



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 27, 2022

198 Main Street - Design Review Certificate	
Property Location:	Tax Assessor Map 15, Lot 19 (198 Main Street)
Zoning Information:	Village I (V-I); Freeport Village Overlay District (FVOD); Design Review District 1 – 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 residential property on Main Street. The building is Class B in Design Review District I; the historical inventory sheet is attached.

Proposed changes to the structure include the following:

- New front door (existing door is plywood with no panels; proposed is wood, two panels, with etched glass lite, painted with a color from a historical color palette)
- Existing storm door may be removed and not replaced
- Current front steps will be rebuilt with wood (cedar) and enlarged. The bottom two steps will be larger than the top. Riser heights and tread widths will be sized to meet current building codes. A railing will be installed on the left side of the steps, and consist of cedar posts, cedar top rail, and cable balusters.
- The roof over the entry will remain however crown molding will be repaired (as needed) with the same material and details.
- The existing small bathroom window on the north side, will be replaced with a new-construction double hung window, one lite wide and the same height as the first-floor double-hung windows.
- Three existing wood basement windows will be replaced with fixed sashed units, still three lites wide, and simulated divided lite with spacer bars.
- On the north façade, an existing (6/6) double-hung window in the basement will be replaced with an awning style window with 2/2 mullion style (this window has limited visibility from the right-of-way).
- Replacement trim will match existing as closely as possible (including moldings)
- The existing barn will be reconstructed. This will include lifting the structure and installing a foundation below. Siding, windows, and corner boards will all be removed. Roof trim will be preserved as will existing framing; however framing will be altered to accommodate for a large garage door and new windows (as shown in the drawings). A small roof will be added over the new garage door. The siding on the barn will be replaced with vertical rough-sawn “barn

boards" (color TBD). Casing for the garage door and all windows will be flat stock pine, with 1x4 legs, a 5/4x5 head, and a PVC historical sill.

- A shed with a flat roof will be added behind the garage. The shed will have cedar posts, open white cedar cladding and flat trim. The south elevation of the shed will step back from the façade of the garage. The north side of the shed will bump out to the five-foot setback. On the upper level on the north side, the open cedar cladding will extend all the way to the height of the barn eave. The south side will have a cedar/cable railing system.
- Any new windows will be fiberglass exterior, simulated divided lites and all trim will be wood.

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.**

Exterior alterations are proposed for the existing structure and a small shed will be added to the rear. Overall, the scale of the building will remain unchanged. 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 overall structure will not be increased. 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.**

Replacement windows are proposed on many sections of the side facades, however the rhythm of solids to voids will be maintained. Additional windows will be added to the barn, however the rhythm of solids to voids will be maintained. Based upon this information, the Board finds that this standard has been met.

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

All new and replacement openings will be proportional to existing openings and rectangular in shape. Based upon this information, the Board finds that this standard has been met.

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

The roof shape of the main structure will not be altered. The shed on the rear of the garage will have a flat roof with a deck on top. Based upon this information, the Board finds that this standard has been met.

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

The New front door will be wood, 2 panels, with etched glass lite, painted with a color from a historical color palette. The existing storm door may be removed and not replaced. Current front steps will be rebuilt with wood (cedar). A railing will be installed on the left side of the steps, and consist of cedar posts, cedar top rail, and cable balusters. Replacement trim will match existing as closely as possible (including moldings) and will be wood. The siding on the barn will be replaced with vertical rough-sawn "barn boards" (color TBD). Casing for the garage door and all windows will be flat stock pine, with 1x4 legs, a 5/4x5 head, and a PVC historical sill. The shed behind the garage will have cedar posts, open white cedar cladding, and flat trim. On the upper level on the north side, the open cedar cladding will extend all the way to the height of the barn eave. The south side will have a cedar/cable railing system. Any new windows will be fiberglass exterior, simulated divided lites and all trim will be wood. Based upon this information, the Board finds that this standard has been met.

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

The rhythm of spaces to buildings on the street 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 signs are proposed. Based upon this information, the Board finds that this standard has been met.

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Sam and Christina Kapala at 198 Main Street (Tax Assessor Map 15, Lot 19), to be substantially as proposed, application dated 03/29/22, finding that it meets the standards of 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 their representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.

19 Maple Ave Fence - Design Review Certificate	
Property Location:	Tax Assessor Map 12, Lot 34 (19 Maple Avenue)
Zoning Information:	Village I (V-I); Freeport Village Overlay District (FVOD); Design Review District 1 – Class C & 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 new fence at their property on Maple Avenue. The fence will be wood, spaced-picket style and five (5) feet in height. The fence will have a natural or clear sealant finish. It will be similar in style to that on the abutting property. A survey of the property was included in the submission and shows the location of the fence to the rear of the property and partially behind the existing dwelling. No other changes are proposed. Since the parcel is in the Design Review District, per Section V.A.5, a Design Review Certificate is required for the new fence.

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 new buildings are proposed. Based upon this information, the Board finds that this standard has been met.

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

No new buildings 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.

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

5. **Proportions of Opening within the Facade.** 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 new buildings 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 new buildings are proposed. Based upon this information, the Board finds that this standard has been met.

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

No new buildings 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).

No new buildings are proposed. 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 fence will be wood, spaced-picket style and five (5) feet in height. The fence will have a natural or clear sealant finish. A survey of the property was included in the submission and shows the location of the fence to the rear of the property and partially behind the existing dwelling. Since the parcel is in the Design Review District, per Section V.A.5, a Design Review Certificate is required for the new fence. 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 signage has been included with the submission. Based upon this information, the Board finds that this standard has been met.

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for The First Baptist Church Society for a new 5 (five) foot high wood, picket fence, to be installed at the at 19 Maple Avenue (Tax Assessor Map 12, Lot 34), to be substantially as proposed, application dated 04/11/22, finding that it meets the standards of 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 their representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.

LL Bean Flying Point Grass Extension Area - Site Plan Application	
Property Location:	Tax Assessor Map 19, Lot 35 & 35B (14 and 17 Marietta Lane)
Zoning Information:	Rural Residential 1 (RR-1) and Shoreland Area (SA)
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

Background: The applicant is seeking approval of a Site Plan Amendment for site alterations at their Flying Point Paddling Center. Changes include clearing 6,695 square feet of trees for a grassed multi-use area and improvements to the existing gravel parking areas. All of the proposed changes are on a portion of the property outside of the Shoreland Area.

The overall use of the property will be the same. The new multi-use grass area will provide a flexible space for activities associated with the existing use. Due to the soil types, underdrains will be installed in this area to provide better drainage and more stability for this grass area. The creation of this grass area will result in the removal of 6,695 sf of tree canopy. A portion of the area is currently a grassed island with four trees; the four trees within this area that will be preserved and relocated. Additional trees removal is proposed with the limits of clearing being noted on the plan and vegetative buffer still being retained on the property.

For the existing parking areas, the drive aisles will be regraded which will improve drainage. The edges of the drive aisles, edges of the landscaped area, and existing edges of existing parking aisles will all be more well defined.

Plans for the site were last approved in 2013. Those plans were designed for 80,905 sf of impervious area using Department of Environmental Protection (DEP) accepted Low Impact Design measures for stormwater management. Upon completion of this project, total disturbed areas on the parcel will be 80,480, still less than what the original impervious area on the site. The proposed improvements have been designed to maintain the flow path of run-off and follow existing drainage and treatment patterns. The applicant feels that stormwater from the proposed changes should be adequately managed with the existing features on the site and no additional improvements for stormwater quality or quantity are proposed. Erosion control plans are included on Sheet 6 (six) of the plan set.

The Town Engineer provided some comments to the applicant (emails dated 04/04/2022 and 04/20/2022 and included in the packet). Revisions were made to the initial submission and have been included in the packet. Final review comments from the Town Engineer will be forthcoming.

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 multi-use grass area will provide a flexible space for activities associated with the existing use. Due to the soil types, underdrains will be installed in this area to provide better drainage and more stability for this grass area. The creation of this grass area will result in the removal of 6,695 sf of tree canopy. A portion of the area is currently a grassed island with four trees; the four trees within this area that will be preserved and relocated. Additional trees removal is proposed with the limits of clearing being noted on the plan and vegetative buffer still being retained on the property. Based upon this information, the Board finds that this standard has been met.

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

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

The parcel is not within the Design Review District. 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 will not change. 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.

Parking is existing on site. For the existing parking areas, the drive aisles will be regraded which will improve drainage. The edges of the drive aisles, edges of the landscaped area, and existing

edges of existing parking aisles will all be more well defined. 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.

Plans for the site were last approved in 2013. Those plans were designed for 80,905 sf of impervious area using Department of Environmental Protection (DEP) accepted Low Impact Design measures for stormwater management. Upon completion of this project, total disturbed areas on the parcel will be 80,480, still less than what the original impervious area on the site. The proposed improvements have been designed to maintain the flow path of run-off and follow existing drainage and treatment patterns. The applicant feels that stormwater from the proposed changes should be adequately managed with the existing features on the site and no additional improvements for stormwater quality or quantity are proposed. Erosion control plans are included on Sheet 6 (six) of the plan set.

The Town Engineer provided some comments to the applicant (emails dated 04/04/2022 and 04/20/2022 and included in the packet). Revisions were made to the initial submission and have been included in the packet. Final review comments from the Town Engineer will be forthcoming. Based upon this information, the Board finds that this standard.

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

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 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.

The creation of this grass area will result in the removal of 6,695 sf of tree canopy. A portion of the area is currently a grassed island with four trees; the four trees within this area that will be preserved and relocated. Additional trees removal is proposed with the limits of clearing being noted on the plan and vegetative buffer still being retained on the property. Based upon this information, the Board finds that this standard has been met.

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

criteria:

- (1) The project will not result in water pollution, erosion or sedimentation to surfacewaters;
- (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. All of the proposed changes are on a portion of the property outside of the Shoreland Area. No known archaeological or historic resources will be negatively impacted. Based upon this information, the Board finds that this standard has been met.

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and a Site Plan for LL Bean, for a Site Plan Amendment at their Paddling Center, at their property on 14 & 17 Marietta Lane (Tax Assessor Map 19, Lot 35 & 35B), to be built substantially as proposed, site plan set dated 01/28/2022, revised through 03/08/2022, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and their representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any site work associated with this approval, and prior to the issuance of any building permits, the applicant do the following:
 - a) Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in the amount to be reviewed and approved by the Town Engineer, and in a form acceptable to the Town Attorney. The performance guarantee, shall cover the cost of all site work, including, but not limited to, erosion control, drainage, landscaping and walkways, parking areas, etc., along with the performance guarantee, a non-refundable administrative fee, at the rate established by the Freeport Town Council, be paid.
 - b) Establish an escrow account, in the amount of \$TBD to cover the cost of plan review and inspections of the site improvements by the Town Engineer.
 - c) The developer have a pre-construction meeting with the Town Engineer.

Contractor Suites- Site Plan Application	
Property Location:	Tax Assessor Map 21, Lot 29 (1285 Main Street)
Zoning Information:	Medium Density District B (MDB)
Review Type(s):	Site Plan Review
Waivers Requested:	None

Background: The applicant is presenting conceptual site plans to construct three new buildings on U.S. Route One (total of 9,950 sf proposed). One of the buildings will serve as office and storage for James and Whitney Company and the other two buildings will be divided into units to be used by contractors. The existing single-family dwelling will remain. Changes to site access, landscaping and stormwater management plans are proposed.

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

Buildings: The two buildings with units for the contractors will be about 3,800 sf each with four units each. Metal buildings are proposed. Section 406.G.5 does includes standards pertaining to the appearance of buildings. Building rendering have not been include in the submission.

Vehicular Access & Parking: The applicant will need to check with the Maine Department of Transportation to see if an entrance permit is required for the change of use. The existing entrance will be improved and expanded to provide access to the site. The access will be gravel and include a stream crossing.

Twenty-six parking spaces are proposed. The parking stalls will need to be revised to meet the dimensional standards of the Freeport Zoning Ordinance and the standards for accessible parking (Section 514 of the Freeport Zoning Ordinance). In addition, the driveway to the property will need to comply with the dimensional standards of Section 512 of the Freeport Zoning Ordinance.

Stormwater: The property is not within a watershed of an Urban Impaired Stream, will have less than less than one acre of impervious area, and therefore does not trigger any DEP stormwater permitting. A retention pond is proposed to treat stormwater. Plans have been reviewed by the Town Engineer for compliance with Section 529 Stormwater Management of the Freeport Zoning Ordinance. His initial review comments are included in a memo dated 4/11/22 and attached to this staff report. A response to his comments should be included in a subsequent submission.

The location of wetlands and a stream are shown on the plan. An NRPA Permit by Rule notification will need to be filed with the Maine Department of Environmental Protection (DEP).

Utilities: Information on proposed utilities was not included in the submission. Information on wastewater disposal and water will need to be included in the final submission.

Signage: No signage is has been included with the submission. The location of a proposed ground sign is shown on the plan. Additional information on signage should be included in the final submission.

Solid Waste & Outdoor Storage: There will be a dumpster on-site and per the Town of Freeport Solid Waste Ordinance, the applicant will be required to sort cardboard from other waste. The location of the dumpsters are shown on the plan. If screening is proposed, information on dumpster screening should be included with the final plan. No areas of outdoor storage are proposed.

Lighting: Information on lighting was not included in the submission. Information on lighting fixtures and a photometrics plan should be included in the final submission.

Landscaping & Buffering: Section 406.G.2 of the Freeport Zoning Ordinance has the following provision for buffering: “Landscaping is required in all front, side and rear setbacks for a minimum depth of 25 feet. The purpose of the landscaping is to provide a buffer between low density residential uses and commercial/industrial uses. The Project Review Board shall determine the type of landscaping to be required and may use the applicable standards listed in Section 506 (Buffer Zones). A landscaping plan has not been included in the submission.

Other: It appears that the property exists as two separate deeded parcels. The application should either show the existing property lines on the plans with applicable setbacks, or, will need to (as a possible condition of approval) merge the parcels. In addition, upon review, the Codes Enforcement Officer did raise the question as to whether or not the three new buildings on the parcel will meet the definition of a subdivision under State law. If that is the case, the proposal will also require subdivision review from the Town of Freeport.

Does the Board want to schedule a sitewalk?

Harraseeket Ridge – Residential Open Space Subdivision	
Property Location:	Tax Assessor Map 18, Lot 16 (0 US Route One)
Zoning Information:	Medium Density A (MD-A)
Review Type(s):	Subdivision – Preliminary Review, Major Subdivision
Waivers Requested:	None

Background: The applicant is presenting Preliminary Subdivision Plans for an 80-unit residential open space subdivision on a vacant parcel (approximately 90 acres) on US Route One North. Forty duplex structures and two new road entrances off US Route One are proposed. Approximately 43 acres of open space will be required. There have been no significant changes to the plan since the initial presentation to the Board.

The applicant is proposing duplex structures, which will be about 2,870 sf in size and will each have their own garage and partial basements. The units will all be on common land and condominium style; a homeowner’s association will be established.

The net residential acreage calculation has been included in the submission and would allow 80 units. Areas of wetlands, steep slopes and a significant vernal pool have been identified on the plan. The locations of streambeds have also been noted.

The project will require a Site Location of Development Permit from the Maine Department of Environmental Protection, a Maine Construction General Permit and permit(s) from the Maine Department of Transportation (partially due to US Route One being a State road).

Process: This is considered a Subdivision-Major (per Article III of the Freeport Subdivision Ordinance) and process would involve three levels of review – conceptual, preliminary and final. The Board first reviewed the conceptual plan at the June 2021 meeting and a sitewalk of the property was held in August 2021, with the conceptual process being determined to be completed at the September 2021 meeting.

Per Article 7.1 of the Freeport Subdivision Ordinance, “After the Project Review Board has completed its review of the Site Inventory Map and Site Analysis and Conceptual Sketch Plan, the applicant shall submit an application for approval of the preliminary plan for a Major Subdivision to the Planning Department. Failure to submit an application within six (6) months after the Project Review Board has completed its review of the Site Inventory Map and Site Analysis and Conceptual Sketch Plan, or a substantial change to the plan such as a major relocation of a road(s) or lots or the previously unforeseen need for a waiver may require re-submission of the Site Inventory Map and Site Analysis and Conceptual Sketch Plan to the Board...” As noted at the last meeting, the applicant did submit for preliminary review within this time period however was put on this agenda due to where they were at in the review process and turnover of Board members as of 04/2022.

Access: Two new road entrances of Route One are proposed. The road system has been designed to comply with Article 11.5 of the Freeport Subdivision Ordinance with regards to the number of units allowed on, and the maximum length of a dead-end road.

Entrance Permits for the new roads are required from the State of Maine since this portion of US Route One is regulated by the State. The applicant has provided information on site distance in their submission. In addition to any State requirements, they need to meet any site distance requirements of the Freeport Subdivision Ordinance (Article 11.5.C.2.b).

The road will include a 4 foot paved shoulder with striping and crosswalks to provide designated spaces for pedestrian traffic. In an email dated 04/11/2022, the Town Engineer made review comments, one of which was regarding the design of a sitewalk/pedestrian path.

Traffic: The applicant has included a traffic memo in their submission (prepared by Jason Ready, PE, PTOE, PTP, VHB). They have stated that a Traffic Movement Permit from the Maine Department of Transportation (MDOT) will not be required and MDOT has concurred with this finding. No high crash locations have been identified within a mile of the project site.

Public Safety: Public Safety staff will need to review the proposed plan. Sprinklers are proposed for all of the units.

Utilities: There are no public utilities in this area, so units would be served by private wells and septic systems. Wells would be shared for each duplex and the septic systems would serve “cluster” of units. The location of septic systems and wells have been shown on the plan.

Per Appendix F.15 of the Freeport Subdivision Ordinance, the following is required: “Location of all soil tests pits as may be required under this ordinance, including all failed test sites or pits, as well as those approved. All approved sites shall be clearly distinguished from unapproved sites.” This has not been included in the preliminary submission.

Information on water supply and wastewater disposal is include in the electronic packet; please see Sections 15, 16 & 17 of the Site Location of Development permit submission. Does the Board feel that this information will demonstrate if the standards have been met, or is additional information required?

Stormwater: Due to the size and nature of the project, a Site Location of Development Permit from the Maine Department of Environmental Protection (DEP) will be required. Per Article 8.1.B of the Subdivision Ordinance, approval of this permit shall be obtained in writing from the DEP prior to the applicant submitting their final plan submission. The Town Engineer has reviewed the submission for compliance with the applicable standards of the Freeport Subdivision Ordinance and the Freeport Zoning Ordinance in regard to stormwater. His initial comments are included in an email dated 04/11/2022.

Open Space: 43.47 acres of open space are proposed. This appears to be slightly lower than the requirement; this will need to be addressed. The open space has been situated to abut other abutting vacant land. Details on the possible future ownership of the open space and of any possible trail connections will be forthcoming.

Phasing: The cover letter notes that the development will be phased. If phasing is proposed, Appendix F.19 of the Freeport Subdivision Ordinance requires the following: “Where installation of the improvements is proposed to be done in phases, the applicant shall submit with the Conceptual Preliminary Plan a delineation of the proposed sections and a schedule of deadlines within which applications for final approval of each section is intended to be filed.” This has not been included in the submission.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the preliminary subdivision plans submitted by Beta Zeta Properties, LLC., for the proposed Harraseeket Ridge Subdivision (Tax Assessor Map 18, Lot 16) for an 80-unit residential open-space subdivision, preliminary plan set site plan sheet dated November 2021, revised through 2/7/2022. The Board finds that based upon the materials submitted by the applicant and the information contained in the record, the layout of the development is consistent with the information presented in the conceptual submission, that the applicant has submitted the required information per the Freeport Subdivision Ordinance and the applicant working towards the development of the final plans. The following condition(s) of approval and/or items shall be incorporated into the final submission:

- 1) The approval of the preliminary plan shall not constitute approval of the final plan or intent to approve the final plan.
- 2) Prior to final approval, the applicant obtain a final sign-off of the plans by the Town Engineer.
- 3) The final submission include a detailed cost estimate to cover the cost of all sitework, including but not limited to, the cost of drainage, road and parking area construction, landscaping, buffers, stormwater management, erosion control, etc.
- 4) The final submission shall incorporate the requirements of Article 8, Appendix C, and Appendix H of the Freeport Subdivision Ordinance.

1. **Historic Property Name(s):** Baptist Parsonage
2. **Street Address:** 198 Main Street
3. **Tax Parcel:** 15-19
4. **Survey Date:** 5/23/2019

Architectural Data

5. **Style and/or Form:** Vernacular with Italianate-style elements, Side Hall
6. **Stories:** 2
7. **Appendages and Additions (Porches, Ells, Dormers, etc.):** Rear ell, bay window
8. **Windows:** 2/2 double hung wood (likely original)
9. **Roof Configuration and Materials:** Front gable, asphalt shingles
10. **Chimneys:** Brick, interior
11. **Exterior Wall Materials:** Wood clapboards
12. **Foundation:** Granite, brick
13. **Outbuildings and Barns:** Attached New England carriage barn with clapboard siding and hay door
14. **Alterations:** Modern garage door in barn, enclosed entry porch on north elevation, replacement front door
15. **Site Features:** Gravel path from sidewalk to entry door, paved driveway south of house, large shade trees along driveway
16. **Significant Architectural Elements of Style:** Deep eaves, paired bracketed cornice, cornice returns, wide trim below cornice, corner boards, simple window surrounds, hood with elaborate carved wood brackets above entry door

Historical Data

17. **Construction Date:** c.1870
18. **Architect/Builder (If Known):**
19. **Significant Person:**
20. **Historic Context:** Donated in 1890 to the Maine Baptist Missionary Convention by the widow of Franklin Curtis. Intact example of a late 19th-century house with Italianate-style elements. Barn retains enough integrity to exemplify connected New England barn type.

1. **Historic Property Name(s):** Baptist Parsonage
2. **Street Address:** 198 Main Street
3. **Tax Parcel:** 15-19
4. **Survey Date:** 5/23/2019

Photos





MEMORANDUM

TO: Caroline Pelletier, Town Planner
FROM: Adam S. Bliss, P.E., Freeport Town Engineer
DATE: April 11, 2022
SUBJECT: Conceptual Site Plan Review for Contractor Suites
1285 U.S. Route One
Map 21, Lot 29
MD-B Zone

Introduction

A.E. Hodson Consulting Engineers submitted Conceptual Site Plan Review application materials and plans on behalf of James & Whitney Company. The site is located at 1285 U.S. Route One and accessed via an existing gravel driveway. An existing house and barn will remain. Contractor storage units, an office building, parking, and a stormwater pond will be added uses to the site.

The project is not located within an urban impaired watershed nor will require a Maine DEP Chapter 500 stormwater permit. My review of the application materials includes local review for compliance with the Town's Zoning and Subdivision Ordinances.

Application

1. What is the status of the NRPA applications?
2. Have passing test pits been identified on the site?
3. Please provide the HHE-200 Septic Design forms.
4. Please provide the Engineer's site cost estimate for establishment of the Performance Guarantee. The estimate should contain quantities, unit prices, and total prices for each item.
5. Please obtain a Driveway Entrance Permit for the change of use from the Maine DOT.
6. What is the proposed lighting plan for the facility?
7. What is the proposed use of the existing house and barn? The use(s) should be factored into the Traffic Analysis.
8. The application will need to meet the standards in the Subdivision Ordinance.

Stormwater

- A. What are the total impervious areas, total developed areas, and net new impervious areas?
- B. Please provide stage-storage-time discharge curves for the water quality pond. Drawdown times should be compliant with Maine DEP standards.
- C. In lieu of the Maine DEP requirement for 5-year recertification of the stormwater BMPs, the applicant will be required to annually certify the stormwater BMPs in a Stormwater Maintenance Agreement executed with the Town and recorded in the Cumberland County Registry of Deeds.

- D. A pre-construction meeting will be required before any ground disturbance on the project. All conditions of approval must also be met before the initiation of any construction.
- E. What are the groundwater elevations within the area of the proposed pond?
- F. Please provide sizing details on the anti-flotation device.

Plans

- i. The Existing Conditions and Boundary Plan should be sealed by the Licensed Surveyor for the project.
- ii. The existing and proposed tree lines should be shown on the plans.
- iii. The proposed parking spaces should measure 9' x 18.5'.
- iv. The driveway dimensions should meet Section 512 of the Zoning Ordinance.
- v. Please provide screening for the dumpster pad. Will one dumpster be sufficient for all of the proposed uses?
- vi. Please show ADA parking, signage, and details on the plans.
- vii. The proposed sign should be placed outside of the setback.
- viii. Please add a note of the wetland scientist's name and the date of the wetlands and stream delineations.
- ix. Setbacks are shown off the drainage ditch. Is this a stream or drainage ditch?
- x. Please turn on the contour layers on the topo plan contained in the application.
- xi. The stormwater detention pond is not compliant with Maine DEP Chapter 500 Technical Design Standards. Please convert the pond to a Bioretention pond with sediment forebay. The pond may require a liner due to groundwater.
- xii. Please provide a Landscaping Plan.
- xiii. Please provide the Building Elevations.
- xiv. Please label the site distances on the Site Plan and add these to the Trip Analysis section in the application.
- xv. Please add the proposed Erosion and Sediment Control (ESC) BMPs to the plans.
- xvi. Please add a Dewatering ESC BMP to the Detail Sheet.
- xvii. Double sediment filter barriers should be shown where adjacent to wetlands and streams.

From: [Adam Bliss](#)
To: [Caroline Pelletier](#)
Cc: [Adam Bliss](#)
Subject: Harraseeket Ridge: Preliminary Plan Application Review
Date: Monday, April 11, 2022 4:38:57 PM

Hi Caroline,

I have performed a high-level review for the Preliminary Subdivision Application of Harraseeket Ridge. The application is considered complete in terms of the Preliminary Subdivision Plan submittal requirements.

I will reserve more detailed comments until after the Preliminary Plan meeting with the Project Review Board (PRB) and comments are received from the Maine DEP. The applicant does not need to resubmit plans and application materials before the April 27, 2022 PRB meeting.

1. The final application should have a more detailed cost estimate containing a breakdown of site costs including materials, quantities, unit prices, and total prices.
2. Is there a tree clearing limitation timeline identified by Inland Fisheries and Wildlife for the Northern Long-eared Bat?
3. The Medium Intensity Soil Survey should be updated to a High Intensity Soils Survey.
4. There are bedrock areas identified on the plans: a Blasting Plan has been provided with the application.
5. I recommend peer review of the Hydrogeologic Assessment report.
6. Would the applicant be receptive to constructing a wider sidewalk with an esplanade in lieu of a shared 4' wide pedestrian path adjacent to the roadway?

Thank you,

Adam

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

Freeport Town Hall
30 Main Street
Freeport, Maine 04032