
AGENDA
SPECIAL TOWN COUNCIL MEETING #08-2003
TOWN HALL COUNCIL CHAMBERS
APRIL 29, 2003 – 7:00 PM

From: Dale C. Olmstead, Jr.

To: John Arsenault, Prout Road
Rod Regier, South Street
Charlotte Bishop, Maquoit Drive
Rich DeGrandpre, Timber Ridge Road
Frederick White, 45 Pleasant Hill Road
Thomas Rumpf, P.O. Box 819, So. Freeport
James Cassida, 5 Timber Ridge Road

FIRST ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

ITEM #54-2003 - Continued from April 22, 2003.

To consider action relative to a proposed amendment to the Freeport Comprehensive Plan concerning Section V – Inventory and Analysis, Section VI – Future Land Use Directions and Section V-II – Policies, Goals and Implementation Strategies.

BE IT ORDERED: That the proposed amendment to the Freeport Comprehensive Plan as submitted to Public Hearing on April 22, 2003, be approved.

ITEM #55-2003 - Continued from April 22, 2003.

To consider action relative to proposed amendments to the Zoning Ordinance and Zoning Map concerning the elimination of the Industrial III District and the creation of a Village Commercial IV District (Chapter 21).

BE IT ORDERED: That the proposed amendments to the Zoning Ordinance and Zoning Map as submitted to Public Hearing on April 22, 2003, be approved.

MINUTES
SPECIAL COUNCIL MEETING #08-2003
FREEPORT TOWN HALL COUNCIL CHAMBERS
April 29, 2003-7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Chair, John Arsenault, Prout Road	x		
Vice Chair, Rod Regier, South Street	x		
Charlotte Bishop, Maquoit Drive	x		
Rich DeGrandpre, Timber Ridge Road	x		
Frederick White, 45 Pleasant Hill Road	x		
Thomas Rumpf, P.O. Box 819, S. Freeport	x		
James Cassida, 5 Timber Ridge Road	x		

Chair Arsenault called the meeting to order at 7 p.m. He explained to the public that the Council held a workshop on the proposal for a hotel on the Eastland Shoe property on April 24 and the public was invited to that workshop. Changes were made to the Comprehensive Plan and to the Zoning Ordinance during that meeting. The Council is here tonight to take action on those items.

FIRST ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

ITEM #54-2003 Continued from April 22, 2003

To consider action relative to a proposed amendment to the Freeport Comprehensive Plan concerning Section V—Inventory and Analysis, Section VI—Future Land Use Directions and Section VII—Policies, Goals and Implementation Strategies.

BE IT ORDERED: That the proposed amendment to the Freeport Comprehensive Plan as submitted to Public Hearing on April 22, 2003, be approved. (Cassida & Rumpf).

Councilor Regier noted that the motion refers specifically to the meeting that was held last Tuesday, with the workshop held on Thursday, two days later, the Council now has a couple of minor editorial changes in the Comprehensive Plan and the Council needs to make sure that those changes are on the table and it is clear what the Council is talking about and voting on.

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MOVED AND SECONDED: To amend the motion to read: "That the proposed amendment to the Freeport Comprehensive Plan 2003 as approved in the document dated April 25, 2003 be approved." (Regier & DeGrandpre). **VOTE:** (7 Ayes).

Councilor Regier explained that he did this because the Council cannot conduct business during workshops.

Councilor White read a letter he received tonight from Charlie and Joanna Lamont from Pleasant Hill Road asking that he read it into the public record to respond to comments that appeared in the April 23rd Forecaster regarding Eastland Shoe.

Chair Arsenault asked the Council how to proceed and Councilor Rumpf suggested highlighting the changes discussed since there were not many of them.

Councilor Regier noted that on V, pg.48, The Planning Board text was: "The recent loss of the village's last manufacturer, Eastland Shoe Factory, could provide an opportunity to revitalize the village and provide accommodation, local services and uses associated with tourism such as lodging and restaurants" The Council added "transportation."

The other change the Council discussed on Thursday was in VI, pg. 5. It is the description of the I-III Zone describing as the site as the Eastland Shoe Manufacturing facility. The Council discussed adding a sentence at the end of the paragraph saying "This new zone will also eliminate the existing non-conformity of two parcels used for parking". This is the sum of the changes to the Comprehensive Plan that the Council discussed last Thursday.

ROLL CALL VOTE: (7 Ayes).

ITEM #55-2003

Continued from April 22, 2003

To consider action relative to proposed amendments to the Zoning Ordinance and Zoning Map concerning the elimination of the Industrial III District and the creation of a Village Commercial IV District (Chapter 21).

MOVED AND SECONDED: To amend the motion to read: "To consider action relative to proposed amendments to the Zoning Ordinance and Zoning Map concerning the elimination of the Industrial III District and the creation of a Village Commercial IV District (Chapter 21).as approved in the document dated April 25, 2003. (Regier & DeGrandpre) **VOTE:** (7 Ayes).

There was consensus to outline the changes made to the Zoning Ordinance and Zoning Map.

Chair Arsenault referred to pg. 1 under Purpose—The Council added “and by offering flexibility of use, encourage the preservation of existing buildings, in particular the old Town Hall.

On pg. 1, 8. The Council added: “New structures shall not exceed 65,000 sq. ft. measured from the exterior face of exterior walls, grade level and above.

On pg. 1, 15, c, The Council removed “business and professional office.” There had been a redundant mention of this since it is generally permitted throughout the zone.

On pg. 2, 16, The Council added: Local convenience goods stores accommodating local needs, such as but not limited to, retail bakeries, delicatessens, fish stores, meat markets, farmers’ markets, grocery and food stores, florist shops and combinations thereof.”

On pg. 2, C, 1. The Council changed minimum lot size from 8,000 to 10,000 sq. ft.

On pg. 2, 5, The Council removed: “except that the minimum side and rear setback shall be 200 feet for buildings greater than 20,000 sq. ft. gross floor area that abut a property presently used for residential purposes.”

On pg. 2, 6, The Council changed the minimum land area per dwelling unit from 2,000 to 5,000 sq. ft.

On pg. 2, 9, the Council added: “Buildings greater than 20,000 sq. ft. gross floor area shall not be located east of Park Street.”

On pg. 2, D, the Council added the word “use and within the VC-IV District to the first sentence so that it now reads: “A buffer zone shall be at least 10 feet in depth when a commercial property abuts the V-I District, and 5 feet in depth when a commercial use abuts a property within the VC-IV District that is currently used for residential purposes.” In the next sentence, added the word “shall” after The buffer zone.

On pg. 3, first line, The Council eliminated: “The buffer area may only be used for walkways, or vehicular connectors or points of access. Notwithstanding the above, when a lot is transected by a zoning district boundary, the buffer required by this section may be maintained from the lot line rather than the district boundary line.”

On pg. 3, 3. The Council added “and/or peddler carts” after Peddler trucks.

Chair Arsenault asked for public comments but there were none.

Councilor White explained that he arrived at the meeting tonight prepared to vote no on these changes because of the significant impact this 65,000 sq. ft. hotel would have on the area which is a gateway to a residential neighborhood. He noted that Mr. LeBlanc pointed out that he wanted to contribute to the community and be a good neighbor and this caught

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Councilor White's attention. He now intends to vote yes. He hopes that the developer will continue to work with their neighbors.

Councilor Regier noted that he will be voting in favor of this proposal . It is an opportunity to revitalize an obsolete building which is very visible. The Town owes thanks to the Planning Board for all the work it did in the process.

Councilor Rumpf echoed Councilor Regier's comments. The Planning Board did its job and that made the Council's job easier. He highlighted the major issues for members of the public.

Councilor DeGrandpre echoed other Councilors' comments. It is a good piece of work and he thanked everyone involved.

Chair Arsenault noted that he will be voting in favor of this proposal. The Planning Board did an exceptionally good job on this project to ensure that it is done right. The hotel will be a great asset to the community. He thanked the developer for bringing it to Freeport.

ROLL CALL VOTE: (7 Ayes).

Councilor Regier noted that he and Chair Arsenault will be meeting with the Chair and the Vice Chair of the School Committee on Thursday morning. If Councilors have any items, they should get them to them before the meeting.

Adjournment

MOVED AND SECONDED: To adjourn at 7:30 p.m. (Rumpf & Regier) VOTE: (7 Ayes).

Respectfully Submitted,

Sharon Coffin

Sharon Coffin
Council Secretary

Meeting #8-2003
Item 54-03
4-29-03

Adopted

Proposed Changes to the Freeport Comprehensive Plan

**As revised at the March 19, 2003
Planning Board meeting**

**Additions proposed by the Town Council are in
bold type and underlined
April 25, 2003**

Section 415A. Village Commercial IV "VC IV"

A. Purpose:

It is the intent of this District to mix commercial and residential activity within the Village Center, and by offering flexibility of use, encourage the preservation of existing buildings, in particular, the old Town Hall.

B. Permitted Uses:

1. Single Family Dwelling
2. Two Family Dwelling

The following uses are subject to site review regardless of size:

3. Business and Professional Offices
4. Municipal Facility
5. Public Assembly - Indoor
6. Public Utilities
7. Multiple Family Dwelling
 - a. Existing buildings shall not be subject to the provisions of Section 415A.C.1 below.
8. Hotel/Motel
 - a. New structures shall not exceed 65,000 s ft., measured from the exterior face of exterior walls, grade level and above.
9. Religious Institution
10. School
11. Private Assembly
12. Bed and Breakfast Inn
13. Day Care Center Facility
14. Nursing homes
15. Buildings in existence prior to (date of acceptance) within the VC-IV District may contain one or more of the following uses;
 - (a) restaurant
 - (b) restaurant carry-out
 - (c) personal service store such as but not limited to beauty and barber shops, Laundromats, cleaners, photography studios, shoe, jewelry and household appliance repair services, and alteration services
 - (d) meeting space accessory to a hotel
16. Local convenience goods stores accommodating local needs, such as but not limited to, retail bakeries, delicatessens, fish stores, meat markets, farmers' markets, grocery and food stores, florist shops and combinations thereof.

C. Space Standards:

1. Minimum lot size: 10,000 s.ft.
2. Minimum road frontage: 50 feet
3. Maximum building height: 35 feet
4. Minimum setback/front: 10 feet, except (see additions to or enlargement of existing structures below)

Additions to or enlargement of existing structures - the interior edge of sidewalk or the existing building line, whichever produces the greater setback ("building line" means a line parallel to the property line or edge of sidewalk from which the setback is being measured and which touches the existing building at the point nearest to that property line or edge of sidewalk);

Landscaping or other amenities such as planters, benches or expanded sidewalk shall be required within the front setback.

5. Minimum setback side and rear: 25 feet, and the minimum rear setback adjacent to a railroad right-of-way shall be 5 feet.
6. Minimum land area per dwelling unit: 5,000 square feet.
7. Maximum impervious surface to lot area ratio: 80%
8. Maximum gross floor area per lot: 30,000 s.ft., except where otherwise noted
9. Buildings greater than 20,000 s.ft. gross floor area shall not be located east of Park Street.

D. Other Standards:

1. A buffer zone shall be at least 10 feet in depth when a commercial property abuts the V-I District, and 5 feet in depth when a commercial use abuts a property within the VC-IV District that is currently used for residential purposes. The buffer zone shall maintain the natural features of the land when possible, or, if necessary, fencing or screening may be used and shall be located and constructed in such a manner that it can be maintained from the developer's property except that where a commercial property abuts a residential use, the screening shall be vegetated in nature.
2. Overnight parking is allowed in VC-IV.
3. Peddler trucks and/or peddler carts are prohibited.
4. Offsite parking is allowed provided the parking area is within the VC-IV District.

Commercial

Most of the commercial activity within Freeport is concentrated in the Town Center. The presence of the L.L. Bean Retail Store has encouraged the recent proliferation of discount retail stores, which has made Freeport's commercial business district a national and international tourist attraction. Although it is already densely developed, there is room for some additional expansion of commercial businesses in the Town Center through the demolition and replacement of existing buildings and the expansion of existing buildings. More recently, commercial development has been occurring along the southern section of Route 1 in the vicinity of Freeport Crossing and Maggie's General Store. Public sewer and water service has been recently expanded along Route One South, down to the Super 8 Motel. There are several small scale commercial establishments in other parts of the Town, but the potential for extensive business development is limited in the sections of Freeport zoned for commercial uses because of the lack of public utility service.

In 1983, there were approximately 215,400 square feet of commercial (retail, office, and restaurant) uses in the Village. It is estimated that the total is now closer to 400,000 square feet, with the predominant uses being retail and some restaurants. Along Route One North, bed and breakfasts have been developed from existing older homes. On Route One South, new motels and retail establishments are located on land served by new sewer and water lines that were extended to serve these establishments. Further south on Route One, additional retail establishments totaling approximately 60,000 square feet have been constructed. These properties are located on both sides of Route One and scattered along the entire stretch of roadway. The Planning Board and the Traffic and Parking Committee began a preliminary review of sidewalk facilities in this area to ensure coordination with future development.

Future commercial demand is difficult to predict. If the trends of the 1980's continue, even to a lesser degree, there will be demand for new commercial development along the entire Route One South roadway. This demand will exist because Freeport is a popular destination for shopping and because there is available vacant land. Future extension of water and sewer lines will determine the types of use that could locate there; restaurants and motels will require utility extensions because the poor soils would not support septic systems for these uses.

Industrial

Freeport has a small amount of industrial and manufacturing activity at the present time. The Town has seen a decline in the number of industrial establishments over the past few years. Recent losses include the Dingley Press (which moved to Lisbon) and an L.L. Bean manufacturing division (which moved to Brunswick). and in 2001 the closure of the last remaining manufacturing company, the Eastland Shoe Factory. Much of the current industrial land use is made up of the L.L. Bean office and distribution facility. The Eastland Shoe Factory is the last remaining shoe manufacturing company in the Town, and has maintains a warehouse/distribution facility in Freeport as well.

In 1989, the Desert Road Industrial and Business Park was created in order to increase the amount of industry in Freeport over the next few years. A Tax Increment Financing (TIF) District was developed for this industrial park, mainly to help finance the extension of public sewer and water to the site and to pay for necessary road improvements. This industrial park comprised 65 acres, seven buildable lots, and had DEP approval for up to 270,000 square feet of industrial/office space. In 1992, L.L. Bean purchased the entire parcel, succeeded in rezoning two adjacent parcels, and received approval for 326,000 square feet of warehouse and returns center facilities. The company expects to propose additional development in the future at that site. Two additional parcels totaling 43 acres on Desert Road have been rezoned from RR-I to I-II for future industrial development.

Analysis

Freeport's existing land use pattern is a study in contrasts. Within its borders can be found a densely developed commercial center attracting over 4 million shoppers a year, historic villages with existing and traditional maritime activities, new subdivisions on new roads, and residential uses strung along existing roadways.

Most of the Town is relatively undeveloped, with about 80 percent of the land area consisting of forest land, pastures, and other undeveloped areas. A high percentage (22%) is enrolled in the Tree Growth Tax Program. Residential uses are located in densely developed in-town areas that contain a mixture of single and multi-family homes, housing clusters around the harbor and coastline, and individual homes are scattered on large lots throughout the Town. New housing subdivisions have recently located in the rural areas west of I-95.

During the 1980's, substantial residential and commercial growth occurred in Freeport. A new industrial park was constructed, the Village Center became a predominantly retail commercial area, and the rural area west of I-95 began to attract increased residential development.

In the 1990's, the Route One South corridor will most likely be the location of new commercial development, especially when public utilities are extended southward. Residential development undoubtedly will continue to occur, since the rural qualities of the Town are a major attraction. The industrial area, as it is developed or redeveloped, will create a more diversified economy. The challenge will be to balance continued economic and residential growth with the retention of the patterns of land use that make Freeport unique.

Freeport Comprehensive Plan

Over the past ten to twenty years, Freeport has been transformed from a community with a large manufacturing base (primarily shoes) and a small number of retail stores into a major "destination shopping" center with very little manufacturing activity. During this time period, L. L. Bean has experienced a substantial amount of growth, which has increased the number of local employment opportunities. The proliferation of discount retail stores has also increased the number of jobs in Freeport and total taxable sales.

It appears that there is an increasing desire to diversify Freeport's economy, so that the Town's employment and tax base are not as vulnerable to fluctuations in the national economy or consumer spending. The expanded I-II District on Desert Road will be the location of new, diversified businesses, which will be aided by the fact that it has on-site water and sewer service. Expansion of water and sewer service to Route One South ~~has will~~ increased the area available for new commercial and industrial uses. There is also a desire to attract some new businesses that cater to the needs of townspeople. Recent efforts to attract such locally oriented establishments, however, have not met with much success. The recent loss of the village's last manufacturer, Eastland Shoe Factory, could provide an opportunity to revitalize the village and provide a combination of local services, and uses associated with tourism such as lodging, and restaurants, and transportation.

VI. FUTURE LAND USE DIRECTIONS

The purpose of this section is to summarize the goals and objectives relating to land use in Freeport during the next decade. Existing land use regulations are the foundation of the management plan. Recommendations for modifications to those regulations, plus improved approaches to environmental regulation, will accommodate the projected population growth and retain the traditional development pattern and rural qualities of the community.

EXISTING LAND USE MANAGEMENT SYSTEM

The Town of Freeport has adopted several ordinances which regulate land use. They include a zoning ordinance, subdivision ordinance, sign ordinances, street design ordinance, building code (BOCA) and a design review ordinance. The zoning ordinance is the principal legislation impacting land use. In 1986, the zoning ordinance was rewritten as a result of adoption of the last revision to the Comprehensive Plan. This Ordinance has subsequently been revised to address new issues and to fine tune existing language, but its basic structure and the organization and purpose of its districts and map remain essentially intact. We propose to retain this document as the foundation of Freeport's system of land use regulation and to modify it as proposed in this section. Other ordinances will also be amended in order to be compatible with this Plan.

The present zoning ordinance guides land use by dividing the Town into twenty-two Districts which represent a variety of purposes, uses and densities. Some are predominantly residential and located in rural to moderately rural areas (e.g., Rural Residential-1 and 11, Resource Protection -11, Medium Density Residential - 1 and 11). The Rural Residential 1-A district combines residential uses and selected small resident owned businesses. Other residential districts are located in the two densely developed villages -one in the Town Center (Village-1) and one in South Freeport Village (Village -11). Some districts combine residential and commercial uses to varying degrees (Medium Density, Village Commercial -111). The commercial districts are designed to reflect historical patterns of use and to encourage a variety of commercial patterns of use ranging from the densely developed village center (Village Commercial-1 and 11) to highway oriented commercial activity (Commercial-1, 11, and 111) to a district whose purpose is to encourage the development of businesses serving the needs of local residents (Local Business). Each of the ~~three-two~~ types of industrial districts accommodate the needs of different kinds of industries and different locations (Industrial-1, and 11 and 111). The Marine Waterfront district is designed to provide appropriate locations for water oriented activities such as fishing, marinas and boat building. Two districts focus on environmentally sensitive areas- resource protection lands and aquifer recharge areas (Resource Protection -1 and 11). One overlay district (Mining and Extraction Overlay District) permits and regulates mining and extraction activities where the resources are located.

FUTURE LAND USE DIRECTIONS

When residents were asked, in the Community Attitude Survey, which criteria were most important in determining the locations for future residential, commercial and industrial growth, a majority of respondents chose the following criteria as critical factors: protection of natural resources, historic resources, rural character, neighborhood character and commercial marine

- sewer and water extensions in the foreseeable future.
- d. Existing vacant lots in approved subdivisions located in higher density districts = 20 units.

2. Rural areas = 268 units.

- a. Existing vacant lots in approved subdivisions located in low density districts = 48 units.
- b. New subdivisions and creation of family lots in the RR-I, RR-II and RP-II Districts = 200 units.
- c. New accessory apartments in existing dwellings in rural districts = 20 units

B. COMMERCIAL

Commercial growth will continue to occur, but it will probably not be at the rapid pace of the 1980's and will, in all likelihood be more diversified. The new development will be concentrated in the existing commercial zones, especially in the C-1, C-11 and C-111 Districts. Limited new development will occur in the proposed Desert/Hunter Road commercial area. The I-III District which is the site of the now defunct Eastland Shoe Factory manufacturing facility in Freeport Village is ripe for re-development.

Existing and Proposed Growth Areas.

1. VC-1 and VC-11. These Districts will continue to be the main tourist oriented retail areas. Some growth will occur through reconstruction and expansion of existing structures and conversion of existing residential properties to commercial use. Availability of parking spaces will determine the level of future expansion. If alternatives to one level surface parking are pursued by developers, additional growth is possible.
2. C-1 and C-11. The level of future growth expansion in these Districts will depend on the timing of the extension of water and sewer lines down Route One. The C-11 District is designed to accommodate large commercial developments. Regulation of setbacks, access and landscaping, etc., needs to be refined to protect both Districts from the undesirable aspects of strip development.
3. C-111 and LB. Future growth is possible in these Districts. Development in the C-111 would be primarily infill. Both LB Districts are now vacant. They were designed to create village center areas where local service stores serving resident shopping needs would be concentrated; however, this concept has not been realized. Both the C-111 and the LB Districts should be reviewed both to see if additional uses are appropriate and to assure that they are developed as attractive entrances to the Village.
4. Hunter/Desert Road area. This strip, containing five lots on the north side of Desert Road between Hunter Road and the railroad tracks, is presently zoned RR-1 and is bordered on Desert Road by I-11 zoned land, the new municipal public works facility and the MDOT garage. A new zone is proposed which will be a combination of elements of the I-11 and the LB but also will recognize that the existing residences need protection from harm during the conversion from residential to commercial use.

5. I-III. This District was previously the site of the Eastland Shoe Factory manufacturing plant in Freeport Village. The manufacturing portion of the business was closed in the fall of 2001, given the statewide decline in manufacturing, it is unlikely that another similar business would move into the building. The permitted uses in this district are limited to manufacturing and processing and warehouse and storage facilities. The site is adjacent to the VC-I District and residential neighborhoods. A new zone is proposed which is slightly larger than the existing I-III District which will be a combination of lodging for those visiting the retail core of the village, local business, other commercial businesses, and a variety of residential uses. This new zone will also eliminate the existing nonconformity of two parcels used for parking.

56. Marine Waterfront District. The two districts located on the Harraseeket River will continue to be water-dependent business locations and existing water-dependent businesses will be actively encouraged to remain in the MW Districts.

C. INDUSTRIAL

Industrial development is possible in two Districts where adequate vacant land for future development is available.

1. I-11. This District was expanded in 1992 to add two lots to the Industrial Park facility on Desert Road being developed by L.L. Bean and one other small parcel on Desert Road. The 40 acre parcel northerly of the Park was rezoned from RR-1 to I-11 to provide additional locations for industrial or office uses requiring public utilities. The boundaries of this District should not be expanded westward in order to protect properties in the adjacent residential areas. New development in this District should occur in a manner that is sensitive to the impact on these residential areas.
2. C-11. This District permits manufacturing and processing as well as other commercial and retail uses and is designated as both a commercial and industrial growth area. Rather than expanding the I-11 District, the expansion of public utilities to this area should be encouraged.

II. RURAL AREAS

A. NATURAL RESOURCE PROTECTION AREAS.

As Freeport changes from a low density, rural community to a more densely developed one, it is important to affirm the commitment to protect from harm those areas which are environmentally sensitive.

The Zoning Ordinance now protects most of these areas. Completion of identification is a

GOAL #4

Use whatever local tax or land management incentives are at the Town's disposal to encourage the permanent preservation of agricultural, forest and open space land.

GOAL #5

Blend new housing developments into the landscape as much as possible by incorporating the positive elements of traditional village/neighborhood patterns or planned unit or cluster developments when feasible.

GOAL #6

The size and design of new roads and transportation systems should be consistent with Freeport's existing system of traditional, rural roads and should direct traffic away from residential areas.

GOAL #7

Encourage the creation of additional green space and the protection of existing trees in the VC-1 and VC-11 and VC-IV Districts.

GOAL #8

Encourage reciprocal communications and notifications with neighboring towns about any proposed zoning changes or significant development proposals that might increase traffic volumes and have other impacts between the towns.

GOAL #9

Support those private and public organizations that can assist in the preservation of Freeport's open space and rural character and encourage coordination of their efforts.

GOAL #10

Retain existing permitted dwelling unit densities in the Rural Management Areas except where the Town Council adopts density bonuses.

GOAL #11

Preserve and protect the integrity of residential neighborhoods.

IMPLEMENTATION STRATEGIES

1. Future Land Use Directions

A. Revise the Zoning Ordinance and Map as follows:

1. Revise the densities of the southern one-half of the MD district to 40,000 s.f. without public water and sewer and 20,000 s.f. with public water and sewer and explore the possibility of linking the provision of affordable housing with density increases.
2. Develop a new district for the five lots on the north side of Desert Road between Hunter Road and the railroad tracks which combines elements of the LB and I-II (including office and convenience stores) and also protects existing residences

from harm during the conversion from residential to commercial use.

3. Review the "permitted uses" section of the Zoning Ordinance to evaluate whether additional uses should be allowed in the following zoning districts and review the setback and buffering requirements in these districts to ensure that they are consistent. Examples of potential uses are:

C-1 Convenience stores without gas pumps, boat yards, auto sales establishments;

C-11 Two family residences, campgrounds*, convenience stores;

C-111 Retail sales, hotel/motel;

MD Construction services, campgrounds*, remove size limitations on convenience stores and hotel/motel;

LB Restaurant (See Local Economy, Strategy 1A).

VI Convenience Stores

- Review to determine if campground uses, subject to site plan review, should be added to the permitted uses in order to provide for RV camping close to the Village to discourage illegal overnight parking of RV's in parking lots in the Village.

4. Eliminate the Industrial III (I-III) District create a new VC-IV District that allows for mixed use such as retail, lodging, local businesses, offices and all types of residential uses. Revise the Official Zoning Map to enlarge the VC-IV District. Review the parking requirements and make changes as necessary to reduce the amount of impervious surface on a property while still providing adequate parking for the uses proposed.

4. Prohibit overnight RV camping in the VC-I District's parking lots.
5. Identify any additional natural resource protection areas and special protection areas, as defined in the Future Land Use Section, and determine the appropriate level of protection.
6. Explore whether Bed and Breakfast Inns, as defined in the Zoning Ordinance, should be further regulated in the entire Harraseeket Historic District.
7. Investigate the expansion of the boundaries of the MDR-1 District on the Wardtown Road for future affordable residential development.
8. Revise setback requirements for R.V.'s and tenting sites in campgrounds so that they do not exceed the setback requirements for structures in the same zoning

Adopted

*Meeting # 8-2003
Item 55-03
4-29-03*

Section 415A. Village Commercial IV "VC IV"

A. Purpose:

It is the intent of this District to mix commercial and residential activity within the Village Center, and by offering flexibility of use, encourage the preservation of existing buildings, in particular, the old Town Hall.

B. Permitted Uses:

1. Single Family Dwelling
2. Two Family Dwelling

The following uses are subject to site review regardless of size:

3. Business and Professional Offices
4. Municipal Facility
5. Public Assembly - Indoor
6. Public Utilities
7. Multiple Family Dwelling
 - a. Existing buildings shall not be subject to the provisions of Section 415A.C.1 below.
8. Hotel/Motel
 - a. New structures shall not exceed 65,000 s.ft., measured from the exterior face of exterior walls, grade level and above.
9. Religious Institution
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12. Bed and Breakfast Inn
13. Day Care Center Facility
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15. Buildings in existence prior to (date of acceptance) within the VC-IV District may contain one or more of the following uses;
 - (a) restaurant
 - (b) restaurant carry-out
 - (c) personal service store such as but not limited to beauty and barber shops, Laundromats, cleaners, photography studios, shoe, jewelry and household appliance repair services, and alteration services
 - (d) meeting space accessory to a hotel
16. Local convenience goods stores accommodating local needs, such as but not limited to, retail bakeries, delicatessens, fish stores, meat markets, farmers' markets, grocery and food stores, florist shops and combinations thereof.

C. Space Standards:

1. **Minimum lot size: 10,000 s.ft.**
2. **Minimum road frontage: 50 feet**
3. **Maximum building height: 35 feet**
4. **Minimum setback/front: 10 feet, except (see additions to or enlargement of existing structures below)**

Additions to or enlargement of existing structures - the interior edge of sidewalk or the existing building line, whichever produces the greater setback ("building line" means a line parallel to the property line or edge of sidewalk from which the setback is being measured and which touches the existing building at the point nearest to that property line or edge of sidewalk);

Landscaping or other amenities such as planters, benches or expanded sidewalk shall be required within the front setback.

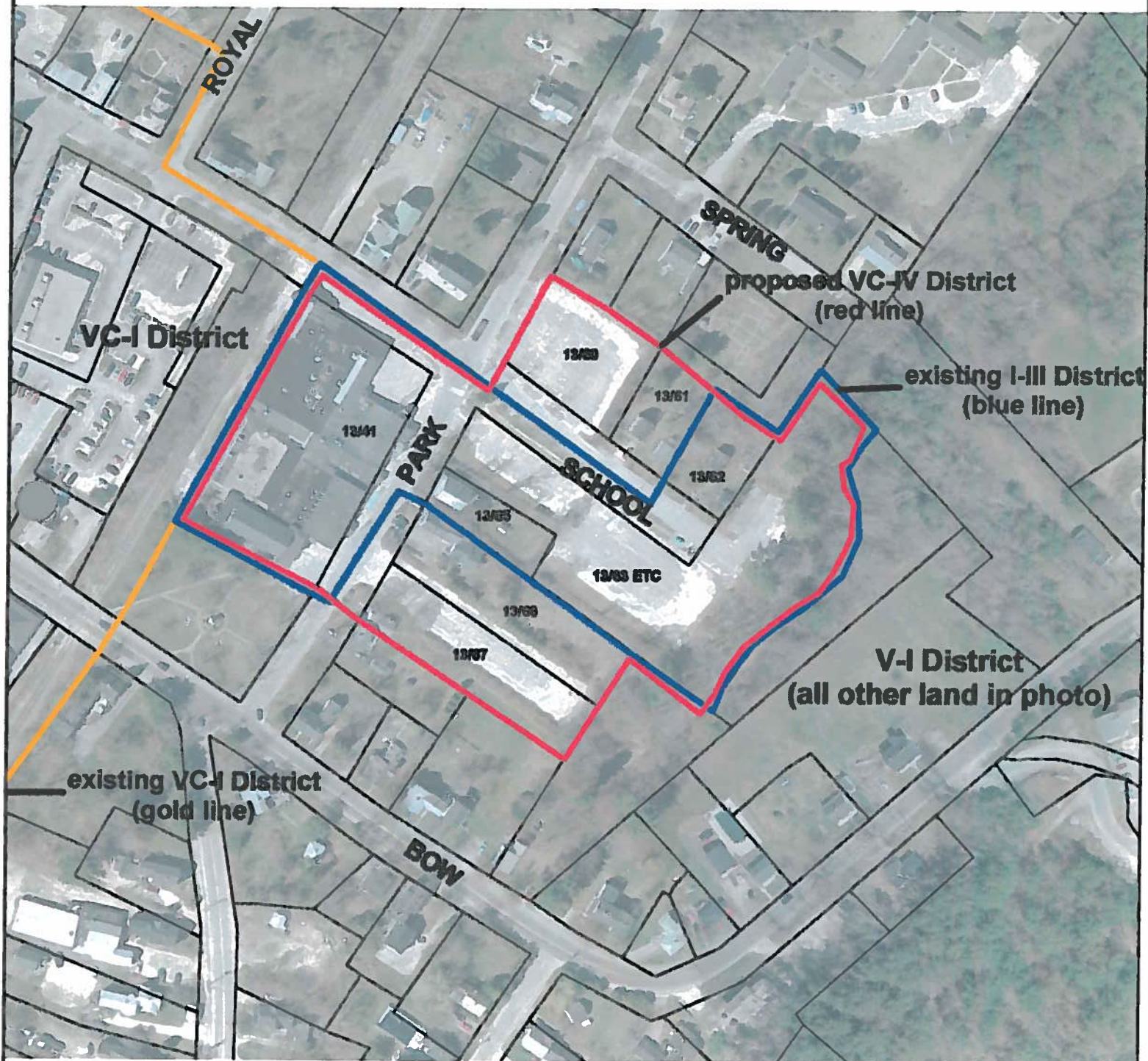
5. **Minimum setback side and rear: 25 feet, and the minimum rear setback adjacent to a railroad right-of-way shall be 5 feet.**
6. **Minimum land area per dwelling unit: 5,000 square feet.**
7. **Maximum impervious surface to lot area ratio: 80%**
8. **Maximum gross floor area per lot: 30,000 s.ft., except where otherwise noted**
9. **Buildings greater than 20,000 s.ft. gross floor area shall not be located east of Park Street.**

D. Other Standards:

1. **A buffer zone shall be at least 10 feet in depth when a commercial property abuts the V-I District, and 5 feet in depth when a commercial use abuts a property within the VC-IV District that is currently used for residential purposes. The buffer zone shall maintain the natural features of the land when possible, or, if necessary, fencing or screening may be used and shall be located and constructed in such a manner that it can be maintained from the developer's property except that where a commercial property abuts a residential use, the screening shall be vegetated in nature.**
2. **Overnight parking is allowed in VC-IV.**
3. **Peddler trucks and/or peddler carts are prohibited.**
4. **Offsite parking is allowed provided the parking area is within the VC-IV District.**

Freeport Village
Area Proposed for
Comprehensive Plan
and
Zoning Ordinance Amendments

VC-IV District



300 0 300 600 Feet

April 22, 2003 public hearing
prepared by the Freeport Planning Department

