

**MINUTES
FREEPORT PROJECT REVIEW BOARD
WEDNESDAY, APRIL 21, 2021**

HELD REMOTELY USING ZOOM TELECONFERENCING TECHNOLOGY

PRESENT: Guy Blanchard, (Chair,) Linda Berger, Alexis Bond, GERALYN Campanelli, Ford Reiche, Adam Troidl, Tod Yankee and Caroline Pelletier, Town Planner

CALL TO ORDER: Chair Blanchard called the meeting to order at 6 p.m. He welcomed new members and asked them to introduce themselves. Ms. Berger noted she is happy to be a Board member and hopes to contribute something as the Board goes forward. She explained her background.

Ms. Bond explained that she has lived in Freeport for the past five years. She is a Project Manager at L.L. Bean and has done economic analysis in the past. She is looking forward to learning a lot on this Board. Chair Blanchard welcomed them to the Board.

ITEM I: Information Exchange

- 1) Update on Planning Board agenda items

Ms. Pelletier explained that the Planning Board took the month off so she did not have an update.

- 2) Update on Staff Approvals

Ms. Pelletier advised that L.L. Bean at its Order Fulfillment Center on Desert Road, has a piece of equipment that removes snow from the top of trucks. They are proposing to remove that and move it further away from the property line. It did not result in any increase of pavement or impervious area. She noted that the Board had talked about a workshop with the Town Council but when they saw what was on their agenda for Tuesday, April 27, it appeared it would be a very long night so she talked to Chair Blanchard and they decided the next meeting would be more interesting so tentatively for Board members that want to attend the workshop with the Council, it will be tentatively held on May 4th. She mentioned the Board may talk about this later tonight. The Board does have an item on tonight's agenda that involves a subdivision. If the Board chooses to take action on that item and has to sign the plan, she will reach out to the Board after the meeting to coordinate that aspect.

ITEM II: Review of the Minutes from the March 17, 2021 Project Review Board meeting.

Mc. Campanelli had a correction on Page 11 referring to the Heestand Family project at the Desert of Maine. The **ROLL CALL VOTE** should read (6 yes), (1 Recused-Campanelli) (0 No)

MOVED AND SECONDED: To approve the Minutes of March 17, 2021 as amended. (Troidl & Reiche) **ROLL CALL VOTE:** (5 Yes-Blanchard, Campanelli, Reiche, Troidl & Yankee) (0 no)

ITEM III: Reviews

Mast Landing – Site, Signage and Building Alterations

The applicant is seeking approval of a Design Review Certificate and Site Plan Amendment for site and building alterations and new signage at their new location at 200 Lower Main Street. Zoning District:

Commercial I (C-I), Design Review District I – Class C, & Color Overlay District. Tax Assessor Map 7, Lot 1. W/S Freeport Properties, applicant and owner. Katherine Wetherbee, W/S Freeport Properties, representative.

Ms. Pelletier explained that this project was one of the projects the Board was supposed to review before the world shut down for the pandemic. The Board last approved changes for Mast Landing at Freeport Crossing in July of 2020. They are here tonight for some adjustments. No. 1 the tenant knows what it wants to do for signage. They are proposing signage over the front entrance and on the rear façade which you will see when you are sitting on the off ramp of 295. The second part of this change is facing the parking lot. They want to add a covered entrance over the existing entranceway. They are proposing materials and a door that will go with the materials they have there. The third change is something she thinks one of the Board members questioned during the review process. They had a porch that went to grass. Now they have figured out that they want to put in an outdoor patio and have a lawn area for games. That whole area will be enclosed by a fence and landscaping. Because they are increasing the impervious area, they do have some drainage improvements they need to do. The Board has initial comments from Adam Bliss in its packets. He did review the submission and the Board got some additional comments today. Because there are a few things that are outstanding but none of them are major, if the Board decides to take action tonight, it would be appropriate to add a condition that those changes be reviewed and approved by the Town Engineer to make sure his concerns are adequately addressed. One other thing to note, the back patio under liquor laws will need to be fenced so the Board will see they are proposing to include a wooden fence to enclose the area. After the Fire Chief and Codes Officer went to the site, they discovered they need a second form of egress so the Board does see a second path that will lead to the loading area that they need for emergency egress. As far as a couple of random site changes, the Board will see on the Main Street side of the building, they are proposing potential additional dumpsters. Based on what is included in the submission, they will only add those if needed. They don't show any screening. There are also a couple of propane tanks that they might have to have there. They are working out the details to see if they might be able to put them underground. She noted that Hanna Foley is here tonight representing the applicant.

Ms. Foley felt Ms. Pelletier gave a great intro but she wanted to give a quick overview. She noted that tonight they are seeking a Site Plan Amendment and a Design Review Certificate Amendment for a few proposed elements. The biggest is the outdoor patio and lawn game area. They also have the signage and the new entry structure. She is aware that the patio was brought up last year and they are excited to finally have the perfect use to activate this part of the building. It is very important to be able to provide an outdoor dining option to make sure everyone is comfortable. They feel fortunate to be able to take advantage of this area behind the building. They are proposing a hardscape patio area in addition to a grassed lawn game area next to it. They will both be enclosed by a wood post fence which has been reviewed and approved by Acting Police Chief Goodman. For signage they have the new front signage on the entry structure as well as rear signage on the back of the building which will be very similar to what Mast Landing has at their Westbrook location. They will be painting the building a Newberry Port Blue which is a Benjamin Moore historic color which is allowed in the district. She feels it will be a major improvement for the building and will work really well with the proposed signage. Lastly, they are proposing a new entry structure at the front entry to refresh the entrance to the building. She offered to answer any questions the Board has.

Mr. Troidl noted he likes the project but has issues with the dumpsters and the propane. They are in a fairly visible site and the dumpsters, while he understands they are not going to necessarily put them in

now and it would depend on the tenant, especially the restaurant space but taking out the low stone wall without us knowing what the screening is gives him pause. If there were four propane tanks above ground, that would not be the greatest location for sight lines. Ms. Foley noted they want to wait on the dumpsters until they have a better understanding of what a full occupied building is going to require from a trash standpoint. For just Mast Landing, they only need two dumpsters that can fit tucked in where they are currently located. During the building permit review for the interior buildout, Nick Adams brought up concerns if additional dumpsters would be required down the road, they would need an additional area to place them that would not conflict with the loading and egress for the building so that is why they showed that additional area that was included in the building permit for their interior work but they are hoping to avoid building that until they know what they need. If they have to install it, they definitely would want to screen the dumpsters. Right now, they are working through the logistics with the propane company and a contractor. They are going to try to locate them underground barring any certain limitation with bedrock or other site constraints that would prevent that. If they do end up being above ground, they would also want to screen them. They agree that this is going to be a great new area and destination and they don't want propane to be front of mind.

Mr. Troidl referred to the motion and asked if the applicant would have to come back to the Board for screening? Ms. Pelletier advised that they are in Design Review so if they were to screen, they would have to come back. She advised that if the Board approves it, it is approving it without screening. If the Board is concerned and would not want this application to go ahead without screening, the Board might want to add a condition to put one out there. Otherwise, the Board would be giving them approval and they could place a bunch of dumpsters and propane without screening.

Chair Blanchard mentioned the entrance. It said it was being designed to incorporate design features and materials in the existing building but it looks like it is architectural timbers with stone on the columns. He wondered where that was coming from. Ms. Foley advised that there is existing stone along the side and back of the building so the stone is going to go on the piers for the new entry structure and the color will be selected to match. There are also wood elements that will be incorporated. They have Mark Chapel from Port City Architects on tonight if the Board has any specific questions. Mr. Chapel advised that they will try to get as close as they can to the stone that is currently along the back and sides. The front columns are square and reminiscent of the Shaw's that is down the way. The Shaw's columns in front are brick but they don't have any brick so they are not going with brick but are going with stone that they have. For the roof, they will try to match the same shingles that are on the building currently and then they will pull some of that timber for the roof and that is reminiscent of some of the stuff that is inside the building especially at the bar area.

Chair Blanchard feels it is a great idea to see what the plans are for the inside of the building and present it on the exterior. For him, looking at it, when he sees these buildings, it is a rare example of post-modern architecture and we don't see a lot of that in Maine, particularly in Freeport, where the buildings were designed for one view from the on-ramp to 295 and from 295 you get this barn appearance so you get that sort of stacked roof, the false cupola at the top and the stone foundation and then to the façade that presents itself to the parking area to get this curtain wall.

It is this very juxtaposed look they were going for which is typical in post modern architecture. When he sees this entrance, he doesn't see post modern necessarily, he sees craftsman because you have the paramental roof, the stone columns and the timbers bracing one another. For him visually, it looks a little jarring against that glass curtain wall. For him, if the stone was removed from the columns and it was simpler and cleaner lines, it would go with that exterior a bit better. Personally, he would like to see

the bracing of the timbers gone, replacement of timbers with probably aluminum, a gable roof instead of a hip roof for a paramental roof like you are showing. Again, this is a minor addition to the building so he does not want this to be a roadblock to the project. He is just one person and we have a Board of seven. This is his opinion. He feels there is a little bit of a miss when it came to what the building is and what is being added to it.

Ms. Campanelli agreed with Chair Blanchard. She felt that way when she first saw it but he explained it better than she would have. She feels the applicant is trying to impose something onto the structure that really belongs somewhere else. Chair Blanchard advised that pulling it back would be a more successful approach for the entrance than trying to do too much to pull the inside to the outside. He asked if the timber posts were going to be white or natural. Mr. Chapel advised that they would be natural. Chair Blanchard pointed out that it isn't just this building that has the exterior, the next two buildings have it so this is something to think about. He thinks if the stone was removed from the columns, it would make a huge improvement. He can appreciate that the entrance is not being attached to the building. It is slightly separated from the building so it is reversible or removable at some point in time if need be. Mr. Chapel advised that they had to separate it. They were afraid that the movement between the existing building and movement from this would be different enough so they did not want to attach it to the storefront and crack the glass. Chair Blanchard thinks that with its location being slightly separated, it does present itself for further down the road in the event a new tenant comes in and they can take it down and go back to a more austere exterior and closer to the post-modern design. These are his thoughts and he doesn't think it is something to hold up the project but he thinks maybe they could think about toning down that entry, it would be more successful architecturally with the complex. Mr. Chapel noted he got what Chair Blanchard was saying.

Mr. Troidl advised that if the propane tanks cannot be buried and the applicant has to come back for screening, he suggested trying to avoid a tank farm with a rectangular fence around it which would stand out. He feels it would need to be a little more of a linear progression along there but hopefully they can go underground. If they do need to go aboveground, Ms. Foley offered to circulate something to Caroline to share with the Board with what they need to do for screening but hopefully, they will be able to put them underground.

Mr. Reiche asked Mr. Troidl if this is something that could be delegated to Staff for approval as a condition of the motion. Ms. Pelletier advised that the Board could delegate it but she would want the Board to be very specific so if the Board is okay with a 6-foot stockade fence or plantings, the Board would need to give directive. She does not want a blanket approval. She doesn't feel that would work.

Mr. Troidl pointed out that we have a stone wall and we have a cemetery with a stone wall, so if we just fence it, it is going to stick out like a sore thumb there. He feels the Board would want to see what it was and it would really depend on the height. If we say 6 feet and the propane tanks are only 3-foot 6 inch off the ground, it doesn't need to be anything. He does not want to make them come back but it would be hard to get specific without seeing what they are. Ms. Yankee asked why the propane tanks cannot be relocated to the other side of the building? Ms. Foley advised that they discussed this but they have challenges with setbacks. They have to be 50 feet from the property line and they wanted to maintain the flexibility of that open area if they decided activate Building No. 2 next door so they would like to be able to have that for future flexibility and not have it tied down to a propane area. Mr. Yankee feels it seems awkward to have propane tanks next to a historic cemetery. Ms. Foley advised that they are required to be 25 feet away from the cemetery and they determined that this was the least obtrusive location for what they want to do with the property down the road. Ms. Foley asked about one of the

conditions mentioned in the Staff Report concerning performance guarantee and inspection account. She feels these conditions are more geared towards larger scale ground-up developments than a smaller site work improvement project at an existing development. She asked the Board if this condition could be removed. They are under construction for the interior of the space. Moving forward, they are hoping for an early summer opening and after this hearing they are hoping to move full steam ahead with a building permit for the site work and get going so they don't want this to hold them up. She wanted to hear the Board's thoughts but would like to get that condition removed if possible.

Mr. Reiche asked her to explain how that adds to July? Ms. Foley explained that it would be a question of process with the Town. It seems that it could some time, weeks or months to get that in place and it is a condition before they start construction so right now, without that they would like to submit for their building permit as soon as possible. They are pretty much ready to go there. Establishing those accounts would take longer than that time frame. Ms. Pelletier explained that those are standard conditions of approval for any project that has site work. What she would do is submit a cost breakdown of all the sitework associated with the project. In this case, the patio, the fencing, the landscaping, walkways, erosion control, stormwater management, etc. The Town Engineer would review the amount and determine if it is adequate. If the amount seems appropriate, she would establish a performance guarantee that is typically a cash performance guarantee or letter of credit that is held in place until the work is completed as approved. This is a site project and there are some drainage improvements, some landscaping and a new patio so this is something inspected by the Town Engineer and standard practice is that the cost is borne by the applicant. It is really simple to establish. Simply bring a check to the Town Hall and we set up the account. It is up to the Board but it would be off from their current practice if they were to remove the conditions and definitely for inspection by the Town Engineer, she would advise against removing them. It makes sure things get built as approved. Ms. Foley pointed out that they would be happy to pay fees and work with the Town Engineer as necessary and do a pre-construction meeting and all that. They were just concerned about the process to establish the guarantee and the potential threat to delay their schedule to get the tenant open.

Ms. Pelletier pointed out that the way it is written, it is before site work so it is before they start any of the sitework for the patio and it is not associated with the building permit in the way this proposed motion is worded. Ms. Bond pointed out that on the back of the building from 295, the applicant will have the big Mast Landing sign with the four gooseneck fixtures and a deck underneath that. She asked what is the exterior lighting plan for where people are seated. Ms. Foley advised that they submitted a lighting plan and are showing two new exterior fixtures on the building façade of the patio. For the most part, this will be operating in the summer months where it is light out late and they probably won't need exterior lighting but given what they saw this past year with patios operating year-round, they did want to provide Mast Landing with the flexibility to operate it during the colder months so they do have two exterior light fixtures with dark tops so they don't emit any light above the shade. They will be out there so there is light if needed.

There were no public comments received.

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.

On the façade facing the parking lot a new covered entrance is proposed. The entrance has been designed to incorporate design features and materials of the existing building 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 of buildings should be visually compatible with the heights of the buildings in the neighborhood.

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

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

Minor exterior alterations are proposed and the changes will not significantly alter the proportions of the building's front façade. Based upon this information, the Board finds that this standard has been met.

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

No changes to the rhythm of solids to voids in front facades will 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.

On the façade facing the parking lot a new covered entrance is proposed. The entrance has been designed to incorporate design features and materials of the existing building façade. The existing entrance doors will be replaced with aluminum full-lite doors to match what is currently in place. 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 overall roof shape will not be altered. The new covered entrance will have a peaked roof. 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.**

On the façade facing the parking lot a new covered entrance is proposed. The entrance has been designed to incorporate design features and materials of the existing building façade. The existing entrance doors will be replaced with aluminum full-lite doors to match what is currently in place. The roof will be peaked with asphalt shingles. The posts will be covered in stone veneer with architectural timber supports on top. Some repair and replacements will be done to the existing stone sidewalk leading to the entrance. 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 applicant is proposing to add a patio off the rear deck (previously approved). The patio will consist of a hardscape area and a lawn area for games. No other areas abutting the building will be altered and existing buffer areas will be retained. 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 applicant is proposing to add a patio off the rear deck (previously approved). The patio will consist of a hardscape area and a lawn area for games. These areas will be enclosed with a wooden post fence. A portion of an existing stone wall will be removed and provide a location for additional dumpsters (if required to supplement existing dumpsters on site). A new pedestrian walkway will connect the new rear patio area to the Lower Main Street side of the building. Supplemental landscaping is 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".

A new building mounted sign will be installed in the peak of the new entrance. The sign will be powder coated aluminum letters on a wood backer. It will be externally illuminated and the fixtures will not be visible. A second building mounted sign will be installed on the rear façade (facing the 295 off ramp) and will consist of white powder coated aluminum letters mounted on the rear façade. This sign will be illuminated with bronze gooseneck lighting fixtures. Sign permits from the Codes Officer will be required. The signs appear to be within the limits permitted by the Freeport Sign Ordinance. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of 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 site is already developed with existing buildings. A new covered entrance will be added on the façade facing the parking lot and a new outdoor patio is proposed in the rear. Tree removal will be minimized, and supplemental landscaping is proposed. Existing buffering will be retained. 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 C in Design Review District I and is in the Color Overlay District. A covered entrance is proposed on the front façade and an outdoor patio will be added in the rear of the site.

The project is in the Commercial I District (C-1) and complies with the space and bulk standards of Section 409 of the Freeport Zoning Ordinance. Minimal changes are proposed for the overall building facades and it will still comply to the standards of Section 527. Performance Standards for Commercial Districts (of the Freeport Zoning Ordinance). 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. Since this parcel is in the Commercial I Zoning District, the parking requirement is based upon a parking analysis submitted by the applicant. The applicant previously submitted a parking analysis demonstrating that the peak demand for all uses on the property is anticipated to be 366 spaces; 381 spaces are existing (paved and striped) on the site, with 16 of those being accessible spaces. An updated parking analysis was prepared by Gorrill Palmer (dated 03/01/21) and included in the submission. The updated analysis shows that with the patio the parking requirement will be 371 spaces; with 10 excess still being provided on the site. Based upon this information, the Board finds that this standard has been met.

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

A stormwater analysis was prepared by Gorrill Palmer (dated 03/12/21) and included in the submission. The increase in runoff will be directed to the existing soil filter basin which will be enlarged to accommodate the increase in volume. The Town Engineer has reviewed the submission; his comments are included in an email dated 04/12/21. 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.

No change to the connections with public utilities are proposed. A new concrete pad and above ground propane tanks are proposed in the existing grass area on near Lower Main Street. 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.

A new building mounted sign will be installed in the peak of the new entrance. The sign will be powder coated aluminum letters on a wood backer. It will be externally illuminated and the fixtures will not be visible. A second building mounted sign will be installed on the rear façade (facing the 295 off ramp) and will consist of white powder coated aluminum letters mounted on the rear façade. This sign will be illuminated with bronze gooseneck lighting fixtures. Sign permits from the Codes Officer will be required. The signs appear to be within the limits permitted by the Freeport Sign Ordinance. 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.

The applicant is proposing to add a patio off the rear deck (previously approved). The patio will consist of a hardscape area and a lawn area for games. These areas will be enclosed with a wooden post fence. A portion of an existing stone wall will be removed and provide a location for additional dumpsters (if required to supplement existing dumpsters on site). A new pedestrian walkway will connect the new rear patio area to the Lower Main Street side of the building. Based upon this information, the Board finds that this standard has been met.

- i. **Exterior Lighting:** All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties

and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public. For all proposed lighting, the source of the light shall be shielded and the light should be directed to the ground, except in the case of ground sign lighting. In the Village Commercial 1 and 2 Districts, lighting for pedestrian walkways and adjacent public sidewalks shall also be provided.

Lighting for the sign over the entrance will not be visible as it will be mounted in the peaked roof. The second building mounted sign will be installed on the rear façade (facing the 295 off ramp) and will be illuminated with bronze gooseneck lighting fixtures. Minimal lighting will be added to the new outdoor patio; all fixtures will 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.

Tree removal will be minimized, and supplemental landscaping is proposed. Existing buffering will be retained. 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
 - b. Surface waters;
 - c. The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;
 - d. The project will conserve shoreland vegetation;
 - e. The project will conserve points of public access to waters;
 - f. The project will adequately provide for the disposal of all wastewater;
 - g. The project will protect archaeological and historic resources;
 - h. 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. The existing cemetery on the property will not be disturbed. No changes affecting environmental considerations 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, Change of Use, and Design Review Certificate for WS Development, for exterior building alterations and a Site Plan Amendment in Freeport Crossing at 200 Lower Main Street (Tax Assessor Map 7, Lot 1), to be substantially as proposed, application dated 03/31/21, building renderings dated 3/26/21, revised through 3/31/21, and site plans most recently revised 4/15/21, 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) Prior to the start of any construction, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
 - 3) The conditions from the July 15, 2020 Project Review Board approval are still applicable.
 - 4) Prior to any site work the applicant do the following:
 - A. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in an amount to be determined by the Town Engineer and in a form acceptable to the Town Attorney. The performance guarantee shall cover the cost of all site work, including, but not limited to, erosion control, stormwater management, landscaping and the patio area, etc. Along with the performance guarantee, a non-refundable administrative fee, at the rate established by the Freeport Town Council, be paid.
 - B. Establish an inspection account, in the amount to be determined by the Town Engineer, to cover the cost of inspection of the site improvements by the Town Engineer.
 - C. The developer have a pre-construction meeting with the Town Engineer.
 - 5) If the new dumpsters are to be installed or the new propane tanks are to be installed above grade, the applicant return to the Project Review Board with proposed screening. (Troidl & Reiche)
- ROLL CALL VOTE: (7 Yes) (0 No)**

Linda Bean's Maine Kitchen and Topside Tavern Addition – Site and Building Alterations

The applicant is seeking approval for a Site Plan Amendment and Design Review Certificate to build a proposed addition to an existing restaurant on Main Street. The project would require demolishing the existing vacant ATM building, constructing an addition with a second-floor balcony, and will include a first-floor walk-up ice-cream window. The addition was last approved by the Board in November 2020, however, needs to be further amended due to some issues with the location of utilities. Zoning District: Village Commercial 1 (VC-1), Design Review District 1 - Class C & Color Overlay District. Tax Assessor Map 11, Lot 107 (88 Main Street). David Matero Architecture, applicant and representative; 88 Main Street, Freeport, LLC, owner.

Ms. Pelletier advised that this project was before the Board in November 2020. The Board approved an addition. They are proposing to take down the portion of the building where the ATM is currently is and do an addition. When they did more due diligence, they discovered the underground utility lines that CMP won't let them have a structure above which means they have had to shorten the building. Because it was changed to a building again, there is nothing she could do for them. They had to come back to the Board. They have a modified design that shortens the length of the building so they will have a little space between this and the abutting Polo Building. It will create a little bit of an alley on the ground level. They are proposing a wooden fence to enclose the area. The second story will remain as what was previously approved. The only outstanding item on this but the Board did get some information late today regarding the impervious area calculations. They cannot go non-conforming. It looks like there is a little bit of an increase so they need to work out the impervious area calculations to the satisfaction of Adam Bliss to show that there is zero percent increase and they are not going over the 90. That would be the only condition that the Board would need to add if it goes forward with it based upon the motion proposed that they work with the Town Engineer to resolve any calculations on the impervious area. Otherwise, it is pretty straight forward and not a ton of changes other than really those building modifications. They did update the parking calculation. The applicant owns an off-site parking lot where they have surplus parking so they can meet the parking requirement based on the parking that they own. No changes to signage, lighting or building materials. David Matero is here if the Board has any questions.

Mr. Matero mentioned what they needed to change. They are increasing the pervious surface so he is not sure why they have to meet a threshold of 90% because they are making improvements already. He can work that out with Adam. He advised Ms. Pelletier that he coped her but it was late today. He does not feel they should meet a threshold to increase pervious surface because they should be allowed to build at least what they have but they are actually making improvements to it. He hopes the Board understands what he is trying to say. He feels they are in good shape with that but he doesn't know if it should be a condition of approval.

Ms. Pelletier clarified that it was more that they wanted to make sure there was not an increase in the impervious area and that is why there was the suggested condition. It was not that they were being held to a whole new standard. Mr. Matero advised that they feel their hands are tied because they cannot build as close to the other building as they were hoping. He wanted to make one correction to Ms. Pelletier's Staff comments. He told her the alley would be in fiber cement. Because the building is masonry construction and they are building from the inside, he still wants to keep the first floor concrete block as they are doing on the second floor. It would be a red concrete block and it won't be seen much but it won't be green as he told her. It was his mistake because he told Ms. Pelletier fiber cement. He screen shared that as well as the renderings showing what exists currently and where the alley will be located. There is a transformer that goes behind the building and it is too costly to move around the entire restaurant so they are leaving it free as CMP forced them. They did allow them to

build over it and they are allowed to cantilever the second floor over that which works. They could not infill the alley so that is a change. It is only about 5' wide and so people will not be able to use it, they are proposing to install a gate in the same green that is already on the building. That is the extent of the change in this project.

Mr. Troidl mentioned that it looks nice as it did last time. He wants to make sure that the gate hardware will have something heavy duty because there are a lot of people in that area and it is not something that will start flopping around over time. He is sure they will never use it since there is not point to. Mr. Matero agreed. Ms. Berger asked if they will need a sign review for the sign on the gate. Mr. Matero advised that the gate will be locked so he doesn't know if they need to have a sign saying "No Entry" on it.

There were no public comments provided. Ms. Pelletier wanted to note that Mr. Matero did clarify the material. If someone makes the motion and they are okay with the first floor being that red concrete block on the side façade, you might want to include that in the motion so it is clear. Mr. Troidl asked if the gate is flush with the front wall, and the red block will only be behind the gate? Mr. Montero advised that it is correct. Mr. Yankee asked if it is possible to have the lock be installed on the inside and accessed through the back side with no hardware showing on front side, it would just be on the back side. Mr. Montero agreed that they could have the lock back there.

Design Review Ordinance: Chapter 22 Section VII.C.

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

No changes to the overall size and scale of the building will be altered. The width of the front façade will be shortened. 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.**

No changes to the previously approved height are proposed. 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 new addition will maintain the proportions of the building's front façade through the incorporation of some of the same architectural features and materials. 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 applicant will maintain the existing rhythm of solids to voids in the front façade. Although the lower portion of the alley will be enclosed with a fence, the area above will remain partially open allowing for space between the two abutting buildings. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

- 7. Relationship of Facade Materials. The facades of a building are what give it character, and the character varies depending on the materials of which the facades are made and their texture. In Freeport, many different materials are used on facades - clapboards, shingles, patterned shingles, brick - depending on the architectural style of the building. The facades of a building, particularly the front facade, should be visually compatible with those of other buildings around it.**

No changes to previously approved building materials are proposed. The gate enclosing the alley will be made of wood to match materials on other portions of the building. 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 width of the building will be shortened to create an alley between two abutting structures. A gate will be used to enclose the alley area. 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.

Much of the site is already paved. Driveway location will not be altered. The sidewalk and outdoor seating areas will be retained. Signage will be building mounted. The amount of impervious area on the site will decrease slightly. 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 changes to any previously approved signage are proposed. Based upon this information, the Board finds that this standard has been met.

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

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

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

ridge. Existing vegetation and buffering landscaping are potential methods of preserving the scenic vista.

The applicant previously received approval for this project and is now seeking an amendment to shorten the length of the building. This will result in an alley way between two abutting buildings. The alley will be covered with pervious area. No new clearing of the site is proposed. Based upon this information, the Board finds that this standard has been met.

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

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

This building is Class C in Design Review District I. An existing one-story structure will be removed and a new two-story addition, with upper-level outdoor seating is proposed. The structure will comply with all setbacks for the zoning district. 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.**

The submission noted that the current parking requirement for the use is 18 spaces. Based upon their calculation, 6.7 additional parking spaces will be required for the addition. The applicant has surplus parking available in their off-site parking lot. Based upon this information, the Board finds that this standard has been met.

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

The Town Engineer has reviewed the submission; his comments are included in an email dated 04/12/21. He does ask for clarification on the amount of impervious area on the site and changes over time. 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 additional changes to utility connections are proposed. Based upon this information, the Board finds that this standard has been met.

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

No changes to previously approved 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.

Dumpsters are located on the rear of the site and will be retained. Based upon this information, the Board finds that this standard has been met.

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

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

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

All public safety department heads have reviewed the plans. An existing hydrant is proposed to be relocated. The applicant will need to get final sign-off from the Freeport Fire-Rescue Chief and Maine Water Company, with copies of the signoffs to be submitted to the Freeport Planning Department prior to any sitework. 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 site is non-conforming in regard to the amount of impervious area; there will be a slight increase in the amount of pervious area on the site and as a result of this project. No new landscaping is proposed. Based upon this information, the Board finds that this standard has been met.

- I. Environmental Considerations: A site plan shall not be approved unless it meets the following criteria:**
- 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 David Matero, for an addition and associated site improvements at Linda Bean's Maine Kitchen and Topside Tavern at 88 Main Street (Tax Assessor Map 11, Lot 107), to be built substantially as proposed, application dated 03/18/21, 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, including red concrete block on the side façade as recently submitted.
- 2) The impervious area calculation and plan be reviewed and approved by the Town Engineer.
- 3) The conditions of the December 2020 Project Review Board approval are still applicable. (Reiche & Troidl) **ROLL CALL VOTE: (7 Yes) (0 no)**

Derosier's – Exterior Building Alterations

The applicant is seeking approval of a Design Review Certificate for exterior building alterations at their property on Main Street. Zoning District: Village Commercial I (VC-I), Design Review District I – Class B & Color Overlay District. Tax Assessor Map 11, Lot 93 (120 Main Street). Phil Wagner, applicant; Richard & Catherine Wagner, owners.

Ms. Pelletier explained that Phil Wagner is here tonight. He had done window repairs not realizing that it was considered a change under the Design Review Ordinance. It is the second-floor windows on the front façade and they have been replaced with new 2 over 2 vinyl windows with STO mullions. In the Mr.

Wagner included some pictures in the submission to note he is trying to go back to what historically used to be there. The other thing he wanted to do is replace an entrance door on the side of the upper level which can be seen from the right-of-way when you are in front of the existing doors. He still wants to go to Fiberglass half way with two panels on the bottom. He did not change the size of any openings. He retained and reused the trim but again material change under the Design Review Ordinance. Mr. Wagner is here tonight if the Board has questions for him.

Mr. Wagner noted he hopes the 2 over 2 windows meet the Board's approval. Chair Blanchard felt they looked good to him. Mr. Reiche asked Mr. Wagner about the 2 over 2 windows. In looking at the profile for the Matthews Bros. window. It isn't a 2 over 2 but is it the same interior and exterior profile. Mr. Wagner replied that it is. Mr. Reiche pointed out that he likes these windows a lot and he rarely says that. Mr. Wagner advised that he tried to get something decent that looks like a true divided light and these were not cheap. Mr. Reiche noted that it matters greatly to him and this is a window profile for future reference if anyone asks Ms. Pelletier. Ms. Pelletier mentioned that it was so noted.

Mr. Reiche advised that he has come close to voting against projects a number of times where we have had these hokey windows that really aren't anything close to a true divided light. They are more like masking tape over a single glaze. He mentioned to Ms. Pelletier that anytime we can steer applicants towards this, it will help him resist the urge to vote no. He thanked Mr. Wagner. Chair Blanchard agreed with Mr. Reiche. In reference to the 1904 image that Mr. Wagner has provided in the application, he thinks it is great that he is going back to how the building originally looked. He feels it is so important for maintaining the look and feel of Freeport. He appreciates that addition but requested that Mr. Wagner come before the Board first.

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

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

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

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

neighbors.

The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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.

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

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

The shape of the roof will remain unchanged. 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 existing second floor windows on the front façade have been replaced with new 2/2, vinyl windows, with the panes being simulated divided lites. The previous windows were solid plate glass with no grills and were also vinyl. A replacement entrance door on the second story side façade is also proposed. The existing door is steel, and the new door will be made of fiberglass, and a half lite with two panels. 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 building on streets will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Philip Wagner – Derosier’s, for exterior building alterations at 120 Main Street (Tax Assessor Map 11, Lot 93), to be substantially as proposed, application dated 03/22/21, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer. (Yankee & Campanelli) **ROLL CALL VOTE:** (7 Yes) (0 No)

Chilton Furniture – New Replacement Sign

The applicant is seeking approval of a Design Review Certificate for a new replacement ground sign at their existing business on Lower Main Street. Zoning District: Commercial III (C-III); Design Review District I – Class B & Color Overlay District. Tax Assessor Map 8, Lot 3 (184 Lower Main Street). Chilton Furniture Co., applicant; Chilton Properties, LLC., owner.

Ms. Pelletier explained that Chilton’s has two separate applications before the Board tonight. They decided to bring them in separately since they have two different people working on two different components. Chilton’s has an existing ground sign and wanted to replace it. She felt it was a significant enough change that it exceeded the Staff Approval threshold of the Ordinance which is why they are here before the Board tonight. The only thing that came up in review, it appears it will meet the size but they will need to confirm before installation that it is located entirely on private property. You cannot have a sign in the right-of-way and in this case, they are not just repairing it. They are replacing it. That would be the only condition of approval. Otherwise, it is a standard application for signage. The Board has drawings of the sign and appearance in its packet. Jan Levin, the owner of Chilton’s is here if the Board has questions and she can talk about the rebranding, if the Board wants to hear about that.

Ms. Levin mentioned that Josh Doiron from the sign company is also on the call. With the rebranding they felt it would be a big improvement because it will be a more understated sign and reflects their desire to have a nod toward tradition with that shiplap look and tie in with a slightly more modern look and feel. They are hoping it will be a quieter voice and more in keeping with the Freeport style. She

hopes everybody will like it. She understands that she has to verify that it is on their property and she believes it is. They are not moving the location so they can certainly confirm that.

Ms. Bond mentioned that it appears the sign will be pretty much the same exact size in the same exact space. They are only changing from a shade of red to a shade of green to match the building and the text gets a little bit smaller but even the lighting will stay the same. Ms. Levin advised that the lighting will stay the same but the color will be more of a gray tone to match the building. She knows it appears green in the photo. The lettering does get smaller and the diamond will be a bit smaller as well. It is a rebranding and a little more subtle.

Mr. Troidl noted it says shiplap appearance. He asked if it would be actual wood shiplap and then painted or is the sign face aluminum as well. Ms. Levin did not know what the material is but it looks like wood. She advised that they just did this sign down at their Portland location so it will be identical to that sign. Mr. Doiron advised that the frame itself is aluminum and the actual shiplap faux face is aluminum clad so it will appear and stay new for a really long time. They do an automotive finish on it. They try to stay away from raw wood so that it doesn't deteriorate with water over the years. The actual material is an ACM material but it is basically a fully aluminum sign with an automotive finish on it so it will hold up for 10-15 years and still have the outcome. It is a ¼ of an inch reveal so if the Board is looking at the rendering and sees those lines which would be the shiplap lines, that is ¼ of an inch by ¼ of an inch inset and then the Chilton's Furniture and diamond are all 1/4 of an inch dimensional letters that come outside of that. The frame is ¼ of an inch in addition to all of that so there is some dimension to it and it has a nice aesthetic appeal. Mr. Troidl noted that this description helps a lot.

Mr. Yankee feels it is inconsistent with the other signs in the area. It seems to be fairly modern which he is sure that is what the applicant is trying to do. He is concerned that it will be different from the Bath Savings sign across the road or going towards downtown where the signs are all very similar on two posts. Ms. Levin advised that it is really supposed to be a combination. It is supposed to be a modern voice but on something very traditional so they tried to blend an old and new voice together to show sort of a coming into a new century but having a modern voice with a nod to history. That is what they tried to do. She understands that it is a departure from what they had before. She feels it is consistent with signage downtown such as the Banana Republic. It definitely is different.

Mr. Troidl pointed out that the Credit Union next door went with a more modern look. Ms. Campanelli likes that it is smaller and appreciates that it is a smaller scale. We don't have any consistent sign language in our Ordinance either so she doesn't have a problem.

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

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

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

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

The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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.

The sizes of all openings will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

The shape of the roof will remain unchanged. Based upon this information, the Board finds that this standard has been met.

7. **Relationship of Facade Materials.** The facades of a building are what give it character, and the character varies depending on the materials of which the facades are made and their texture. In Freeport, many different materials are used on facades - clapboards, shingles, patterned shingles, brick - depending on the architectural style of the building. The facades of a building, particularly the front facade, should be visually compatible with those of other buildings around it.

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

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

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

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

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

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

The sign will be in the same approximate location, but since it is being replaced, will need to be located on private property and entirely out of the right-of-way. The new sign face will be 67"x67". The sign construction will consist of a 12" aluminum cabinet which will be mounted on a rectangular base. The background will have a ship-lap appearance with the business name and logo in the center. Details on colors have been included in the submission. No new lighting is proposed. Based upon this information, the Board finds that this standard has been met.

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Chilton Furniture Company, for a replacement ground sign at 184 Lower Main Street (Tax Assessor Map 8, Lot 3), to be substantially as proposed, application dated 03/24/2021, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer. Per the Freeport Sign Ordinance, the sign will need to be located entirely on private property and out of the public right-of-way. (Campanelli & Troidl) **ROLL CALL VOTE:** (7 Yes) (0 No)

Palmer and Company – Change of Use, Exterior Building Alterations and Replacement Signage

The applicant is seeking approval of a Design Review Certificate for replacement building signs, exterior building alterations and a new walkway connecting the proposed stairs to the existing public sidewalk. The change of use will be from restaurant to retail and dwelling unit (on other than the first floor). Zoning District: Village Commercial I (VC-I), Design Review District I – Class C. Tax Assessor Map 11, Lot 95 (9 Mechanic Street). Benjamin Palmer, applicant; Hugh Wade & John C. Thomas III, owners.

Chair Blanchard disclosed that he worked with one half of the applicant, Megan on Historical Society fundraisers but he does not feel he needs to recuse himself from this application.

Ms. Pelletier explained that this is the former Corsican Restaurant at 9 Mechanic Street. It is a Class C Building but it is actually not that old. The previous structure was lost in a fire and they came before the Board to rebuild the structure that is there today. The first floor was a restaurant but they plan to change it to retail. In the Village, retail to restaurant can be done with Planner approval. On the second floor they are proposing to put in a dwelling unit. Currently you can have one or two dwelling units in the Village other than on the first floor subject to Site Plan Review. This is why they are coming to the Board. They are proposing a couple of changes. The first one is out front, there is some landscaping and they are proposing to put in a stone path leading to some new front steps connecting the steps to the sidewalk. A portion of that is in the right-of-way. They will have to get an entrance permit from Public Works. They will also have to give us some calculation to demonstrate that they will still comply with the maximum pervious coverage on the site. That is a proposed condition. In regards to the building, the current entrance does not face Mechanic Street. It actually faces Main Street so if you are standing in front of the building, you can't see it. They are proposing to take the existing entrance door and put it facing the road so you can walk up from the sidewalk, up the new stairs and into the building. They will replace the entrance facing Main Street with a solid door and that is what is going to lead to the upstairs residential unit. There will be some trim replacement and there are details that were included in the Board's packet. They are also proposing to replace signage which is consistent with what was previously on the building. In regards to location, lighting and signage that is something that could have been done

at Staff level but since they were coming to the Board anyway, they brought the Board the whole package. Ben and Megan are here in the event the Board has questions.

Ben Palmer mentioned that as far as the entrance, he loves the building but the entrance is kind of awkward. When it changes to retail, it will be more welcoming from right off Mechanic Street to come and approach the building. The impervious surface is at 72% right now and the small patio that is proposed is just over 1% of the total so it would make it about 73.2% in all those calculations so it is pretty below the 90% threshold.

Mr. Troidl referred to the submission and asked Ben if he is proposing the door with paneling and not a door with sidelites? Ben mentioned that in keeping the building as close as possible, that is actually the current door to the building which the Board can actually see in the picture below. His thought was to trim it in such a way to match the trim currently on the first floor and try to make it somewhat of a statement to make it feel a little more prominent as far as it being a retail entrance and welcoming people. No, it is not sidelites. It is meant to oversize that area. Chair Blanchard feels moving the door to the front is an improvement. Ms. Campanelli agreed that it is a good addition.

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

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

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

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

The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

The rhythm of solids to voids in the front facades will be altered with the addition of a new entrance door facing Mechanic Street. The door location will maintain the existing rhythm of the openings. 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.

The sizes of all openings 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 shape of the roof will remain unchanged. 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 entrance door to the residential unit, will be a new solid, fire rated, metal door and painted white. The new door to the retail space will be reused, as it is the current entrance door (facing Main Street and under the existing covered porch). The trim and paneling around the door will match existing trim in paneling in style, color and material. A new set of steps will be added to the existing ramp and provide pedestrian access from the sidewalk on Mechanic Street. The new steps will have PVC risers and trim and wood decking; no railing is required or proposed. Based upon this information, the Board finds that this standard has been met.

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

A new walkway will connect the new steps to the walkway leading to the existing sidewalk on Mechanic Street. 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 new walkway connecting the steps to the sidewalk will be constructed of stone pavers which will match the existing pavers used on-site. A portion of this walkway will be in the public right-of-way and an Entrance Permit will be required. 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".

Two replacement building signs are proposed in the same location and will be similar in size to the existing signs. The signs will be painted and constructed of MDO. Existing lighting will be retained. A sign permit from the Codes Officer will be required. 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.

Proposed site changes will be minimal. A small area of vegetation will be removed, and a stone walkway will be installed to connect to the sidewalk on Mechanic Street. 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 C in Design Review District I. No new structures are proposed, and exterior building alterations will be minimal. 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. The applicant will participate in the shared parking system. Parking will be required per Section 514 of the Freeport Zoning Ordinance and will

be determined at such time that a building permit is applied for. Since there is limited parking on site, the applicant will be required to lease some of the required parking. 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.

Proposed site changes are minimal 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. Obtaining a capacity to serve letter from the Freeport Sewer District has been added as a condition of approval. Since no dumpsters are shown on the plan, it is assumed that waste will be stored inside. Waste is currently stored to the rear of the building and no changes to this 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.

Two replacement building signs are proposed in the same location and similar in size to the existing signs. The signs will be painted and constructed of MDO. Existing lighting will be retained. A sign permit from the Codes Officer will be required. 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.

Proposed site changes will be minimal and no new landscaping is proposed. A small area of vegetation will be removed, and a stone walkway will be installed to connect to the sidewalk on Mechanic Street. 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, Change of Use, Design Review Certificate and Site Plan Amendment for Benjamin Palmer at 9 Mechanic Street (Tax Assessor Map 11, Lot 95), for exterior building alterations and a change in use from restaurant to retail (1st floor) and dwelling unit on other than the first floor (2nd level), to be built substantially as proposed, submission dated 03/11/21, finding that it meets the standards of the Freeport Design Review Ordinance and the 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 sitework or applying for a building permit, the applicant submit documentation to the Town Planner to demonstrate that with the installation of the walkway and stairs, they will still be in compliance with the requirement of a maximum impervious surface to lot area ratio of 90%.
- 3) Prior to the start of any sitework, the applicant obtain an entrance permit (for the proposed walkway) from the Freeport Department of Public Works.
- 4) Prior to the start of any building construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer
- 5) Prior to applying for a building permit, the applicant obtain a written capacity to serve letter from the Freeport Sewer District, with a copy to be submitted to the Freeport Planning Department.
- 6) Prior to a Certificate of Occupancy being issued for the Change of Use, the applicant submit the required paperwork for a parking recalculation to the Town Planner and subsequently submit proof of providing the amount of required parking.
- 7) Prior to installation of proposed signage, the applicant receive a Sign Permit from the Freeport Codes Enforcement Officer. (Reiche & Yankee) **ROLL CALL VOTE:** (7 Yes) (0 no)

Winslow Park – Site Plan Amendment (This was tabled at the request of the applicant).

Spruiell/Sense – Residential Fence

The applicant is seeking approval of a Design Review Certificate for a new fence at their residential property on Park Street. No other changes are proposed. Zoning Districts: Design Review 2 – Class B; Freeport Village Overlay District; Village Mixed Use II (VMU-2). Tax Assessor Map 13, Lot 68 (4 Park Street). Marc Spruiell and Gail Senses, applicants and owners.

Ms. Pelletier explained that the applicants have a property on Park Street right across from the Hilton Garden Inn. They have a wood fence on one side of their property that was put in years ago when the Hilton Garden Inn was built but they do want to enclose other portions of their property. They provided pictures of some fencing. They want to have portions of aluminum. The portions abutting the nearby residence would be wood and they will have aluminum gates. They included a plot plan in the Board's packets showing their plans. She explained that this is before the Board under Site Changes that require Site Plan Review under the Design Review Ordinance when changes like this are visible from any right-of-way.

Gail Senses advised that Ms. Pelletier explained their plans very well. They have talked to their neighbors and they are okay with the designs they chose because they did not want it to look oppressive and they were walling their selves in. The aluminum fence will be up against trees on the back side of the parking lot for the Hilton Garden so she thinks it will blend in. They want to keep their little dog and their grandchildren safe in their own yard. Mr. Spruiell advised that the common fence line between them and their neighbors that is marked in red in the Board's packet will have some visibility but it will have a privacy appearance.

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

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

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

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

The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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.

The sizes of all openings will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

The shape of the roof will remain unchanged. Based upon this information, the Board finds that this standard has been met.

7. **Relationship of Facade Materials.** The facades of a building are what give it character, and the character varies depending on the materials of which the facades are made and their texture. In Freeport, many different materials are used on facades - clapboards, shingles, patterned shingles, brick - depending on the architectural style of the building. The facades of a building, particularly the front facade, should be visually compatible with those of other buildings around it.

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

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

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

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

There is an existing section of 6' wooden fence on the front portion of the property (which abuts one of the parking lots for the Hilton Garden Inn). The proposal would use different types of fencing to enclose the remainder of the backyard. Most of the area would be enclosed with a 4' high aluminum fence. An 80-foot section of 5' high wood shadowbox style fencing is proposed along the property line near the abutting residential properties. Four-foot-high aluminum gates will be used abutting the dwelling and to enclose the backyard. Based upon this information, the Board finds that this standard has been met.

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

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

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Mark Spruiell and Gail Senses, for a new fence at their property at 4 Park Street (Tax Assessor Map 13, Lot 68), to be substantially as proposed, application dated 3/29/21, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

1. This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions. (Troidl & Campanelli) **ROLL CALL VOTE:** (7 Yes) (0 No)

Freeport Heights Retirement Community – Old County Road – PUBLIC HEARING

The applicant is seeking an extension of a previous approval for a retirement community on Old County Road. The proposal includes adding an 85-unit assisted living/independent care facility and 73 cottage units to the existing facilities. An updated phasing plan is proposed. This project requires both Subdivision and Site Plan Review. The location of the Retirement Community Overlay District was previously approved by the Freeport Town Council. Zoning District: Rural Residential District I (RR-I). Tax Assessor Map 26, Lots 38A, 38B, & 38C (4 and 6 Old County Road). Freeport Heights, LLC applicant; Freeport Convalescent Center Realty Trust & Old County Road Realty Trust, owners; Thomas Emery, ASLA, Harriman Associates, representative.

Chair Blanchard pointed out that this is a public hearing. Ms. Pelletier explained to people that have been on the Board and are familiar with Tom and this project that they got approval years ago and keep coming back to renew it. In this case, there are no changes proposed. No ordinances impacting this project have changed. There are some conditions of the past approvals that kind of go along with this, such as making sure they have their valid DEP permits. In this case, they came in before the two years were up so it is just an extension so it doesn't reopen the entire application because the Board already found that it met the standards and is just extending the subdivision and site plan approvals. It is extending the approvals for a subdivision so if the Board approves it, they would have to come by and sign. She will probably have that for the Board early next week and she would coordinate that with the Board. One thing to note is that there were some dates included on the plan but they would have to start substantial construction in two years of this approval or otherwise return to the Board. There is nothing outstanding, it is just an extension. Tom Emery is here if the Board has questions for him about the project. It is a public hearing so the Board would need to open and close.

Mr. Emery explained that Craig Coffman was called away this evening on an urgent meeting in Boston and apologizes for not being able to attend. They appreciate the Board's attention and he is happy to answer any questions.

Mr. Troidl asked if the phasing changed dates or land area? Mr. Emery advised that nothing has changed in land area or buildings. It is simply a change of the dates.

MOVED AND SECONDED: To open the public hearing. (Troidl & Campanelli) **ROLL CALL VOTE:** (7 Yes) (0 No)

There were no public comments provided.

MOVED AND SECONDED: To close the public hearing. (Reiche & Yankee) **ROLL CALL VOTE:** (7 Yes) (0 No)

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board grant an extension of the previously approved Site Plan and Subdivision approvals for the proposed Freeport Heights Retirement Community on Old County Road (Tax Assessor Map 26, Lots 38A, 38B, & 38C), to be built substantially as proposed, updated subdivision recording plan dated 03/29/2021, finding that no municipal ordinances affecting the approvals have changed and therefore the application would still meet the standards of the Freeport Subdivision 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 Findings of Fact and conditions of approval related to the Board's 06-28-17 approvals (and most recently extended on 05/15/2019) are still applicable with the exception of condition 2 which is updated as follows:

The Board approves the phases as presented by the applicant in the submission cover letter dated March 31, 2021, and each phase is approved for the time as noted. Construction of the first phase must be initiated (as defined by the Freeport Subdivision Ordinance) within two years of this approval (by 04/21/21). The Construction Phasing Plan is approved for the construction of all site work, including the driveway, roads, parking areas, landscaping, erosion control, and stormwater management etc. The buildings do not need to be completed within this phasing schedule.

The commencement date for the start of a subsequent phase under the phasing schedule may be extended by the Project Review Board. Phasing may be accelerated if the required performance guarantee has been established for each separate phase under construction and if applicable fees will be paid, but such acceleration shall not alter the beginning and end date for commencement of other subsequent phases, unless requested by the applicant in accordance with this approval.

If construction of a phase is not initiated in the time allotted, the approval for all remaining phases becomes void unless otherwise approved by the Project Review Board prior to expiration of such phase. If during such time prior to construction, rules and regulations of the State or other governing body besides the Town change and require changes to the plan, the applicant may be required to return to the Town for approval of such changes. If Town standards affecting the plan change, those standards will be applicable at such time that the applicant returns to the Board. (Troidl & Berger) **ROLL CALL VOTE:** (7 Yes) (0 No)

Goslings Nursery School – Change of Use and Site Plan Amendment

The applicant is seeking approval of a Change of Use and Site Plan Amendment for a portion of an existing multi-tenant commercial building on US Route One (South). Zoning District: Commercial I (C-I). Tax Assessor Map 26, Lot 52 (262 US Route One). The Goslings Nursery School, Melissa O'Connor, applicant and representative; JAF Realty, LLC., owner.

Ms. Pelletier noted that Melissa Yates is here and she is looking to occupy a portion of a building on U.S. Route One South that was formerly occupied by Wayside Publishing. It is the same building that Freeport True Value Hardware is located in. She will be on the opposite end. The changes are pretty minimal but it does include a fence, outdoor play area that will have a grass surface so play mats inside. They will not remove any vegetation or remove any of the approved buffering. It is on the other side of the parking lot so they do show a walkway where they could take kids either outside of the rear door and kind of go around the perimeter of the parking lot. Because of the setbacks, she cannot put a structure so at this point it will probably remain dirt as it exists today but would be a route around. She submitted a capacity letter from the Sewer District and information about existing parking and the needs of the various uses on the site in regards to shared parking. They are not increasing impervious area so there won't be any changes to stormwater. The Town Engineer did note that the existing stormwater facilities do need some maintenance but that is something as an aside we will reach out to the property owner that they need to look at that. They have one building sign proposed. It is not a ground sign and the applicant is here to answer any questions. One other thing to note is that there is an existing dumpster pad so she will utilize that. It is back near the building and she is proposing to enclose it with a chain link fence.

Ms. Yates felt Caroline pretty much covered her proposal and thanked her. She explained that she is trying to keep her nursery school in the Town of Freeport. Mr. Troidl asked about the sign. He asked if the sign would be going in the same spot that Wayside used? Ms. Yates replied that it would be going in the same spot. Chair Blanchard asked about the sign color. Ms. Yates advised that she might change the color to light gray with black lettering. Ms. Campanelli mentioned the dumpster and asked where the Board is on a chain link fence. Ms. Pelletier advised that she does not believe it says they can't. When the Town Engineer made his comments, he flagged enclosing the dumpster. They were not proposing to enclose it but based upon his comment, they added a chain link fence. Ms. Campanelli asked if this is proposed as a visual screen versus a safety screen? Ms. Yates advised that she is not concerned about the children at all. They will not have access to it at all so it is just a visual thing. Ms. Berger mentioned that the application states there is no additional exterior lighting added. She asked if there is enough lighting for where the addition of the playground is going to be? She is confident she will not be having them outside in the nighttime but it might get dark early in the morning. Ms. Yates advised that if it gets dark, they head in but it does depend on the time of the year. If it got dark enough, she would make sure they had the kids inside. She hasn't been there in the evening to determine how dark it gets but would be very diligent about bringing them right in.

Ms. Bond mentioned that there is the hardware store and the portion that will be turned into the nursery school. She asked if that building is now full and are those the only commercial entities in that space? Ms. Yates advised that there was a warehouse next to the space she will be occupying and no one is currently in that space. It was offered to her as well but is completely unfinished and needs a lot of work. She doesn't know if anyone has any interest in it but she didn't need that space so right now it is vacant. She is in the middle and then there is the hardware store.

There were no public comments provided.

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

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

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

The site is already developed and the building is existing. Site alterations will be minimal. 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.

This parcel is located on Route One South and is not within the Design Review Districts. The building is existing and no exterior alterations are proposed. Based upon this information, the Board finds that this standard has been met.

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

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

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

Since this parcel is in the Commercial I Zoning District, the parking requirement is based upon a parking analysis submitted by the applicant. The applicant has included information in the submission to note that the existing hardware store requires 15 spaces. The daycare will require 15 spaces for parents and 4 spaces for teachers for a total of 34 spaces required for the current uses on

the site; 46 parking spaces are shown on the 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 changes to the amount of impervious area are proposed and therefore a stormwater management plan was not submitted. Upon inspection, the Town Engineer did observe that the existing stormwater facilities on the site need some maintenance. This is just something to note and that will be addressed with the property owner. 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 change to the connections with public utilities are proposed. Since this is a change of use a capacity letter from the Freeport Sewer District is required and has been included in the submission (dated 04/02/21). There is an existing concrete pad that will be utilized for dumpsters. A chain-link fence is proposed to enclose the dumpsters. 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.

A 4'x10', wood, building mounted sign is proposed. No new lighting is proposed. Two replacement building signs are proposed in the same location and similar in size. 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 is an existing concrete pad that will be utilized for dumpsters. A chain-link fence is proposed to enclose the dumpsters. 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 the previously approved landscaping and buffer plans are proposed. No vegetation will be removed. Based upon this information, the Board finds that this standard has been met.

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

This parcel is not within the Marine Waterfront District or the Shoreland Zone. The building is connected to public utilities. Based upon this information, the Board finds that this standard has been met.

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact, Change of Use, and Site Plan Amendment for The Goslings Nursery School (Tax Assessor Map 26, Lot 52), to be built substantially as proposed, application dated 03/20/2021, finding that it meets the standards of the Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the installation of a sign, the applicant obtain a Sign Permit from the Freeport Codes Enforcement Officer.
- 3) Prior to the start of any construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer. (Bond & Troidl) **ROLL CALL VOTE:** (7 Yes) (0 No)

Chilton Furniture – Exterior Building Alterations

The applicant is seeking approval of a Design Review Certificate for exterior building alterations at their existing business on Lower Main Street. Zoning District: Commercial III (C-III); Design Review District I – Class B & Color Overlay District. Tax Assessor Map 8, Lot 3 (184 Lower Main Street). Landmark Property Services, applicant; Chilton Properties, LLC., owner; Scott Watson, Landmark Property Services, representative.

Ms. Pelletier explained that the Board has some images included in the submission. On the side building façade, they are proposing to do some window replacement of nine windows. The new windows will be vinyl and will have a 2 over 2 appearance with mullions between the glass. They did include some window detail in the submission. There are some wood awnings over the windows that they are proposing to remove that they have in another location. The second page in the submission shows what it would look like potentially with those gone. On the peak facade they are proposing to replace multiple sets of windows. There are some double hung windows that they are proposing to replace with vinyl

with sheets between the glass. Those would match the double hung windows on that side of the building. In the center image there are three panels of glass that they are proposing to replace. There is not really a material change in that case. They will be repairing trim with wood if they can't use what is there. They have been doing some improvements and they have a lot of rot on the building which is why the Board is seeing all of this tonight. There is a large glass window remaining which they are also proposing to replace with vinyl. The applicant is here if the Board has questions and Jan Levin the business owner is still on as well.

Scott Watson referred the Board to Exhibit A on the parking lot side of the building and is asking to pretty much replace the clapboards that are existing now that would be identical. They want to replace the windows with the mullions going down with a 2 over 2 is what they discussed. The window trim boards around the windows would be removed and replaced with AZAK which is a vinyl product. They would also remove the awnings and not put those back on. This is the first part of renovation for this building.

In Exhibit E facing the other part of the parking lot, the two windows on the second floor and the two windows on the third floor will be identical to what is on the first floor. They will remove the two windows on the first floor and replace them identically with the windows on the second and third floors. The three picture windows that are in the dead center of the building would be replaced identical to what is there now and the window to the right side that is more of a rectangle window would be replaced with an identical window that is there now.

Mr. Reiche mentioned the windows on the side of the barn and asked if they match windows elsewhere on the barn? Mr. Watson verified that the windows on the side of the parking lot that have the mullions going down the middle will be replaced identically with what is there now. The windows on the back side of the building are new vinyl windows that have a 3 over 3 double hung window with mullions. Mr. Reiche mentioned that the windows in place now do not have real exterior mullions so there is no shadow line and it is the same for the windows being put in. He asked if this was right? Mr. Watson asked him to repeat the question. Mr. Reiche noted that the windows don't have mullions. They simply have something inside the glass and asked if that is correct? Mr. Watson explained that the windows being shown on the screen do not have mullions at all. Mr. Reiche advised that he is talking about the windows in Exhibit C. Mr. Watson noted that the top windows have a mullion going down the middle and the two down below do not have anything at all. Mr. Reiche pointed out that the mullion is inside of the glass and there is nothing on the outside. Mr. Watson agreed that is correct.

Ms. Pelletier wanted to clarify for Mr. Reiche that Exhibit C is only there for example. It is not the Freeport store That is the Scarborough store so it is not this building. It was just there to show the Board what a similar sized window could look like without the awning. The changes before the Board are the windows on Exhibit A, the windows described on Exhibit D. Mr. Troidl added that Exhibit A's new windows are going to look the windows in Exhibit C with the six-grill pattern. Ms. Pelletier replied no, her understanding is that the windows here, (shown on the screen) they are going to remove the awnings. The windows now are wood and they will be replaced with vinyl in the same style, same size, a material change and then they will remove the awnings with solid trim around.

Ms. Levin pointed out that there will be four 2 over 2 to match the front of the building, not what is in Exhibit C. They have multiples. She thought the rest of the Freeport building seems to have 2 over 2 so she thought they would match that. Chair Blanchard advised that 2 over 2 works for the architectural style of the building which is Italianate that has been obviously altered. A 2 over 2 window would be

consistent with that style. With regard to Exhibit A and the side of the barn and those awnings. He asked if they are original to the barn. Ms. Levin did not know but mentioned they have some older photographs in which they appear. She honestly would like to keep them but they are very rotten and to replace them at this time is very costly so they couldn't do it so they either keep them rotten or take them off. Chair Blanchard noted that details like that are what give buildings like that its style. Once you take them off, you are stripping the building of its place and time. He thinks removing them would be inappropriate for this building. He understands they are rotting but if the applicant could replace them in kind, this Board would have no problem at all approving that. He mentioned that it is those sorts of architectural details that the Board particularly looks for the historical buildings in town that we retain them. We do allow things like window upgrades, door changes or additions, etc. because things need replacing over time but we hope for features like architectural details that those are retained.

Mr. Reiche agreed with Chair Blanchard. The side window hoods are echoes of the more prominent details on the front elevation of the barn. Mr. Watson guessed they could go ahead and remove the dry rot and replace them with the right materials so it is consistent with the look for the Town of Freeport. Ms. Levin agreed. Chair Blanchard noted that an in-kind replacement is completely appropriate. Ms. Levin asked if they are able to change the windows without doing the repair on the awnings at this point or do they have to do the awnings at this time if they replace the windows? Mr. Reiche noted it would make sense to do everything at once.

Ms. Pelletier wanted to clarify two things for the applicant. If they get a Design Review Approval, it is good for two years to complete the work. She understands that the Board does not want to see those awnings removed but is unclear as to material. Would it still be wood if they were repaired? Mr. Yankee suggested using a product called AZAK which is a compressed kind of plastic wood which a lot of towns are using for longevity. If you were standing on the side of the road, you would not know if it is wood or AZAK. Chair Blanchard is not sure the Board has had an applicant come and suggest that material for architectural details. Generally, it is things like the trim and siding because it is a lot harder especially for the brackets underneath the awnings to recreate that in a plastic material. He would be open to a different material. The Board has approved Hardie Plank or Hardie Plank siding instead of wood clapboards for example. Mr. Reiche added that he has seen AZAK used on a bandsaw with intricate rims. He is on a non-profit that does historic restorations and they are using it because the quality of wood now is so bad that these things would rot out again in 15 years if they use pine. Chair Blanchard explained that this is why he is open to substitute materials. Mr. Reiche added that the substitute material recommended now is clear mahogany and is brutally expensive. Mr. Troidl feels AZAK is pretty workable especially in white which is probably its best color. It is not complicated or ornate. Mr. Watson asked if they can get AZAK in that width of dimension and Mr. Reiche replied that yes, they could.

Ms. Pelletier advised the Board that if they decide to go forward and take action on this tonight, there are two things that should be clarified in the motion. It would be good for somebody to clarify that the nine replacement vinyl windows on the side would have a 2 over 2 configuration and appearance. She feels we saw a couple of different things and asked to be corrected if she is wrong there. The Board also needs to acknowledge that the aprons would be retained and repaired with an AZAK material because obviously that would be considered a material change under the ordinance which is why she asked the question so they would not have to come back if that is something the Board is okay with.

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

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

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

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

The proportion of the building's front façade will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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.

The sizes and locations of all openings will remain unchanged. Based upon this information, the Board finds that this standard has been met.

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

The shape of the roof will remain unchanged. 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.

All replacement windows will be vinyl. For any replacement windows that have panes, the panes will be between the sheets of glass. This style will match existing windows on the building. 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 building on streets will not be altered. Based upon this information, the Board finds that this standard has been met.

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

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

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

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

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

MOVED AND SECONDED: Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for Chilton Furniture Company, for exterior building alterations at 184 Lower Main Street (Tax Assessor Map 8, Lot 3), to be substantially as proposed,

application dated 03/30/2021, finding that it meets the standards of the Freeport Design Review Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) The applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) The nine replacement windows on the side of the building are 2 over 2.
- 4) The aprons above the windows on the side of the building are maintained or replaced in kind with either wood or an acceptable material such as AZAK. (Yankee & Troidl) **ROLL CALL VOTE:**
(6 Yes) (1 no-Reiche)

Mr. Reiche explained that he voted against this knowing the Board has its four votes. He has an issue which he now can address. He believes the Design Review Ordinance standard, when it talks about size of windows, he thinks we should have windows with an outside shadow line because when you look across a window without an outside mullion, you don't get a shadow line and you see a bigger opening than what is intended by those make-believe mullions. This is an opportunity for him to vote no but he wants the Board to prevail. He wants Caroline to be able to say in the future that we have at least one person on the Board that will insist on outside mullions so he hopes this does not give anybody a headache.

Ms. Levin mentioned that out of curiosity, is Mr. Reiche saying real true divided lights? Mr. Reiche advised that a real true divided light is expensive because with insulated glass, it is a complicated thing to engineer and would certainly be his preference as to what he buys personally. It is a lot to impose on people but for a few dollars more, it would be within the budget of most projects we see in his opinion. You could have a fake piece of plastic or aluminum on the outside that breaks up the glass in a reflection and shows a shadow. That is what he thinks the Board should require of applicants. Ms. Levin advised that she would be okay doing that and they are comfortable. She thinks they can move forward with that. While she would prefer the actual true divided light herself as well, she doesn't think they have the budget for that. Mr. Reiche mentioned that he thinks that would be great. He wanted the Minutes to reflect that he asked for this and the applicant is willing to do it. He thanked Ms. Levin.

Since the motion was seconded, Ms. Pelletier suggested that someone make a friendly amendment so the applicant has the opportunity to apply the mullion to the outside so they will have flexibility and not have to come back to the Board.

MOVED AND SECONDED: To amend the motion to include Condition 5) that the windows include at a minimum a simulated mullion. (Yankee & Troidl)

Mr. Watson asked if it is the nine windows facing the parking lot we are doing that or is it going to be the other two on the other side which are going to mimic the windows on the second and third floor? Chair Blanchard thought Mr. Reiche's intention was that all the windows should be simulated divided light. Mr. Watson mentioned that they would not match the rest of the windows. Mr. Reiche added that that was his concern and it would be his preference that if they just go on the side, they won't have the clash against something already in place. Mr. Yankee clarified that it would be the side windows on the barn.

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

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

Ms. Pelletier advised that the tentative date has been changed to May 4. To provide an update to the Board's new members, she explained that once a year Boards and Committees are given an opportunity to meet with the Town Council. Boards don't always choose to do it but this Board has done it in the past. Typically Boards and Committees meet with the Council and are allotted 15 minutes. This Board has a lot of comments to share with the Council on what they have been working on so they are going to go on a regular Council agenda and have a workshop. We have a placeholder of a half hour but if the Board feels we need more time, we can request that. She apologized as she was going to get the Board something right away but has been inundated with e-mails due to the large quantity of agenda items on this month's agenda and she has already commenced for next month. She did put together the start of a presentation for the Council based upon the feedback that our Board members and our former Board members provided at the last meeting. She will show it to the Board tonight to get some feedback. She is happy also e-mail it. She did talk to the Chair about what we might want to add to it.

She screen shared the presentation. Following up on what former Board member, Suzanne Watson suggested, she showed pictures of projects the Board has approved.

Mr. Yankee suggested showing the number of applications the Board has reviewed in the past 5 years and how many this year? He feels it will be interesting for the Council and if Ms. Pelletier gets him the numbers, he will do a graph. Ms. Pelletier advised that this year has seemed really busy and she has noticed a real diversity in the applications. She has seen a continued stream of inquiries.

She mentioned that the Board has had at least five subdivisions and she can show the diversity of them. The Divine Capital project was one of the biggest ones we have ever seen and the challenges the Board faced with it.

She feels the Board should share that it had an inventory of A and B Buildings done and the data we are sitting on. We could note some of the work done with the Planning Board and FEDC. She would love to hear what the Board thinks would be good things to flag so the intent would be to flag stuff but there would be substantial conversation behind it. Mr. Troidl likes the picture format and while tricky, he feels we should think about a dollar value as well. There are plenty of large projects in there that speak to the economic activity in town that comes through our Board.

Mr. Reiche advised that he likes the way it is being presented. Ms. Berger asked if the purpose is to educate the Council on what the Board has been doing or do they already know what this group does? Ms. Pelletier advised that they should know but there are so many Boards and Committees so she thinks it is just to flag to them the diversity of projects this Board has looked at in the past year and the Board feels there are some challenges with the ordinances. The Board really wants to share their thoughts based upon their experiences over the past year or two.

Mr. Yankee mentioned it is important to keep in mind that there has been turnover on the Town Council and which each turnover there is an adjustment of who is the Chair and the Vice Chair. All of that changes and it changes the perspectives of the members. Mr. Troidl noted Freeport is unique with the Project Review Board. In most other towns and cities, it all flows through the Planning Board but he is certain there are other places that are like this but most only have a Planning Board.

Ms. Berger added that a slide could show the lights and fences and what the Board is taking into account as it makes its decisions. Does it fit with our town image? Does it fit with other signage in the area? Ms. Campanelli noted the problem is that the Board is only going to have a half hour and the Board could spend an hour doing just one slide. Part of this education is because we have some convoluted planning documents and to go into depth with all of that would be more time that we have. This Board has not been before the Council for as long as she has been on the Board and we are trying to give them a snapshot of our impact on the town. She doesn't think they understand what this Board does and the planning documents that we use. In 527 building materials have been the ongoing discussion and also landscaping, while improved, those are the challenges the Board had. She likes going back more than one year and likes the pictures.

Mr. Troidl advised that he and Chair Blanchard would be doing most of the talking for time constraints and feels they are over-viewing those slides and kind of giving a presentation and feels they should have a last slide that gives the bullet points of the issues the Board sees and feel need to be addressed by either rewritten ordinances or updated zoning or whatever it might be. Leave some Q and A time at the end. Chair Blanchard suggested giving an overview at the beginning and then three or four projects that were sort of sticky and here are some of the issues that were raised. Get into the bullet point list with the pressing issues before the Board and make it relatable.

Mr. Yankee mentioned that he is on the Coastal Waters Commission and the Harraseeket Yacht Club was an item so it is not just the Planning Board with overlap. It is on the Coastal Waters Commission as well. In talking with the Chair on that commission, he sees that the projects are getting more complex and may end up more and more over on this side.

Mr. Reiche thinks the undercurrent here is getting the message to the Council. The work we are doing is important complicated work and we are not being obstructionists. Somehow word got to the Council through FEDC or somebody that we were causing problems. He does not know if we ever denied a project. He spoke to a Councilor in a social setting and advised that it is flat out wrong to think that we are delaying projects. He does business in many other towns in this area and he honestly feels this Board is cooperative as they come largely because of the work that Caroline does on the front-end getting applicants prepared. He instructed Chair Blanchard and Mr. Troidl that if they got an opportunity to drill into this at all, he thinks a great example of where we could use some support was on this issue of public notice. For that to have gone to the Council and to be denied, perhaps they didn't understand that this is a service to the community and it was embarrassing for us when members of the community on a project as large as that 144-unit apartment building, Freeport residents stood up and said they didn't know it was coming. He feels the Council should understand that. The public notice needs to extend back up the chain and not just when it gets to us so those folks that were concerned about some of those things were at the right point in the process making those points. Ms. Pelletier apologized because she should have sent the Board a Council agenda since she knew they were talking about public notice. They were not against public notice; they thought the method of using another newspaper was going to be outdated fairly quickly and there was discussion. If the Board felt that public notice that is needed, it could do it through rules of order. When the Board has a short agenda, it will see some potential amendments to the rules of order. More discussion followed.

Ms. Pelletier asked how the Board wants to address the Overlay issue? Ms. Campanelli feels a map is always good. It is a visual. Ms. Pelletier advised that there is a map that shows the different overlays and maybe that could be its own slide. Ms. Campanelli feels that is an important issue facing this Vision Plan.

She doesn't feel the Board can sugarcoat everything. We have to have some reality in this conversation about what is going on with our planning documents and how they need to be fixed. Also, the big impact of a Comp Plan and it is not being discussed town wide. Mr. Yankee added that it is not something focused on the downtown area and the exercises we are going through right now seem to be focused on a subset of downtown.

Mr. Troidl e-mailed his list to Ms. Pelletier because of problems he is having with zoom and his Mac. His list was prepared pre-pandemic. Ms. Pelletier agreed the Comp Plan is something good to mention. Mr. Troidl explained what he would like to see on the slides. More discussion followed. Chair Blanchard mentioned he will continue to work with Ms. Pelletier on this and Mr. Troidl will too. Mr. Troidl feels there is a need for a bullet for the Vision Plan to make sure their consultant has advised them that it is great to have a vision, but it might not be legally allowed by the ordinances that are on the books depending on what comes out of that process. Whether that is rezoning, rewriting an ordinance or whatever, they may get a vision that is not actionable. Ms. Pelletier expects the Board will get a vision and she will get heartburn and will say that is great but we can talk about some of those things once we go to the Planning Board and amend the Zoning Ordinance and then amend Design Review so she fully expects that that will happen but to just flat out say it might be good. You say that stuff one on one but she says you can't just throw out a bench in Freeport based upon the standards we have in place and she doesn't know that everyone doesn't recognize that which is the point of that first Design Review slide. She will add a bench to it because it is something we will hear that people want more seating.

Mr. Reiche advised Linda and Alexis that their first night is about the longest agenda we have had and then we have had this discussion that kind of replays the last four or five years. If their minds are spinning, he is sure they can call any of us for context.

Chair Blanchard would still like to get the presentation out to the Board for feedback once more maybe with some notes to accompany the slides so everybody can weigh in. Please remember to reply just to Caroline or else it is a meeting. Ms. Pelletier advised that typically it is the Chair and Vice Chair that will go to the workshop with the Council but anyone can watch if they have questions. It will appear at the end of the Council agenda so it will be late. She will send Mr. Troidl some spread sheets showing the dollar value on some of the projects.

ITEM V: Persons wishing to address the Board on non-agenda items.
There were no comments provided.

ITEM VI: Adjourn.

MOVED AND SECONDED: To adjourn at 8:30 p.m. (Reiche & Yankee) **ROLL CALL VOTE:**
(7 Yes) (0 No)

Recorded by Sharon Coffin