



TOWN OF FREEPORT, MAINE
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TO: Freeport Town Council
 Cc: Peter Joseph, Town Manager
 FROM: Caroline Pelletier, Town Planner
 RE: Zoning Ordinance & Map Amendments – Nature-Based and Art Overlay District (NBAOD)
 DATE: November 24, 2020

Background: This is an applicant driven agenda item for the creation of a new Nature-Based and Art Overlay District (NBOAD). Amendments to the Freeport Zoning Ordinance and the Official Zoning Map of the Town of Freeport are required as follows; amendments to the following sections of the Zoning Ordinance: Section 104 – Definitions, Section 301 – Zoning Districts, new Section 428 – Nature-Based and Art Overlay District, Section 514 Off-street Parking and Loading, and Section 515 Noise Regulation. The area of the new overlay district, identified as Tax Assessor Map 22, Lot 8 (95 Desert Road), would need to be added to the Official Zoning Map

Process: The applicant originally met with the Planning Board for a workshop on June 3, 2020. The applicant returned to the Board and at the September 2, 2020 Planning Board meeting, the Board reviewed the proposed language for the zoning amendments. The applicant then worked with staff and the Town Attorney to finalize the language which was reviewed and discussed by the Planning Board at the November 4, 2020 Planning Board meeting.

Since this application is for a Zoning Amendment, a public hearing was required and was held at the November 4, 2020 Planning Board meeting. Notice was circulated to abutters and as required per the Planning Board’s notification policy. Required legal notice was published in the Portland Press Herald on 10/23/20 and 10/27/20 (see enclosed clip).

The Board did receive 30 letters/emails in advance of the meeting and pertaining to the public hearing. In addition, 13 comments were shared at the public hearing (held via Zoom).

Recommendation from the Planning Board: The Planning Board made the following motion:

“MOVED AND SECONDED: Be it ordered that the Freeport Planning Board recommend that the Freeport Town Council adopt a proposed amendment to the Town of Freeport Zoning Map, and to Sections 104, 301, new Section 428, Section 514 and Section 515 of the Town of Freeport Zoning Ordinance, pertaining to the establishment of a new

PUBLIC HEARING

The Freeport Planning Board will hold a public hearing on Wednesday, November 4, 2020 at 6:00pm to discuss proposed amendments to the Freeport Zoning Ordinance and the Official Zoning Map of the Town of Freeport pertaining to the creation on a new Nature-Based and Art Overlay District (NBAOD). Amendments to the following sections of the Zoning Ordinance will be discussed: Section 104 – Definitions, Section 301 – Zoning Districts, new Section 428 – Nature-Based and Art Overlay District, Section 514 Off-street Parking and Loading, and Section 515 Noise Regulation. The area of the new overlay district, identified as Tax Assessor Map 22, Lot 8 (95 Desert Road), will be added to the Official Zoning Map (see gray area on the map below). Applicants: *Desert of Maine Campground, Inc.* and *Heestand Family Holding, LLC*. The meeting will be held virtually using Zoom. The public is welcome to attend. Information on how to participate can be found on the meeting agenda posted on the Town’s website at www.freeportmaine.com. Submitted materials are available for viewing in the Planning Office at the Freeport Town Hall during normal business hours.

Nature-Based and Art Overlay District (NBAOD), in that the Board finds that the proposal is consistent with the 2011 Town of Freeport Comprehensive Plan in that it protects natural and historic resources, it encourages the expansion of the creative arts and it promotes Freeport as a destination to visitors. (Canaan & Jortner) **ROLL CALL VOTE:** (6 Ayes) (1 Excused-Torres) (0 Nays)”