

MINUTES
FREEPORT PROJECT REVIEW BOARD HYBRID MEETING
FREEPORT TOWN HALL COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 16, 2022
6 P.M.

PRESENT: Chair Guy Blanchard, Linda Berger, Lynn Hamlen, Vice Chair Adam Troidl, Tod Yankee and Caroline Pelletier, Town Planner

ON ZOOM: Ford Reiche

EXCUSED: GERALYN Campanelli

Chair Blanchard called the meeting to order at 6:12 p.m. Ms. Pelletier pointed out that the Board received a request to take an item out of order before its reviews.

ITEM I: Information Exchange

1) Update on Staff Approvals

Ms. Pelletier advised that she has no staff approvals to report on. Devine Capital came in for signage but they were all interior facing and nothing could be seen from the right-of-way. They were mostly numbers and things they need for life safety. They are putting a sign on the clubhouse but it is nothing you can see from the right-of-way.

2) Update on the Freeport Downtown Vision

Ms. Pelletier thanked Board members and the public that participated in Downtown Design Week. They had a Thursday through Monday Kick-off meeting and a series of 6 or 8 topic sessions. They then had a closing workshop where our consultant, Principle Group rolled out some drawings which are displayed in the hallway here bringing people's ideas of the week to some drawings. They had a great turnout and perhaps 70 people at the kick-off and about 50 people participating virtually in the topic sessions, the open house and closing workshop. They had a lot of input and representation from this Board, Complete Streets, Sustainability, Planning and other Boards and Committees so there was a lot of turn out overall. The Vision is not done yet. That was just one part of the process. They are now working on a plan, an actual document and they will be presenting the first draft to the community. They are working on finalizing the schedule. It will be updated from the website. Tentatively the new date for the open house which will hopefully be an in-person event outside, is April 9th where they will roll out the first draft. There will be time to give feedback in another series of open meetings. If anyone was busy and did not have time to participate but are interested, they can go to the Freeport Downtown website and get background information. They can read past newsletters and can view the recordings to all of the topic sessions. Chair Blanchard came in and spoke with the Principle Group and shared some thoughts.

Chair Blanchard wanted to see if any Board members that attended the sessions wanted to share thoughts. Mr. Yankee advised that he was in two of them. He feels it would be helpful for him to see a map of where the process is and how it goes from these nice ideas to turn into something the Town can actually implement and how that process works. Ms. Hamlen advised that she attended the opening session and followed the rest haphazardly. She was impressed by the Principle Group in terms of how they led everyone through it. She thought it was very exciting and even if a portion of it can be accomplished, she feels it is good work. She enjoyed particularly hearing from people that grew up in Freeport and talked about the old Elm trees, what was missing and what they would like to see back. She feels their perspective is so important and she enjoyed it.

Ms. Berger advised that she listened to three of the sessions on Channel 3. She might be one of the few but she is not on board with all of this. She jumped on during Design Week and wonders how much of this is driven by just economic development versus what is really necessary to do downtown that will make effective change on certain things. One of the things has to do with all the work in changing regulations. She was surprised by how much people wanted change in the regulations and process but has also heard that in a few other things. They seemed to be surprised that this was regulation driven. She felt that was an interesting thing and she is not 100% there yet. She would like to hear more and

would like to understand if the goals when they started have now been adjusted, or changed or if that is what they started with and planned to end with or is there a revolving process we will see because of input coming in from various people? That is why we need to wait for the next one. Chair Blanchard agreed that it is definitely a process. He attended two of the sessions. One was on housing downtown and preserving the New England character of the downtown area. The other session was on zoning. He felt those two sessions probably pertain most to what we do here on the Project Review Board. He got a follow-up e-mail from them asking that he meet with them one on one to talk about historic preservation. They also invited Eric Smith, Executive Director of the Freeport Historical Society. While it started out under the guise of let's talk about historic preservation and how does this work in Freeport, it veered into what needs to change as far as how the Project Review Board operates and how the ordinances need to be changed or improved in order to make things work. He felt they had a candid conversation on a lot of issues we brought up on this Board about the Design Overlay in the Village Overlay sort of doing the same thing but overlapping so there are always multiple layers of reviews that occur and how this can be a challenge for a lot of applicants. He believes they got what he was saying and are planning to make recommendations to the Town Council as part of their final report or whatever they are putting together. He knows that next month we are still planning on talking with the Council. Ms. Pelletier agreed and noted from 5-6:30 p.m. the Council will be invited here before the Board's meeting. Chair Blanchard feels that the conversation he had with the Principle Group is one we will have again next month. As many times we can bring up these issues, the more likely they will hopefully be resolved. He did stress to them that the Board has the Comprehensive Plan for the Town happening at the same time so it is really important that this Visioning process and potential changes to the Ordinance and the Comprehensive Plan all sort of work together and start working together now going forward. That was the gist of the conversation and he felt it was interesting that they reached out. Ms. Pelletier added that they have done a lot of outreach among the stakeholders and residents. There were a lot of people strolling into the Chambers for one-on-one meetings and they have also done a lot of outreach to Board and Committee Chairs. During the remainder of the process, we will probably hear from them again. Again, the regulation one was interesting. Sitting up here the Board hears broad opinions from both sides, the applicants and the neighbors. People want clear regulation which is something this Board has been saying for a long time but people also want things done faster to make stuff happen. It will be interesting to see how that feedback comes into Design Week. Prior to Design Week the Town Council had a discussion about the review process in Freeport because they are hearing from people that it takes a long time and we have a lot of standards. They want to look at how we can remove some barriers to make some things easier so we are looking at the review and permitting process at this point in time. Specifically, Site Plan Review and if there are things we can do to Section 602 to bring forward some recommendations to either streamline the process or look at adjusting our thresholds. For example, are there certain things that come to you that you feel could have been delegated to the Staff Review Board or Staff to be done more efficiently and also preserve your time for things that are more complex applications? If anyone has feedback on that or would want to talk about it at the end of the meeting, we can do that. That being said, we are not including Design Review in this current discussion. Obviously, it is a much bigger discussion that the Board will be having with them next month.

ITEM II: Review of the minutes from the November 17th, 2021, and January 19th, 2022 Project Review Board meetings.

Chair Blanchard noted there are four Board members who were present at the November meeting.

MOVED AND SECONDED: To accept the minutes from the November 17, 2021 meeting as written and read. (Troidl & Berger) **ROLL CALL VOTE:** (4 Ayes- Berger, Reiche, Troidl and Yankee) (1 Excused-Campanelli) (2 Abstentions-Blanchard & Hamlen)

For the January meeting minutes, Ms. Berger advised that she has a word change on Page 7, fourth paragraph, she suggested changing *hybrid soils* to *hydric soils*. No objections to this change were voiced.

MOVED AND SECONDED: To accept the minutes from the January 19, 2022 meeting as read and amended. (Berger & Troidl) **ROLL CALL VOTE:** (4 Ayes-Berger, Blanchard, Troidl, Yankee) (2 Abstentions-Reiche & Hamlen) (1 Excused-Campanelli)

ITEM III: Reviews

Chair Blanchard mentioned the Board received a request to move one of the items up to the first item on the reviews. There was consensus from the Board to do that and no objection from the applicant.

RSU#5 Mast Landing Portable School Building – Site Plan Amendment

The applicant is seeking approval of a Site Plan Amendment to add a portable classroom building at the Mast Landing School (in the area currently used as a baseball field). Minor associated site alterations are also proposed. Zoning District: Medium Density Residential II (MDR-2); Rural Residential II (RR-2); and Freeport Village Overlay District (FVOD). Tax Assessor Map 20, Lot 75B and 75F (20 Mollymauk Lane & 0 Bow Street). Regional School Unit # 5, applicant and owner; Dennis Ouellette, Director of Facilities and Transportation, representative.

Ms. Pelletier explained that the Board has seen this at some of the other schools. Dennis Ouellette who is change of Facilities is here. They are looking to add a portable classroom at the Mast Landing School. There is an existing ballfield that they are not using for ball anymore. It is a fenced in area. They are proposing to put a portable classroom in that location that is already developed and fenced in. They will use the space that will connect to the existing paths and paved areas for a summer camp and a before and after care for a young child care they are already having on the site. This will give them additional space. One of the things that is appealing about this with young kids and kids outside is the area is fenced in and there is really only a small area of walkway connection that they need to add to lead to the ramp that will provide ADA access to the building. The building will be connected to public utilities. It is a pretty typical modular for a school building. Mr. Ouellette will explain what they will do regarding the exterior appearance of it. The site is well buffered. It is in the Overlay District and there are substantial trees between the main road and the structure. The road providing access is private. They did add a drip edge and the Town Engineer did review it and there were no concerns.

Mr. Ouellette pointed out that these modular buildings are not always as appealing as we think. We are buying this building brand new and will try to get a green or red siding to match the school in the surrounding woods. It won't be seen from the main road so it is a great spot for a daycare and playground. The ball field really hasn't been used in over ten years so this is a good use for it.

Mr. Yankee mentioned that Mr. Ouellette said it hasn't been used in ten years and he noted he could swear he went by there and there was Little League going on there in the spring but perhaps he is confused. Mr. Ouellette added that it has not been used for Little League for more than ten years. People have come in and used it on their own and they can still do that but it won't be a baseball field anymore. The Rec Department will be running the building for child care for before and after as well as the summer camp.

Ms. Berger asked if there will be changes made to the existing terrain of the ball field or will anything be taken out. Mr. Ouellette advised they will probably take out a little of the fence to provide access to the building. The ramps will have to be ADA ramps. That is pretty much it. It is a walk way and no grading changes are needed since it is pretty flat. He feels this is a great spot for them since there is not a lot of work to do. The utilities are right there so it makes life easy for them. The building will be sprinkled.

Ms. Hamlen had a question about who would be attending the sessions. Would children going to the school be coming to the before and after school programs? Mr. Ouellette advised that that is typically what happens. In the summer anybody signed up for the program there is a daycare piece to that. Ms. Hamlen asked if there is a sidewalk that children from Mast Landing School could walk around the circumference of where cars are in that loop and get to this without having to cross traffic? Mr. Ouellette advised that yes, there is a path that goes around. He noted the circle shown on the plan is a bus circle and is only used when the buses come in. There is no car traffic in this circle. He pointed out where there is a small walkway on the screen outside of the street. Children will not be walking in the roadway. He clarified that there will not be Moms driving in and dropping off directly at the portable but added there might be but mostly no. The working people will park up in the Employee parking lot. Mr. Reiche did not have any additional comments and the public did not provide any comments.

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 seeking approval of a Site Plan Amendment to add a portable classroom building at the Mast Landing School (in the area currently used as a baseball field). The structure will be about 27.5' x 68' with a wood ADA ramp proposed and wood steps to provide access. The building will have two classrooms and be used for daycare, before and after care and may be used for summer camp. Impacts to the site will be minimal. Landscaping will not be altered. 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. The structure will about 27.5' x 68' and will be located in an existing ballfield. Impacts to the site will be minimal and the structure should not be visible from the public road due to proximity and existing buffering. 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 traffic to the site will not be altered and is existing. 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 existing parking on-site are proposed and no additional spaces will be added. 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 drip edge will be added along the side of the building. Adam Bliss, Town Engineer has reviewed the plans and has not identified any issues (see email dated 02/08/22). 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.

The building will not be connected to the public water or the public sewer system. A capacity letter from the Freeport Sewer District has been included in the submission and recognizes that they have the capacity to serve the project (see letter dated 02/07/2022). 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.

Lighting will be installed at points of building egress and per code. The applicant is aware that fixtures must be shielded or full cutoff. Based upon this information, the Board finds that this standard has been met.

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

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

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

No changes to landscaping or existing buffering are proposed. Based upon this information, the Board finds that this standard has been met.

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

This parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will be connected to public utilities. 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 Amendment for Regional School Unit #5 for the installation of a modular classroom building at Mast Landing School, to be built substantially as proposed, site plan dated 01/26/22, finding that it meets the standards of the Freeport Zoning Ordinance (and the Freeport Village Overlay District, as applicable), 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 site work for the project, the applicant obtain a building permit from the Freeport Codes Enforcement Officer and approval from the State Fire Marshal's Office. (Berger & Yankee)

ROLL CALL VOTE: (6 Ayes) (1 Excused-Campanelli) (0 Nays)

Dog House Energy Services – Site Plan Amendment/Change of Use

The applicant is seeking approval of a Site Plan Amendment/Change of Use for Dog House Energy Services on US Route One (North). The amendment would include a change to the proposed building footprint from 1,527 sf to 6,500 sf. and associated site improvements. The use of the building was previously approved as office and storage and will now be classified as construction services. Zoning District: Medium Density B (MD-B). Tax Assessor Map 18, Lot 59-1 (0 US Route

One). John Scola, Dog House Energy, applicant; Dog House Properties, LLC., owner; Tom Saucier, P.E., Site Design Associates, representative.

Ms. Pelletier explained that this is a new application for a Site Plan amendment. This came in a couple of years ago and they got approval and had two years but were not able to build it. They came back to get an extension. When they were doing additional due diligence, they were looking at the uses. Before they were calling themselves office and storage so they had limitations on the square footage. While going through the uses, they noticed that there is Construction Services which would really get them more of a building design that would work better for their business which is really using it the same way but calling it something else. They were going to do traditional self-storage and have storage for their own business. They are coming back for a change of use. Realistically at the end of the day, the way they were going to operate their business will change from two story to one story but they will use it the same way. They will have office and they will have storage running their Dog House Energy business out of there and they will now have room where they can have overhead doors and pull trucks in. They are changing the building design and they are proposing a metal building. There are new renderings in the packets. There was a summary in the Staff Report noting some of the changes. They made some changes to lighting. Generally, the overall layout has stayed relatively the same. They did cut down on the landscaping. They are no longer proposing landscaping in front of the building. They sent over some photos which are in front of the Board tonight showing the existing vegetation. They are proposing to add a couple of trees. They still do not have their signage. They are aware that depending on what they decide to do, they will have to come back. The Board also has a cost estimate in front of it. Adam Bliss looked it over and thought it was low. The cost of site work came in at \$165,000 so she suggested leaving that as TBD in the motion before the Board and then we can work with the applicant as we get closer to figuring out what that dollar amount needs to be. Without the quantity it was hard for Mr. Bliss to verify. They did send over some drainage plans which are before you today. Tom Saucier is here representing the applicant and the business owner is here as well.

Mr. Saucier introduced John Scola the owner of Dog House Energy. As Ms. Pelletier said, they were here in 2019 for the original approval. Things went haywire the year after that. They came back last year to renew the approval and they clarified things on the use and how it meets the definition in Construction Services which allows them to do what they are proposing now. He pointed out on the plan the site at 1208 U.S. Route One is across from Zacchau Construction. It is currently wooded and undeveloped. It is three acres in size. There are some wetlands on the site but there will be no impacts to the wetlands as far as the project. There is an intermittent stream channel but again, there will be no impact to that. He explained the previously approved site plan that Ms. Pelletier talked about. They had a two-story building towards the front of the site and behind the 50-foot setback. There was gravel parking proposed and some material storage areas all similar. Nothing has really changed. For context he noted he put the current site plan and overlaid the red line on it that shows the impervious areas, the building and the gravel areas in the previous approval. The Board can see that other than a little piece of the building here, it is not much of a different site. He feels this gives the Board an idea of how little they have changed. The current Site Plan is a 6,500 square foot single-story building with eight parking spaces. He believes seven are required. The ones in front of the building will be paved. There will be a dumpster enclosure and a scrap metal storage area. It gets picked up as the scrap metal area gets full. In the last approval they went through the screening of those areas with the Board. It will be a 6-foot high chain link fence with pvc slats that was approved last time. The scrap metal area will be behind the building and none of those will be seen from the street. He pointed out the storm water area and noted it has not changed from the original approval. Access is from Route One and there is an updated entrance permit from MDOT in the Board's packets. It has not changed. It is in the same location as last time. There is plenty of sight distance. He pointed out the sub-surface waste water disposal system and noted it has not changed. It is the same size. The water will be from a well. The clearing limits are shown and they have not changed since the last time. They might change a bit in the back but he does not believe they will change very much. He explained the storm water treatment. They will collect the first inch of run-off and will infiltrate it through a filter material and then will outlet through a level spreader in the back. The Town Engineer looked at it again and was on board with it.

As for the landscape plan, he pointed out where the building was set in the other landscape plan. It had foundation plantings in the front of it. This new building design does not allow for any foundation plantings but they kept the same hardwood trees and a bit of lawn area. This will all be preserved screen trees, pines and things like that.

He explained the floor plan of the building and pointed out the office area, two overhead doors. On the second level there will be a mezzanine around the sides for storage of parts and equipment. He displayed the front view facing north on the site plan. He noted a covered porch and an entrance to the office and two overhead doors. He showed the side facing Route One which he doesn't think anyone will see much of. The bottom is a masonry veneer and the rest will be metal siding with a metal roof. The back faces south. As for colors, they have narrowed them down to some earth tones and some light colors. He showed the first color scheme they selected with a band across the top with a lighter gray color with a metal roof. The next version had the same earth tones with different colors. The roof on the porch has a different color. They are currently choosing from a palette he displayed. Again, it is earth tones with an upper band along the wall will be the cool dark bronze and the lower wall will be the cool straw gold. Copper penny will be the roof material with earth tones. He displayed a view into the site and noted his truck is parking in a driveway. This is where they are thinking of planting those hardwood trees to supplement the vegetation that is there. He pointed out the vegetation that will remain. The building will be behind this vegetation on the frontage. Ms. Berger asked where the road cut would be and Mr. Saucier explained it would be where his truck is shown. It is an opening where CMP and tree trimmers park and have lunch so they figured it would be the best location and would work well with the site.

He displayed a view showing an orange stake that marks about 20 feet to the telephone pole. He displayed the next slide showing the same pole with the property corner and from that property corner the closest the clearing limits will be to the property line is 35 feet so there will be a vegetated natural buffer of 35 feet along the back and then the front will be 50 feet where there will not be any cutting. He doesn't think it will be plainly visible.

Mr. Yankee asked if the railroad tracks are still quite a ways back and do not abut the property line. Mr. Saucier agreed the property does not abut the railroad tracks. Ms. Hamlen asked if the applicant is still debating the color of the roof? Ms. Scola advised that they are open to a limitation on the color of the roof but there is nothing cut in stone. They are coming up with ideas. Mr. Saucier advised that Maria was favoring the copper penny color. Ms. Hamlen felt it was a nice color and would sort of settle in.

Mr. Yankee asked about exterior lighting. Mr. Saucier advised that there will be four exterior building lights that will be the building's only lighting. They will be full cut-off glare reducing lenses. Ms. Pelletier added that the Board has the lighting plan in front of them that are highlighted in green. Mr. Saucier advised that there are pictures of the proposed lights. The porch will have soffit lights. There will be no flood lights. Mr. Scola mentioned they would be motion lights because they all leave by 4:30 or 5 o'clock. For emergency calls, everyone dispatches from the house. The technicians take their vans home every night.

Mr. Yankee asked in terms of deliveries, will tractor trailers be able to back in there? Mr. Scola advised that no 18 wheelers ever come to the site. They have 16-foot box trucks maximum come to their site. Ms. Berger mentioned that the first time everything was sized for a much smaller building. The footprint is there but is there any change inside for the expectation of more people or more bathroom use or anything now that it is larger? Mr. Saucier explained that the septic system was over designed and it is still over designed for what will happen here. There are expansion provisions provided if Mr. Scola would like to expand the business. The water supply will not change any and the stormwater is the same footprint. Ms. Berger mentioned the DEP Natural Resource Protection Act permit by Rule and Mr. Saucier explained how to follow form with that and tell them what you are going to do and it is automatically approved. It is just a notification. The last one lasted two years so they have to file it again. It allows them to disturb soil within 75 feet of the stream. If they were going for 25 feet, they would have to file for a full permit and there are standards in there that you have to go by and agree to go by those standards during construction with basic erosion control and things of that nature. Ms. Hamlen asked about signage and realizes that it is not part of this application tonight but should the Board presume they will put it near their driveway into the property. Mr. Saucier advised that they have a possible sign location that follows Town and MDOT standards. Ms. Pelletier added that the sign would have to be back on private property. Mr. Yankee mentioned the dumpster and that it is proposed to be chain link fence with pvc slats. Will the gates be closed most of the time or probably not? Will it be very visible from Route One. Mr. Saucier advised that it will not be visible from Route One because of the elevations and the existing vegetation.

Mr. Reiche added that he is all set and does not have any comments. Chair Blanchard asked if members of the public wished to speak. John Lowe explained that this is a perfect example of great young businesses wanting to expand in Freeport and he hopes the Board will approve it. This should be great for the Town and is a perfect example of what should happen. He hopes it can go through without having a lot of hassles, etc. and the permits can be issued. He does not know if this has to go anywhere else besides the Project Review Board but hopes it can be moved on quickly. Chair Blanchard thanked Mr. Lowe.

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

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

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

The site is currently undeveloped. The structure will now be one-story, about 6,500 sf on the first floor, with a mezzanine on the second level which will be used for storage. The use will be changed to construction services. The project is in the Medium Density B (MD-B) District and complies with the space and bulk standards of Section 406 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 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 structure will now be one-story, about 6,500 sf on the first floor, with a mezzanine on the second level which will be used for storage. Two overhead doors are proposed, and the building will be positioned on the site so that the overhead doors will face the parking area and therefore be screened from Route One. The building will be metal, two-toned in color, with masonry veneer on the lower portion, and incorporates the use of windows and an entrance covering to help minimize the expanse of the façade. Section 406.G (5 & 6) of the Freeport Zoning Ordinance provides some standards regarding the building and/or entrance depending on the visibility of the building from Route One. In this case, the building will be screened from the road partially from existing vegetation within the setbacks. The site plan does show a lawn area with three proposed maple trees near the entrance to enhance the existing conditions. The parcel is not within the Freeport Design Review Districts. 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

An updated entrance permit from the Maine Department of Transportation (dated 01/14/22) was included with the submission and approves the new entrance on to Route One which will provide access to the site. The driveway will have a paved apron near the entrance. The remainder of the driveway will be gravel. The width of the driveway will be 24 feet in accordance with Section 512.D.10 of the Freeport Zoning Ordinance. 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 applicant is proposing eight (8) parking spaces with one being ADA and which will be striped and signed accordingly. The parking calculation, as shown on sheet C-101 of the site plan requires 8 parking spaces. The parking area and the number of spaces has been designed with the requirements of Section 514.B (8 & 9) of the Freeport Zoning Ordinance. 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 property is not within a watershed of an Urban Impaired Stream, has less than one acre of disturbed area and less than one acre of impervious area, and therefore does not trigger any DEP stormwater permitting. It was reviewed by the Town Engineer for its compliance with Section 529 Stormwater Management (of the Freeport Zoning Ordinance). His review comments are included in a memo dated 02/08/22 and in the memo states that "The applicant has met this standard with a Bioretention Pond and an Underdrained Grassed Swale along the entrance drive". It is recommended that the applicant enters into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport and to be recorded in the Cumberland County Registry of Deeds. 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.

The building will be served by a private well and septic system. A copy of the updated septic design (form HHE-200) has been included in the submission. The system has not yet been permitted. All septic systems are required to be reviewed and permitted by the Local Plumbing Inspector prior to installation. 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 signage is has been included with the submission. Any future new ground signs will require review and approval by this Board as a separate application. 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 will be a dumpster and an outdoor scrap metal storage area to the rear of the site. Both areas will be screened with fencing. Section 406.G.3 of the Freeport Zoning Ordinance requires that outdoor storage "area be fully fenced with an opaque material 5 to 6 feet high." A 6 foot high chain link fence with PVC slats is 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.

Information on lighting has been included with the submission with the location of any lighting fixtures being noted on the plan. The fixtures will be a shielded, down light style. A photometrics plan has also been included. 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.

There is some natural vegetation on the property which the applicant will retain to provide a buffer. The applicant has included a landscaping plan with additional plantings to supplement the front buffer. Section 406.G.2 of the Freeport Zoning Ordinance requires landscaping "...in all front, side and rear setbacks for a minimum depth of 25 feet." 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.

This parcel is not within the Marine Waterfront District or the Shoreland Zone. The location of wetlands and a stream are shown on the plan. Some of the stormwater treatment facilities do encroach in the 75 foot no disturbance zone from the stream. An NRPA Permit by Rule notification will need to be filed with the Maine Department of Environmental Protection (DEP). The lot will have a private subsurface wastewater disposal system. 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 Site Plan for Dog House Energy Services on US Route One (Tax Assessor Map 18, Lot 59-1), for a new building and associated site improvements, to be substantially as proposed, site plan (sheet C-101) dated April 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 their representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any work on the building, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.
- 3) Prior to any site work, or a building permit being applied for, the applicant do the following:
 - A. Enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, to be recorded in the Cumberland County Registry of Deeds, with yearly stormwater reporting to the Town of Freeport being required.
 - B. The applicant obtain approval from the Maine Department of Environmental Protection for the NRPA Permit by Rule for the work in proximity to the stream.
 - C. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, 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 of 2% of the performance guarantee, in the amount to be determined by the Town Engineer, be paid.
 - D. Establish an inspection account, in the amount of \$1,500, for inspection of the site improvements by the Town Engineer.
 - E. The developer have a pre-construction meeting with the Town Engineer.
 - F. At the time that a building permit is applied for, the applicant pay a Pavement Maintenance Impact fee to the Town of Freeport based upon the size of the proposed structures and the impact fees effective at such time. (Troidl & Yankee) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Campanelli) (0 Nays)

(Ms. Pelletier suggested that the Board strike No. 4)

Mr. Scola thanked the Board for its time.

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

Ms. Pelletier welcomed Lynn Hamlen to the Project Review Board for a 3-year term. Chair Blanchard invited her to feel free to reach out to Ms. Pelletier, him or any Board member if she has questions about how the Board operates and procedures but requested that she please not discuss applications with one another. We are not allowed to do that and also no ex parte communications outside the Board room. Ms. Hamlen advised that Ms. Pelletier gave her an hour of her time and gave her a good tutorial. Ms. Pelletier advised that she has learned that there has been some communication on line within the community about some pending applications. As always, we encourage Board members to not read any of that material and keep your comments to the Board room and not participate in conversation within the community. Any deliberation needs to happen here. This is just a friendly reminder.

ITEM V: Adjourn.

MOVED AND SECONDED: To adjourn at 7:05 p.m. (Reiche & Berger) **ROLL CALL VOTE:**
(6 Ayes) (1 Excused-Campanelli) (0 Nays)

Recorded by Sharon Coffin