

MINUTES
FREEPORT PROJECT REVIEW BOARD
WEDNESDAY, MARCH 17, 2021
6 P.M.

HELD REMOTELY USING ZOOM TELECONFERENCING TECHNOLOGY

PRESENT: Guy Blanchard, (Chair) GERALYN Campanelli, Gordon Hamlin, Ford Reiche, Adam Troidl, Suzanne Watson, Tod Yankee and Caroline Pelletier, Town Planner

CALL TO ORDER: Chair Blanchard called the meeting to order at 6:01 p.m.

ITEM i: Information Exchange

Ms. Pelletier advised that The Planning Board had a short meeting and talked about their workshop with the Council and in the early stages of the Comp Plan, they are looking at costs and approaches from other communities. They did have their workshop with the Council and spent most of the time talking about the Comp Plan but did mention the issue of the Overlay District and talked about meeting jointly with the Council. They did flag that briefly and got it on the Council's radar.

Also coming up this month, the Board should have received an e-mail about the upcoming Annual Board and Committee Training which is a week from tonight, the 24th. She will send that information out again because she knows there are some members that do want to participate in that. It is especially designed for Chairs and Vice Chairs but if you haven't attended in the past, she encouraged Board members to attend. It will be the first one with our current Town Attorney, Amy Tchao. It should be good to hear her view on things.

Sadly, tonight is the last night probably that we will have Gordy and Suzanne because their terms end at the end of the month. She noted it has been a pleasure working with both of them on this Board. She wished them the best on their Wednesday nights off and she will look forward to seeing them on the other side of zoom as a public participant. She thanked them both for all the time and dedication they have given to the Town of Freeport.

Everyone may recall that over the past year and a half we have talked about increasing public notification. We heard from the public that they don't think we do enough and want us to advertise in *The Forecaster*. The Planning Board held a public hearing on the language but nobody turned up. So, we brought the language to the Council but unfortunately, it did not get approved. They felt increasing notification in another newspaper did not seem like a step in the right direction at this point in time with less people reading the newspaper to really make that part of our Ordinance. They did support us reaching out to Melanie Sachs to see if the State of Maine is considering updating its policy for certain types of public hearings and modernizing the legal notice requirements. She noted that the Board may see her come back with a policy change to the rules of order that might require some public notice for bigger projects and it might be something the Town might take on the cost for.

ITEM II: Update on the Downtown Freeport Vision Plan (Mary Davis, President, FEDC, Councilor Dan Piltch and Councilor Tawni Whitney)

Councilor Whitney explained that when she was running for Town Council, she heard repeatedly, what's being done about Main Street? That was part of her drive to get onto the Council to help re-energize this beautiful historical town that she loves. With that passion, they started to do this work well before COVID and with the connection to FEDC that our Council Chair joined her with the FEDC President, Mary Davis who has a wonderful presentation for the Board tonight. They interviewed over 13 different consultants over the summer and they all pretty much said that Freeport is an amazing place with great resources and all of the consultants said that there should be housing downtown.

Mary Davis, President of FEDC had slides to share with the Board showing what the Downtown Visioning Plan is all about and encouraged Board members to ask questions.

Councilor Piltch noted it has been great to have Ms. Pelletier available as a liaison from the Planning Board, Project Review Board, FEDC and the Council as well. She was able to keep them in the loop of all the stuff going on. More discussion followed. Chair Blanchard thanked them for their presentation and assured them that the Board would reach out to them if they have any questions.

ITEM III: Review of the minutes from the February 17, 2021 Project Review Board meeting.

MOVED AND SECONDED: To accept the Minutes as printed. (Troidl & Hamlin) **ROLL CALL VOTE:** (7 Yes) (0 No)

ITEM IV: Reviews

304 Pownal Road Subdivision – Conceptual Subdivision

The applicant is presenting conceptual plans for a 6-lot residential Open Space Subdivision on Pownal Road. Individual lots would be accessed by private driveways from Pownal Road. A portion of the property includes a closed landfill. Approximately 33 acres of open space are proposed. Zoning District: Rural Residential I (RR-1). Tax Assessor Map 21, Lot 89. Pownal Road, LLC, applicant and owner. Craig Sweet, PE., Terradyn Consultants, LLC, representative.

Ms. Pelletier explained that this application was before the Board in January. In February the Board held a site walk on Pownal Road across from the Hedgehog Mountain property and the other subdivision that was previously before the Board. The Board has an updated conceptual plan in its packet. The layout has remained generally the same but a couple of the driveways have been combined. This is a State road so entrance permits will have to come from the State. They still have to meet local Subdivision standards and extra standards in the Zoning Ordinance. We saw on the site that a lot of it is wooded and there are areas of steep slopes and forested wetland. The biggest discussion featured from the first meeting on this site was the fact that although this is privately owned property, it does have an old closed Municipal landfill. The Board had a lot of questions at the first meeting about the landfill and a little bit of information in the submission. The Board has a lot more information in this submission and quite a bit of materials to go through. This submission included the history of the landfill. It appears that it functioned sometime in the 50s through the 80s as a Municipal landfill and they burned weekly. It sounds like it was mostly Municipal/Residential waste but there were two known commercial users in town that used that site. The landfill is unlined but was originally capped with a clay cap in the 80s. It was officially closed with a Closing Plan from DEP in the 90s. The Board has the closure plan and older studies about the property in its packet. She will let the applicant go into the details being an engineer. She also has the Town Engineer, Adam Bliss here in the event the Board has some more technical questions or wants more science behind it than she can answer. The net residential acreage would allow for a lot more lots, she believes 14. They are showing 6. She sent the Board a letter today that she got from an abutter who is next to Lot 6 that is a very thin lot. He is concerned about the proximity of the proposed lot to his property. The houses would be close together and there has been some cutting on this property this past summer which reduced some of the buffer. He passed along some comments to the Board. Mr. Bliss and the applicant have had conversations if the Board has questions about conversations with DEP. The applicant has noted that they did retain a geologist. There were some initial questions flagged in the Staff Report. When staff went through the file on this property, they could not find any information about the residential well on site. They know that there had been monitoring of the test wells on the site and other nearby test results. The Hanscom well which is the well that went with the dwelling on the property was not one that has been tested over the years. It was flagged with a question for the applicant. Another thing that was flagged by Mr. Bliss, is that there will be more questions going forward since there has to be wells here. There is no public water. There will be questions about where they will have to be located, how deep they will have to be to ensure adequate water in quantity and quality. Granted these are things that usually come later in the process, but based upon the comments made at the last meeting, it seems they were worth flagging. Again, we are at conceptual so really does the Board have enough information to determine whether or not the applicant is proposing the lots in the right space and the open space in the right areas? It

is a tough balance sometimes because they come in with concept plans and we don't have all the engineering and hydrogeologic assessments so we will look at a lot of the information that is available and if the Board doesn't feel it has enough information to make that determination at this point, we would want to give the applicant some guidance on what additional information the Board feels it might need before they can make a decision as to whether or not they have the approximate layout in the right areas. The applicant is present as well as the Town Engineer should the Board have questions.

Ms. Campanelli had questions about the landfill. She inquired about the clay cap. Mr. Sweet advised that it was installed in 1995 and before that there was a soil cap. There should be nothing on it and they are not proposing anything on top of it. He had discussions with DEP and they regulate within 100 feet of that and don't allow any structures without their review within the 100-foot buffer. Beyond that, they don't review anything else. Ms. Campanelli asked if this would not be accessible as part of the open space? Mr. Sweet agreed. In their revised plan they took that area out of the open space calculations. Ms. Campanelli noted it looks good on a plan but asked how they intend to keep people off of it? She noticed on the site walk that it is a hill and if she were a child, she would be sledding down or riding a bike down that hill. She also mentioned it is a nice view up there and is enticing place to go to the top of so she wonders how they will keep people off of it. Mr. Sweet advised that they have not gotten that far but he has asked the applicant to draft up some preliminary homeowner association open space requirements. He knows restrictions will be included but beyond that at this point, they do not have any information on how they will keep people off of it. Ms. Campanelli feels that is very important and whether they should put up a stockade fence but they need to protect that cap.

Mr. Bliss noted the biggest threat to the landfill cap would be tree roots, burrowing animals or things that can penetrate through that clay liner. That clay liner's purpose is to minimize the amount of precipitation that infiltrates into the ground and comes into contact with waste underneath the liner. Those clay liners are pretty thick and yes, we don't want animals, people or trees on the landfill and that is why we mow it every year.

Mr. Troidl noted it is not going to be part of the open space. It is kind of a technicality. He asked if it is still going to be part of the property? If this is part of the subdivision and there is an HOA, who will own it at the end of the day? Will it be the homeowners in common owning it? Mr. Sweet did not know the answer to this question. He will have more information later but feels the open space parcel will be separate from any homeowner association that will be there but they will have access to the open space area.

Mr. Reiche pointed out that he knows just enough about ground water and hazardous materials and landfills to be scared of them. This doesn't look like a piece of property that should be developed for residential. He would really hope that the Project Review Board have the applicant get an independent geologist or hydrogeologist to say that we are okay approving this property for residential use with domestic wells on site and to have the capped surface protected. He can't imagine being comfortable based on his limited knowledge.

Ms. Watson added that the problem with ground water is you don't know where it is going to go or what will precipitate it going somewhere else. She feels Mr. Reiche is right to be concerned about this and she is also concerned especially knowing there is no liner underneath any of this. She would add that there be some sort of a plan however it is implemented on a longer-term investigation and opportunity to follow this if we approve it in the first place.

Chair Blanchard echoed what Ms. Campanelli, Mr. Reiche and Ms. Watson have said and Mr. Troidl as well. He would like some direction on the ownership of the open space and the landfill. In terms of the landfill, he feels there is a lot more to learn. His quick peruse of the documents the Board received, there seems to be a gap of the monitoring wells. The last one he saw in the cover letter was in 1993. It seems like we need to fill that gap and again concurred with Mr. Reiche about bringing in a third party so if this does go forward, we feel very comfortable. While he is not an expert on this, when he reads the type of waste that has been going in there, it is municipal solid waste and sludge, industrial waste from L.L. Bean and the Freeport Shoe Factory. Those are concerning to him and to have houses there, assuming we would have families there. He agrees with Ms. Campanelli that it will be a magnet for kids as well as ATVs and mini

bikes, etc. If that clay cap is compromised, who is responsible? How do we know they have the means to take care of it? He concurs with Board members that there is a lot more information that would be helpful for us.

Mr. Sweet advised that for the well stuff, they are working with a geologist to review the historical data he sent to the Board and Mr. Bliss has sent them the monitoring data the Town has from 2014 to present and they have provided it to the geologist. He is incorporating all that in his review. He would be happy to have him come to the next meeting and share all his findings with the Board. They are open to working with the Board and provide everything they can.

Mr. Reiche clarified that he is suggesting we have an independent peer review. Mr. Sweet noted he understood.

Mr. Troidl pointed out that with the landfill, at least with everything the Board has seen, there are not any particular standards in question. HE is trying to think of who is reviewing this and whether it is a geologist and the regular firm the applicant might use may not be skilled in landfills to review it. In talking about if this is the right place for a development, he has not seen standards the Board can refer to that could say that it is not. He wants to be sure the Board has the right person review it so we are getting the review we need. In looking at all the reports, they kind of say that none of the standards were exceeded and the way the ground water was moving at this time, it seemed okay.

Ms. Pelletier advised that the Board has the ability to request that the applicant have a hydrogeologic assessment or an appropriate assessment. The Board also has the ability to have it peer reviewed and we have done that in different cases. There are a few firms we have worked with over time to look at environmental issues. We would reach out to them or people who have done landfill work in the past for the Town and that would be done at the expense of the applicant. If we need additional legal review for certain components, we can certainly have that done. It is tough because we don't typically do those studies until we get a little further in. It sounds like the applicant might have already retained someone who is already doing some work. Mr. Sweet mentioned that he is reviewing the past data from 2020 and back. It will be included in their next submission along with their plan to meet the water quality and quantity section.

Mr. Bliss added that he thinks it is important that a hydrogeologist review not only the reports he and Mr. Sweet obtained from the DEP File Room but also conduct an assessment of the hydrogeology after the clay cap was installed in 1995 because that changes the ground water geology as well as an analysis for the post development condition that happens if the property were developed into six lots and six new wells are introduced. He would want that hydrogeologist to speak to where would those residential wells be located so they are not hydraulically downgradient of the landfill. In summary, he should review the studies that have been conducted and he should also conduct an analysis for post closure and future conditions.

Mr. Troidl mentioned that there are existing wells that are closer than these wells will be. The Board is evaluating the new conditions but there are also existing conditions that might also be closer than the new well. Mr. Sweet screen shared a screen showing wells that are monitored. DEP gets data from the neighboring wells. He did not know what the expected life of the cap is. Mr. Bliss mentioned the issue with clay liners is that the clay can dry out and introduce cracks or fissures in the clay which become a conduit for water and this is from DEP themselves. Clay liners have been in use for decades. Ms. Campanelli asked how one would know if it is compromised? Mr. Bliss advised that all closed landfills have a monitoring program that look for trees, animal burrows and things like that but we really can't see underground so we relay on science for those analyses and it gets quite technical and complicated because we are using geophysics to evaluate underground conditions. It is really geophysics that determine whether a contaminant bloom exists.

Mr. Hamlin pointed out that there is a cap on the landfill but is there a possibility of what is in the landfill that could leach into potentially where wells for the six house lots could be drilled? Mr. Bliss felt it was a fine question and one that should be left to the hydrogeologist to provide the Board insight on.

Mr. Reiche noted that if this ends up with the applicant proceeding to agree that we can get an independent peer reviewer on this, he wants to be clear that he is interested not just to know about the groundwater but also the integrity

of the cap. We need to have an expert come in and say this happens all the time with residential subdivisions on closed landfills and here is the way it is done. We have looked at this and it looks like a monitoring plan and the conditions are okay or whatever it is they are going to say. Above and below are his concerns. Mr. Troidl pointed out that trying to determine if it is safe is obviously the primary goal but whether it is a hundred feet or a hundred miles from it, at some point it would be safe to build around the landfill. Then there is the liability question of who owns it and would be liable for fixing it if something happens to the cap. He doesn't think a responsible development by this Board would allow these six homeowners that obviously do not exist yet, all of a sudden be holders of this landfill in perpetuity. Obviously, that would suggest that there is some further subdivision in the land that is not reflected on the map now or at least the way he thinks about it. He feels the Board needs clarity on how all of that is going to work if it went forward.

Ms. Pelletier wanted to summarize some of the cap questions. The Board is going to need clarity on the closure of the landfill going forward, whose responsibility is it to ensure that the integrity is maintained and to deal with the closed landfill remnant itself? There is concern that if that gets left to the HOA, the question is the Town holds the closure plan so this is something we will get some clarity on. She heard that the Board is going to want an analysis done on the potential integrity of the landfill and any water quality work peer review done on behalf of the Board. She asked if the Board feels it has information to determine if the lot layout is right. If not, what does the Board need? She heard Mr. Yankee say we are missing a big chunk of data on the well. We still do not know anything about the well on site. The Board has a letter with concerns about the location of Lot No. 6 and where is the Board at with some of that stuff that is right in front of it, knowing there are a lot of big questions that will have to be answered for this to go forward.

Mr. Reiche would like the applicant to address the concerns raised in Jake Daniele's letter. Ms. Pelletier apologized for sending this letter late. Mr. Sweet advised that he has not had a chance to read through it.

Ms. Campanelli had questions about the Town liability for the landfill. Ms. Pelletier noted it would be a part going forward. How is the Town liable for the landfill and some of the underlying questions that surround it but she meant who is responsible for what is physically there on the face of the earth if there is a problem with that cap. These are questions that will have to be answered and she will also have to get some legal clarify especially when we find out what they are going to do with the open space ownership in the future and the ownership of this landfill in the future. The Board has been saying they are concerned with homeowners inheriting this.

Mr. Troidl added that he has concerns about Lot No. 2. It seems like an odd location but he understands the intent of the existing road cutting in and utilizing that and sort of an easement on a driveway that is that long on that lot owner. As far as restricting the access to the land, he thinks it would be interesting to hear from a landfill peer reviewer if that is necessary? When the Board was out there, it was a snowmobile trail so people know it is there and people are by it all the time. It is not a secret that it is there. Is it practical or necessary to force them to erect a stockade fence?

Ms. Pelletier pointed out that there are members of the public here. Chair Blanchard was not inclined to take public comment at this point since the Board does not have enough information to invite public comment and adequately consider it. The Board can address the letter from the abutter because it deals directly with lot placement and buffer. The Freeport Conservation Trust is here and they reached out about snowmobile trails and potential connection. It could be something the applicant could address. Chair Blanchard mentioned the concern about Lot No. 2's placement and the obvious snowmobile trail that appears to run right through there. Mr. Sweet did not have any information on the snowmobile trail in that area.

Ms. Campanelli pointed out that she feels the public should be heard if they keep it brief and maybe someone could enlighten us on something. Chair Blanchard noted if the rest of the Board is willing to take comment, he is willing to have the public make comments. Other Board members agreed to take public comment.

Katrina VanDusen from the Freeport Conservation Trust noticed that this parcel proposed for subdivision could potentially really make a nice link between the Town's fields and Hedgehog and the Beech Hill neighborhood. She has been trying to figure out if that could be possible. She noticed the snowmobile trail goes right through there and how

could it work out? She talked to an interested neighbor but hasn't found an easy way to get to Beech Hill which she regrets. It is interesting that the Beech Hill Subdivisions don't have common lands. They are open space subdivisions and probably generated the Open Space Ordinance. She doesn't have this figured out just like the Board doesn't have this landfill figured out but it seems like an opportunity. She did some legwork on the snowmobile trails and talked to Duncan Daly to ask about the snowmobile trail. There are two snowmobile clubs and right where that intersection is in the middle of this property is where the two trail systems meet. The Tri-Town trail goes out nicely through an adjacent cul-de-sac Dorrington to Beech Hill but it goes through as many as nine properties so it feels unlikely, we would ever get permission for biking and walking in the way the snowmobilers have permission but it is not out of the question. She would love to make more ways for people to get between neighborhoods without being on a road especially when the road is Pownal Road or Beech Hill Road. If you could figure it out, it would be awesome. Open space subdivisions give you more options for some kind of use. The Board is also going to have some kind of right-of-way to the back of this land so could that be for not just testing the dump but for people? She will try to do more legwork.

Daniel Einstein, abutter on Beech Hill wanted to support what Katrina was just saying. He would love to access through there. The snowmobile trail goes through his property and he would be happy to participate in making it more useable for more than just snowmobiles.

Mr. Troidl mentioned Lot No. 2 and we can see it is the current snowmobile trail whether it is official or supposed to be there. It clearly goes right through there so it is figuring out how that would work. He asked if Lot No. 2 is saleable for the developer? It seems like there may be a lot of traffic and things that have nothing to do with the homeowner on Lot No. 2. Might that be better up next to Lot No.3? Obviously, the road back to the landfill will be there either way.

Ms. Campanelli advised that when she reads the motion and what the goal is tonight, she does not feel that she knows the appropriate areas have been determined for development and open space. There are a lot of unknowns on this property. While this is only concept, this is a big impact that could be health wise. With Mr. Troidl bringing up the issue on Lot No. 2, she wonders if the Board should table this concept until the applicant can get more information to us. She feels there are a lot of unanswered questions that are impactful to this project.

Mr. Reiche advised that he feels the same way as he reads the last paragraph of Section 5.6 of the Ordinance about what the Board needs to be satisfied to give concept approval. He does not get many checkmarks in the boxes. It is unfortunate that the questions raised about Lot No. 6 came in so late that the applicant can't respond to them but that is one of four or five issues for him.

MOVED AND SECONDED: To table this matter. (Reiche & Watson) **ROLL CALL VOTE:** (7 Yes) (0 No)

Mr. Sweet thanked the Board for its time tonight and for the Board's comments.

Mr. Troidl asked if the Board is waiting for more information and then peer review or do we initiate that sooner? Ms. Pelletier explained it is tough to have an applicant go through the expense of peer review when they don't really know what to study because they don't know what their layout is going to be. She thinks based upon some of the comments made tonight on trails, the location of Lot No. 2, some potential layout of Lot No. 6 with some buffering. She thinks there is some generic landfill closure questions that between Mr. Sweet and Mr. Bliss we can get additional information on. There is some missing water quality information that is probably out there but again Mr. Sweet and Mr. Bliss could probably pull some existing resources together to give the Board some additional information that is already available. As far as what expense Mr. Sweet and his team want to go through for concept, it sounds like they have already retained somebody that is already looking at some of that data, she will leave that up to him but Staff will definitely work with the applicant to clarify some of the questions the Board raised tonight so you could have the information you need to make a decision. Typically, we won't have the applicant incur that expense until past concept but if it is pulled together, the Board would want to get the peer review at the appropriate time.

Desert of Maine Seasonal Cabins– Site Plan Amendment Zoning District: Rural Residential I (RRI). Tax Assessor Map 22, Lot 8 (95 Desert Road). Heestand Family Holding, LLC (Mela and Doug Heestand), applicants and owners; Thomas Emery, RLA-- Harriman Architects and Engineers, representative.

Ms. Campanelli recused herself because her son is employed at the Desert of Maine. She muted herself and turned off her video.

Ms. Pelletier explained that the applicant is seeking approval of a Site Plan Amendment to erect four seasonal cabins at the existing Desert of Maine Campground. Proposed cabins will be a modified A-frame design and will be located on existing RV sites. Each cabin will have sleeping space and a bathroom; there will be no kitchens. One of the cabins will be accessible. Access to the sites will be from the existing road. No changes to the road are proposed. The applicant was before the Board a couple of months ago. One of the changes now is that they did get a zoning amendment for their property so not only are they in the Rural Residential I District but they are in the Nature-based Art and Overlay District. Her understanding is that we will see more of this applicant in the future but tonight they are before the Board for some modifications. One of the amendments they recently went to the Planning Board and Council for was the definition of a campground. They wanted to put in some structures for people looking for something beyond tent camping. Based upon the new definition of a campground, they can have a structure there but it can't be a whole dwelling unit. They can't have kitchen, living and bath facilities but they can have structures there. They are proposing to convert four of the existing RV sites on the property to A-frame cabins. They would be installing a septic system for each of these cabins. They would also have a parking stall at each cabin. Access to the cabins would be from the existing road network. There is no new access off Desert Road. They will be doing some electricity work that is outside the Board's purview. They will have to do a little stormwater management. They did work with our Town Engineer. She mentioned that they would have septic systems. The Desert of Maine is a licensed water supplier by the State of Maine. They have a well and serve a certain number of people so they have a licensing process that they go through with the State who looks like things like water quality. There are some standards and setbacks that come into play. Last night the Board was e-mailed a plan that did show an adjustment in front of one of the cabins to move a septic system so they can adhere to any State requirements for separations between the public water supply well and the leach fields. The applicant's team is here as well as the applicants themselves and can walk through the changes for the Board. Overall, she says the site changes are pretty minimal but it does have the four new cabins, the septic systems and the parking space with some associated stormwater.

Doug Heestand explained that they excited to have Freeport modernize the Freeport Ordinance. This is a big trend in camping. Guests are looking for a more turn-key camping experience. Campgrounds up and down the coast of Maine are offering this. For them it really works well. Prior to their taking over the Desert two years ago there were actually 58 RV and tent sites all really crammed together and they decided to take that number down to 21 to give them more space and make it a more natural setting with buffering between each site. They really want to make the most of their 21 sites. When you have RVs moving in and out, it is a lot of impact. They are big vehicles. Their concept is the small eco-friendly A-frame cabins and are really excited about the design that Harriman came up with. He thanked the Board for its consideration. The reason they are starting with four is because they really want to test the design and measure the impact of how much water they use and that sort of thing. This is an opportunity for them to put them in this season and get some use out of them and learn some things. If they build another four of them next year, they will adapt the design. It is their first go.

Chair Blanchard opened the meeting up to public comments.

Keith McBride, Executive Director of FEDC thanked the Board for considering this. It appears to be widely supported. He re-emphasized how important what they are doing in the Desert is to our overall economic development strategy is of varying the experience for people coming to Freeport. This is a big part of it. He

appreciates the Board moving it forward and letting them get on to the next phases of their redevelopment plan. It is a really important project they are working on.

Mr. Troidl feels from a project sense, it is a light touch on development but will probably remove some RVs from the road and could actually improve conditions outside of their property. He agrees with Mr. McBride.

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.

Proposed cabins will be a modified A-frame design and will be located on existing RV sites. Access to the sites will be from the existing road. No changes to the road are proposed. The cabins will be elevated using posts and beams which will improve visibility and minimize site disturbance. Tree removal will also be minimized. The 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. Proposed cabins will be a modified A-frame design and will be located on existing RV sites. Due to the reuse of the existing sites, site disturbance and tree removal will be minimized. No changes to the road are proposed. The 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 from the end of Desert Road. Based upon this information, the Board finds that this standard has been met.

- d. **Parking and Circulation:** The layout and design of all means of vehicular and pedestrian circulation,

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

There will be a designated parking space available at each of the cabin sites. 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.

Minimal regrading of the site is proposed. Stormwater management and erosion control plans have been included in the submission and reviewed by the Town Engineer. His comments are included in an email dated 03/10/21. 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.

New septic systems will be installed at each of the cabins. Due to the location, the leach fields will be designed for vehicular loading. Applicable permits from the Codes Enforcement Officer will be required. Each cabin will have water and will be connected to the existing water well on site. The Desert of Maine is a licensed Public Water Supplier through the State of Maine. Electrical improvements are being done throughout the site and in some areas, power will be supplied underground. New lighting fixtures will be required at points of building egress and will need to be full cut-off. 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.

There will be a sign for identification at each of the cabins, otherwise, no new signage is proposed. Based upon this information, the Board finds that this standard has been met.

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

being incongruous with the existing or contemplated environment and the surrounding properties.

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

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

New lighting fixtures will be required at points of building egress and will need to be full cut-off. 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 to the greatest extent possible. 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. No changes to the wastewater disposal system 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 Amendment for Heestand Family Holding, LLC for the replacement of four RV sites with four A-frame cabins and associated site alterations at the Desert of Maine (Tax Assessor Map 22, Lot 8), to be built substantially as proposed, plans dated 02/24/21, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any site work, including but not limited to clearing of the site, and prior to the issuance of any building permits, the applicant have a pre-construction meeting with the Town Engineer and establish an escrow account to cover the cost of the site improvements associated with the project. (Troidl & Hamlin)

ROLL CALL VOTE: (7 Yes) (0 No)

207 Main Street –Design Review Certificate

Zoning District: Village I (V-I); Design Review District One – Class A & Color Overlay District; Freeport Village Overlay District. Tax Assessor Map 12, Lot 55 (207 Main Street). Richard & Frances Taisey, applicants and owners.

Ms. Pelletier explained that the applicants have a residential house at 207 Main Street. There was a historic inventory sheet attached to the Staff Report. They have some temporary structures out back and want to put a garage structure in. Coming from the south, heading towards Brunswick the visibility is actually partially screened but if you are heading south from Brunswick, it is visible which is why they are here tonight. It will be set back quite a bit from the road. It will be a one-story garage standard overhead door on the front. They are going to use some LP SmartSide engineered wood, in shiplap style with an 8-inch reveal. They are also using the engineered wood as far as the trim goes. Any new windows will be vinyl and double hung. The color scheme will match the main house trying to make it blend. This parcel is also in the Overlay District and Design Review so as far as the Overlay District goes for a single family, it says you have to issue a Design Certificate but the only thing that kicks in is the review of setbacks. There is a plot plan included in the submission and it appears to meet the setbacks. The applicant came in and talked to the Codes Officer about the layout. The Taiseys are here tonight if the Board has questions and there are members of the public still here.

Mr. Taisey added that they just want to take down a couple of temporary buildings and put up something that has a good floor in it and can be warmed up. It will be kind of a shop/garage type thing. Mr. Yankee asked if the intent is to remove all the temporary structures back there? Mr. Taisey advised that he will remove two to start with. They are 20 x 12 hoop shed type things and they will be the first to go. He has another tractor shed to take down later. He doesn't want to take it down until he has some place to put other things.

Chair Blanchard pointed out that the location on the lot is one where it presents itself to something a little more contemporary in design which is what Mr. Taisey provided the Board. Generally, when we are in the Design Review District and the Board is dealing with a Class A building or a historic building, we would want the outbuilding to reflect more of the massing and shape of what a historic outbuilding would look like with

that historic house. There are a lot of existing contemporary structures out there like was said and the location behind the 1950s garage is about as good as it is going to get as far as hiding something that maybe detracts slightly from the historic building but still be a nice barn or garage building to be added to the lot. He is okay with this but if it were closer to Main Street, he would perhaps put up more of a fight.

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 proposal is to build a 32'x 48'x 10' (1,536 s.f.) barn which will replace some existing temporary structures on the site. The new structure will be partially visible from Main Street and located to the rear of the existing dwelling. The building will be one-story in height and lower than the height of the existing dwelling. 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 new structure will be partially visible from Main Street and located to the rear of the existing dwelling. The building will be one-story in height (about 18 feet) and lower than the height of the existing dwelling. 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 front façade of the new barn will be set back from Main Street. There will be an overhead door and two double-hung windows. 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 be similar to other nearby residential structures. 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.

All openings will be of standard residential sizes. 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 will be peaked with a 5/12 pitch. 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 building will be sided in LP SmartSide (engineered wood), shiplap style, with an eight (8) inch reveal. Trim will also be SmartSide. There will be windows in the new barn that will be vinyl. On the front façade, they will be double-hung. There will be a 6/6 grille configuration and the grilles will be between the sheets of glass. The overhead doors on the new structure will have a flat panel style with a window panel on the top row. Roofing will be metal. 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).

Based upon the survey included in the submission, the new structure appears to comply with the setback requirements for single family dwellings in both the Freeport Village Overlay District and the Village One 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.

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, Design Standard Certificate for the Freeport Village Overlay District and Design Review Certificate for

Richard and Frances Taisey, for a new barn at 207 Main Street (Tax Assessor Map 12, Lot 55), to be substantially as proposed, submission dated 02/23/21, finding that it meets the applicable standards of the Freeport Village Overlay District and 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.
- 2) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
(Hamlin & Reiche) **ROLL CALL VOTE:** (7 Yes) (0 No)

Freeport Historical Society –Site Plan Amendment & Design Review Certificate

The applicant is seeking approval of a Design Review Certificate and Site Plan Amendment at their property at 45 Main Street. The proposal includes a landscaping plan to integrate with recent building improvements and a 11'x22' addition to the barn. An exterior lighting plan is also proposed. Zoning District: Village Commercial I (VC-I); Design Review District One – Class A & Color Overlay District. Tax Assessor Map 11, Lots 26, 26A & 29 (45 Main Street). Freeport Historical Society, applicant and owner; Jim Cram, Director, representative; Henry Hess, Sebago Technics, Consultant.

Chair Blanchard recused himself because of a prior involvement in the project. He turned it over to Vice Chair Troidl and Ms. Pelletier.

Ms. Pelletier explained that she sent the Board a corrected site plan last night. The footprint of the small building addition which is going to be attached to the former Frosty's was missing from the plan. The Board has the former Frosty's building with the small addition shown and a dumpster location. In the information sent to the Board was a cut sheet for a 6-foot-high fence to enclose the dumpster. The main reason the applicant is before the Board is because they got approval to do a building addition and some other site improvements a few months ago with the condition that they come back with a landscaping plan. They have returned with an updated plan showing the buildings that were previously approved, the walkways and the other site grading features. The small addition and the dumpster have been added and the Board has an elaborate landscaping plan to supplement the other gardens that they are well known for. Jim Cram, Director of the Freeport Historical Society is here to answer any questions the Board has and will be able to give details on the exterior appearance of the building if the Board has any questions.

Mr. Cram explained the reason Hendry Hess is here from Sebago Technics to answer any questions the Board has about the landscape plan. Mr. Cram advised that they have taken a big hit like everyone else in Freeport with the retail decline and the loss of Frosty's as a tenant so they brought in people to look at their space and see what it might need to be a more appealing site. Everyone loves the location and the opportunity to do outdoor dining in the summer but this small addition tucked into the corner is so they can put a handicap accessible large bathroom in there and also give them space for a cooking area without taking up all the space in the floor plan in the barn. That is what is driving the need for the small addition to the barn to make the space more interesting. If it does end up being a restaurant, they will need a dumpster so they will have to provide the spot to add one. They put the restaurant grill fan in there and would certainly screen it if they end up with a tenant that requires one. They don't have a tenant today but wanted to be honest with themselves that they may have to deal with that. Mr. Hess was heavily coached by the Chair of their landscape Committee and together they came up with a great set of plantings. He can explain the need for them to pinch the sidewalk down in that area.

Mr. Hess advised that it has been enjoyable to work both with Jim and the Gardening Committee in Freeport. They care a lot about everything and especially how this space looks and how it will be presented to the Town in that regard. He offered to answer any questions on the landscaping and that they are working to make sure that the location for the dumpster on the plan has fence screening as well as some hardy shrubs, trees and groundcovers along the back sides of

the buildings since it is such a well-traveled space. Mr. Troidl asked him to point out the area where the sidewalk got pinched which Mr. Hess did.

Mr. Troidl mentioned that the intention is to build that shed roofed addition on day one and from the side, the roof of the shed is going to dump up against the wall of that shed roof addition. He is curious if this is the right condition. Mr. Cram explained that there will be a valley there because the shed roof slopes 90 degrees to that slope. They held it back a foot further than the existing shed so the drainage would not interfere with the walkway.

Ms. Watson pointed out that Mr. Cram mentioned her daughter and son-in-law and she was not aware that that meeting had taken place. If the Board would prefer that she recuse herself at this time, she is fine with that. Mr. Troidl noted he is okay with Ms. Watson voting on this. Mr. Reiche is okay and noted there is no financial interest involved. Other Board members agreed that she is fine voting on this.

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 overall scale of the existing buildings 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 or buildings should be visually compatible with the heights of the buildings in the neighborhood.**

The overall height of the existing structures will not be altered. The new barn addition will be one story and lower in height than the barn itself, but similar in height to the abutting shed. Based upon this information, the Board finds that this standard has been met.

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

The proportion of the buildings' front facades will not be altered and the addition of the shed will have minimal visibility from Main Street. Based upon this information, the Board finds that this standard has been met.

- 4. Rhythm of Solids to Voids in Front Facades. When you look at any facade of a building, you see openings such as doors or windows (voids) in the wall surface (solid). Usually, the voids appear as dark areas, almost holes, in the solid and they are quite noticeable, setting up a pattern or rhythm. The pattern of solids and voids in the front facade of a new or altered building should be visually compatible with that of its neighbors.**

The rhythm of solids to voids in the front facades will not be altered. Based upon this information, the Board finds that this standard has been met.

- 5. Proportions of Opening within the Facility. Windows and doors come in a variety of shapes and sizes; even rectangular window and door openings can appear quite different depending on their dimensions. The relationship of the height of windows and doors to their width should be visually**

compatible with the architectural style of the building and with that of its neighbors.

Due to the nature of the use of the addition, there will only be one door on the façade facing the parking lot. The door will be of standard shape and site. 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 of the addition will be peaked with a 6/12 pitch. 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 with wood shingles to match the main structure. The roof will have asphalt shingles. The door will be made of wood and have a paneled appearance. 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 streets will be minimally altered due to the location of the small addition. 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 proposal includes a landscaping plan to integrate with recent building improvements and a 11'x22' addition to the barn. The plan has been designed to enhance the previously approved building and site improvements and work with the new site features. The primary areas for the new plantings will be near the new sections of brick walkway and along the rear building facades facing the parking lots. Existing and new lighting will include new gooseneck barn style lighting fixtures. In accordance with the Freeport Zoning Ordinance, all lighting fixtures will be full cut-off. New lighting on the existing covered porch will include ceiling lighting and the fixture will not be visible. 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.

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 proposal includes a landscaping plan to integrate with recent building improvements and a 11'x22' addition to the barn. The landscaping plan before the Board has been designed to enhance the previously approved building and site improvements and has been integrated into the new features. The primary areas for the new plantings will be near the new sections of brick walkway and along the rear building facades facing the parking lots. No additional site clearing will result from these changes. 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 Class A in Design Review District I and is in the Color Overlay District. There will be an 11'x22' addition to the side of the barn and the visibility will be minimal. Landscaping will be added to enhance the previously approved site improvements. Based upon this information, the Board finds that this standard has been met.

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

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

- d. **Parking and Circulation:** The layout and design of all means of vehicular and pedestrian circulation,

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

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

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

The size of the addition is minimal and will have little impact on stormwater treatment or drainage. The proposed landscaping plan has been designed to be integrated into the previously approved site and grading plans. Based upon this information, the Board finds that this standard has been met.

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

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

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

No new signs are proposed at this time. 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.

Existing and new lighting will include new gooseneck barn style lighting fixtures. In accordance with the Freeport Zoning Ordinance, all lighting fixtures will be full cut-off. New lighting on the existing covered porch will include ceiling lighting and the fixture will not be visible. Based upon this information, the Board finds that this standard has been met.

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

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

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

The landscaping plan before the Board has been designed to enhance the previously approved building and site improvements and has been integrated into the new features. The primary areas for the new plantings will be near the new sections of brick walkway and along the rear building facades facing the parking lots. 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:
- a. The project will not result in water pollution, erosion or sedimentation to surface waters;
 - b. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
 - c. The project will conserve shoreland vegetation;
 - d. The project will conserve points of public access to waters;
 - e. The project will adequately provide for the disposal of all wastewater;
 - f. The project will protect archaeological and historic resources;
 - g. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

The parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will remain connected to public utilities. No historic or archaeological resources will be disturbed. 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, Design Review Certificate, and Site Plan Amendment for the Freeport Historical Society, for a 11'x22' addition to the barn and a landscaping plan at 45 Main Street (Tax Assessor Map 11, Lots 26, 26A & 29), to be substantially as proposed, application dated 02/24/21, revised through 3/15/21 finding that it meets the standards of the Freeport Design Review Ordinance and 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 conditions from the October 2020 Project Review Board approval remain valid, as applicable. (Yankee & Campanelli)

Mr. Yanked revised the Application dated 02/24/21 as revised 03/15/21

ROLL CALL VOTE: (6 Yes) (0 No) 1 Recused-Blanchard)

178 Main Street – Change of Use

The applicant is seeking approval of a change of use from Bed and Breakfast with a single-family dwelling to three-unit multi-family residential dwelling. Zoning District: Village I (V-I); Design Review District One – Class B & Color Overlay District; Freeport Village Overlay District. Tax Assessor Map 13, Lot 5 (178 Main St.). Paul & Liz Leonard, applicants; Scram Realty LLC, owner.

Chair Blanchard was handed the gavel.

Ms. Pelletier explained that the applicants are here tonight because they have a currently used B&B under contract for purchase. They want to change it to a multi-family. They are adding two units and not triggering subdivision so they are here for a change of use. They are in the Design Review District and the Overlay District. They are not proposing any changes to the exterior façade of the building at this point in time. They are aware that should they do any changes in the future, they will come back to the Board. They do need to get a Sewer District capacity letter. They did make contact but will have to pay a connection fee. It was put as a condition. Before they can get a building permit, they would need to get a permit for the change in use. This is changing to a commercial use so they would have to contract with a private waste hauler. There are no dumpsters on site and they would be required to sort their cardboard so it is assumed that trash will be stored inside of the building. They did submit information on the parking calculation based upon the requirements of the Ordinance. They need six spaces but already have eight conforming spaces and an existing driveway on site. They are in the Overlay District and since they are multi-family but about a single-family, they do need some buffer. They are not proposing to change any of the plantings. They included some pictures that are in the Board's packets and an existing conditions plan showing existing vegetation that is on site and as the Board can see in the backdrop, it is fairly well established. Paul Leonard is here if the Board has any questions.

Mr. Leonard did not have anything to add. He felt Ms. Pelletier summed it up pretty well. They will be creating three higher end residences and one will be occupied by themselves, the owners.

Chair Blanchard opened the meeting up for public comments. Keith McBride of FEDC noted that this is another important project for Freeport. They are trying to figure out how to get more housing in the downtown area. Part of the problem for developers is that there is no track record for how housing performs downtown so there is no way for them to calculate the market and it will take some very brave and motivated individuals like the Leonards to come in and take some real risk on properties that will have to be redeveloped or fashioned into more housing so we can start to develop a market and start to utilize that as a way of showing there is demand for housing in the Main Street area and in downtown adjacent areas. He is aware there are some challenges at this site and he applauds them for moving forward. He feels it is a great project to utilize this property and will be an important marker for development in Freeport going

forward as we try to execute some of the goals we have for what they are trying to do on Main Street and downtown. He thanked the Board for considering this. He hopes the Board will move it forward quickly.

Scott Miller advised that he lives across the street at 181 Main Street. His house used to be a Bed & Breakfast and now it is a single-family. He feels this project will fit right into the neighborhood and he looks forward to meeting the Leonards. He noted that it is a historic house so he hopes it will be well maintained and not expanded. It looks really nice.

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 site changes are proposed. Existing vegetation will remain and previously approved landscaping plans are in and well established. 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 Class B in Design Review District I and is in the Freeport Village Overlay District. No new structures and no exterior building modifications are proposed. Based upon this information, the Board finds that this standard has been met.

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

No changes to vehicular access are proposed and access will remain from Chapel Street. Based upon this information, the Board finds that this standard has been met.

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

No changes to parking and circulation are proposed. The unit types will consist of one four-bedroom unit and two two-bedroom units. Per Section 514 of the Freeport Zoning Ordinance, six parking spaces will be required; 8 are existing on site and were part of a previously approved Site Plan. Based upon this information, the Board finds that this standard has been met.

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

No site changes are proposed and therefore no changes to surface water drainage are proposed. Based upon this information, the Board finds that this standard has been met.

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

The building is connected to public utilities. An "Ability to Serve" letter from Maine Water (dated 02/24/21) has been included in the submission. Obtaining a capacity letter from the Freeport Sewer District has been added as a condition of approval. Since this will still be considered a commercial use with regards to solid waste regulations, the applicant will be required to sort cardboard from other waste and contract with a private waste hauler. Since no dumpsters are shown on the plan, it is assumed that waste will be stored inside. 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 new exterior 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.

No changes to landscaping are proposed. Since this property is in the Freeport Village Overlay District and changes to a multi-family use, buffers are required abutting single-family properties. The property line opposite of Main Street abuts a single-family use. There is an existing buffer in place and no changes to the existing buffer area are proposed. The previously approved site plan and an as built plan have been included in the submission to do show the existing vegetation on the site. Based upon this information, the Board finds that this standard has been met.

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

- a. The project will not result in water pollution, erosion or sedimentation to surface waters;
- b. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
- c. The project will conserve shoreland vegetation;
- d. The project will conserve points of public access to waters;
- e. The project will adequately provide for the disposal of all wastewater;
- f. The project will protect archaeological and historic resources;
- g. The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

The parcel is not within the Marine Waterfront District or the Shoreland Zone. The building will remain connected to public utilities. No historic or archaeological resources will be disturbed. 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, Design Standard Certificate for the Freeport Village Overlay District, and Change of Use for Paul and Liz

Leonard, for a change of use from Bed and Breakfast with a single-family dwelling to three-unit multi-family residential dwelling at 178 Main Street (Tax Assessor Map 13, Lot 5), to be substantially as proposed, application dated 02/21/21, finding that it meets the standards of the applicable sections of the Freeport Village Overlay District and 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 obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) The applicant obtain a written capacity letter from the Freeport Sewer District for the change of use, with a copy to be submitted to the Freeport Planning Department, prior to applying for a Building Permit. (Reiche & Yankee) **ROLL CALL VOTE:** (7 Yes) (0 No)

11 South Street—Design Review Certificate

The applicant is seeking approval of a Design Review Certificate to build a single-family home and garage at their property at 11 South Street. Zoning District: Village Mixed Use II (VMU- 2); Design Review District Two – Class C.; Freeport Village Overlay District. Tax assessor Map 13, Lot 99 (11 South St.). Jonathan Bates, applicant and owner.

Ms. Pelletier explained that there is a little vacant lot where there used to be a mobile home. Jonathan is the current owner of the property and he is seeking approval of a single-family dwelling. The Board has some drawings in its packets and what he is proposing is a structure which he designed that is reminiscent of a barn with regards to color, wood siding and materials. It will be two stories with a peaked roof in a 24' x 60' footprint. Three sides of the building will be visible from the road and will have openings. The back side will not be visible and will be solid. There is also a single-story garage that will be located to the side and set back from the house which is a requirement of the Overlay District. It has to be set back. The gable ends of the front and the rear of the building will be a different material. They are proposing using cedar shingles in a slightly different color. They will also have some decorative wood trim detail. The roof will be overhung. The entrances to the property will be on the front and side. They are proposing wood doors. Windows will be casement and single style with a four over one pane configuration. The Board will have to look at the cut sheets in its packets. There were some discrepancies in the drawing of the actual materials to be used. The wooden shutters will match the siding and will be a board and batten style. The garage will be similar in materials and will have a standard garage door on the front with no other openings. They did show some lighting on the garage but not the house. They have not picked out their lighting fixtures so they say that was something they would come back to the Board for approval on lighting fixtures. The building will be on a slab. The Overlay District does have some standards regarding visibility of a foundation. She is not sure that any of that slab will be visible so that is one question that was flagged in the Staff Report. The applicant is here as well as one member of the public.

Chair Blanchard asked the applicant if he had anything to add. Mr. Bates advised that Ms. Pelletier did a great job and summed it up pretty well. He did not have anything to add. Mr. Troidl mentioned that the renderings show it as being red. We are not in Color Overlay but we are Design Review so he did not see the historic color palette mentioned or called out in a spec here. Mr. Bates advised that it is a Benjamin Moore Harbor Coat solid color stain so it is classic barn red.

Mr. Hamlin wanted to comment on the relationship to façade materials. Most of the other structures on the street have exterior siding that are clapboards and there is only one of those that is not painted white. He wanted to raise that a new structure should be visibly compatible with those other buildings around them. He asked Mr. Bates to comment on why he picked this color and siding. Mr. Bates noted he is from the Ellsworth area and has done a lot of custom homes with this similar design. The architectural rendering is really difficult to grasp how bold and classic it looks. That is the reason why he selected it. He understands that the majority of the area has clapboard siding. He thinks this design will be a really attractive build but if he has to shift gears, he is perfectly willing to change to a clapboard style like an LP SmartSide or something like that similar to other buildings around the area.

Ms. Pelletier pointed out that although the parcel is in Design Review, it is not in the Color Overlay District so there is no color requirement. Mr. Troidl mentioned that he likes the design and does not have a problem with the design as proposed. Chair Blanchard also liked the design and he is not sure if it was intentional to sort of reflect the Mallett houses we have in Freeport but that is the first thing he thought of when he saw the design. It even includes the bracing in the gable that you see in those houses. Those houses have shingles in the gable. To him it looks like a classic Freeport house that you see throughout the downtown area. He is glad it is not vinyl and what has been chosen works. It looks contemporary but still sort of reflects that classic Freeport look. He is okay with this and feels it is great.

Ms. Campanelli mentioned Caroline's question about the slab. She asked how they are going to treat the top of that slab? Mr. Bates advised that typically if they have any exposure of the concrete, it will be insulated and on the front of that insulation they will laminate a composite stone which he did not show here because he didn't think it was necessary. It is a ledge stone they laminate on the front. It looks like an old field stone foundation.

There were no public comments provided.

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 house will be two stories in height and on a slab with a 24'x60' footprint. The garage will be single story and set back from the house and road. The visible sides of the house will incorporate openings which will minimize the appearance of the façade. Based upon this information, the Board finds that this standard has been met.

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

The house will be two stories in height and on a slab. The garage will be single story and set back from the house and road. The heights will be comparable to other nearby residential structures. 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 gable end of the building will face the road. The width and height will be comparable to other nearby residential structures. The doors and windows on the front façade will contribute to the residential design of the structure. 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.**

There will be an entrance on both the front and left side facades and a rectangular wood door is proposed. Three of the sides will include windows with a combination of casement and single hung styles. The rear of the structure will not have openings but will not be visible from the road. The garage will be single story, small in size, with an overhead door on front and single door on the side. 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.

Proposed windows will consist of a combination of casement and single hung styles. All doors and windows will be rectangular in shape and residential in scale. 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 pitch of the main structure and garage will be 10/12 and covered in gray asphalt shingles. There will also be an awning style roof over the first level openings on the front façade and on one area of the north façade. A peaked roof will be provided over the left side entrance. 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 siding of the building will primarily be custom rough sawn board and batten (to reflect a traditional barn look) and painted with Benjamin Moore Arborcoat. The siding will have a vertical appearance. The gable ends on the front and rear façade will use cedar shingles and will be different in color from the rest of the building façade. The front peaks will have some decorative detail. Trim will be wood. Three of the sides will include windows with a combination of casement and single hung styles. All windows will be vinyl with a 4/1 pane configuration (see cut-sheet for accurate style). Mullions will be on the inside. Wooden shutters will be used and will be custom made to reflect the board and batten style. 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 structure setbacks appear to comply with the standards of the Freeport Village Overlay District and the Village Mixed Use District. The garage has been set back from the house and road as required in the Overlay 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.

No new walkways are proposed. The driveway is existing. 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, Design Standard Certificate for the Freeport Village Overlay District & Design Review Certificate for Jonathan Bates, for new residential structures at 11 South Street (Tax Assessor Map 13, Lot 99), to be substantially as proposed, submission dated 03/12/21, finding that it meets the applicable standards of the Freeport Village Overlay District and 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.
- 2) Prior to the start of construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer. (Troidl & Reiche) **ROLL CALL VOTE:** (7 Yes) (0 No)

ITEM V: Discussion on upcoming workshop with the Freeport Town Council.

Chair Blanchard noted that the Board received Mr. Troidl's e-mail in its packets so he opened up the floor to the Board.

Mr. Troidl pointed out that one thing he missed in his e-mail after the fact was commercial subdivisions and Caroline replied that the same State standards apply and she might be able to check with other towns to see how they have done anything different. He feels the Board has seen some challenges where the standards are geared more toward residential and don't focus on commercial. Ms. Pelletier apologized. She has not looked into commercial subdivision performance standards in other communities but she can do that. It is something we have talked about and feels we should flag it. It could be something that might need to be flagged by the Comp Plan because it could be a big overhaul. We have seen two of them in the past year and have seen some challenges with them. She thinks the Board should get it on the radar since you feel so strongly about it. If the Board tells her what it wants, she will get it together for the Board.

Ms. Campanelli feels along with the commercial, the Board needs residential too. We have found there were some things that needed updating. We talked about minor subdivisions and she has notes on it. Minor subdivision requirements do not require enough information for concept review which was a summary from the Planning Board Workshop where we talked about strengthening the Minor Subdivision requirements. It is important to note that when the Comp Plan starts getting worked on, our current Comp Plan has zipo about commercial development and that is really something that needs to be in that document because we can use that when we do subdivision review.

Mr. Troidl advised that he and Chair Blanchard have been e-mailing back and forth over the past few weeks on some of these topics and talked about the update to the Council and is it a 15-minute thing or more of a 45-minute thing? His e-mail touches on both the downtown visioning project and Council updates in the Board's mandated role. In looking at all the best aspects of what that downtown visioning could become, what would still concern him would be place making. He attended the workshops and feels it leads to grander ideas. Say those ideas get consensus and there is funding in place and all of the things going to make a project, then how are those things implemented with all the design standards that we have in zoning, Design Review and all of that. What is the path forward with that? If the early action plan, is we

want more farmers' markets or this parking lot should connect by a path, that is not a major concern. If we are going further with larger developments, then thinking about all these standards can work together, be rewritten or combined and somehow streamlining that both for even Town-driven projects or private interests coming to town that can find an easier path in our Ordinances to know what they have to do without them having to interpret or have Caroline interpret so they know what standards they are going to have to navigate through and bring in all the right information. Some of those things may be mundane but especially people who do development definitely look at those things and want to be in a certain place. If they find projects too hard to get off the ground, they are going to move on to Brunswick or Yarmouth or wherever. Ms. Pelletier advised that with the Early Action Plan, they are still collecting all of the community input so there is a bit of unknown as to what kind of results will come out of that. She also wonders what forms. She has been actively participating for the past month and a half now on some weekly meetings about the Vision Project and getting more involved. She flagged for them that we have a process and standards in place that historically have been very important to Freeport. She was surprised at some of the comments and no one mentioned the historical nature of the downtown. Her understanding is that there will be an early draft of the Early Action Plan in April for some community input and then there will be a formal presentation in May. She asked if the Board wanted to see what some of the early action steps are or do they want to get ahead of it because some concerns could tie into that.

Ms. Campanelli feels the Board needs to get ahead of it. She feels it is a couple of years behind and is frustrated that we haven't been in front of the Council. She doesn't think they understand what the Board does or the tools we use. We are a technical board and need technical tools to be used to review things. She was going to suggest that we try to dovetail with the Planning Board when they go before Council. The plan last year was that each group would speak respectfully on what each group was doing and talk with the Planning Board in front of the Council about our workshop and what came out of that and what we hoped would evolve from it and then COVID happened. The Planning Board has gone already and that is unfortunate. It would have been a good opportune thing to do. She feels it is important that the Planning Board supports some of what we want to do and where we need change. She sees two things happening. She feels this Board needs more face time with the Council. That is how things happen in Freeport so that 15 minutes is important and another plan on top of that would be we need more education to the Council about what the planning tools are and how they are used. She doesn't think they understand that and she also saw it on the committee work she has done. The Planning Department should have an annual budget for fixing some of these things. As we talked last week, there are two more phases to the Vision Plan so goodness knows what the dollar signs are to those two additions. If that keeps happening, we are not going to get money to fix these planning documents because then you have the Comp Plan on top of it. She thinks these things need to be brought up. After doing research she has found that FEDC which is a business organization, tends to do the big vision long-term plans for the town and the Planning Department historically seems to have been more of a piece meal reactionary approach to fixing things and those two have not worked together. With the Boards, FEDC and Planning, there hasn't been a comprehensive working together to make sure these documents make sense and not have many layers that we are working with. She thinks that out of this somehow there has to be a better working relationship and it goes back to the education with the Council. If they can understand the difficulty we have with the planning tools right now and how we got here and the process needs to change. We see with the Vision Plan, they just jumped in there and didn't talk to the Planning Board or the Project Review Board. We have seen a lot and could tell them a lot before they even hit the road. She finds it unfortunate.

Chair Blanchard feels that if the Board speaks with the Council for 45 minutes, it could probably spend 45 minutes on the vision plan itself and what we would like to see come out of that process as a Project Review Board. That worries him a bit because we have a lot of other topics like commercial subdivisions and the Design Review Overlay which are things that need to be changed. It is a matter of organizing our thoughts. He feels the Board has to talk about the vision plan because it is right in front of the Council at the moment and in front of everybody in town. Everybody is talking about it. We need to make sure we are tying in some of our concerns and thoughts about this operates and how we would like to see the Ordinances changed into the vision planning. Otherwise, he doesn't feel they will be receptive to listening some of our concerns at this point in time because they are so preoccupied with the vision process.

Ms. Pelletier pointed out that the Vision Plan for Downtown Freeport is on page one. It is early- action and those are going to be quick steps that we can implement to get our downtown back on track. She doesn't see some of the Board's comments being potentially in the Phase One Early Action Plan but they are important to get on the radar and important to get out there and she thinks they will definitely be part of a bigger plan should it go to Phase Two and Three. She asked how you can look at the downtown and not look at the map. Mr. Troidl thinks the educational portion of that is that things need to flow either from the bottom up or the top down. Either we are crafting an early-action plan that will feed into a longer plan for downtown that will feed into a comprehensive plan but each step along the way, things can only happen if they are legal. By the rule of law, that is what our Board is about. We go by the ordinances. Like Caroline said, people can propose what they want and we can feel however we want and want to approve anything we want but if it is not allowed in the ordinance, we can't do it. That is our duty on the Board. Making sure they are aware of that path and we would hope our consulting dollars that are going to this firm that did a nice job at the workshop and have a lot of people on staff that are obviously helping us but make sure they are educating their clients as to this is all great but to be able to actually do what we have gotten input on and we are suggesting, you will have to change x,y and z because you can't legally do what you want to do right now. His one editorial comment will be that we are very fortunate to live in a non-litigious area because our Planning standards leave a lot open and in other parts of the country these loopholes would have been closed because there have been lawsuits against the town that the taxpayers paid for. We are in a good spot and it hasn't happened but we don't want to see it happen in the future either.

Ms. Watson added that the one thing that she took away so far from this conversation that is most important. She agrees that the Town Council does not know what it is that we as a Board do or how much good is done by this Board in terms of keeping the Town and development on a straight and narrow path. The whole idea of educating the Town Council now about what we do and not assume they know much of anything about what we do or the value we give and we have a way to do that on a regular basis. It seems to her with her limited time so far with the Board is we come up against this wall and we are surprised, yet we don't have a process by which we have a regular time we are expected to meet with the Town Council. She feels the Board is very valuable and truly believes that if they understood what it is our Project Review Board does and how well they work together and protect the Town, it would have a good impact.

Ms. Pelletier mentioned the other thing that is important is that the Board does not write the standards. It uses what it is given but it also takes a lot of heat for certain standards on the other end. She feels that is really important to share because the Board deals a lot when people don't like something in their neighborhood or backyards. The Board really deals with a lot of the frustrations in the Ordinance that people don't even know about so flagging those is a really good thing. Anytime the Board can give its comments related to the tools that it uses, it's great. She explained that the Planning Board went and their time exceeded 15 minutes with the Council. They had made a list and the Council listened. She suggested that the Board make a list of bullet points that it wants to focus on. She can reach out and see how much time we can get as well as the next step. Chair Blanchard noted it is a matter of figuring out what the top things are and how much time do we want to spend on the Visioning. He feels the Board wants to influence that process and want to make sure that whatever they come out with in their action plan does reflect some of our concerns. It will be on their radar and gets moved on to Phase Two and Phase Three.

Ms. Pelletier added that if the Board shows a map, anyone that is watching the Vision can't not make those connections. She thinks the Board can use its time wisely in its area of expertise and put it out there without directing it directly toward the Vision but generally speaking, Vision or not, the Board still has these issues with these tools. They do need to get incorporated into the Vision. Ms. Campanelli feels the Board should limit the Vision because we need to talk about what we know about. A concern she has about the Vision is that they are only talking about the village and she feels there is more to Freeport than the village. She finds it sad that it is just about the village and it will be a lot of money that ignores the rest of Freeport.

Mr. Troidl agreed and in tonight's description it sounded to him that the Vision process is attempting to solve a problem but nobody has defined what the problem is. There is anecdotal evidence of the empty store fronts is great and there was talk of data but no data was presented to the citizens at the Visioning process. He is not 100% sure what the intended outcome or implementation method or funding mechanism is for the process either in the early stages or the

late stages. We can comment on what we know about these things and are involved in this and need to be updated whether the Vision Plan exists or not. If there is a desire for a more consultative approach between Planning, Project Review and the Council, he is confident all of us would participate in that. At this point we are describing what our issues are and they could be solved by some of the outcome of that process potentially.

Ms. Campanelli noted the pattern of planning has been driven by FEDC and the pattern is continuing. What concerns her is that that is the pattern that got us to where we are and it is continuing. She mentioned there has been a move to get rid of our Board. People want to streamline the review process so that it won't go before a Board. She is amazed that that is a thought. She is concerned and that is why she feels we need to make ourselves visible.

Ms. Pelletier asked the Board how it wants to move forward? Mr. Troidl noted that for him this Vision process is going to run against ordinances. Whether the ordinances are good or bad, they exist and unless they are changed, he can't imagine any decent sized outcome of that process not butting heads with something that exists. It will have to be smoothed out somehow.

Ms. Watson asked if it makes sense to really talk about a 3-parter? The first part being keeping it as short as possible but it being an education on what the Project Review Board is and does. The second step would be what we are looking forward to in terms of our issues. The third piece could be a cautionary message that the Visioning process that is going on right now seems to be out of sync with what reality is. We would lead into that with the reality of what we are as a Board and how we fit in the Planning process and carry out the ordinances.

Ms. Pelletier advised that in the past, we put together a list of projects when the Board was not going to meet with the Council but she found that the Board has looked at 50 items this past year. She feels we could generate this list pretty easily. She would be happy to bring that list and show it to the Board at the next meeting. If we look at No. 1 and No. 2, she feels the Board can get to No. 3. She mentioned that the next meeting is scheduled during school vacation week and it looks like it will be a very full agenda. She wanted to confirm that Board members are not travelling and a quorum will be needed.

Ms. Campanelli feels that compiling a list of things the Board has done will be a great impact for the Council. They will be surprised at the number. She asked if the Board could send a list to Ms. Pelletier and Ms. Pelletier agreed that she would prefer that they be sent to her and she would compile them to go out in the packets. She offered to schedule a workshop next month if the Board is interested. She also mentioned there will be two members next month.

Mr. Yankee added that it feels like the Board needs to bring someone from the outside to help map this out with all the different pieces and also is aware of what is going on in other places or put together a plan of how the ordinances are going to match up with desired outcomes in the processes. It is okay to bring all these items up which is important on all the things the Board does and our challenges. Along with challenges, the Planning function in the town needs some resources to move forward so it can be ready to be in sync with whatever the new Vision is and driven by the Planning groups and not driven necessarily by FEDC in a reactionary mode. He is saying let's start thinking about how to tee that up.

More discussion followed. Ms. Pelletier listed all the projects the Board handled this past year and advised that she would e-mail it to the Board. Mr. Troidl pointed out that it is multi millions of dollars' worth of development that has been approved by this Board that goes to the economic vitality of this town. The argument that we might be an impediment is fairly ridiculous. Ms. Watson hopes we will also have some photographs to show and Ms. Pelletier agreed to come up with a pretty collage.

Chair Blanchard feels that we could probably put something together and then run it by everybody on the Board and then provide feedback to Caroline. He feels the Board knows where it is heading so it makes sense to create something that everybody on the Board can respond to. Ms. Campanelli feels the Board should do it sooner rather than later and

would love it to come from the Board that is here now. Ms. Pelletier advised that Mr. Hamlin and Ms. Watson could gladly participate in discussion but as members of the public. They both felt that would be fine.

Chair Blanchard clarified that he was thinking that he and Mr. Troidl and Ms. Pelletier would create something and then send it out to the Board for their comments. At that point, he feels they will be done. It will keep us moving toward a meeting with the Town Council in a timely manner. Ms. Pelletier noted that it would work. Mr. Troidl advised that for the meeting with the Council, we will still be virtual so PowerPoint is the effective way to go through it so they can see it on the screen. Chair Blanchard mentioned that the Council Chair felt the Board could get up to 45 minutes with them so we will have their attention. Board members were comfortable with this plan.

Board members advised that they were good with the meeting on the third Wednesday of April.

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

Ms. Campanelli pointed out that she will miss Gordy and Suzanne. It has been such a great group and she hopes to see them around town. Ms. Watson mentioned she has had a great experience with this Board and learned a huge amount and really feels she has gotten in touch with the Town and all its growth. She feels the confluence will come together in the not-too-distant future and is excited about where this Town is going and not just downtown.

Mr. Hamlin explained that he felt privileged to be a part of this Board working with outstanding people. He felt Caroline has done a superb job. Her analysis of all the projects were outstanding and Sharon has been terrific as well. He thinks we knew moving forward we would have a very important role in seeing this plan evolve because he hears a lot of chatter but not a lot of meat in terms of the plan going forward. He enjoyed serving on the Board and wished Board members well.

ITEM VII: Adjourn.

MOVED AND SECONDED: To adjourn at 9:04 p.m. (Reiche & Hamlin) ROLL **CALL VOTE:** (7 Yes) (0 No)

Recorded by Sharon Coffin