

**MINUTES**  
**FREEPORT PROJECT REVIEW BOARD**  
**FREEPORT TOWN HALL COUNCIL CHAMBERS**  
**WEDNESDAY, OCTOBER 23, 2019**  
**6 p.m.**

At 5:15 p.m. the Board held a site walk for the proposed Granite Park Subdivision project at Wood Thrush Lane /US Route One (Tax Assessor Map 20. Lots 4 & 4-1).

**Attending:** Chair Geralyn Campanelli, Guy Blanchard, Gordon Hamlin, Ford Reiche, Adam Troidl, Suzanne Watson and Interim Planner, Caroline Pelletier

**Excused:** Drew Wing

**CALL TO ORDER:** Chair Campanelli called the meeting to order at 6:05 and apologized for the delay but the Board was on a site walk earlier.

ITEM I: Informational Exchange

Ms. Pelletier explained that she reached out to Kleinfelder, the company that did the historic inventory, and they will get back to her with pricing for doing the inventory on the six properties the Board agreed on at the last meeting. That is underway and she will report back when she has a timeline on that.

a) Update on Staff Approvals.

Ms. Pelletier advised that the existing landscape architectural firm at 457 U.S. Route One proposed replacing a sign panel. It will be simple gray and white using the existing sign holder.

ITEM II: Approval of the minutes from the Wednesday, September 18, 2019 Project Review Board meeting.

**MOVED AND SECONDED:** To approve the minutes from the September 18, 2019 Project Review Board meeting. (Reiche & Watson) **VOTE:** (6 Ayes) (1 Excused-Wing) (0 Nays)

ITEM III: Reviews

**Doten's Construction – New Buildings**

The applicant is seeking final Site Plan approval for a new development which would include a lot split, a 3,360 s.f. office building, a 2,400 s.f. car wash and associated site improvements at 392 US Route One. Zoning District: Commercial I (C-I). Tax Assessor Map 26, Lot 41. 392 Doten, LLC., applicant and owner; Rebecca Lizotte, Doten's Construction, representative.

Ms. Pelletier noted that they have come to the Board twice. They came with a concept and then with a second concept. They got feedback from the Board and Staff and incorporated it into their plan. She clarified that there are two parcels now. They are going to split them and develop half. The existing house/office building will remain. They are going to have one shared curb cut when they are done this project. She did talk to the applicant today because during the Town Engineer's review, he pointed out that the way they are going to split it and the way the existing site is developed, it might result with some of the gravel or some of their parking needing to be moved out of their new side setback. The applicant is aware of that so they might need to come back to amend their existing site plan at a later date once they build out the project. The Town Engineer did feel that they needed a little plan clean-up and the Board saw in his memo a list of nine things that he wanted cleaned up. He was comfortable with them being done as a condition of approval. It was his recommendation. There is a proposed condition that the plans be revised, that he review and sign off on those.

As far as performance guarantees, escrows and other fees, we got a cost estimate late today and the Town Engineer has not had a chance to review it. If the Board makes a motion tonight, we would want an insert there that it must be reviewed and approved by the Town Engineer. They will connect to public utilities but they still do not have the formal sign-off from the Sewer District. They have made contact and Ms. Pelletier understands the letter is forthcoming. Lighting and signage were included in the submission. They are proposing to screen the dumpster but she doesn't feel it is clear on the plan that they are going to have the fence there. That is something the Board can comment on. The Board previously talked how this property is in the Route One South District. There was some discussion about the pedestrian path and how they were going to do it, if it made sense. The applicants agreed that at a later date they would be willing to grant the Town an easement if the Town wants to put some kind of path down there. They are not proposing anything at this point. They would be willing to revisit it should they develop the remaining portion of the lot. Neither property on either side has a pedestrian connection so there is a proposed condition regarding that. Otherwise, the applicants are here and the Board should let them explain the other changes made to the plan.

Rebecca Lizotte, Doten's Construction representative pointed out that she has a letter from Leland Arris from the Sewer District. Ms. Lizotte displayed the plan showing their office and noted that it is still going to be in the same location as they proposed last time. A fair amount has changed for the carwash. She noted it is similar to the office but a little different. There is CMU banding around the bottom of the carwash. There is stone banding around the office. The colors will be a couple of tones different but they coordinate with each other and are not exactly the same. The Board has a cut sheet on the overhead door. The overhead door will be light gray. The signage is not complete. In the Board's packet there is a picture of architectural pictures with place holders where they are proposing signage to go. They don't yet have a name for the business so they don't have a sign yet. The place holders are where they think the signage should be and then the Sign Company will give them a nice drawing of exactly what that will be.

The roofs are very similar and have not changed since they were here last. They prettied up the Route One side of the carwash and added some windows. They will be blacked out because there will be a mechanical room in that space but they will dress up that side a bit.

Mr. Blanchard asked if the office will have a sign on the roof. Ms. Lizotte indicated she is planning a roof sign. The sign on the office building is fairly large and is proposed to face the highway. The small sign will be in the doorway of the main entrance which will be seen from Route One. Mr. Blanchard mentioned the siding and Ms. Lizotte advised they are planning to use LP Smartside which is a wood composite.

Ms. Lizotte displayed a landscaping plan and that not a lot has changed. The plant schedule is the same. They didn't have any directional signage for getting into the carwash or getting out of the carwash so they had to add that. They proposed a couple of locations for lighting on the parking lots. She provided a sheet for the pole and the parking lot lights they are proposing. They followed a very detailed design plan on lighting. She has a 40-page submittal. They will have an enter sign when you first pull into the parking lot and an exit sign. She pointed out their locations. She also pointed out the proposed ground signs for their office and they are proposing a Stop sign.

Mr. Hamlin asked what the proposed hours are for the carwash. Ms. Lizotte indicated that she didn't know but she would look into the operational costs. She doesn't believe it will be busy at 3 a.m. so perhaps it should close. Mr. Hamlin noted that if the carwash is operating at night, asked if the lighting is sufficient to make sure that people know where they are going. Ms. Lizotte advised that they made sure that the lighting captured all the pavement surfaces so all the lights will be lit with the parking lot poles. A couple of them are double heads and she pointed them out on their plan. They want the area well lit and policed as easily as possible. They are not proposing any signage on Route One because there is a lot involved in that and they are not there yet.

Mr. Troidl mentioned stormwater and Ms. Pelletier was not clear about an easement so if the Board wants to tack it on as a condition that they submit that and the Town Engineer can review it. The Board could add under "h" that the applicant submit a copy of the proposed stormwater easement to be reviewed by the Town Engineer before the start of any site work.

**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 (392 US Route One) is currently developed with an existing house that is used as the office for Doten's Construction Company. There is also a garage on the rear of the property. The remainder of the property is a gravel parking lot. The applicant is proposing to split the property into two parcels; one with the existing structures and the second parcel which is the application before the Board. The proposed carwash will be located in the front of the site and the office will be located in the rear. 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 site (392 US Route One) is currently developed with an existing house that is used as the office for Doten's Construction Company. There is also a garage on the rear of the property. The remainder of the property is a gravel parking lot. The applicant is proposing to split the property into two parcels; one with the existing structures and the second parcel which is the application before the Board. The proposed carwash will be located in the front of the site and the office will be located in the rear. The size of the office building will be 48'x70' (3,360 sf). The three-bay carwash will be 2,560 s.f. of metal construction and with overhead doors. The structures and site design comply with the setback and buffer requirements for the Commercial I 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

*Two existing curb cuts will remain and continue to provide access to the properties. The entrance for this parcel will be reduced from 110 feet in width to 40 feet in width. This will require an Entrance Permit from the Freeport Department of Public Works. 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 plan has been updated since the last meeting to reflect the dimensional requirements of Section 512: Access to Property and Section 514: Off-street Parking and Loading of the Freeport Zoning Ordinance. The pavement will be marked with arrows to direct the flow of traffic and entrance and exit signs are proposed.*

*Since this parcel is in the Commercial District, per Section 513.B.8.a of the Freeport Zoning Ordinance, the Project Review Board shall establish the parking requirement which "shall be based upon a parking analysis submitted by the applicant." The parking for the office shows 17 spaces; two of which will be ADA compliant. The plan shows 17 parking spaces for the office; a parking analysis has been included in the submission and notes that the daily parking for the office would be 8 (one per employee), however additional parking has been provided for times when there are on-site meetings. Other than the parking for the vacuum stations, no parking is proposed near the car wash building. 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 project site is not located in an urban impaired stream watershed but is located in the MS4 regulated area. The site is not subject to the Town's Chapter 53 Post-Construction Stormwater Management Ordinance because the total disturbed area does not exceed the 1-acre threshold. It is recommended that the applicant sign a Maintenance Agreement for a Stormwater Management System; this has been added as a suggested condition of approval. The Town Engineer has reviewed the stormwater management and erosion control plans and has recommended some minor revisions to the plans; his comments are included in a memo dated 10/17/19 and attached to this document and his final review and approval of the plans has been added as a proposed condition of approval. 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 buildings will be connected to the public water and public sewer system. In a letter dated 05/30/19, Leland Arris of the Freeport Sewer District notes that they have the capacity to serve the car wash. Obtaining a letter of capacity to serve for the office building has been added as a proposed condition of the approval. In a letter dated 05/29/19, MaineWater stated that they can provide water service to the project at 392 US Route One. The location of a dumpster has been shown on the plan. The dumpsters will be screened with an 8-foot high fence; a cut-sheet has been included in the submission. 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.

*One ground sign is proposed for the three tenants in the office. Details have been included in the submission. The proposed sign is about 34 s.f. and within the size limitations permitted by the Freeport Sign Ordinance. Details on the carwash sign have not been included in the submission, so the applicant may need to return to the Board for review and approval of those signs in the future. 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 location of a dumpster has been shown on the plan. The dumpsters will be screened with an 8-foot high fence; a cut-sheet has been included in the submission. Based upon this information, the Board finds that this standard has been met.*

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

*Information on lighting has been included in the submission and 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.**

*Section 409.D.2 of the Freeport Zoning Ordinance has standards for buffering in the front and side setbacks. A landscaping plan has been included in the submission and reflects landscaping in the front and side setbacks in the developed areas. The Board finds that the proposed landscape/buffer plan complies with Section 527 of the Freeport Zoning Ordinance. 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 lot will be connected to the public water and public sewer system. No known historic or archaeological resources have been identified on the site. 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.

Mr. Hamlin had amendments to the Proposed Motion. Under 3. g, the letter from the Town Engineer is dated 10-16-19. In the first line of "g", address the *conditions* rather than comments included in the letter dated 10-16-19. Mr. Troidl suggested amending "h" to include: The applicant submit a copy of the stormwater easement to be reviewed and approved by the town Engineer. Mr. Reiche advised that the Board has to put in under 3-b and 3-c the amount of the performance guarantees and escrows have to be reviewed and approved by the Town Engineer.

**MOVED AND SECONDED:** To approve the proposed motion as written and amended. Under 3.g. The applicant submit revised plans to address the conditions included in the memo dated 10-16-19 from the Town Engineer to be reviewed and approved by the Town Engineer. h. The applicant submit a copy of the stormwater easement to be reviewed and approved by the town Engineer. Under 3-b and 3-c the amount of the performance guarantees and escrows have to be reviewed and approved by the Town Engineer. (Hamlin & Watson)

Mr. Voit Ritch, owner of Autowerkes, an abutter to this property pointed out that this is the final application but he did not get a notice about this one. He was at the first meeting. He had questions regarding the screening between the two properties and how tall the proposed vegetation is. He also had questions about the drainage path as far as stormwater. Ms. Lizotte pointed out where the stormwater would go and then explained what is planned for screening. She provided Mr. Rich with a copy of the proposed plantings and explained their heights. Mr. Rich agreed the proposal will not present a problem for him.

**VOTE:** (6 Ayes) (1 Excused-Wing) (0 Nays)

**Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Site Plan for 392 Doten, LLC., for two new buildings and associated site improvements at 392 US Route One (Tax Assessor Map 26, Lot 41), to be substantially as proposed, site plan dated 09/25/19, finding that it meets the standards of Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any work on the building, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.

- 3) Prior to any site work, or a building permit being applied for, the applicant do the following:
  - a. Enter into a Maintenance Agreement for a Stormwater Management System with the Town of Freeport, to be recorded in the Cumberland County Registry of Deeds, with yearly stormwater reporting to the Town of Freeport being required.
  - b. Establish a performance guarantee in the amount to cover the cost of all site work associated with the project, in the amount of ~~\$TBD~~ to be reviewed and approved by the Town Engineer and in a form acceptable to the Town Attorney. The performance guarantee shall cover the cost of all site work, including the road, landscaping, erosion control, and stormwater management etc. Along with the performance guarantee, a non-refundable administrative fee of 2% of the performance guarantee, in the amount ~~\$TBD~~ to be reviewed and approved by the Town Engineer be paid.
  - c. Establish an inspection account, in the amount of ~~\$TBD~~ to be reviewed and approved by the Town Engineer for inspection of the site improvements by the Town Engineer.
  - d. The developer have a pre-construction meeting with the Town Engineer.
  - e. At the time that building permits are applied for, the applicant pay a Pavement Maintenance Impact fee to the Town of Freeport based upon the size of the proposed structures and the impact fees effective at such time.
  - f. The applicant obtain a written capacity letter from the Freeport Sewer District for the office building, with a copy being forwarded to the Freeport Planning Department.
  - g. The applicant submit revised plans to address the ~~comments~~ *conditions* included in a memo dated ~~10/17/19~~ *10-16-19* from the Town Engineer, to be reviewed and approved by the Town Engineer.
  - h. The applicant submit a copy of the stormwater easement to be reviewed and approved by the town Engineer.
- 4) The Board is not requiring the applicant to install a pedestrian connection at this time as neither of the abutting lots have such connections. The applicant will revisit the issue of connectivity at such time that the remainder of the lot is proposed for development and has indicated that they would be willing to provide the Town of Freeport with an easement along the right of way, should the Town wish to install sidewalks in the future.

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#### **LL Bean – New Fence**

The applicant is seeking approval of a Design Review Certificate for a new fence at their property on Morse Street (Whitetail Parking Lot). Design Review District I – Class C. Tax Assessor Map 11, Lot 102.

Ms. Pelletier provided pictures to the Board showing the fence that is proposed and the approximate location of the boundary. There is an existing residential property next to one of the L.L. Bean parking lots and they are having an issue with visitors crossing across the private yard. L.L. Bean is proposing to put the fence on their side of the property for the one length of the property line to minimize people cutting through. The property is right across from Morse Street School. There were a couple of pictures of the property in the Board's packet.

Dan Clifford, Assistant Manager in Facilities Support Services explained that the issue they are having specifically is on nights they have concerts with their patrons parking in the Whitetail Lot cut through Mr. Hall's yard. They are trying to be good neighbors and offered to put up a fence from Main Line Fence of Yarmouth. Chair Campanelli noted that Mr. Hall is not here this evening and asked if he is fine with this. Mr. Clifford indicated he has spoken directly to Mr. Hall and he is absolutely in favor of the fence design.

Ms. Pelletier pointed out that Earl Gibson, Public Works Superintendent wants L.L. Bean to reach out to him before they install the fence to make sure it stays out of the public right-of-way. It would be a concern for snow removal and other

road maintenance operations. Mr. Clifford agreed that he would speak to Mr. Gibson. Chair Campanelli noted that it should be a condition.

**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 new buildings are proposed. 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.

*No new buildings 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.

*No new buildings are proposed. 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 new buildings are proposed. 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 new buildings 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 new buildings are 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 new buildings 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).

*No new buildings are proposed. 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 fence will be wood, picket style (with space between the pickets) and 4 feet in height. It will be installed along a small section of the property line between the existing Whitetail parking lot and abutting residential property. The purpose is to limit pedestrian traffic to and from the parking lot from cutting through the yard of the abutting residential property. No other changes are proposed. Since the parcel is in the Design Review District, per Section V.A.5, a Design Review Certificate is required for the new fence. The fence will need to be installed entirely on private property and not encroach into the public right-of-way. 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 signage has been included with the submission. Any new signs will require review and approval by this Board as a separate application. Based upon this information, the Board finds that this standard has been met.*

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

**MOVED AND SECONDED:** That the Board approve the motion as read and written in the Staff Report with the additional condition 2) That the applicant will contact Public Works prior to installation to ensure that the fence stays out of the right-of-way. (Blanchard & Troidl) **VOTE:** (6 Ayes) (1 Excused-Wing) (0 Nays)

**Proposed Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for LL Bean for a new 4 foot high wood fence, to be installed at the Whitetail Parking Lot on Morse Street (Tax Assessor Map 11, Lot 102), to be substantially as proposed, application dated 09/24/19, finding that it meets the standards of 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) That the applicant will contact Public Works prior to installation to ensure that the fence stays out of the right-of-way.

Mr. Clifford advised that this will be installed in the spring since Main Line Fence is really booked up at this time..

The applicant is seeking approval of a Design Review Certificate for exterior alterations at their property at 13 Bow Street. Design Review District I – Class C. Zoning District: Village Commercial I (VC-1). Tax Assessor Map 11, Lot 102. KLIF Enterprises LLC, applicant and owner; Andrew Wilbur, representative.

Ms. Pelletier pointed out that it is currently a Class C building in the Design Review District. They wanted to demolish a chimney so they have to come to the Board because it is considered an exterior alteration. Due to the building class, it doesn't have the same four-month notice period that other demolition requests have. They also are proposing a replacement door on the first level. There is a cut sheet. There is a variety of windows on the building. They are proposing to replace windows with vinyl windows for the windows that haven't yet been replaced. They are here and can get into the style they are considering. There will be some routine maintenance of repair, same materials and same features. They will be repairing and replacing some rotting trim and painting the building with colors from a historic color palette. Review of the color is not required of the Board. They have been a tenant of 13 Bow Street for 36 years. Mr. Wilbur and his wife purchased the building a few weeks ago. They are proposing to use the basement as the entrance to the store. They are hoping that by changing the entrance to the basement, it will improve their visibility for a retail presence there. The replacement door and windows will dress up the basement. The chimney will be taken down to improve their retail presence and it has not served a function for 65 years. Seasonality may affect the window replacements. The building has a mixture of vinyl and wood. Right now, there are a third of replacement windows and their proposal is to replace the remainder of the windows with similar style windows. Some are not visible from the road. Others are visible only from the back parking lot. The building was built around 1910.

Mr. Blanchard asked about the door. Mr. Wilbur advised that it is mostly glass but smooth and painted to match the existing. Mr. Blanchard noted on the façade they all look to be replacement windows except for the basement window. Mr. Wilbur agreed that they are replacement windows but the basement window is the original window. Mr. Blanchard asked if the four light basement window adjacent to the door is on both sides. Mr. Wilbur noted it is and he is replacing both with vinyl four-light. Mr. Blanchard asked if the plan is to preserve the witches window on the rear since it is a rare thing to see in Maine. Mr. Wilbur mentioned that the sill is rotten but his inclination is to leave it.

Chair Campanelli explained that the Board had some historic work done by a consultant and they pointed out that this building should be surveyed and may be a contributing structure. In some sense, it is important that it not be altered so much that it loses that. It is considered a Class C now when the surveys were done. C doesn't carry any historic value to it but she personally feels it should. Mr. Blanchard noted it seems to retain a lot of the original features and the Board would like to see them retained. Obviously, we are dealing with a Class C and the Ordinance does give the Board guidance on how to deal with a Class C and he explained them. Ms. Pelletier added that it can contribute to the significance of the A, B and C classifications within the Design Review District. Chair Campanelli mentioned the Board doesn't want Mr. Wilbur to strip too much character away from what is there even though the Board can't tell him that. The Board would like him to go in the direction of preserving the significant structure. Mr. Blanchard pointed out that a lot of the work being proposed is good. The hardest thing is the chimney situation because once it is gone, it is not coming back. Mr. Wilbur provided some history on the uses that were in the building over the years. Mr. Blanchard does not want to stop Mr. Wilbur from making the improvements he wants to make because it is a Class C building.

Chair Campanelli feels the same way about the chimney but right now it is a Class C and the Board can't do much about that. Hopefully Mr. Wilbur will retain what character he can. She asked if the entrance that goes in the first floor will go away. Mr. Wilbur advised that all the entrances will stay but the orientation on the inside will have to change for fire safety. They will separate the entrance for retail and residential so the side door will stay but will no longer be an entrance for the store. He noted there is a back side door as well and that one will be accessible for the store but the front one will have to be separated by a firewall. They are not proposing any new signage.

Chair Campanelli asked about landscaping. Ms. Pelletier advised that the property has never been through Site Plan Review. It is a good example of a mixed-use building in the village. If he wanted to come back, he would trigger Site Plan Amendment but if he were to clean up, it might be something that can be dealt with at the Staff level. Mr. Wilbur

advised that he has already cleaned it up. He mowed the grass and planted some Mums in the existing beds. Their plan would be to do some more planting.

**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 of 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 proportions 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 proportions of openings within the facility will not be altered. Based upon this information, the Board finds that this standard has been met.*

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

*The roof shape will not be altered. Based upon this information, the Board finds that this standard has been met.*

7. **Relationship of Facade Materials.** The facades of a building are what give it character, and the character varies depending on the materials of which the facades are made and their texture. In Freeport, many different materials are used on facades - clapboards, shingles, patterned shingles, brick - depending on the architectural

**style of the building. The facades of a building, particularly the front facade, should be visually compatible with those of other buildings around it.**

*The building currently has a combination of wood and vinyl windows. The proposal is to replace all windows (that haven't been replaced) with vinyl, double hung, with a pane configuration of 2/2 and panes being on the inside. All sizes and exterior window trim will remain unchanged. The proposal also includes replacement of the front door which is currently wood, with full-lite glass. The applicant will maintain the style of the full lite, however a material change to vinyl is proposed. The applicant is also proposing to remove one of the existing brick chimneys. 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).**

*Rhythm of spaces to buildings on the streets are not being 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 change to any site features 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".**

*No new signs 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.**

**MOVED AND SECONDED:** That the Board accept the motion as written and read in the Staff Report. (Blanchard & Hamlin) **VOTE:** (6 Ayes) (1 Excused-Wing) (0 Nays)

**Motion:** Be it ordered that the Freeport Project Review Board approve the printed Findings of Fact and Design Review Certificate for KLIF LLC for exterior alterations at 13 Bow Street (Tax Assessor Map 11, Lot 102), to be substantially as proposed, application dated 09/24/19, finding that it meets the standards of Freeport Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and his/her representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to any construction, the applicant obtain a building permit from the Freeport Codes Enforcement Officer.

ITEM IV: Discussion of public notice options.

Ms. Pelletier advised that she didn't have anything to report. The Town recently switched Municipal attorneys and she reached out to our new Town Attorney to get her opinion on how the Ordinance is written and if she feels we can advertise in *The Forecaster* as it is written today. If she were to say we could advertise for this Subdivision Ordinance only in *The Forecaster*, does the Board want to do just *The Forecaster* or does it want to do two like *The Forecaster* and another weekly and *The Times Record* like the Town uses for all of its advertising. The Council does *The Times Record* and we have to for all other Planning things like Zoning Amendments and the Comprehensive Plan. Our past attorney suggested that maybe we could get away with using a weekly but that is why she wanted the new attorney to weigh in on it. She asked the Board if its intent is to have two different means of advertising or just go to a different paper.

Ms. Watson pointed out that the critical question is who is it reaching? It costs something for people to get that subscription. You can't expect people to go just to the *Times Record* when it is going to cost them something to do that. Ms. Pelletier advised that *The Forecaster* does not mail its paper to anyone living in Florida whereas *The Press Herald* or *The Times Record* meet the postal matter requirement. If the attorney comes back and says we can use a weekly paper, does the Board want to duplicate the advertisement to get the word out or do you want to switch.

Ms. Watson asked what harm would be done in saying both *The Forecaster* and *The Times Record*? Mr. Hamlin asked about costs. Ms. Pelletier advertised we can do a legal ad in *The Times Record* for about \$100. *The Forecaster* doesn't do legal ads but to run something in the main portion of their paper would cost about \$140. Mr. Troidl wanted to go on record saying he doesn't have an opinion but would not be opposed to doing both. Mr. Reiche agreed with Mr. Troidl but when he spoke about this in the past, he spoke about supplementing the *Times Record* and this would not be a big part of a development budget for a subdivision. Ms. Pelletier felt this gave her the feedback she was needing.

Mr. Reiche advised that when applicants come through Ms. Pelletier's office, it might make sense to urge them to reach out to their abutters. Ms. Pelletier explained that she tries to do this especially with subdivisions. Sometimes they choose to and sometimes they don't. Often times they reach out and if it goes well, they reach out. If it doesn't, they don't take that extra step. For some of the small ones, she feels it is a good point that she can stress.

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

Chair Campanelli pointed out that the Board is planning a meeting in November and December. They both fall before the holidays. She encouraged the Board to check their calendars. Ms. Pelletier requested that Board members let her know of any schedule changes. She is anticipating a meeting on November 20 although it might not be as packed as some of the other ones. (Mr. Hamlin and Mr. Reiche have conflicts with the November meeting.)

Chair Campanelli advised that the Board had a good workshop with the Planning Board. Due to elections coming up and some things Caroline needs to get through, she is hoping the Working Group can get started in January or February. We will keep moving.

ITEM VI: Election of officers for the positions of Chairperson, Vice-Chairperson and Secretary.

Ms. Pelletier explained that there are three positions the Board needs to elect: Chair, Vice Chair and Secretary. Someone can make a nomination. Someone can second it and then take a vote. It will be good for about a year.

Mr. Blanchard nominated Ms. Campanelli as Chair. Ms. Watson seconded his nomination. **VOTE:** (5 Ayes) (1 Recused-Campanelli) (1 Excused-Wing)

Mr. Reiche nominated Mr. Troidl as Vice Chair. Mr. Hamlin seconded his nomination. **VOTE:** (6 Ayes) (1 Excused-Wing)

Chair Campanelli explained that the Secretary has to run the meeting in the event the Chair and Vice Chair are not here. Mr. Troidl noted he has been Secretary for two years and has never had to run a meeting.

Mr. Blanchard nominated Mr. Wing as Secretary. Mr. Hamlin seconded his nomination. **VOTE:** (6 Ayes) (1 Excused-Wing)

Chair Campanelli explained how nice she has found working with everybody on this Board and hopes that members will stay on for this year and next year.

ITEM VII: Adjourn.

**MOVED AND SECONDED:** To adjourn at 7 p.m. (Blanchard & Hamlin) **VOTE:** (6 Ayes) (1 Excused-Wing)

Recorded by Sharon Coffin