

MINUTES
FREEPORT PROJECT REVIEW BOARD
FREEPORT TOWN HALL COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 20, 2021
6 p.m.

PRESENT: Linda Berger, GERALYN Campanelli, Ford Reiche, Vice Chair Adam Troidl, Tod Yankee and Caroline Pelletier, Town Planner

EXCUSED: Chair Guy Blanchard

Vice Chair Troidl called the meeting to order at 6:03 and noted that Chair Guy Blanchard is excused this evening.

ITEM I: Information Exchange

1) Update on Staff Approvals

Mr. Pelletier advised that the Board got a copy of the Staff Approvals in their digital packets. There were a lot of sign permits. It has been busy. There was a new sign for the Freeport Vet. They have been a long time in the Shaw's Plaza next to Dunkin Donuts. They are redoing their sign in a previously approved space. We had some signs for Haberdashery which is on Main Street where the Foreside Company was located years ago. Today's approval was for a name plate sign for Mast Landing. They are going in the existing ground sign kiosk at the entrance to Freeport Crossing. We have a new sign for Sherman's and a replacement sign for Brown Goldsmith. We have sign modifications for Gosselin's Day Care on U.S. Route One South. We have replacement signs for Island Treasure Toys on Bow Street. Next door we have a new store moving in that does gold, silver stamps and other collectibles. M.A. Storck so they have new business replacing old business signs. The one thing that is in there that probably looks weird and the Board is wondering why she is giving them numbers on a spreadsheet. That is the parking recalculation for Arts and Cultural Alliance of Freeport for the Meeting House Arts. The current parking regulations require them to take the square footage and then they can deduct certain areas. They come to you, get approval and once we see the final interior plans, we go through and calculate the parking and figure out what they need. That was just a Staff Approval of the parking recalculation.

2) Update on Planning Board agenda items

Ms. Pelletier advised that the Planning Board worked on Shoreland Zoning and Board of Appeals. They forwarded it on to the Council and the Council approved the Board of Appeals Amendments. They tabled the Shoreland Zoning Amendments for some further discussion and clarification and were kind of workshopping on that language. They also recently approved some solar amendments which were adopted and she thinks within the next month or two, the Board might see an application for a solar farm in Freeport using the new standards.

If anyone wants a Zoning Ordinance, she was waiting for Shoreland Zoning stuff to go through but since it is going to take a bit longer than she anticipated, if you do want a new printed copy of the Ordinance, she would be happy to get that for you. The Ordinance on line had amendments made to it last night so that should be updated the beginning of the week so you can use that version if you prefer.

The Planning Board has also been looking at adding some cross references to Noise regulations. That kind of came out of one of the subdivisions we have where the neighbors felt the impacts from the noise and different construction activities on the site so they had the Noise Ordinance amended and wanted some cross references added to the Zoning and Subdivision. The Planning Board will have a public hearing on that and it really is just adding a cross reference to the Noise Ordinance. They have been

looking at the standards for food trucks because it has become a hot topic. They have talked off an on about food trucks and making our process a little easier and cleaning up the standards to allow food trucks to have some different things like a generator, a chair or some other stuff if they are accessory to a business.

The last two things are resulting from the Emergency Ordinance that we tried out different things in the downtown area. Those two things they are looking at is amending the Temporary Activities Standards that would clarify food truck uses and allow the repurposing of parking lots which is limited during certain times of the year and clarifying the Temporary Activity Permit where you need to pay attention to ADA parking and pedestrian access because we have been noticing that that has been creating some issues for people that really rely on that accessibility. The Planning Board has been talking about a provision to allow temporary outdoor seating which would be accessory. Like we saw with COVID, people could put some outdoor seating so the thought is if they were going to do it from May to October, and it is truly accessory to what they are doing and the remaining months it goes away, that they would be able to do that with limited approval assuming they are not changing impervious surface, they are putting it on an existing paved area, etc. but they wouldn't trigger the need for parking. The one thing we will also need to look at is how Design Review ties into that. That is what the Planning Board has been up to.

Ms. Campanelli asked if the Board gets an application for solar, does it affect the whole ordinance? Ms. Pelletier advised that it affects the whole ordinance in the fact that there are definitions and the solar uses were added to different zoning districts but the solar standard submission requirements are one section. If it comes forward, she will give the Board the whole section in your packets if that would be helpful. It is detailed knowing the time this Board puts into their applications, you will want to do a side by side and really go through it. It will be the first time so it will be a good test. Everything makes sense when it is going through the process but the first real test will be of applicability and looking back if it makes sense. She thinks it would be a good case where we will welcome feedback.

3) Update on the Freeport Downtown Vision

Ms. Pelletier mentioned she has been keeping the Board informed that the Freeport Downtown Vision has been reworked. We were supposed to have a Design Week this week with a series of open workshop sessions and a work studio and some big kick-off meetings. They decided it didn't seem the best idea considering the current situation with the pandemic now and the numbers. The Principle Group is working on statistics, maps and draft documents right now. The Design Week was bumped out and is tentatively scheduled for Thursday, February 3rd through Monday, February 7th. Details on different meeting schedules will be coming out and people will be able to sign up. In the meantime, you will start to see some new materials coming out. They have been updating the website. They sent an e-mail asking for feedback on what kind of meetings they would want to do. You might see some surveys that they are sending out asking for feedback on some of the early action things you saw such as the parklet in front of Derosier's, the improvements behind Starbucks's to the little green space and the temporary pop-up skateboard park. You should start to see some more communications coming from them and as she gets them, she will send them to the Board. She warned the Board might see duplications if they are on the mailing list but we want to make sure that all of our Boards and Committees are included in that process.

ITEM II: Review of the minutes from the July 21, 2021, August 25, 2021, and September 15, 2021 Project Review Board meetings.

Vice Chair Troidl mentioned that the Board was talking before the meeting and in July and September we don't have a quorum of people here that attended those meetings so we can only vote on the August minutes. He advised that he, Linda, Ford, and Tod were at that meeting.

MOVED AND SECONDED: That the Minutes of the August 25, 2021 meeting be approved as presented. (Reiche & Yankee) **VOTE:** (4 Yes) (1 Abstention-Campanelli) (1 Excused-Blanchard) (0 No)

Vice Chair Troidl noted the other two will be tabled to next month.

ITEM III: Reviews

Daniel Residence – Design Review Certificate

The applicant is seeking approval of a Design Review Certificate for exterior alterations at their property at 19 South Street. A 11-foot x 33-inch infill addition is proposed. Zoning District: Village Mixed Use 2 (VMU-2), Design Review District II – Class C & Freeport Village Overlay District. Tax Assessor Map 10, Lot 2 (19 South Street). Dennis and Ruth Daniel, applicant and owners.

Ms. Pelletier explained that the Board has a submission in their packet. The Daniels have a residential structure on South Street which is in Design Review II. They have a set of recessed stairs that are in a little addition area on their house. That area is small so they want to infill the area where the stairs are and put an 11 feet by 33-inch-wide addition along the front façade of the building. The addition will be constructed of wood and sided with vinyl to match the existing house. They are not proposing any new windows in the 11' x 33" addition so it will be a solid façade. Along the bottom now it is currently open and you can see the cement posts and they are proposing to add some skirting which will essentially look like vinyl siding. The existing brick steps and walkway will be removed and they will cross over the walkway. It is in the Overlay District but because it is single-family, any standards of the Overlay District as far as design will come into review by the Codes Officer when the building permit is issued. The addition does have a new peaked roof as can be seen in the drawing. They are proposing to tie it into the existing roof.

Ruth Daniel and Dennis Daniel noted they did not have anything to add. They felt that Ms. Pelletier pretty much nailed it. The Board did not have any questions.

Design Review Ordinance: Chapter 22 Section VII.C.

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

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

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

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

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

The relationship of height to width of the 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 facade of the addition will be eleven feet in length and will not have any openings on the front. 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 openings are proposed for the front façade of the addition. Based upon this information, the Board finds that this standard has been met.

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

The addition will have a peaked roof with shingles that will connect to the existing roofline. 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 addition will be sided in vinyl as is the remainder of the house. Vinyl skirting is proposed to cover the area below where there are posts. 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 site is already developed and the addition is being added to a portion of the front façade. The addition will comply with the setback requirements of the applicable zoning district. Based upon this information, the Board finds that this standard has been met.

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

The existing brick steps and walkway will be removed. The area of the walkway will be grassed over. Based upon this information, the Board finds that this standard has been met.

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

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

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate Dennis and Ruth Daniel, exterior alterations including a building addition at 19 South Street (Tax Assessor Map 10, Lot 2), to be built substantially as proposed, application dated 09/28/2021, finding that it meets the standards of the Freeport Design Review Ordinance with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and 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 installation, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer. (Reiche & Campanelli) **VOTE:** (5 Yes) (1 Excused-Blanchard) (0 No)

The Paint Washes Out, LLC – Exterior Alterations

The applicant is seeking approval of a Design Review Certificate for exterior alterations to replace an existing door at their property on School Street. Zoning District: Village Commercial I (VC-I), Design Review District One – Class C & Color Overlay District. Tax Assessor Map 13, Lot 22A (15 School Street). The Paint Washes Out, LLC, applicant and owner; Laura Empey, representative.

Ms. Pelletier explained that this applicant was before the Board a few months ago when they were replacing some siding on their structure. They currently have a wood door on the front that has a hole on it and it is not in good shape so they want to replace it. Under the Design Review Ordinance switching from that wood to a different material required them to come to this Board. It is still going to

be the same location and the same shape. It will be aluminum with glass in the middle and you will see the bar across the middle. The representative is here.

Vice Chair Troidl asked the applicant if there was anything to add. The applicant did not have anything to add. Vice Chair Troidl mentioned he is fine with it but the aluminum material in that style store-front door in essentially a residential structure is a great example of if we had more prescriptive standards, then there could be fiberglass wood, things like that in that standard. It would avoid applicants coming to the Board for something as simple as this. It could look better and be easier. Having said all that, he is okay with it. He entertained a motion.

Design Review Ordinance: Chapter 22 Section VII.C.

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

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

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

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

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

The proportions of the 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 façade 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.

Proportions of openings within the facility will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

The roof shape of the building will not be altered. 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 current door is wood and is rotting. The new door will be aluminum with glass in the middle. There will be a horizontal bar in the middle. The door will be painted black. Based upon this information, the Board finds that this standard has been met.

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

The rhythm of spaces to buildings on the street will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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

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

"Sign Application Requirements".

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

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for The Paint Washes Out, LLC, for a new replacement door at 15 School Street (Tax Assessor Map 13, Lot 22A), to be substantially as proposed, application dated 09/29/2021, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions. (Campanelli & Yankee) **VOTE:** (5 Yes) (1 Excused-Blanchard) (0 No)

Winslow Park – Site Plan Amendment

The applicant is seeking approval of a Site Plan Amendment for beach access and ADA parking. New vegetation and pedestrian walkways will also be added. Zoning Districts: Rural Residential II (RR-II) and Shoreland Zone. Tax Assessor Map 25, Lot 67. Town of Freeport (Winslow Park), applicant and owner; Neil Lyman, Park Manager, representative.

Ms. Pelletier explained that the Winslow Park Commission is here seeking a Site Plan Amendment for new beach access and parking. They are looking to add a ramp to make the beach area more accessible for visitors. They are also proposing to add two ADA parking spaces which will have a walkway and a crosswalk that will lead to the new ramp. The ramp will be built into the existing erosion control wall and will land on a pad and there will actually be mats on the beach to help people access the water. This was not their first design but the layout you see before you is what they could do under Shoreland Zoning and best meets the accessibility requirement. The ADA parking was not their preferred location but due to coverage and the area already being disturbed, they are repurposing the existing surface to turn it into the ADA parking. They got some feedback from DEP and they did show they were going to retain existing vegetation, will add a tree and will have to take out the existing set of stairs once the new setup is in to comply with Shoreland Zoning. The Board has comments from our Town Engineer, Adam Bliss that were attached to the packets The applicant is here tonight if the Board has questions.

Mr. Yankee asked Mr. Lyman how the handicap parking spaces will affect people pulling in and out with trailers? He thinks people go up and then back down. Mr. Lyman advised that the handicap spaces won't be where people park their trailers. They will be the first parking spaces when they pull into that lot right on the right. He has been trying to redesign and get rid of some old dock garbage that was on the back of that lot so they can have some spaces direct in and direct back out to the boat ramp. They will have another discussion on whether they will pave that whole lot or just try to drain it and put in parking barriers. They are trying to utilize it so people don't just park where ever they want. Mr. Yankee clarified that the handicap spots will not be in the way of people going in and out and trying to position their trailers to go back up and around? Mr. Lyman advised that they will come into the lot directly on the right and there will be a walkway to a crosswalk to get direct access to the new ramp.

Ms. Berger mentioned that in the last application, it talked about picnic tables and the parking spots were going to be almost adjacent to the walkway area and she assumed the picnic tables were going to be over there. Now it doesn't say anything about where the picnic tables will be and there is no picture of where they are going to be.

Mr. Lyman advised that the problem is that on that surface they can't do any more paving or put gravel in. It is a pretty level surface, it is pretty firm and well drained so they will still put picnic tables and a sitting area there but unfortunately, they cannot put in a paved or hardened surface in that area. Ms. Berger asked if the picnic tables are going to be on the side of the road where the beach is? Mr. Lyman added that they will still be on the side of the road where the beach is in that oval. The issue is they can't make it a fully ADA accessible paved surface but they will have a sitting area there. It is a pretty sandy and well drained area that doesn't get mucky or anything. He noted he can put picnic tables there because they are not a permanent structure. It will basically be a sitting area off the walkway where they can move or remove the picnic table as they need to because of weather or whatever. Ms. Pelletier added that the picnic tables and benches are structures so they do have to be out of the shore setback which is 75 feet from the high-water mark.

Vice Chair Troidl noted the only question he has is that he believes it mentioned concrete plank instead of cast in place and for ADA he is sure Adam Bliss would have caught it but that will just be about keeping it even on the float. Mr. Lyman added that that will be up to whoever bids on it. Honestly, the precast ones are less expensive and make more sense in that area so they can set the grade and then set them in within the retaining barrier. He thinks the only cast in place one was the one at the bottom that was an odd size so they will have to cast it. They can cast it outside of putting it in but it makes more sense and is cheaper to just put it in there.

Vice Chair Troidl asked if there were members of the public wishing to speak? There were no public comments provided.

Ms. Campanelli referred to Adam Bliss's e-mail where he asked for specifications for the parking lot's gravel depth, types and asphalt thickness and must comply with the standards in the Town Ordinance. Mr. Lyman advised that they planned on doing this in a two-part series. The first part would be the actual ramp and the walkways on the side and doing the parking after because it would be kind of two separate areas. They will probably just use a normal paving company where we need someone licensed for shoreland to do the ramp. He is sure most of the people that will bid would be happy to do both. He would be happy to do that but it makes more sense for him to separate it. The paving at this point probably will not happen until spring but he is hoping to get someone on the ramp sooner than that if they can.

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 intent of the proposal is to improve accessible access to the beach with the installation of a new set of stairs and an ADA compliant ramp. The ramp will be built into the existing erosion

control wall. Existing vegetation will be retained, and additional vegetation will be added to the disturbed areas. A dogwood tree will also be added in the existing grassed area. There will be two paved parking spots on the opposite side of the existing road. Based upon this information, the Board finds that this standard has been met.

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

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

The parcel is not within the Design Review District. No new buildings are proposed. Based upon this information, the Board finds that this standard has been met.

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

Vehicular access to the site will not change. Based upon this information, the Board finds that this standard has been met.

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

There will be two paved parking spots on the opposite side of the existing road. Both spaces will be ADA compliant with one of the spaces will be ADA van accessible. Both spaces will be signed and striped as required. The spaces have been located to comply with Shoreland Zoning regulations. A new walkway and crosswalk will be installed to connect the parking spaces to the beach access and provide a safe connection. Based upon this information, the Board finds that this standard has been met.

- e. Surface Water Drainage:** Adequate provisions shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, down-stream conditions, or the public storm drainage system. The increase in rate of runoff in the post development condition shall be held to a zero or less percent of the predevelopment condition unless an engineering study has been performed as described in Section 529.2 above. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations

shall be based on a two year, ten year and twenty-five year storm frequency. Emphasis shall be placed on the protection of floodplains; reservation of stream corridors; establishment of drainage rights-of-way and the adequacy of the existing system; and the need for improvements, both on-site and off-site, to adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

The Town Engineer did review the plan; his comments are included in an email dated 10/14/21 (attached). He did request that the applicant will need to "...specify the parking lot gravel depths, types, and asphalt thickness in their bidding specifications. These specifications must meet the standards in the Town's Ordinance." No issues with stormwater management or erosion control were noted. Based upon this information, the Board finds that this standard.

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

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

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

No new signs are proposed. An existing sign will be relocated. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

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

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

Existing vegetation will be retained and additional vegetation will be added to the disturbed areas. A dogwood tree will also be added in the existing grassed area. Based upon this information, the Board finds that this standard has been met.

- l. Environmental Considerations: A site plan shall not be approved unless it meets the following criteria:**
- (1) The project will not result in water pollution, erosion or sedimentation to surfacewaters;**
 - (2) The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;**
 - (3) The project will conserve shoreland vegetation;**
 - (4) The project will conserve points of public access to waters;**
 - (5) The project will adequately provide for the disposal of all wastewater;**
 - (6) The project will protect archaeological and historic resources;**
 - (7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.**

This parcel is not within the Marine Waterfront District. The parcel is within the Shoreland Area and the design incorporates the requirements of Shoreland Zoning. The proposal will improve public access to the beach and will provide ADA access to the beach area and water. No known archaeological or historic resources will be negatively impacted. Based upon this information, the Board finds that this standard has been met.

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and a Site Plan for the Winslow Park, for a Site Plan Amendment including beach access and ADA improvements to provide access to the public beach, at their property on 50 Winslow Park Way (Tax Assessor Map 25, Lot 67), to be built substantially as

proposed, site plan dated 03/29/2021, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The applicant establish an inspection account in the amount of \$300 for inspection of the proposed site improvements by the Town Engineer.
- 3) That the parking lot gravel depth, types and asphalt thickness comply with the standards of the Town Ordinance. (Berger & Yankee) **VOTE:** (5 Yes) (1 Excused-Blanchard) (0 No)

Freeport Conservation Trust – Site Plan Review

The applicant is seeking Site Plan Approval for a new parking area for open space at 67 Old County Road. The area will be constructed of gravel and have space for three cars. Zoning Districts: Rural Residential I (RR-I) and Resource Protection I (RP-1). Tax Assessor Map 26, Lot 9. Freeport Conservation Trust, applicant and owner; Travis Pryor, Baker Design Consultants, representative.

Ms. Pelletier explained that this is before the Board as a parking lot for open space and the Board has seen one or two of these in recent times. The Conservation Trust has a property at 67 Old County Road. It is partially in Resource Protection and most of the lot is out of Resource Protection so they are proposing to build in the Rural Residential I section. This is one of three properties they own in the area. It is primarily wooded and abuts the Town of Yarmouth. It has frontage on the marsh and on the Cousins River. They did show some stream and wetlands on the site and also showed the Resource Protection. There is some Shoreland Zoning they are proposing to stay out of. They will be making space for three cars. It will be gravel and there will be two standard spaces and one space designed to be ADA compliant. If the Board looks at the drawing, you will note the ADA space was not shown wide enough but based on the overall width, they have the dimensions to adequately have that 11-foot width. They will sign that space accordingly. They have access off of the Town right-of-way and will have to work with Earl Gibson, Superintendent of Public Works regarding an entrance permit. One thing to be aware of, it is in the right-of-way but often they do require that the first 15 feet of the entrance be paved but again, it is in the right-of-way and is something they will have to work out with the Superintendent of Public Works. The standard stalls are oversized dimensions at 20 feet in length. They are trying to limit the clearing to the entrance and parking and leave some area for drainage and snow removal or storage operations in the winter. Travis Pryor is here for the Conservation Trust.

Mr. Pryor explained that he is with Baker Design Consultants here in Freeport and is a former Board member of the Trust. He introduced Ben Niles who is a current Board member of the Trust. He felt that Ms. Pelletier provided good technical background. He added that this is part of an effort the Trust has been working on with the Town for several years recognizing putting parking in remote or residential neighborhoods throughout the Town. This is a small parking lot. They have done four others in other areas of the town. This will be similar in scale of nature. He offered to answer questions for the Board. Signs are typically put on a post with a small enter sign at the entrance.

Vice Chair Troidl asked if there were members of the public wishing to provide comments. None were provided.

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 structures are proposed. The site will be cleared to allow for the entrance, parking, drainage areas, and for room for snow removal in the winter. Based upon this information, the Board finds that this standard has been met.

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

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

The parcel is not within the Design Review District. No new 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. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible.

Access to the parking area will be from a 22-foot-wide driveway; meeting the dimensional requirements of Section 512.D.10 of the Freeport Zoning Ordinance (for a non-residential, two-way driveway). Since this parcel is located on a portion of a town road, a driveway/entrance permit from the Town of Freeport will be required and has been added as a proposed condition of approval. Based upon this information, the Board finds that this standard has been met.

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

The parking area will be constructed of gravel and have parking space for three cars, with one space designed to be ADA compliant. The parking area provides for the 20 foot in length parking stalls and an aisle width of 24 feet. The stalls are depicted as 10 feet in width; nine is required. Eleven feet of width is required for the van accessible ADA space. The gravel area will

accommodate this width. Based upon this information, the Board finds that this standard has been met.

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

A culvert will be installed at the entrance to the site and the layout of the parking area will be graded to allow for adequate drainage. The applicant will follow the Department of Environmental Protection's Best Management Practices for erosion control during construction. The Town Engineer has reviewed the submission and did not identify any outstanding issues. His comments are included in an email dated 10/12/2021 (attached). Based upon this information, the Board finds that this standard.

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

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

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

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

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

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

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

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

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

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

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

Section 406.G.2. of the Freeport Zoning Ordinance has requirements for buffering. The applicant is proposing to retain the existing wooded vegetation on-site and will only remove what is required for the parking area and associated site features. No new landscaping is proposed. Based upon this information, the Board finds that this standard has been met.

- l. **Environmental Considerations:** A site plan shall not be approved unless it meets the following criteria:
- (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. No structures 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.

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and a Site Plan for the Freeport Conservation Trust for a new gravel parking area for open space, at their property on 67 Old County Road (Tax Assessor Map 26, Lot 9), to be built substantially as proposed, site plan dated 10/04/2021, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any sitework, the applicant obtain all applicable permits from the Freeport Public Works Department. (Reiche & Campanelli) **VOTE:** (5 Yes) (1 Excused-Blanchard) (0 No)

Mast Landing LLC – Subdivision Amendment – PUBLIC HEARING

The applicant is seeking approval for a Subdivision Amendment to a previously approved subdivision plan (The Beacon Residences). Some minor modifications to the recording plan are proposed, including updating some notes. The general layout of the project will remain unchanged. No additional units are proposed. Zoning District: Commercial IV (C-IV). Tax Assessor Map 22, Lot 24 (Conway Street and Rogers Road; formerly 6 & 8 Desert Road). Mast Landing, LLC, applicant and owner.

Ms. Pelletier explained that this was formerly referred to as the Beacon Residences. As we often find with subdivisions, they come through the review process and then they get their actual road names installed and the LLC changes. It is hard to find what it was originally approved under. Because they are in a subdivision, any changes to the recording plan required that they come back before this Board. You can only look at the changes before you so if you are saying you wished you had required a tree here, it is too late because it is not part of the application before you. She handed out to the Board a new Plan Sheet. One of the requirements at the Registry is that they have their proper address in because the properties had merged and they had new buildings. Their old address was on Desert Road and the new address is on Conway Street and Rogers Road so down in the name block it reflects the new address of Conway and Rogers. That is the only difference reflected on the paper copies.

Changes to the Plan, as they were building out, they noticed there was a note on the plan requiring sprinklers in the club house. The Code does not require sprinklers in the club house. This is on public water. She believes other buildings require sprinklers but this one did not. It was a cut and paste error that was left on the plan but because it was on the plan, they were going to have to comply with that unless they came back. They talked to our Acting Fire Chief Paul Conley and he agreed sprinklers are not required for the club house. They are removing that note from the plan. The other change is to meet the pedestrian connection, they proposed a walkway in the right-of-way. The Board was okay with that and felt it meant that the intent of the standard is this Board does not have purview in the right-of-way. They went to the Council and worked with the Manager and Public Works. This plan actually shows the location and the Board will notice the walkway curves a little bit so it retains the four trees out near Desert Road. They did lose some other trees but tried to retain those. They are actually going to add a couple of screening arborvitaes on their portion of the property but that is not something we usually show on the Recording Plan. Also, during the permitting process, when Nick Adams was going through to do permitting, he realized that the accessibility for the dog park needed some modification as far as where the gate was located and where the path to it went. There was a small modification in the dog park to adequately provide area between the parking lot and the dog park itself that is accessible to all

users. Over near Rogers Road and the Maintenance Building there is a mail kiosk. The last plan showed a bigger footprint than it was really going to have so this shows the current footprint that has been made smaller. As always, when they come back, they updated information as to the owner's name. They updated the map and lots and they always add a cross reference as to which plan it superseded and a note explaining what the changes are. Those are the changes before the Board. The applicant is here. This is a subdivision so it is a public hearing and the Board will need to open and close.

Bill Fletcher explained that he is an attorney for the applicant. He does not have anything specific to add and feels Ms. Pelletier did a nice job describing the minor modifications and corrections they have. He is here tonight with Aaron Hunter from Sebago Technics in the event there are any questions.

MOVED AND SECONDED: To open the public hearing. (Yankee & Berger) **VOTE:** (5 Ayes) (1 Excused-Blanchard) (0 No) The only member of the public noted he is simply observing tonight but this all sounded appropriate to him.

MOVED AND SECONDED: To close the public hearing. (Yankee & Berger) **VOTE:** (5 Ayes) (1 Excused-Blanchard) (0 No)

Ms. Campanelli referred to the Staff Report and pointed out that the date for the subdivision recording plan should be 10/18/21 not 9/27/21.

Proposed Findings of Fact:

11.1 Pollution

A. State Standard

Pollution. The proposed subdivision will not result in undue water or air pollution.

In making the determination, the Board shall at least consider:

- 1. The elevation of the land above sea level and its relation to the floodplains;**
- 2. The nature of soils and subsoils and their ability to adequately support waste disposal;**
- 3. The slope of the land and its effect on effluents;**
- 4. The availability of streams for disposal of effluents; and**
- 5. The applicable state and local health and water resources rules and regulations.**

The proposed changes will not create and additional air or water pollution for the project. Based upon this information, the Board finds that this standard has been met.

11.2 Sufficient Water

A. State Standard

Sufficient water. The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision.

The removal of the sprinklers in the club house could potentially lead to a decrease in the amount of water used by the project. Based upon this information, the Board finds that this standard has been met.

11.3 Impact on Existing Water Supplies

A. State Standard

Municipal water supply. The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used.

The removal of the sprinklers in the club house could potentially lead to a decrease in the amount of water used by the project. Based upon this information, the Board finds that this standard has been met.

11.4 Soil Erosion.

A. State Standard

Erosion. The proposed subdivision will not cause unreasonable sedimentation or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.

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

11.5 Traffic Conditions

A. State Standards

Traffic. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.

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

11.6 Sewage Disposal

A. State Standards

Sewage disposal. The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized.

No changes impacting sewage disposal are proposed. Based upon this information, the Board finds that this standard has been met.

11.7 Solid Waste

A. State Standard

Municipal solid waste disposal. The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized.

No changes impacting solid waste are proposed. Based upon this information, the Board finds that this standard has been met.

11.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas, or Public Access to the Shoreline

A. State Standard

Aesthetic, cultural, and natural values. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites,

significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline.

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

11.9 Conformance with Zoning Ordinance and Other Land Use Ordinances.

A. State Standard

Conformity with local ordinances and plans. The proposed subdivision conforms with a duly adopted subdivision ordinance, zoning ordinance, floodplain ordinance, the comprehensive plan, and other ordinances included in the municipal code as appropriate. In making this determination, the municipal reviewing authority may interpret these ordinances and plans.

No changes to the plan that would impact this standard are proposed as the changes would still comply with municipal ordinance requirements. Based upon this information, the Board finds that this standard has been met.

11.10 Financial and Technical Capacity

A. State Standard

Financial and technical capacity. The subdivider has adequate financial and technical capacity to meet the standards of this section.

No changes impacting financial capacity are proposed. Based upon this information, the Board finds that this standard has been met.

11.11 Impact on Water Quality or Shoreline

A. State Standard

Surface waters; outstanding river segments. Whenever situated entirely or partially within the watershed of any pond or lake or within two hundred and fifty (250) feet of any wetland, great pond, or river as defined in Title 38, Chapter 3, Subchapter I, Article 2-B¹, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

This parcel is not located within the watershed of a great pond or lake nor is it within the Shoreland Zone. Based upon this information, the Board finds that this standard has been met.

11.12 Impact on Ground Water Quality or Quantity

A. State Standard

Ground water. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

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

11.13 Floodplain Management

A. State Standard

Flood areas. Based on the Federal Emergency Management Agency’s Flood Boundary and Floodway Maps, Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.

The parcels are in Zone C, areas of minimal flooding, on the FEMA Flood Insurance Rate Maps (FIRM). Based upon this information, the Board finds that this standard has been met.

11.14 Identification of Freshwater Wetlands

A. State Standard

Freshwater wetlands. All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district.

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

11.15 Rivers, Streams, and Brooks

A. State Standard

River, stream or brook. Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of this section, “river, stream or brook” has the same meaning as in Title 38, Section 480-B, Subsection 9.

No changes impacting rivers, streams and brooks are proposed. Based upon this information, the Board finds that this standard has been met.

11.16 Storm Water Management

A. State Standard

Storm water. The proposed subdivision will provide for adequate storm water management.

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

11.17 Spaghetti Lots

A. State Standard

Spaghetti lots prohibited. If any lots in the proposed subdivision have shore frontage on a

river, stream, brook, great pond, or coastal wetland as these features are defined in Title 38, Section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than five (5) to one (1).

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

11.18 Phosphorus Impacts on Great Ponds

A. State Standard

Lake phosphorus concentration. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.

The development is not within the watershed of a great pond. Based upon this information, the Board finds that this standard has been met.

11.19 Impacts on Adjoining Municipalities

A. State Standard

Impact on adjoining municipality. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

The parcels do not abut or cross the municipal boundary. 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 Subdivision Ordinance.

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and subdivision plan amendment for Mast Landing LLC, for minor modifications to the previously approved recording plan for the Beacon Residences, located on Conway Street and Rogers Road (formerly 6 & 8 Desert Road) (Tax Assessor Map 22, Lot 24), subdivision recording plan dated ~~09/27/2021~~ 10/18/21, to be built substantially as proposed, finding that it meets the standards of the Freeport Subdivision Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The conditions of approval from the original subdivision approval are still applicable. (Campanelli & Yankee) **VOTE:** (5 Yes) (1 Excused-Blanchard) (0 No)

Ms. Pelletier advised that at the end of the meeting there are two paper copies for the Board to sign. If Board members want to pick them up at a later date, that is fine as well.

ITEM IV: Persons wishing to address the Board on non-agenda items.

Ms. Pelletier advised that last night the Council appointed a new female member to this Board and hopefully we will have a new member at the next meeting.

She doesn't have a date yet but the Council is looking at having a two-hour separate meeting with this Board and the Planning Board. The date will be forthcoming.

Mr. Reiche asked Ms. Pelletier to introduce the newly appointed member to the Board by e-mail. She might appreciate sitting down with one of us to get the scoop. She agreed as soon as she gets notified with all her information. She thinks one of the suggestions before was we use that presentation we did to the Council so we will share that with her.

ITEM V: Adjourn.

MOVED AND SECONDED: To adjourn at 7:40 p.m. (Reiche & Campanelli) **VOTE:** (5 Yes) (1 Excused-Blanchard) (0 No)

Recorded by Sharon Coffin