate for exterior building alterations at their property on Lower Main Street. Some of the work will include repairs (with no change in material) such as replacing clapboards on the parking lot façade and replacing any rotten wood trim (maintaining dimensions, appearance and other trim detail).

In addition to the repairs noted above, proposed changes include the following:

Exhibit A:

- 1) Replace all 9 windows with vinyl windows of the same size. The windows will have a 2/2 appearance with mullions between the sheets of glass. (Window detail is shown on Exhibit B and is line item 1)
- 2) Wood awnings over the windows will be removed (see sample of windows without the awning, as shown in Exhibit C and with a slightly different window style at the Scarborough location).

Exhibit D: (all proposed window changes will be on the first floor)

- 1) The two double hung windows shown in the exhibit will be replaced with a vinyl window, panes will be between the sheets of glass, and pane configuration will be 2/2 to match the pattern on the floors above. (Window detail is shown on Exhibit B and is line item 2)
- 2) The three panes of glass in the center window will be replaced. Trim detail will be repaired with wood material (if needed) and will match the existing. (Glass detail is shown on Exhibit B and is line item 3)
- 3) The remaining large glass window shown in the exhibit will be replaced with a vinyl window. (Window detail is shown on Exhibit B and is line item 4)

No additional changes are proposed at this time.

**Design Review Ordinance: Chapter 22 Section VII.C.**

1. **Scale of the Building.** The scale of a building depends on its overall size, the mass of it in relationship to the open space around it, and the sizes of its doors, windows, porches and balconies. The scale gives a building "presence"; that is, it makes it seem big or small, awkward or graceful, overpowering or unimportant. The scale of a building should be visually compatible with its site and with its neighborhood.

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

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

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

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

*The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*The sizes and locations of all openings will remain unchanged. 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 shape of the roof will remain unchanged. 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.**

*All replacement windows will be vinyl. For any replacement windows that have panes, the panes will be between the sheets of glass. This style will match existing windows on the building. 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 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.**

*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 signage is proposed with this application. 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 Chilton Furniture Company, for a replacement ground sign at 184 Lower Main Street (Tax Assessor Map 8, Lot 3), to be substantially as proposed, application dated 03/30/2021, 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) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.

**From:** [Adam Bliss](#)  
**To:** [Caroline Pelletier](#)  
**Subject:** Mast Landing Brewing Company  
**Date:** Monday, April 12, 2021 2:48:32 PM

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Hi Caroline,

Below are my comments on the Mast Landing Brewing patio expansion.

1. Please explain how the underdrain pipe was originally located in the soil filter. There appears to be a section missing at the inlet end. Does the proposed configuration meet Maine DEP requirements?
2. What are the elevations of the overflow structure and filter bed in the soil filter? What is the maximum ponding depth in the soil filter?
3. What is the water drawdown time within the soil filter?
4. Please explain what is meant by “causing more harm” by expanding the filter area 72.5 square feet. The filter bed requirement is not one that is typically waived.
5. I recommend dumpster enclosures as screening from patrons. Is this feasible given there is an existing stone wall to be reconfigured?

Thank you,

Adam

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30 Main Street  
Freeport, Maine 04032

**From:** [Adam Bliss](#)  
**To:** [Caroline Pelletier](#)  
**Subject:** Linda Bean's Maine Kitchen  
**Date:** Monday, April 12, 2021 1:41:50 PM

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Hi Caroline,

Below are my comments for the proposed building addition at Linda Bean's Maine Kitchen.

1. Is there a written lease agreement at the Depot Street parking lot for the restaurant?
2. Please clarify which lot this agreement pertains to.
3. Are the 18 parking spots noted in the parking calculation still grandfathered?
4. The impervious area calculation needs to be revisited. Some pervious areas are shown over the property line and some do not agree with aerial imagery. Please double-check the areas noted on the plan.

Thank you,

Adam

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Freeport Town Hall  
30 Main Street  
Freeport, Maine 04032

1. **Historic Property Name(s):**
2. **Street Address:** 120 Main Street
3. **Tax Parcel:** 11-93
4. **Survey Date:** 5/23/2019

### **Architectural Data**

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5. **Style and/or Form:** Vernacular with Greek Revival-style elements, Retail Store
6. **Stories:** 2
7. **Appendages and Additions (Porches, Ells, Dormers, etc.):** Rear ell
8. **Windows:** Fixed wood, 1/1 double-hung vinyl in 3<sup>rd</sup> floor
9. **Roof Configuration and Materials:** Front gable, asphalt shingles
10. **Chimneys:** None
11. **Exterior Wall Materials:** Brick
12. **Foundation:** Not visible
13. **Outbuildings and Barns:** None
14. **Alterations:** Replacement windows, storefront reconfigured
15. **Site Features:** Located in dense commercial area with buildings on both sides, exterior staircase on south elevation, parking area in rear with shade trees
16. **Significant Architectural Elements of Style:** Deep cornice and entablature below, symmetrical façade

### **Historical Data**

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17. **Construction Date:** c.1850
18. **Architect/Builder (If Known):**
19. **Significant Person:**
20. **Historic Context:** Fairly intact commercial building with Greek Revival-style elements. One of few brick structures in the Design Review District.

1. **Historic Property Name(s):**
2. **Street Address:** 120 Main Street
3. **Tax Parcel:** 11-93
4. **Survey Date:** 5/23/2019

**Photos**



1. **Historic Property Name(s):** E. B. Mallet Jr. House
2. **Street Address:** 184 Lower Main Street
3. **Tax Parcel:** 8-3
4. **Survey Date:** 5/23/2019

### **Architectural Data**

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5. **Style and/or Form:** Italianate, 2-Story Double Pile
6. **Stories:** 2
7. **Appendages and Additions (Porches, Ells, Dormers, etc.):** Bay windows, rear ell, shed dormers, full-width front porch, side entry porch, side enclosed porch
8. **Windows:** 2/2 double-hung wood (historic or possibly original), paired window in center of second floor façade
9. **Roof Configuration and Materials:** Side gable, asphalt
10. **Chimneys:** Brick, center (main house), interior (ell), exterior (barn)
11. **Exterior Wall Materials:** Wood clapboards
12. **Foundation:** Granite
13. **Outbuildings and Barns:** Connected mixed-use New England barn with center cupola, modern barn northwest of house
14. **Alterations:** Front porch added post-1973, skylights added, modern door and porch on western elevation, barn door filled-in with window, but retains proportions of original opening.
15. **Site Features:** Paved driveway and parking area on southwest, modern concrete block wall along sidewalk
16. **Significant Architectural Elements of Style:** Paired brackets supporting deep eaves, deep cornice, cornice returns, bay windows

### **Historical Data**

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17. **Construction Date:** 1887
18. **Architect/Builder (If Known):** Francis H. Fassett
19. **Significant Person:** Edmund B. Mallet Jr., after inheriting a fortune from his uncle, founded a variety of businesses in Freeport in the late-19<sup>th</sup> century, including a shoe factory, general store, saw mill, grist mill, blacksmith shop, and brick yard. He employed as many as 250 to 300 people. Mallet later served four terms in the Maine House of Representatives.

**20. Historic Context:** Mallet commissioned Portland architect Fassett to design his house. Fassett designed many Italianate-style houses in Portland and the surrounding area. House retains enough integrity to convey Italianate style. Connected barn is contributing.

1. **Historic Property Name(s):** E.B. Mallett Jr. House
2. **Street Address:** 184 Lower Main Street
3. **Tax Parcel:** 8-3
4. **Survey Date:** 5/23/2019

**Photos**

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**From:** [Adam Bliss](#)  
**To:** [Caroline Pelletier](#)  
**Subject:** Winslow Park ADA Ramp  
**Date:** Monday, April 12, 2021 2:58:41 PM

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Hi Caroline,

Below are my comments on the Winslow Park ADA Ramp.

1. I encourage the use of ADA over handicapped nomenclature.
2. Please add an ADA symbol and sign to the parking stall adjacent to the van-accessible spot, if that is intended to be ADA per the cover letter.
3. A sign and striping detail should be added to the plans.
4. Please add spot elevations to the plan and profile views.
5. What is the plan for erosion and sediment control, if any?

Thank you,

Adam

Adam S. Bliss, P.E.  
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Freeport Town Hall  
30 Main Street  
Freeport, Maine 04032

1. **Historic Property Name(s):** Fields House
2. **Street Address:** 4 Park Street
3. **Tax Parcel:** 13-68
4. **Survey Date:** 5/23/2019

### **Architectural Data**

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5. **Style and/or Form:** Vernacular with Greek Revival-style elements, Side Hall
6. **Stories:** 1 ½
7. **Appendages and Additions (Porches, Ells, Dormers, etc.):** Front porch, gable dormers, shed dormer, rear ell
8. **Windows:** 2/2 double-hung wood windows in main house (likely original), modern double-hung and casement in ell
9. **Roof Configuration and Materials:** Front gable, asphalt shingles
10. **Chimneys:** Brick, interior
11. **Exterior Wall Materials:** Vinyl siding
12. **Foundation:** Brick
13. **Outbuildings and Barns:** Shed (non-contributing)
14. **Alterations:** Replacement siding, original ell replaced with large addition, foundation covered with faux stone facade
15. **Site Features:** Paved driveway on south side of house, paved path from sidewalk to door in ell, large shade trees along north and south of lot, privacy fence along north elevation, shrubs along road
16. **Significant Architectural Elements of Style:** Deep eaves and cornice, cornice returns, wide trim under cornice, pedimented dormers, square posts and 'X' railing on porch

### **Historical Data**

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17. **Construction Date:** c.1880
18. **Architect/Builder (If Known):**
19. **Significant Person:**
20. **Historic Context:** Mostly intact vernacular house from the late-19<sup>th</sup> century.

1. **Historic Property Name(s):** Fields House
2. **Street Address:** 4 Park Street
3. **Tax Parcel:** 13-68
4. **Survey Date:** 5/23/2019

**Photos**

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**From:** [Adam Bliss](#)  
**To:** [Caroline Pelletier](#)  
**Subject:** Freeport Heights Retirement Community  
**Date:** Monday, April 12, 2021 2:00:14 PM

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Hi Caroline,

Below are my comments for the Freeport Heights Retirement Community project.

1. Please submit copies of all updated state permits to the Town.
2. To what extent was traffic considered for the project. Were any permits required or obtained?
3. The Phasing Plan notes a spring 2020 start. Please correct or clarify the dates.
4. Were there any MEDEP permitting requirements for the project, such as construction inspections by 3<sup>rd</sup> party inspector?
5. This project will require inspections during construction and annually as post construction because of the Town's stormwater permitting requirements with the Maine DEP. The post construction inspections must be performed by a qualified 3<sup>rd</sup> party inspector. A maintenance agreement and annual certification will need to be submitted to the Town.

Thank you,

Adam

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**From:** [Adam Bliss](#)  
**To:** [Caroline Pelletier](#)  
**Subject:** Gosling's Nursery School  
**Date:** Monday, April 12, 2021 1:16:07 PM

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Hi Caroline,

Below are my comments for the Gosling's Nursery School proposed at 262 U.S. Route One.

1. What is the local and state approval history for the site? Was the gravel area where the playground is proposed originally permitted through MEDEP? If not, that area may need a stormwater permit.
2. What are the parking requirements for the school based on the number of employees and drop-off/ pick-ups? Is this number greater than or less than the use change? A calculation should be provided.
3. The ADA stalls (all located on the site) should have paint symbols and ADA parking signs. Please confirm the stall dimensions are compliant with ADA standards.
4. A striped walkway or sidewalk from the building to the fenced area should be demarcated on the plan. The walkway would avoid potential vehicle conflicts.
5. Was the dumpster permitted without an enclosure? I recommend a fence enclosure surrounding the dumpster.
6. What will the playground surface be?

Review time: 1 hour for initial and final review.

Inspection time: 1.5 hours for (1) initial site visit, (1) final inspection, and PG release memo.

Total invoiced time: 2.5 hours after final inspection and before issuance of CO.

Please let me know if you have questions.

Thank you,

Adam

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