



TOWN OF FREEPORT, MAINE
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TO: FREEPORT PROJECT REVIEW BOARD
FROM: CAROLINE PELLETIER, INTERIM TOWN PLANNER
RE: STAFF REPORT
DATE: Wednesday, December 18, 2019

LL Bean – Corporate Campus Renovations	
Property Location:	Tax Assessor Map 20, Lots 98-ETC & 101
Zoning Information:	Design Review District I – Class C, Commercial III (C-III) & Industrial I (I-I)
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

Background: The applicant was before the Board at the July 24, 2019 meeting, where they received approval of a Site Plan Amendment for renovations to their corporate campus on Casco Street. They are now returning to the Board for approval of a phasing plan for the buildout of the project. As the Board is aware from the past review, there is a significant amount of sitework with this project and therefore a large project cost. A standard condition of approval of the Board is that the applicant establish a performance guarantee based upon the cost of all sitework. If a phasing plan is approved, the amount of the performance guarantee will be broken up between the two phases. This will still ensure that the project gets completed as approved, however will reduce financing costs to the applicant.

Per Section 602 of the Freeport Zoning Ordinance, the applicant has two years from the date of approval to initiate construction. The definition of “initiate construction” in Section 104 of the Zoning Ordinance is: “The completion of a portion of the site improvements which represents no less than thirty (30) percent of the costs of the proposed site improvements within an approved project. For the purposes of this ordinance, improvements shall mean roads or parking lots, sidewalks, utilities, stormwater facilities, and erosion control.” The applicant anticipates that they will meet or exceed that threshold fairly quickly in the process and, if that is the case, their approval will remain valid during the phasing plan as proposed.

A phasing plan has been included in the submission; Phase One will be the rear portion of the site and building and Phase Two will be the front portion along Lower Main Street. Phase One will start now and be completed by 2021 and Phase Two will be completed between 2022-2023.

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

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

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

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

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

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

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

No changes to the previously approved plans 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 the previously approved plans 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 to the previously approved plans 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 the previously approved plans 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 the previously approved plans 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.

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

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

No changes to the previously approved plans 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.

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

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

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

- l. Environmental Considerations:** A site plan shall not be approved unless it meets the following criteria:
(1) The project will not result in water pollution, erosion or sedimentation to surface waters;

- (2) The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
- (3) The project will conserve shoreland vegetation;
- (4) The project will conserve points of public access to waters;
- (5) The project will adequately provide for the disposal of all wastewater;
- (6) The project will protect archaeological and historic resources;
- (7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

The parcel is not within the Marine Waterfront District or the Shoreland Area. Other than phasing of the development, no changes to the previously approved plans are proposed. Based upon this information, the Board finds that this standard has been met.

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Site Plan Amendment for LL Bean for a phasing plan for the Corporate Campus Renovation Project (Tax Assessor Map 20, Lots 98-ETC & 101), to be built substantially as proposed, application dated December 11, 2019, 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 findings of fact and conditions of approval of the July 24, 2019 Project Review Board approval of the LL Bean Campus Reconfiguration Project are still applicable, with the exception of the following:
 - a. The Board approves the Phasing Plan for the buildout of the development, as presented in this application, with Phase I sitework to be completed between 2019-2021 and Phase II sitework to be completed between 2022-2023.
 - b. Prior to the start of any sitework for each phase of the project, the applicant will be required to establish a Performance Guarantee, in the amount to cover the cost of all site work associated with the project phase, to be reviewed and approved by the Town Engineer and in a form acceptable to the Town Attorney. The performance guarantee shall cover the cost of all site work, including the road, landscaping, erosion control, and stormwater management etc. Along with the performance guarantee, a non-refundable administrative fee, at the rate adopted by the Freeport Town Council, be paid.

LL Bean – Flagship Store	
Property Location:	Tax Assessor Map 11, Lot 64-ETC
Zoning Information:	Design Review District I – Class B.
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

Background: The applicant is seeking approval of a Site Plan Amendment at the LL Bean Flagship Store on Main Street. The applicant is proposing to remove the existing Austrian Pines and other lower growing vegetation located along the side of the existing structure along Justin’s Way. A replanting plan is proposed within the footprint of the existing planting area and includes species such as Arborvitae, Crabapple, Bayberry, grasses and other low growing species. There are no outstanding items with this application.

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

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

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

The applicant is proposing to remove the existing Austrian Pines and other lower growing vegetation located along the side of the existing structure along Justin's Way. A replanting plan is proposed within the footprint of the existing planting area and includes species such as Arborvitae, Crabapple, Bayberry, grasses and other low growing species. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

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

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 to surface water drainage are proposed. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

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

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

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

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

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

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

The applicant is proposing to remove the existing Austrian Pines and other lower growing vegetation located along the side of the existing structure along Justin’s Way. A replanting plan is proposed within the footprint of the existing planting area and includes species such as Arborvitae, Crabapple, Bayberry, grasses and other low growing species. Based upon this information, the Board finds that this standard has been met.

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

- (1) The project will not result in water pollution, erosion or sedimentation to surface waters;
- (2) The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
- (3) The project will conserve shoreland vegetation;
- (4) The project will conserve points of public access to waters;
- (5) The project will adequately provide for the disposal of all wastewater;
- (6) The project will protect archaeological and historic resources;
- (7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

The parcel is not within the Marine Waterfront District or the Shoreland Area. The applicant is proposing to remove the existing Austrian Pines and other lower growing vegetation located along the side of the existing structure along Justin’s Way. Based upon this information, the Board finds that this standard has been met.

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

Proposed Motion: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Site Plan Amendment for LL Bean for a the removal of trees and new replacement landscaping at the Flagship Store (Tax Assessor Map 11, Lot 64-ETC), to be built substantially as proposed, application dated 11/27/2019, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any site work, the applicant do the following:
 - a. Establish a performance guarantee in the amount to cover the cost of all proposed landscaping, with the amount to be reviewed and approved by the Town Engineer, and in a form acceptable to the Town Attorney. Along with the performance guarantee, a non-refundable administrative fee, at the rate adopted by the Freeport Town Council, be paid.
 - b. Establish an inspection account, in the amount of \$200.00 for inspection of the site improvements by the Town Engineer.

Reiche Residence – Bartol Island	
Property Location:	54 Bartol Island Road - Tax Assessor Map 20, Lot 89
Zoning Information:	Island District
Review Type(s):	Site Plan Amendment
Waivers Requested:	None

Background: The applicant is seeking approval of a Site Plan Amendment for the clearing and removal of vegetation at their residential property on Bartol Island. Per Section 426. B of the Freeport Zoning Ordinance, in the Island District, “Clearing and removal of vegetation subject to Sec. 426.D.4” is subject to Site Plan Review (Section 602) and is also subject to the following standards (section 426.D.4):

- “The clearing and removal of vegetation are subject to the following:
- a. The right to cut and restore trees and shrubs that are disturbed by the forces of nature;
 - b. The right to gather, use, or remove dead wood, provided that no tree supporting an osprey nest may be cut;

- c. The right to cut timber standing where a permitted structure is to be erected;
- d. The right to cut trees and shrubs only if the purpose is to maintain and encourage a healthy forest environment and a well distributed stand of trees is retained. The plan must be approved by a Licensed Forester”

The proposal submitted by the applicant includes cutting and pruning of trees within 75’ of the water. About 75 trees within about 1,000 foot length of shoreline will be removed. Some of the trees are dead or diseased. The applicant has submitted a plan from Gregory E. Foster. He is from Timberstate G. Inc., who are licensed professional foresters. The plan has been developed to comply with regulations for clearing of vegetation in the Shoreland Area and the Standards per Section 426.D.4 of the Freeport Zoning Ordinance. Since portions of the subject property are within the Shoreland Area, the Codes Officer has reviewed the submission for its compliance with Shoreland Area regulations.

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 landscape are potential methods of preserving the scenic vista.

The proposal submitted by the applicant includes cutting and pruning of trees within 75’ of the water. About 75 trees within about 1,000 feet of shoreline will be removed. Some of the trees are dead or diseased. The applicant has submitted a plan from Gregory E. Foster, from Timberstate G. Inc., who are licensed professional foresters. The plan has been developed to comply with regulations for clearing of vegetation in the Shoreland Area and the Standards per Section 426.D.4 of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

b. Relation of Proposed Buildings to the Environment.

The design and layout of the buildings and/or other development areas shall encourage safety, including fire protection. Proposed structures shall be related harmoniously to the terrain and to existing buildings 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, façade openings, architectural style and details), building materials and signs.

If the structure is in the Design Review District, the Planning Board shall incorporate the findings of the Board of Review in its findings. If the structure is located in the Route One Corridor between the Yarmouth Town line and Desert Road, and the Planning Board determines that the structure may not be compatible with its surroundings, it may require that the Design Review Board conduct an advisory review before the Planning Board makes a final decision.

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

c. Vehicular Access.

The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrian traffic patterns. Special consideration shall be given to the location, number and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts.

Access to the site and buildings will remain unchanged and will be from the private section of Bartol Island Road. 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.

Access to the site is existing and no changes to parking or vehicular 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 to surface water drainage are proposed. Based upon this information, the Board finds that this standard has been met.

f. Utilities.

All utilities included in the site plan shall be reviewed for 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 Planning 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 utilities are proposed. Based upon this information, the Board finds that this standard has been met.

g. Advertising Features.

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

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

h. Special Features.

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

No changes to any special features are proposed. Based upon this information, the Board finds that this standard has been met.

i. Exterior Lighting.

All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public.

No additional lighting is proposed at this time. 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.

Access to the site is from Bartol Island Road and no changes are proposed. All Public Safety Department Heads have reviewed the proposal. Based upon this information, the Board finds that this standard has been met.

k. Landscaping.

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

The proposal submitted by the applicant includes cutting and pruning of trees within 75' of the water. About 75 trees within about 1,000 feet of shoreline will be removed. Some of the trees are dead or diseased. The applicant has submitted a plan from Gregory E. Foster, from Timberstate G. Inc., who are licensed professional foresters. The plan has been developed to comply with regulations for clearing of vegetation in the Shoreland Area and the Standards per Section 426.D.4 of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

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

- 1. The project will not result in water pollution, erosion or sedimentation to surface waters.**
- 2. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;**
- 3. The project will conserve shoreland vegetation;**
- 4. The project will conserve points of public access to waters;**
- 5. The project will adequately provide for the disposal of all wastewater;**
- 6. The project will protect archaeological and historic resources;**
- 7. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.**

The parcel is in the Island District and per Section 426. B of the Freeport Zoning Ordinance, in the Island District, "Clearing and removal of vegetation subject to Sec. 426.D.4" is subject to Site Plan Review. The proposal submitted by the applicant includes cutting and pruning of trees within 75' of the water. About 75 trees within about 1,000 feet of shoreline will be removed. Some of the trees are dead or diseased. The applicant has submitted a plan from Gregory E. Foster, from Timberstate G. Inc., who are licensed professional foresters. The plan has been developed to comply with regulations for clearing of vegetation in the Shoreland Area and the Standards per Section 426.D.4 of the Freeport Zoning Ordinance. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of Section 602 Site Plan Review.

Proposed Motion:

Be it ordered that the Freeport Project Review Board move to approve the printed Findings of Fact, and the Site Plan Amendment for Bartol Island LLC, at 54 Bartol Island Road (Tax Assessor Map 20, Lot 89D), for the clearing and removal of vegetation, to be built substantially as proposed, finding that it meets the standards of the Freeport Zoning Ordinance, submission dated 11/14/19, with the following conditions of approval:

- 1) This approval incorporates by reference all supporting 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 of approval.