



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, NOVEMBER 16, 2022**

<b>American Eagle Signage – Design Review Certificate</b>	
Property Location:	Tax Assessor Map 11, Lot 22 (35 Main Street)
Zoning Information:	Village Commercial I (VC-I), Design Review District One – Class C & Color Overlay District
Review Type(s):	Design Review
Waivers Requested:	None

**Background:** The applicant is seeking approval of a Design Review Certificate for new and replacement signage for American Eagle (& aerie) at 35 Main Street. On the northern façade, the existing eagle sign will be removed and a new aerie sign (22.2 sf) will be installed and will consist of aluminum letters, black in color. Further down on the same façade, a new American Eagle sign (57.2 sf) will be installed with a different font style, but the same material and color. On the rear façade facing the middle school, one existing American Eagle sign (57.2 sf) will be replaced with a new version with the updated font, materials and color and a new aerie sign (22.2 sf) will be installed. All signs have been designed to comply with the Freeport Sign Ordinance and specifically in regard to quantity and square footage. All new signage will be externally illuminated with gooseneck lighting fixtures. There are no outstanding items with this application.

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

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

*No changes to the scale of the building 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 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.

*No changes to the rhythm of solids to voids in the front façades are proposed. 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 any proportions of openings within the facility are proposed. Based upon this information, the Board finds that this standard has been met.*

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

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

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

*The rhythm of spaces to 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".**

*On the northern façade, the existing eagle sign will be removed and a new aerie sign (22.2 sf) will be installed and will consist of aluminum letters, black in color. Further down on the same façade, a new American Eagle sign (57.2 sf) will be installed with a different font style, but the same material and color. On the rear façade facing the middle school, one existing American Eagle sign (57.2 sf) will be replaced with a new version with the updated font, materials and color and a new aerie sign (22.2 sf) will be installed. All signs have been designed to comply with the Freeport Sign Ordinance and specifically in regard to quantity and square footage. All new signage will be externally illuminated with gooseneck lighting fixtures. 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 SB Signs, Courtney Boutin, at 35 Main Street (Tax Assessor Map 11, Lot 22), to be substantially as proposed, application dated 11/03/22, 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.

<b>Freeport Village Apartments – Multiple-Family Dwelling – PUBLIC HEARING</b>	
Property Location:	Tax Assessor Map 11, Lot 132 (22 Main 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 was last before the Board in September 21, 2022, when they presented conceptual plans for a multiple-family dwelling at the site. At that meeting, the Board deemed the review of the Site Inventory Map, Site Analysis and Conceptual Plan complete as the Board found that the appropriate areas were determined for development and no open space was required.

Plans remain relatively similar to the last presentation, and the applicant is proposing two new, three-story, multiple-family dwellings (approximately 4,600 sf footprint each) with a total of 30 residential dwelling units and associated site improvements. The proposed unit types remain unchanged; with fourteen (14) one-bedroom units and sixteen (16) two-bedroom units.

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 submission does include a net residential acreage calculation (Sheet C100-A); there are 0.35 acres of net residential acreage on the site. There is no land per dwelling unit requirement in this zoning district.

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.

**Site Features:** 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 will be required and should be included with a subsequent submission. Power will come from West Street and underground electric lines are proposed. Detailed information on lighting, including information on fixtures and a photometrics plan should be included with a subsequent submission.

The applicant is working on plans for stormwater treatment and is considering an underground stormwater treatment tank. Some of the stormwater from a municipal catch basin drains to this site and will be re-routed. Due to the size and nature of the development, stormwater permitting from the Maine Department of Environmental Protection will not be required. Stormwater management and erosion control plans were included in the submission and have been reviewed by the Town Engineer; review comments are included in a memo dated 11/10/22 (attached).

Vehicular access to the site will be off West Street and the existing vehicular access from Main Street will be removed. The access will be one-way and 18 feet in width, proposing to exit over the Town Hall site. There is an existing agreement in place that allows this, but it is something that the applicant would need to work with the Town of Freeport (Town Manager & Town Council) to formalize; it is beyond the purview of this Board but should be resolved prior to returning for final approval. Based upon the use and the number of units, the project will not meet the threshold for a Maine Department of Transportation Traffic Movement Permit. The Town Engineer has requested some additional

information on traffic; see comments in memo dated 11/10/2022 (attached). A Driveway Entrance Permit from the Freeport Department of Public Works will be required. In addition, the Superintendent of Public Works has included some comments regarding snow removal, signage and striping in a memo dated 11/11/22 (attached).

Pedestrian connections to the building will be provided through walkways leading to entrances on multiple facades of the buildings. These walkways will tie-into the existing sidewalks on both Main Street and West Street. If any work is proposed in the public right of way, it will need to be coordinated with the Town and approval from the Town Council could be required depending on the scope of work.

The applicant is proposing 33 on-site parking spaces. Since the property is 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; in this case they can meet the off-street parking requirement for either shared or non-shared parking on-site.

The plan is to retain and repair much of the existing stone wall on the property. A landscaping plan has been included in the submission. The different plan sheets conflict with the locations of plantings and whether or not they are proposed on public or private property; this should be clarified in the final submission as this Board only has purview over the private property components of this project. Does the Board have any feedback for the applicant on the proposed landscaping plan?

**Building Design:** Updated building renderings have been included in the submission including photo renderings (as requested) depicting how the building will relate to the environment and downtown area. Two buildings are proposed, reducing the overall size of the building and footprint and the length of façades along the road. Overall, the building façades have been designed to incorporate the style and details of more traditional New England architecture. Stone minor alterations have been made to the design including the elimination of the entrance on West Street.

The façade has been broken up with building projections, openings, entrances and trim details all which help to minimize the expanse of the building façades. Details on building materials are noted on the renderings. The parcel is in the Color Overlay District so the applicant can use any paint colors from any paint manufacturer's historic color palette without needing approval from the Board.

The amount of proposed green space on the site has increased from the original submission and includes a pocket park on the corner of West and Main Streets, space between the buildings and more green space on the sides of the buildings. An entrance with wall (and railing) is still shown along the rear building façade (facing Depot Street) providing a connection between the parking areas and buildings.

**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. No waivers have been requested by the applicant.

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 LWS, LLC., for the proposed Freeport Village Apartments (Tax Assessor Map 11, Lot 132) for a 30-unit multi-family residential subdivision, preliminary plan set dated 10/26/22 with the Preliminary Subdivision Plan Sheet (C100-a) dated 04/20/22, revised through 10/25/22. 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.



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## MEMORANDUM

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**TO:** Caroline Pelletier, Town Planner  
**FROM:** Adam S. Bliss, P.E., Town Engineer   
**DATE:** November 10, 2022  
**SUBJECT:** Freeport Village Apartments  
LWS Development  
22 Main Street and West Street  
Map 11, Lot 132  
VC-1 District

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I received the Preliminary Subdivision and Site Plan application dated October 26, 2022, for review from the Applicant and their consultant, Trillium Engineering Group. I offer the following comments for discussion at the Project Review Board's meeting on November 16, 2022.

### Technical Engineering Review Comments

1. The parcel is located within the Concord Gully Brook watershed, an urban impaired stream. The developer will be responsible for stormwater quality and quantity treatment of all runoff from the site. Updated stormwater calculations will need to be provided before the final application submittal. Existing impervious areas are not grandfathered and need water quality treatment.
2. The Applicant should consult with the Town Engineer and Public Works Department to verify the public stormwater drainage system has adequate capacity to receive flows from the development.
3. The Applicant proposes a driveway entrance approximately 165 feet from the Main Street intersection. A Street Opening Permit will be necessary, and a consultation with the Public Works Department and Town Engineer is requested. The proposed access drive width should be reduced from 18 feet so it does not present as a two-way drive.
4. The Applicant will need to consult with the Town Manager's Office and the Public Works Department concerning the request for a driveway easement across the Town Hall property.
5. The Applicant should provide a narrative that addresses the standards set in Article 11.5, Traffic Conditions. The Narrative should include the traffic counts and turning movements at the West Street intersection. The Applicant will need to demonstrate that queuing will not be problematic. Site Distances should also be provided in the Narrative and shown on the plans.
6. The Applicant should identify all permits that may be necessary for the development. A list of potential permits and ability to serve letters is contained within Article 8 of the Subdivision Ordinance.
7. One van-accessible parking space measuring 11' x 18.5' should be provided.
8. The driveway culvert should be a minimum of 15" in diameter.
9. Where is the nearest fire hydrant located?



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## MEMORANDUM

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**TO:** Caroline Pelletier, Town Planner

**CC:** Cecilia Smith, Assistant Planner

**FROM:** Earl Gibson, Public Works Superintendent

**DATE:** November 11, 2022

**SUBJECT:** Freeport Crossing Apartments

Caroline.

After reviewing the plans for this project, I have the following comments.

- 1 A Street Opening Permit will be required from the Public Works Department. A consultation with the Town Engineer and Public Works Department is requested.
- 2 The Applicant will need to consult with the Town Manager and the Public Works Department concerning the request for an easement across the Town Hall property and snow removal
- 3 One-way signs are to be installed where agreed to with the Town Engineer and Public Works Department. Should be noted on site plan
- 4 Don't Enter signs are to be installed where agreed to with the Town Engineer and Public Works Department. Should be noted on Site plan
- 5 All snow removal of the driveway and walkways will be the responsibility of the Applicant.
- 6 Any signs or pavement striping within the Town ROW must be approved by Public Works Department and Complete Streets Committee. Should be noted on site plan

Earl