



TOWN OF FREEPORT, MAINE
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TO: FREEPORT PROJECT REVIEW BOARD
FROM: CAROLINE PELLETIER, TOWN PLANNER
RE: STAFF REPORT
DATE: WEDNESDAY, AUGUST 17, 2022

<u>The Bakeshop – Exterior Alterations</u>	
Property Location:	Tax Assessor Map 11, Lot 84 (123 Main Street)
Zoning Information:	Village Commercial I (VC-I), Design Review District One – 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 and replacement signage. Building alterations include new and/or replacement awnings, replacement decking, new railings and a winter vestibule.

The signage could be approved at the staff level, but since the applicant was coming to the Board, has been included in the submission. An existing non-conforming wood sign (since the sign projects over the public right-of-way) will be repaired using the existing sign face, and just changing the logo (shown as Design C in the submission) on the existing sign panel. The sign will remain black and white in color and be 42" in width and 24" in height. The sign logo will be as shown as Design Option C in the submission. A small panel (1'x3') with the business name will be added to the existing kiosk sign. No other signs are proposed.

The applicant is seeking approval to add/replace awnings over the two entrances to the tenant space. One of the entries has an existing awning that will be modified and at the second entrance, there had been awnings in the past, but is currently not one and a new one will be installed. Both awnings will be plain black with no signage on them. The dimensions of the awnings will be 10' x 4' and 14' x 4'.

In addition to the awnings, the applicant is proposing to repair the existing wood steps and accessible building entrances. The surfaces of these structures will be changed from wood to composite and will most likely be black in color. The existing northern entrance has a section of railing that will be replaced and extended. The railing has a cable style guard and will have composite posts and rails.

One of the entrances has a winter vestibule that the applicant is proposing to replace and add a second one at the second entrance. The vestibule will have an aluminum frame, aluminum door and clear vinyl sides. The one on the northern entrance, will have two doors to maintain accessibility to the space.

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.

Canopies will be added over two of the existing entrances. No changes to the overall size and scale of the building will 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 increase. 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.

Proportions 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 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.

Angled awnings will be added over two of the building entrances. 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 applicant is seeking approval to add/replace awnings over the two entrances to the tenant space. Both awnings will be plain black canvas with no signage on them. In addition to the awnings, the applicant is proposing to repair the existing wood steps and accessible building entrances. The surfaces of these structures will be changed from wood to composite and will most likely be black in color. The existing northern entrance has a section of railing that will be replaced and extended. The railing has a cable style guard and will have composite posts and rails. One of the entrances has a winter vestibule that the applicant is proposing to replace and add a second one at the second entrance. The vestibule will have an aluminum frame, aluminum door and clear vinyl sides. The one on the northern entrance, will have two doors to maintain accessibility to the space. 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".

An existing non-conforming wood sign (since the sign projects over the public right-of-way) will be repaired using the existing sign face, and just changing the logo (shown as Design C in the submission) on the existing sign panel. The signs will remain black and white in color and be 42"

in width and 24" in height. The sign logo will be as shown as Design Option C in the submission. A small panel (1'x3') with the business name will be added to the existing kiosk sign. No other signs are proposed. Based upon this information, the Board finds that this standard has been met.

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for The Bakeshop, Jennifer Banis, for exterior building alterations and signage at 123 Main Street (Tax Assessor Map 11, Lot 84), to be built substantially as proposed, application dated 07/30/22, 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 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) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.

Regional School Unit #5 – Amendment to previous Conditions of Approval	
Property Location:	Tax Assessor Map 11, Lot 24 (21 Morse Street)
Zoning Information:	Village I (V-I)
Review Type(s):	Amendments to the past conditions of approval
Waivers Requested:	None

Background: The applicant obtained approval from the Board for a Site Plan Amendment for the Joan Benoit Samuelson Track and Field in March 2017 with a subsequent amendment for lighting and a PA system in April 2019. There was significant review, discussion and public comment with the past approvals and the project was approved with many conditions. The applicant is now seeking approval for amendments to the past conditions of approval for the track and field and the use of a PA system at the track and field complex. The proposed changes include clarifying what is included in the limitations on the use of artificial noise makers and proposed changes to the timing and frequency of athletic events.

As part of the April 2019 approval, the conditions were the following:

1. Upon installation, but prior to use during an allowable athletic event, the applicant shall submit verification from a qualified professional that the system has been installed and complies with the applicable decibel levels as presented in the submission and in accordance with the current standards of the Freeport Zoning Ordinance.
2. No athletic event shall begin later than 6:00 p.m., with the exception of Freeport High School triple-header soccer games which shall start no later than 7:00 p.m.
3. The applicant will not permit non-school officials from using artificial noisemakers, including but not limited to, air horns, blow horns, sirens, cow bells and other artificial means of noise generation.

Past Condition of Approval 1: The applicant did previously submit verification from a qualified professional that the system has been installed and complies with the applicable decibel levels as presented in the submission and in accordance with the current standards of the Freeport Zoning Ordinance. They will also be getting this verification updated prior to the meeting on August 17th.

Past Condition of Approval 2: The applicant has been required to submit a copy of the “use guidelines” in the past. Conditions two and three were addressed in the guidelines. The use guidelines are being amended for some technical clean-up and to note that artificial noisemakers do include cow bells.

Past Condition of Approval 3: In addition, the following changes to the timing and frequency of events are proposed:

<u>School</u>	<u>Fall End Practice Times</u>	<u>Restrictions on Music</u>	<u>Restrictions # of Night Games</u>	<u>Can 3rd Party Use Lights</u>	<u>Restrictions on Hrs of Use Sat / Sun .</u>
Freeport Current	7:15PM	YES - no music	4-5/team	NO	YES
Freeport Proposed	8:45PM	Playoffs only	NO	YES	8AM-9PM

The past condition of approval was “No athletic event shall begin later than 6:00 p.m., with the exception of Freeport High School triple-header soccer games which shall start no later than 7:00 p.m.” This change, last made in 2019 extended the hours from the original approval. The changes presented by the applicant, for consideration by the Board now, and as shown in the table above, would result in the following: fall practice times would end later; music is currently not allowed but would now be allowed during playoffs; the restriction on the number of night games would be removed; a third party using the facility could now use lights; weekend use would be allowed on Saturday and Sunday between 8am-9pm.

Site Changes – There are no proposed changes to any site features such as parking and circulation, signage, landscaping and buffering, stormwater management, utilities and/or solid waste. The changes before the Board tonight, relate to “Special Features” (Section 602.F.1.f) and are regulated by Section 515. “Noise Regulation” of the Freeport Zoning Ordinance and Section 521.B “Section 521.B – Athletic Field Lighting in the Village 1 district”. Section 515 sets average decibel levels for various zoning districts and in addition, does include a standard that “Athletic events in the Village 1 (V-1) District shall not use amplification for any reason after 10PM, except as allowed in Sec. 515. E below.” (without a special permit from the Codes Enforcement Officer). These standards would also apply to the proposed music for playoff games. Section 515 sets standards for athletic field lighting, in particular this section does include standards for the timing of the use of the lighting.

RSU 5 Guidelines for Use of the Joan Benoit-Samuelson Track and Field - Part of the past review and approval, was discussion about the “RSU 5 Guidelines for Use of the Joan Benoit-Samuelson Track and Field.” This was a document developed and approved by the RSU regarding the use and restrictions for the facility. The document did address many concerns identified during the review process, and any applicable conditions of approval by this Board were incorporated. Although this is a document of the RSU, as a condition of approval, the applicant was required to submit a copy of the final document to the Planning Department. An amended copy of the document was included in this submission, with the proposed changes noted. The document itself is not something regulated by the Board, however we

want to ensure that any conditions of approval are appropriately incorporated. The applicant is still required to comply with the standards of the Town of Freeport Zoning 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 currently developed and used by Regional School Unit 5 for the Morse Street School, Freeport High School and the Joan Benoit Samuelson Track and Field. The project is in the Village I District (V-1). The parcel abuts the Village Commercial I (VC-I) District and 295 on one side. The amendment only pertains to modifying past conditions of approval. 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 Freeport Design Review Districts. No new buildings are proposed at this time. 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. 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 affecting 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.

No 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 any signage 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.

The applicant is proposing to amend past conditions of approval, in particular in regards to the timing of use of the facility. The changes before the Board tonight, relate to "Special Features"

(Section 602.F.1.f) and are regulated by Section 515. "Noise Regulation" of the Freeport Zoning Ordinance and Section 521.B "Section 521.B – Athletic Field Lighting in the Village 1 district". Section 515 sets average decibel levels for various zoning districts and in addition, does include a standard that "Athletic events in the Village 1 (V-1) District shall not use amplification for any reason after 10PM, except as allowed in Sec. 515. E below." (without a special permit from the Codes Enforcement Officer). Section 515 sets standards for athletic field lighting, in particular this section does include standards for the timing of the use of the lighting. The applicant will be re-testing the previously installed PA system to confirm that the noise levels are still within the allowances of Section 515. "Noise Regulation" of the Freeport Zoning Ordinance. The RSU 5 Guidelines for Use of the Joan Benoit-Samuels Track and Field have been updated to reflect the proposed amended conditions of approval. The 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 any exterior 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. 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 any landscaping are proposed. Existing landscaping and 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:

- (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 or the Shoreland Zone. The lot will be connected to the public water and public sewer system. There is an existing Site Location of Development Permit from the Maine Department of Environmental Protection for this property. 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 amendment to the previously granted condition of approval, for Regional School Unit # 5, regarding the use of the facility and the (PA) system at the Joan Benoit-Samuels Track and Field (Tax Assessor Map 11, Lot 24), submission dated 07/06/2022, to be built substantially as proposed, 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. The applicant shall submit an updated verification from a qualified professional that the PA system still complies with the applicable decibel levels as previously presented and in accordance with the current standards of the Freeport Zoning Ordinance.
3. The schedule for athletic events is amended as proposed by the applicant however must still comply with the applicable standards of the Freeport Zoning Ordinance and in particular, the standards of Section 515 and Section 531.B, pertaining to noise and lighting.
4. The applicant will not permit non-school officials from using artificial noisemakers, including but not limited to, air horns, blow horns, sirens, cow bells and other artificial means of noise generation.

Regier Property – Stream Crossings	
Property Location:	Tax Assessor Map 20, Lot 95 (56 South Street)
Zoning Information:	Rural Residential I, Rural Residential II, Stream Protection and Shoreland Area
Review Type(s):	Shoreland Zone Permit
Waivers Requested:	None

Background: The applicant is seeking approval of a Shoreland Zone Permit to install a rock ford stream crossing (shown as IS-8 in the submission) on their residential property on South Street. Since the area of the stream crossing is in Stream Protection, review of the project is required by the Project Review Board, per Section 305, Table 1 (line 15.d) of the Town of Freeport Shoreland Zoning Ordinance.

Section 306 of the Town of Freeport Shoreland Zoning Ordinance has standards for the various allowable Shoreland Area land uses. For permits that pertain to the use of Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland, the reviewing authority is referred by Section 306

to the detailed approval standards in the Chapter 31, Town of Freeport Coastal Waters Ordinance.

In addition to municipal review, the proposed crossings will also require a level of review and permitting from both the Maine Department of Environmental Protection and the Army Corps of Engineers. The applicant is aware of this and has been in contact with both agencies. Those agency reviews are independent of the Board's process with their own standards and should either of those agencies require substantial changes, the applicant may need to return to the Project Review Board for additional review and approval.

Project Information: The applicant is proposing to replace one existing stream crossing with new structure of a different design and in a location below the existing non-functioning crossing. The crossing is being replaced to improve the current conditions of ongoing erosion in the Concord Gully Brook which is an Urban Impaired Stream. The crossing, as shown in the submission, will be a rock ford (Note: This will be a third crossing, as the Board previously approved two other stream crossings on this property).

A memo (dated 07/14/22) from the Natural Resources Conservation Service has been included in the submission and gives details on the conditions of the stream and suggested some options for a new crossing. The new ford is proposed is a new location in part due to the lower bank in the area of the proposal and the fact that it will have minimal impact to the channel and flows compared to other options. Details on the design the crossing has been included in the submission and were prepared by Sebago Technics.

The project will include removing the old culverts (and the 50-75 c.y. of fill associated with them) that are blocked and no longer functioning (they are no longer located within the stream due to the water creating a new stream channel over time). The current channel area has a steep slope and significant erosion; part of the project will include stabilizing a portion of the existing bank with rip rap and cleaning up the deposition in the original channel and cleaning up some existing dead vegetation. The object of this will be to reestablish a full channel and flood plain in this area which will slow the water flow and stop the water from cutting the channel over an existing sewer line.

Erosion and sedimentation control plans have been included in the submission and will include the use of hay bales, filter fabric and silt fence.

Proposed Findings of Fact

Article XIII.8.a of the Town of Freeport Coastal Waters Ordinance – Approval Standards

a. Standards. The following standards are applicable to all projects.

- i. The project shall be no larger in dimension than is necessary to carry on the activity and is consistent with the conditions, uses and character of the surrounding area; and it shall not adversely affect water use by adjacent properties.

The applicant is proposing to replace one existing stream crossing with new structure of a different design and in a location below the existing non-functioning crossing. The crossing is being replaced to improve the current conditions of ongoing erosion in the Concord Gully Brook which is an Urban Impaired Stream. The crossing, as shown in the submission, will be a rock ford. The crossing been designed to effectively allow for the passage of water while protecting the resource. The project should improve the conditions in Concord Gully Brook including the conditions on the adjacent downstream properties. The Board finds that this standard has been met.

- ii. The total length of a project from the highest annual tide line shall not exceed one hundred twenty-five (125) feet, and no part of the project (e.g., walkway, dock, wharf, platform, ramp or float) may extend more than one-fourth of the way across the width of a water body or wetland, as measured by the total straight line distance from the highest annual tide of the shoreline on which the project would be placed to the highest annual tide mark of an opposing shoreline.

This project will be located in non-tidal waters. The Board finds that this standard has been met.

- iii. The property for which the project will be constructed shall have a minimum of sixty (60) feet of shore frontage. No more than one pier, dock, wharf, float or similar structure extending or located below the normal high-water line of a water body or within a wetland is allowed on a single lot.

The crossing will replace an old crossing that is no longer functioning. The new design will change to a ford and will be moved from the location of the old crossing due to slope issues. The Board finds that this standard has been met.

- iv. For projects in non-tidal areas, all portions of a non-residential project shall not be wider than six (6) feet.

This project is on a residential property. The Board finds that this standard has been met.

- v. New permanent projects on non-tidal waters shall not be permitted unless it is clearly demonstrated to the Codes Enforcement Officer and/or the Project Review Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the Natural Resources Protection Act.

This project does not pertain to a pier or dock. The Board finds that this standard has been met.

- vi. Construction of the project must be completed within two (2) years of final approval.

The applicant is aware that they have two years from final approval to complete the project. The Board finds that this standard has been met.

- vii. The project must not unreasonably interfere with customary or traditional public access ways to, or public trust rights (fishing, fowling, and navigation) in, on, or over the submerged lands; unreasonably interfere with fishing or other existing marine uses of the area; unreasonably interfere with existing developed or natural beach areas; unreasonably diminish the availability of services and facilities necessary for commercial marine activities; and unreasonably interfere with ingress and egress of riparian owners. No project located on a river, stream, or brook shall obstruct public access to navigable portions of such water body upstream or downstream of the project. The project may require accommodations such as steps or pier elevations allowing passage over or beneath the structure.

This project is on private property and will not impact public access ways to submerged lands; will be designed to meet and State and/or Federal requirements for fish passages; will not impact beach areas or marine activities; and, will not impact navigable waters. The Board finds that this standard has been met.

- viii. The project will not pose hazard to navigational channels, nor pose a hazard to navigation by obscuring visibility or by the display of distracting lights or reflective material. If appropriate the project will display appropriate warning lights to aid in navigation and public safety at the discretion of the Harbor Master, the US Coast Guard, or the Army Corps of Engineers.

This project is not located within a navigational channel. The Board finds that this standard has been met.

- ix. The project will not encroach into, interfere with, or pose a hazard to: municipal or federal navigational channels; existing mooring or berthing areas (commercial and recreational); public access, public rights of way, public and

private launching ramps in any Freeport Coastal Waters.

This project is not located within a navigational channel or mooring areas and will be located on private property. The Board finds that this standard has been met.

- x. The project will be developed on soils appropriate for such use and construction so as to control erosion.

Plans for the crossing were developed by Sebago Technics with the USDA – NRCS (United States Department of Agriculture – Natural Resources Conservation Service) also providing guidance to the property owner. The plans include methods for erosion and sedimentation control and bank stabilization. The new crossing is designed to improve the existing conditions of the brook which has significant erosion. The Board finds that this standard has been met.

- xi. The project will not cause water quality or other coastal resources to be degraded including developed or natural beach areas, marshes, grasses and wildlife habitats.

There are no coastal resources such as beach areas or marshes associated with this project. The project is not expected to negatively impact any wildlife habitats. The Board finds that this standard has been met.

- xii. The project shall be located so as to minimize adverse effects on fisheries, and shall not significantly impact fisheries or shellfish harvesting. Prior to approval applications may be reviewed by the Shellfish Commission.

The proposed crossing may require a level of review and permitting from both the Maine Department of Environmental Protection and the Army Corps of Engineers. The applicant is aware of this and has been in contact with both agencies. If such reviews are required, part of the review will pertain to the impacts on fisheries. The project will not have any impacts on shellfish harvesting. The Board finds that this standard has been met.

- xiii. Registration and Identification will be required on all ramps and floats.

This project does not include a ramp or float. The Board finds that this standard has been met.

- xiv. No new structure shall be built on, over or abutting a float, pier, wharf, dock or other portion of the project unless the structure requires direct access to the water body or wetland as an operational necessity. No existing structure built on, over or abutting a float, pier, wharf, dock or other portion of a project shall be converted to a dwelling unit - residential.

This project is limited one stream crossing (two additional were previously approved) and nothing will be built on, over or abutting a float, pier, wharf, or dock. The Board finds that this standard has been met.

- xv. Structures built on, over or abutting a project, or other structure extending beyond the normal high-water line of a water body or wetland shall not exceed twenty (20) feet in height above the project or other structure.

This project is limited one stream crossing (two additional were previously approved) and nothing will be built on, over or abutting a float, pier, wharf, or dock. 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 Article XIII.8.a of the Town of Freeport Coastal Waters Ordinance

Proposed Findings of Fact

Section 404 of the Town of Freeport Shoreland Zoning Ordinance – Administering Permits

The Project Review Board, the Coastal Waters Commission, or the Codes Enforcement Officer shall approve an application for a permit, only upon finding that the use, activity or structure complies with all requirements of this Ordinance and that it meets the following criteria:

1. Will maintain safe and healthful conditions;

The new stream crossing will improve the conditions in the Concord Gully Brook and will not create unsafe conditions. The Board finds that this standard has been met.

2. Will not result in water pollution, erosion, or sedimentation to surface waters;

Erosion and sedimentation control plans have been included in the submission and will include the use of hay bales, filter fabric and silt fence. The Board finds that this standard has been met.

3. Will adequately provide for the disposal of all wastewater;

No wastewater will be created from this project. The Board finds that this standard has been met.

4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;

The proposed crossing may require a level of review and permitting from both the Maine Department of Environmental Protection and the Army Corps of Engineers. The applicant is aware of this and has been in contact with both agencies. If such reviews are required, part of the review will pertain to the impacts on fisheries. The project is not expected to have adverse impacts on spawning grounds, fish, aquatic or other wildlife. The Board finds that this standard has been met.

5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;

In addition to the new ford, the project will include removing the old culverts (and the 50-75 c.y. of fill associated with them) that are blocked and no longer functioning (they are no longer located within the stream due to the water creating a new stream channel over time). The current channel area has a steep slope and significant erosion; part of the project will include stabilizing a portion of the existing bank with rip rap and cleaning up the deposition in the original channel and cleaning up some existing dead vegetation. The object of this will be to reestablish a full channel and flood plain in this area which will slow the water flow and stop the water from cutting the channel over an existing sewer line. Public points of access to inland and coastal waters will not be impacted. The Board finds that this standard has been met.

6. Will protect archaeological and historic resources as designated in the comprehensive plan;

No known archaeological and historic resources are known to be on the site.

7. Will not adversely affect existing commercial fishing or maritime activities in a Marine Waterfront District;

The parcel is not located within the Marine Waterfront District. The Board finds that this standard has been met.

8. Will avoid problems associated with floodplain development and use; and

Portion of the project area is in a flood plain and the project will be reviewed by the Codes Enforcement Officer as a Flood Permit from the Codes Enforcement Officer will be required.

9. Is in conformance with the provisions of Section 306, Land Use Standards.

The lot is existing and no changes to the lot are proposed that would impact the minimum lot standards. This project will include a stream crossing and not the creation of any other new principal and/or accessory structures that are not water dependent. This project does not include campgrounds, individual private campsites, parking areas, no new roads and driveways, signs, septic systems, essential services, mineral exploration, agriculture, an independent shoreline stabilization project, and/or the removal of hazard or dead trees. The proposed project will improve conditions in Concord Gully Brook by minimizing existing erosion issues in the Urban Impaired Watershed. An erosion control plan has been included with the submission and been designed considering the proposed improvements and natural features of the site. There are no known archaeological resources on the site. Limited clearing is proposed and will be limited to what is required to complete the project. Plans for vegetation clearing and revegetation will be reviewed by the Codes Enforcement Officer at such time that a permit is issued for the project and will need to comply with the standards of Section 306 of the Town of Freeport Shoreland Zoning Ordinance. 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 Section 404 of the Town of Freeport Shoreland Zoning Ordinance.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve a Shoreland Zoning Permit for Rod Regier, for one stream crossing and bank stabilization at his residential property at 56 South Street (Tax Assessor Map 20, Lot 95), to be built substantially as proposed in a submission dated 07/28/2022, finding that it meets the standards of Article XIII.8.a of the Town of Freeport Coastal Waters Ordinance and meets the standards of Section 404 of the Town of Freeport Shoreland 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 the start of any sitework for the project, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.

Freeport Station Apartments – Multiple-Family Dwelling – PUBLIC HEARING	
Property Location:	Tax Assessor Map 11, Lots 127 & 128 (0 Depot Street & 8 Mill Street).
Zoning Information:	Village Commercial I (VC-I), Design Review District One – Class C & Color Overlay District
Review Type(s):	Design Review, Site Plan Review and Subdivision Review
Waivers Requested:	None

Background: The applicant is presenting preliminary plans for an 18,600 sf, three story building, with 67 dwelling units on a parcel of land currently used as a parking lot and located at the corner of Mill Street and Depot Street. The unit types will consist of 67 units. Vehicular access to the site would be from an existing access way off of Depot Street. The submission does include a net residential acreage calculation; there are 0.64 acres of net residential acreage on the site. No environmentally sensitive areas have been identified on the site and there is no land per dwelling unit requirement in this zoning district.

Since this parcel is in the Village Commercial I Zoning District, and based upon the location and the proposed multiple-family dwelling use, Design Review, Site Plan Review and Subdivision Review are all required. Although subdivision review is required, in this District, an applicant is not required to provide any open space. The Board deemed the review of the Site Inventory Map, Site Analysis and Conceptual Plan complete at the June 15, 2022 Project Review Board meeting.

With regards to Site Plan Review, the space and bulk standards for the Zoning District (ie: building height, lot coverage, setbacks...) are contained in Section 413. Village Commercial "VC-I" of the Freeport Zoning Ordinance.

Utilities: There are public utilities in this area and the applicant does intend to connect to the utilities. Capacity to serve letters from the applicable utilities were included in the submission; a letter from MaineWater (dated 06/22/22) and a letter from the Freeport Sewer District (dated 07/12/2022). Per the Freeport Subdivision Ordinance, utilities serving subdivisions shall be installed underground (unless a waiver is requested and granted). This is something that the applicant will need to confirm with regards to electric service.

Lighting: Lighting cut-sheets and a photometrics plan were included in the submission. In some cases, some of the footcandle measurements at the property lines appear to be in excess of what is allowed per Section 521.A of the Freeport Zoning Ordinance. The applicant should review this and include any required changes in the final submission.

Access & Circulation: Vehicular access to the site will be off an existing access-way on Depot Street. The applicant will need to include any legal documents pertaining to rights to the accessway and maintenance of this access in the final submission. The applicant will need to demonstrate the entrance will meet the standards of the Freeport Subdivision Ordinance for site distance.

Any other existing vehicular accessways on the site will be removed. Pedestrian connections to sidewalks on Mill Street and Depot Streets will be provided. Some work is shown to the sidewalk in the public right of way; review and approval by the Council will be required for these proposed improvements as this is beyond the purview of the Project Review Board. Permitting from the Freeport Department of Public Works will be required.

The Town Engineer did review the information included in the submission regarding traffic and circulation. Per his memo dated 08/04/2022, he states: "Per Appendix E, item 4 of the Subdivision Ordinance, I recommend a more detailed analysis of the site access, vehicle trip distribution, and level of service. The Applicant provided an estimate of the average number of daily vehicle trips and peak hour volumes, which I agree with these two calculations. The estimates exceed the threshold of 40 parking spaces provided and 400 daily trips, which may require a Traffic Impact Analysis study." Does the Board have thoughts on this? Due to the expected number of trips generated, this project will not require a Traffic Movement Permit from the Maine Department of Transportation.

Parking: The applicant is proposing some on-site (25 spaces) and off-site parking and the design will need to comply with the standards of Section 514 of the Freeport Zoning Ordinance with regards to both the number of spaces required and the dimensional requirements for standard parking stalls and accessible parking spaces. The exact number of parking spaces will need to be calculated once the number of bedrooms in each unit are confirmed. Since these properties are in the Village Commercial I Zoning District, they have the option to provide shared or non-shared parking. The parking calculation would be based upon which type of parking they choose to meet the parking requirement of Section 514. Off-street Parking of the Freeport Zoning Ordinance with. They also would have the ability to lease parking per the requirements of Article V of the Town of Freeport Traffic and Parking Ordinance and which case any leasing would need to be through the oversight of the Town and could not be directly from another property owner unless they are entered into the shared parking leasing pool.

Stormwater Management: The project is located in an Urban Impaired Watershed. Stormwater Management and Erosion Control Plans were included in the submission. Initial review comments from the Town Engineer are included in a memo dated 08/04/22. Any comments should be incorporated into the final submission. No

permits from the Maine Department of Environmental Protection are required. Overall, there will be a slight decrease in the amount of impervious area on the site.

Design Review: The exterior façades of the building have been modified based upon comments at the last meeting and has been designed to consider the overall height and scale. The design incorporates the use projections and recesses on each façade. Building materials have also been updated including window style, adding some bay windows trim and other architectural details seen on nearby Class A & B structures.

For materials, the lower portion of the facades will have a brick veneer face and the remainder of the siding will be fiber cement material with a clapboard style. Trim will have a minimum width of six inches and will also be fiber cement material. Windows will be double hung with mullions. Cut sheets of all proposed materials should be included with the final submission. Doors will be rectangular with sidelites and materials will include aluminum and PVC. The roof line will be flat with a membrane roof and areas with raised roof parapets. The smaller roof canopies over the entrances will not be flat and will have shingles.

Other: Article 11.8.C.2 of the Freeport Subdivision Ordinance has the following standard: “2. Retention of Natural or Historic Features. Proposed subdivisions which include or are adjacent to buildings, sites, or districts on the National Register of Historic Places or which the comprehensive plan has identified as being of historical significance shall be designed in such a manner as to minimize the impacts on the historic features. When the historic features to be protected include buildings, the placement and the architectural design of new structures in the subdivision shall be compatible with the historic structures. The Board shall seek the advice of the Maine Historic Preservation Commission in reviewing such plans. The applicant has included a letter from the Maine Historic Preservation Commission in the submission and in the letter they reference the abutting property which contains the First Parish Congregational Church (n/f MeetingHouse Arts) which is part of the Main Street Historic District. In the letter, the abutting building and district were noted, but no comments regarding the compatibility of the new structure were included. This is something that warrants additional follow-up.

Process: This is considered a Subdivision-Major (per Article III of the Freeport Subdivision Ordinance) and process includes three levels of review – conceptual, preliminary and final. The Board is at the preliminary review phase and this is when the public hearing is held. The Board could take action on the preliminary subdivision plan at this meeting and if chooses to do so, the applicant would then finalize plans and submit the additional required information per the Freeport Subdivision Ordinance and any conditions of preliminary approval before returning for final approval.

For the Site Plan Review and Design Review components of the project, the Board does not need to take formal action, however should continue to give the applicant any feedback regarding these components that they should consider as they work toward finalizing plans to demonstrate that the standards are met.

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the preliminary subdivision plans submitted by 10 Depot Street, LLC., for the proposed Freeport Station Apartments (Tax Assessor Map 11, Lots 127 & 128) for a 67-unit multi-family residential subdivision, preliminary plan set site layout plan sheet dated 07/2022. 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 submission requirements of the Freeport Subdivision Ordinance, including, but not limited to Article 8, Appendix C, and Appendix H of the Freeport Subdivision Ordinance.

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

Background: This will be a continued discussion from the April 2022 Project Review Board meeting when the Board tabled the review of the preliminary plan for more information to be submitted. The general layout of the plan remain unchanged since the last meeting however additional information on traffic, soils, hydrology, septic systems, and nitrate plumes has been provided. In addition, the applicant has changed from having individual wells for each unit, to three wells that would be considered Community Water Supplies as regulated by the State of Maine with regular testing and reporting to the State being required.

The Codes Officer/Local Plumbing Inspector had previously raised the issue of the State minimum lot sizes for septic systems and the need to make sure those requirements are met; this issue appears to have been resolved in coordination with the State and our Local Plumbing Inspector.

The preliminary plans remain 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. Each duplex 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.

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 complete at the September 2021 meeting. The public hearing and initial review of the preliminary submission was conducted at the April 2022 Project Review Board meeting.

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). Copies of MDOT Entrance Permits have been included in the submission (dated 06/27/22).

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. His review of the updated plans will be forthcoming.

Traffic: The applicant has included an additional 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. The applicant to make sure to get sign-off from the Fire Chief to make sure the layout and design can accommodate municipal fire fighting apparatus.

Utilities: There are no public utilities in this area, so units would be served by private wells and septic systems. The location of septic systems and wells have been shown on the plan. The applicant is proposing three wells that would be considered Community Water Supplies as regulated by the State of Maine with regular testing and reporting to the State being required.

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 and will need to be submitted. In addition, the applicant should make sure that all passing test pits comply with the standards of Article 11.6.B.2 of the Freeport Subdivision Ordinance, and in particular the standard regarding the limiting factor for the passing test pits.

Additional information on water quantity and wastewater have been included in the submission. The Freeport Subdivision Ordinance does have a standard that says "Within one (1) year of the date of purchase, each lot owner shall be guaranteed by the subdivider access to a supply of potable water of at least three hundred and fifty (350) gallons/day, or the purchase price shall be refunded." The applicant will need to update their submission to demonstrate if this standard can be met.

Since the wells and septic systems will be shared, private, utilities, the applicant should ensure that the Homeowner's Association Documents contain adequate provisions for the future care and maintenance of these facilities, along with provisions required by the State for the community water supply. It is suggested that such provisions be reviewed by the Town Attorney as part of their review of the legal documents for the project.

Stormwater: Due to the size and nature of the project, a Site Location of Development (SLODA) Permit from the Maine Department of Environmental Protection (DEP) will be required. The MDEP has given the applicant some feedback on their submission, however review and approval of the SLODA permit is still pending. 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 were included in an email dated 04/11/2022 and additional review comments based upon the revised submission will be forthcoming. The project will also require a Maine Construction General Permit and a Tier One Wetlands Alteration Permit.

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 with an updated net residential acreage calculation. 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 have not been included in the submission. Provisions for the ownership of the open space will need to meet the requirements of the Freeport Subdivision and Freeport Zoning Ordinances and legal documents pertaining to the use and/or ownership of the open space shall be included in the final submission. If the applicant is going to transfer the open space, a draft deed should be included in the final submission.

Phasing: The site plan does include a phasing line that depicts two construction phases. Details on phasing and timing should be included in the final 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 updated 07.06.2022. 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 submission requirements of the Freeport Subdivision Ordinance, including, but not limited to Article 8, Appendix C, and Appendix H of the Freeport Subdivision Ordinance.
- 5) Prior to returning for final approval, the applicant obtain approval from the Maine Department of Environmental Protection for the Site Location of Development Permit.
- 6) The applicant submit applicable legal documents including provisions regarding the use and ownership of the open space and draft Community Association Documents including provisions for the long term care and maintenance of septic system and wells, including any provisions required by the State for the community water supplies, all to be reviewed and approved by the Town Attorney.

1. **Historic Property Name(s):**
2. **Street Address:** 123 Main Street
3. **Tax Parcel:** 11-84
4. **Survey Date:** 5/23/2019

Architectural Data

5. **Style and/or Form:** Greek Revival/Neo-Colonial Revival
6. **Stories:** 2
7. **Appendages and Additions (Porches, Ells, Dormers, etc.):** Bay windows, rear ell, large addition off of south elevation, gable dormer
8. **Windows:** Multi-light fixed wood windows (replacements), 12/12 double-hung wood (replacements), wood fanlight (not original)
9. **Roof Configuration and Materials:** Side gable, asphalt shingles
10. **Chimneys:** Brick, interior
11. **Exterior Wall Materials:** Wood Clapboard
12. **Foundation:** Granite, concrete
13. **Outbuildings and Barns:** Attached mixed-use New England barn with wood clapboard siding, cornice returns, and faux Palladian window
14. **Alterations:** Fenestration on façade of original structure has been completely reconfigured, large addition (1987) dominates property; barn fenestration changed with removal of barn door for pedestrian door and multi-light windows, faux Palladian window added
15. **Site Features:** Elevated patio in front of addition framed by a stone wall, brick pathways from side with granite steps up to entry door, picket fence along north section of sidewalk, large paved parking lot on north
16. **Significant Architectural Elements of Style:** Deep cornice and eaves, cornice returns

Historical Data

17. **Construction Date:** c.1820
18. **Architect/Builder (If Known):**
19. **Significant Person:**

20. **Historic Context:** Current house is not likely the original on the site. 1987 addition and changes in fenestration significantly diminish its integrity. It is no longer representative of its style or time period.

1. **Historic Property Name(s):**
2. **Street Address:** 123 Main Street
3. **Tax Parcel:** 11-84
4. **Survey Date:** 5/23/2019

Photos



1. **Historic Property Name(s):**
2. **Street Address:** 123 Main Street
3. **Tax Parcel:** 11-84
4. **Survey Date:** 5/23/2019





MEMORANDUM

TO: Caroline Pelletier, Town Planner

CC: Cecilia Smith, Assistant Planner

FROM: Earl Gibson, Public Works Superintendent

DATE: February 3, 2020

SUBJECT: RSU Track Use Amendment

Caroline.

After reviewing the plans for this project, currently I didn't have any concerns regarding public works.

Earl



MEMORANDUM

TO: Caroline Pelletier, Town Planner
FROM: Adam S. Bliss, P.E., Town Engineer
DATE: August 4, 2022
SUBJECT: Freeport Station Apartments
0 Depot Street and 8 Mill Street
Map 11, Lots 127 and 128

I received the Preliminary Major Subdivision and Large Site Plan application dated July 27, 2022, for review. The application is well organized and thoroughly responds to the required items in the Subdivision and Zoning Ordinances. I have reviewed the technical engineering components of the project for general compliance with the Town Ordinances and generally accepted engineering standards. I offer the following comments for consideration. Please know that Drawing revisions and a resubmittal are not requested before the Project Review Board meeting on August 17, 2022. The Applicant should provide written responses to the non-drawing related items, including traffic impact, easements, and parking agreement, among other noted items.

A. Application

1. Please correct the building square footage and the number of units (pages 2 and 3).
2. The minimum site distance is 160 feet per the Zoning Ordinance Section 512.D.5. Please review.
3. Please clarify the number of studio, 1-bedroom, and 2-bedroom units. There appear to be minor discrepancies in various parts of the application.
4. Please clarify the proposed number of parking spaces. There appear to be minor discrepancies in various parts of the application.
5. Per Appendix E, item 4 of the Subdivision Ordinance, I recommend a more detailed analysis of the site access, vehicle trip distribution, and level of service. The Applicant provided an estimate of the average number of daily vehicle trips and peak hour volumes, which I agree with these two calculations. The estimates exceed the threshold of 40 parking spaces provided and 400 daily trips, which may require a Traffic Impact Analysis study.
6. Where will the off-street parking spaces be located? What is the status of the parking agreement with the parking lot owner?
7. Please provide a traffic turning movement exhibit that shows the ability of a ladder fire truck to enter and exit the site.

B. Stormwater

1. Please provide a stage-storage-discharge table demonstrating the 0.5" storm doesn't bypass the treatment system. The drawdown time should also be provided.
2. Please verify surcharging will not occur within the storm drain system due to the bypass weir.

C. Plans

1. The Boundary Plan and General Notes Plan reference an easement providing access to the site, but the location is unknown. The Applicant should ascertain the location or execute an agreement with the abutting property owner since the access driveway is not on the subject property.
2. Please show the relevant easements on the plans, such as sanitary sewer, overhead utility, and driveway access.
3. The Boundary plan references the sanitary sewer as approximate in location. The Applicant's consultant should coordinate with the Freeport Sewer District and Maine Water Company for precise utility information.
4. What are the pipe diameters and inverts of the storm drains within Depot Street? Please add this information to all applicable plans.
5. Section 514.B.10 requires van-accessible parking spaces to be 11 feet wide. Please revise all applicable plan sheets and details accordingly.
6. I recommend a Stop Sign and Crosswalk at the driveway entrance of Depot Street.
7. I recommend No Parking signs and striping at each end of the parallel parking spaces adjacent to the building.
8. Please confirm with the Code Enforcement Officer whether the transformer and concrete pad are considered structures with the setback.
9. An overhead utility line is proposed across the L.L. Bean parking lot. Has the Applicant coordinated this work with Central Maine Power? Will an easement need to be executed between L.L. Bean and CMP?
10. Note 4 on the Site Utilities Plan references an Electrical Site Plan. Please include this drawing within the plan set.
11. The 137 contour does not appear to tie out at the building near the retaining wall and at the existing contour on Mill Street.
12. Please include additional spot grades along the curb line at the back of each parking row.
13. I notice it is impractical to direct some areas around the building to the Sand Filter system. Can the Applicant increase the system treatment volume above the required $\frac{1}{2}$ " to account for the untreated areas?
14. DMH-101 is downstream of the Sand Filter system. Why does it have a bypass weir? Should the Section label read DMH-100? Or is the weir intended to detain stormwater within the system? Please clarify.
15. Please check the elevations and dimensions on the Subsurface Sand Filter section. The Section also contains a Drawing reference that should read DWG C-303. Please correct pipe diameter discrepancies between the DMH Plan and Section views.
16. I recommend a Stabilized Construction Entrance along the entire width of the access drive on DWG C-106.

D. Other

1. The Town has a Sidewalk Maintenance Ordinance that requires business owners to remove snow and deice sidewalks within the Village District. Mill Street is located within this District.
2. How will construction access be managed concerning pedestrians and the general public? Are there plans to install temporary construction fencing along the Limits of Work, thus impacting the right-of-way and sidewalks?
3. Have the parcels been merged for Tax Map 11, Lots 127 and 128? A merger will likely be a requirement during the permitting process.
4. Please have the Applicant coordinate with the abutting lot owner (First Parish Church) regarding the sanitary sewer work. The property owner should be made aware of the plans.



MEMORANDUM

TO: Caroline Pelletier, Town Planner
CC: Cecilia Smith, Assistant Planner
FROM: Earl Gibson, Public Works Superintendent
DATE: August 4, 2022
SUBJECT: Freeport Station Apartments

Caroline

Summit to Freeport Public Works Department for highway opening permits when connecting to utility.

Provide an ADA Accessible Ramp at the crosswalk leading into the parking garage.

Provide an ADA Accessible Ramp at the crosswalk crossing Depot St.

Earl



MEMORANDUM

TO: Caroline Pelletier, Town Planner

CC: Cecilia Smith, Assistant Planner

FROM: Earl Gibson, Public Works Superintendent

DATE: August 4, 2022

SUBJECT: Harraseeket Ridge.

Caroline

All entrance permit and permit need within the ROW of RT 1 will be MDOT reasonability

Earl