



TOWN OF FREEPORT, MAINE
Planning Department
30 Main Street
Freeport, ME 04032
Phone: 207-865-4743
www.freeportmaine.com

TO: Sophia Wilson, Town Manager
Cc: Freeport Town Council
FROM: Caroline Pelletier, Town Planner
RE: Proposed Amendments to Chapter 22 – Design Review Ordinance
DATE: Tuesday, January 2, 2024

Background: On Wednesday, December 6, 2023, the Planning Board held a public hearing to discuss proposed amendments to Chapter 22 – Design Review Ordinance.

The proposed amendments were recommended to the Planning Board for consideration from the work of the Council appointed – Central Core Working Group (CCWG). The CCWG met regularly starting in September and over a period of about six weeks, developed some draft Ordinance amendments to send to the Planning Board for consideration. The draft amendments included additional review and comments from staff and legal counsel, and modifications were made as needed, but still in consistency with the recommendations from the CCWG.

In addition to general clean-up such as correcting references and terminology and some reorganization, the overall changes can be summarized as follows:

- Update/expand definitions for clarity – ie: Material Change, Nearby Building (adding a defined distance of within 500 feet), Primary Façade & Visual Compatibility
- Elimination of Color Overlay District and applicable references to color
- Clarified/expanded review thresholds to include a list of projects that will now be exempt from Design Review and more project types that can be reviewed under Administrative Review (by the Town Planner)
- Project Review Board Review
- Changed voting and added basic submission requirements
- Updated Design Guidelines
- Clarified which buildings are considered with regards to visual compatibility for the Project Review Board to consider when reviewing each standard
- Updated the appeals section including a recommendation to change the appeals authority for Project Review Board decisions and added a new section for Administrative Appeals
- Amend the District I boundary so that the southern portion of the District would end at the railroad bridge on Lower Main Street (just past the Public Safety building).

Process: This language was discussed by the Planning Board and a Public Hearing was held at the December 6, 2023 Planning Board meeting. Notice of the public hearing was posted and printed as required for amendments to the Zoning Ordinance and letters were mailed to property owners (approximately 800) in accordance with the Rules of Order and Procedure of the Freeport Planning Board. The ad was printed in the Times Record on 11/22/23 & 11/2/23.

Public Notice

TOWN OF FREEPORT PLANNING BOARD–PUBLIC HEARING

The Freeport Planning Board will hold a public hearing on Wednesday, December 6, 2023 at 6:00pm in the Freeport Town Hall Council Chambers at 30 Main Street Freeport, Maine to discuss proposed Amendments to Chapter 22 – Town of Freeport Design Review Ordinance. The purpose of the proposed amendments is to: clarify definitions, including adding new definitions for previously undefined terms; clarify review standards; change some of the thresholds for when review is required and what type of review is required; add exemptions for certain projects that will no longer require a Design Review Certificate, and thresholds for projects that will qualify for Administrative Approvals; clarify submission requirements; change the appeals process; eliminate the Color Overlay District; and, modify the Design Review District boundaries and update the District map(s). The draft amendments incorporate the recommendations for the Central Core Working Group (CCWG).

The public is welcome to attend and may choose to attend in person or on Zoom. Information on how to participate (including information on how to join on Zoom) can be found on the meeting agenda posted on the meeting calendar of the Town's website at www.freeportmaine.com. Meeting materials will be available for viewing on the Town's website or by contacting the Planning Office at the Freeport Town Hall at (207) 865-4743 option 5.

Additional Information: Although the recommendation from the CCWG did include changing the appeals process for a decision from the Project Review Board to go to Superior Court instead of the Board of Appeals as the Ordinance currently reads, based in part on public comment at the Planning Board meeting, the Planning Board recommendation did not recommend the change and the language sent to the Council for consideration has the process for appeals of decisions of the Project Review Board remaining with the Board of Appeals before the option to appeal to Superior Court.

Recommendation: The Planning Board made the recommendation that the Town Council approve the proposed amendments to the Design Review Ordinance as proposed in the attachment, as the Board found the changes are consistent with the Comprehensive Plan. The vote was 6 Ayes, 0 Nays. (Note: Minutes with the exact wording of the motion are forthcoming.)