

**MINUTES
FREEPORT PROJECT REVIEW BOARD
FREEPORT TOWN HALL COUNCIL CHAMBERS
30 MAIN STREET
WEDNESDAY, DECEMBER 20, 2023
6:00 PM**

Attending: Linda Berger, Jason Donahue, Lynn Hamlen, Fred Madeira, James Monteleone, Chair Ford Reiche, Tod Yankee and Town Planner Caroline Pelletier

Chair Reiche called the meeting to order at 6:05 p.m. and noted that there are four items on the agenda tonight. With the kind offer of L.L. Bean, we are going to bump Harraseeket Ridge ahead of them on the agenda. The four items on tonight's agenda are the completion of a demo permit process for 48 Bow Street, consideration of an extension for approval period between preliminary and final approval for Harraseeket Ridge, L.L. Bean concept discussion, no action requested and then Cigri Subdivision is up for conceptual review.

ITEM I: Information Exchange

Ms. Pelletier wanted everyone to know that we are trying a new sound system tonight so Tom Pierce has a system to amplify sound in the room. It will be a big night for Freeport. We have never had this before this week so if anyone hears an echoing or it is hard to hear, let her know so they can make some adjustments.

1) Update on topics reviewed by the Planning Board

Ms. Pelletier advised that the Planning Board continues to be busy. They met twice this month. They made recommendations to the Council for the implementation of the new state housing rules most commonly known as LD 2003 to increase housing opportunities in Freeport and throughout the state of Maine. It requires amendments to the Zoning Ordinance, the Subdivision Ordinance and the Shoreland Zoning Ordinance. There is a bit of clean up and also the addition of a couple of previously discussed Subdivision standards that we are missing so the Council will probably take this up in January. If they take action, the Board will get entirely new ordinances. There are changes throughout both documents. The second meeting they had this month was to consider the recommendations of the Central Core Working Group and that was for amendments to the Design Review Ordinance. The Council will probably take those up in January. If the Board wants to go into detail at the end, it can be in ITEM IV.

2) Update on the Downtown Vision Task Force Implementation Group

Ms. Pelletier mentioned the Task Force is on hold. They will regroup in January and she will have some project updates then.

3) Update on the Town of Freeport Climate Action Plan

Ms. Pelletier pointed out that the town continues to work on the Climate Action Plan. It is on the town's website and you can click on Sustainability. There are some on-line surveys and some interactive things and you can get information on sustainability and statistics in Freeport related to Climate change.

4) Update on the Freeport Comprehensive Plan Update

Ms. Pelletier advised that the Planning Board met for the first time with North Star Planning. It was an introduction meet and greet. They will be coming back in January to start the Comp Plan discussion with the

Planning Board. All those meetings are open to the public and anyone is invited to attend. The first few months will be a lot of stuff behind the scenes just working on the inventory analysis chapters. Come spring there will be more public outreach and public engagements.

ITEM II: Review of the minutes from the November 15, 2023 Project Review Board meeting.

Chair Reiche asked if there are any corrections or suggestions to the November 15, 2023 minutes? None were provided.

MOVED AND SECONDED: To accept the minutes as provided. (Hamlen & Donahue) **VOTE:** (6 Yes)
(1 Abstention: Donahue) (0 No)

ITEM III: Reviews

48 Bow Street – Design Review Certificate & Demolition Permit Request

The applicant is seeking approval of a Design Review Certificate for exterior building alterations at 48 Bow Street. Changes include but are not limited to replacing a 20'x20' structure with a 20'x24' structure. There is an existing structure proposed to be demolished. The structure is Class B in Design Review District 2 and a four-month notice period for demolition is required. Zoning District: Village I (V-I); Freeport Village Overlay District, Design Review District 2 - Class B. Tax Assessor Map 13, Lot 88 (48 Bow Street). Bruce Macomber, applicant. Bruce Macomber Jr. and Shelbee Macomber, owners.

Chair Reiche advised that we have been through the four months and we have a letter from the Historical Society dated October 18, 2023 saying they are in agreement with the conclusion that there is no historic value in the building. Ms. Pelletier added that the applicants were required to do a series of legal ads in the paper to see if there was any interest from anyone in taking the building. They did complete the legal ad notification process. Those were in the Board's packets and Staff does not think there is anything else outstanding.

Chair Reiche asked if there are any questions from the Board. None were provided. He called for a motion.

MOVED AND SECONDED: that the Freeport Project Review Board approve a demolition request for Bruce Macomber Jr. and Shelbee Macomber to demolish an existing 20'x20' Class B structure at 48 Bow Street, application dated 06/22/23, as the Board finds that the requirements of the four-month notice period have been met. (Hamlen & Madeira) **VOTE:** (7 Yes) (0 No)

Chair Reiche thanked the applicant for his patience.

Harraseket Ridge - Subdivision Application

The applicant is returning to the Board to request an extension of the timing between the Preliminary Subdivision Approval and returning for final approval. This is just an extension request, and no changes to the Plan will be discussed at this meeting. *Note: The proposed subdivision is for an 80-unit residential open space subdivision on a vacant parcel (approximately 90 acres) on US Route One North. Forty duplex structures and two new road entrances off US Route One are proposed. Approximately 43 acres of open space will be required. The Board granted preliminary subdivision approval, with conditions, in August 2022.* Zoning District: Medium Density A (MD-A). Tax Assessor Map 18, Lot 16 (0 US Route One). Beta Zeta Properties, LLC, applicant and owner; Thomas Perkins, representative

Ms. Pelletier explained that for a major subdivision, when the Board grants preliminary approval, the applicant

returns within six months for final approval. In this case, the applicant is still working on some stuff so they went to the Board and requested an extension of six months which expires at the end of December. It is a big project for Freeport. It is 80 units in 40 duplexes on private utilities on U.S. Route One North. It is requiring site location and a municipal stormwater review. They are still awaiting the Site Location Permit from DEP. One of the requirements in the ordinance is that they obtain Site Location before the Board grants final approval. They are also working on completing the peer review process. The Peer Reviewer did the initial review and gave some comments and they turned around a resubmission. The Peer Reviewer is working on final comments now so we are still working on that process. It is still not complete and it has taken longer she thinks from all parties than anticipated. Those are the two biggest things outstanding. She thinks one of the questions for the Board, do you want them to wait until they get Site Location not knowing an exact date. You had an e-mail in your packets or is it something you would be comfortable considering conditionally? We still want the peer review to be finished and the other legal work and they still need to get sign-off from Adam Bliss so they have other things. She thinks the Site Location is the biggest unknown that is not under our control.

Tom Perkins advised that they are supposed to get it this month per the Project Manager's e-mail from DEP. It could be the first of the month but certainly by the end of the year. With this deadline looming, he is coming to the Board tonight. To the extent of the peer review, it has been an iterative process back and forth and they have also been in consultation with the Maine Drinking Water Program and what they agreed to do is test, with their involvement, any concerns for potential, once the wells are drilled, any effluent from septic fields contaminating. They have all of this math that their peer reviewer and their hydrogeologist have said they are all good but they seem to keep debating that. Beyond all of the math, they will physically test that with the state's involvement looking over their shoulder because at the end of the day they will not have a subdivision on three public drinking wells that could in any way be harmful to any of the people that will live there. They are committed to doing that. If they do find that the math is wrong, they will put advance treatments into their septic systems to mitigate all of that. We all want the same result here and would like to move this through.

Ms. Hamlen recalled that there were not many residential units close to it so how many potential septic spillovers could there be? Mr. Perkins advised that none, they are 300' away from any one well which exceeds the state's requirements but there is still a conversation going on. Mr. Perkins is saying that they will test it once the wells are in and they will verify it. Ms. Pelletier added that she just got a letter from the Maine Drinking Water Program indicating that this development has three community water systems and 40 shared septic systems. Mr. Perkins advised that that has not been changed.

Ms. Berger advised that she feels the Board should wait until we get all the reviews done and make sure everybody is on the same page. The people that are waiting for are the people that have expertise and she would like to get that expertise at that level before she would be comfortable going forward with the final. Ms. Pelletier added that if the Board approves it again, which is fine if you are willing to extend it, but if he doesn't have Site Location, he will be back. She wanted to make sure the Board considers the options and you can consider the options every time but wanted to put out there that you should be better advised to keep them on the time limit.

Chair Reiche asked the Board if they feel we should be considering this further or just considering the extension tonight? Mr. Yankee asked what is the downside of the extension? Ms. Pelletier mentioned that if a lot of the Board was going to term off, that would be a concern if we no longer had a quorum of Board members. She doesn't know who will possibly have a term ending in March. Last time you gave them about six months but if you wanted to say they come back by the end of February, that way we will still have the same Board and they think they should have their DEP approval in hand. Chair Reiche asked Mr. Perkins what he thought he would need. Mr. Perkins advised that he didn't think he would need this request but is fairly confident that they would

have the Site Location Permit. They have had three rounds of peer review comments and they have responded to the third round so he wonders if there will be a fourth round. Ms. Pelletier added that she has been reviewing the second response and feels she should have those within a couple of weeks so she is hoping with the updated letter from the Maine Drinking Water Program requiring you do the test wells and that they have submitted kind of a rebuttal to the initial comments. She is hopeful that that will be wrapped up. They will still have to work with Adam on the Municipal Stormwater but she did not get an update from Adam on that. She does not feel strongly one way or the other if the Board wanted to do three months or six months. She would not go beyond six months because that is the standard already.

Chair Reiche asked Mr. Perkins what he thinks he needs. Mr. Perkins suggested going three months. Chair Reiche noted three months would get Mr. Perkins back here in February and if there is a snowstorm, it will get him in March before he loses any potential Board members. Mr. Perkins noted that the 90-day extension works for him and the Board did not offer any objections. Ms. Berger asked if there is a final time limit for how many extensions, or is it just up to the Board to just keep giving it until we are done? Ms. Pelletier noted there is no time limit. It is pretty rare for the Board to go beyond one but we are in different times and things take longer.

MOVED AND SECONDED: that the Freeport Project Review Board grant an extension to Beta Zeta Properties, LLC., until March 31, 2024 for the proposed Harraseeket Ridge Subdivision (Tax Assessor Map 18, Lot 16) for an 80-unit residential open-space subdivision, to allow for additional time for the applicant to file for final subdivision plan review, in that the applicant continues to work toward satisfying the conditions of the preliminary approval and the submission requirements of the Freeport Subdivision Ordinance. (Yankee & Madeira) **VOTE:** (7 Yes) (0 No)

LLBean (95 Main Street)– Design Review Certificate & Site Plan Amendment

The applicant is presenting conceptual plans for proposed site and building alterations at the L.L. Bean Flagship Store Campus on Main Street & Justin’s Way. Plans include demolition, building alterations and an addition; alterations to existing parking lots and internal pedestrian and vehicular circulation patterns; and alterations to the outdoor spaces on the campus. Zoning Districts: Village Commercial I (VC-I), Design Review District One – Class B & C buildings and Color Overlay District. Tax Assessor Map 11, Lots 36-ETC, 40-ETC and 64-ETC (12 Nathan Nye Street, 57 Main Street & 95 Main Street). L.L. Bean, Inc, applicant & owner (*Note: Downeast Energy is the landowner at 57 Main Street*); Kylie Mason, RLA, Sebago Technics, representative.

Chair Reiche mentioned that this is an update and no action is being requested this evening. It is the first time we have been together since our site walk on November 29th. Ms. Pelletier wanted to add that they came to present conceptual plans. The Board then set a site walk. After the conceptual presentation, they did submit building renderings which the Board had on the site walk to look at the site features you have not yet talked about and you have not yet talked about in the Board room. That is something the Board would want to get feedback on tonight. The last time they talked about where they are at on the project. It is a big building and a big site. They may not be ready to get it all approved at once but as you know, they have construction underway. One of the things the Board wanted to understand was the timing so they also gave you a phasing plan in here of how they most likely would want to come in and ask you for approval in three phases. If they can blend phases together, which they will talk about tonight, that will be the intention. The worse case the conceptual plan sheet has the three phases on it and will want some feedback on it.

Finally, you have a site rendering here tonight with a little bit more site detail and she thinks they are prepared to talk about the site features kind of closer to Main Street where they have that stuff we looked at on the site walk.

Katie Wise from L.L. Bean, added that that was a perfect summary. She would add that since they last seen the Board at the site walk last month, they updated some of the renderings showing more realistic landscape with the sketch plan that Kylie will talk to tonight. Tonight, she wants to show the Board the concepts and walk through the elevations and show everybody what the store currently looks like and then walk through the proposed new elevations and the proposed conceptual site plan and then lastly, go through those renderings and their project approach. She displayed a slide showing the existing Main Street and Justin's Way elevation that was taken recently. The Board can see that they have removed the bump out and see that the construction barriers are up. She pointed out that currently there are no windows nor an entrance on the north side of Main Street. She explained other slides for the Board. She noted that they are proposing to remove the green awnings. No big changes are being proposed to their Boot Plaza. She then ran through the building elevations for the Board. As a reminder, all the existing windows that are there will remain. They are not planning to replace any of the wood siding but will paint it in same paint colors.

The next slide showed the main addition elevation where the Board can see the existing building all the way to their Hunt/Fish to the Bean Boot Plaza. No large changes are being proposed there but the other portion you can start to see the new center entrance with the three doors there with two levels to better match the Hunt/Fish building. We want to bring the three-story building to two levels which will better help bring consistent architecture to their campus as well as help with accessibility inside and outside the store. Currently, they do have accessibility challenges with stairs, ramps, elevators, etc. and they want to make it better for customers and employees. On the slide going to Lower Main, the Board can see that they also have a new stair tower which is a green form. She pointed out the West and East elevations.

Ms. Berger asked if the entrance to the Boot Plaza in between the two bigger buildings is still there? Ms. Wise advised that they are proposing to remove the entrance but keep the windows and opening but it will no longer be doors.

Kylie Mason of Sebago Technics had handouts for the Board. She oriented the Board to the site plan. While Katie just presented Main Street and all the elevations of all the buildings, she will go into a bit of detail and see the beautiful images for the building and the context of the site. The Board will see that they are really not touching the Main Street Plaza much. They are planting into the landscape to create the entry and a seating area and where they have landscaping in that area, they will create a new landscape along the windows. They are creating an upper-level plaza that is very open and gives context to the building. They are really bringing in new green landscape into the center of the campus. She pointed to what is currently a parking lot and they are narrowing down the drop-off lane to make it truly a drop-off function to serve public safety access through the loop of the campus. They are extending the park by a significant amount and introducing a new canopy area and highlighting the pedestrian connection. The whole area between the Home Store and the new entrance for the L.L. Bean store becomes a possible programming area that will allow them to use it for the main winter events which are pretty impactful to a lawn area year after year. It gives them an opportunity to host many of the Maine Maker markets or a Farmer's Market without impacting what previously was a parking lot. This gives them the flexibility and dynamic use of their campus without impairing the expectation of what it should be used for. It will be a paved area. Right now, they have not chosen materials but that is something they will explore. They are just being conscience of what they are prioritizing. This will be a programming area and they will focus on the continuity of the site as it exists.

She displayed No. 1, a slide showing the corner of Justin's Way and Main Street and mentioned that it is an unpopular corner. There is not a lot of life there but is an opportunity to enter into the building. Create an entrance on the Main Street/Justin's Way corner of the building. There is a small retaining wall with a steep slope coming down which will allow them to retain the grade and still provide a gracious seating wall on the

inside so it makes it more useable as an entrance space. They are still working on seeing if there is enough space for a couple of bike racks. This is just a little bit of an improvement to the larger campus but will make a huge impact. As you come down Main Street, you will see they are not making changes to the site. The three existing trees will stay just as they are. No. 2. the next slide shows the view for what the building might look like with the existing tree canopies removed. It is a little more livable than the elevation itself. The current entrance will be moved a bit to the side. The next slide shows the corner of the Main Street L.L. Bean Campus. They have the waterfall going away and turning into a beautiful landscape with a carve out area for the entrance to Main Street entrance. Not a lot of changes but it gives the Board the chance to see context that there are some existing trees in here and they are hoping to be able to maintain all of them and add to it. Then there are the staircases which we all know them to be today leading up to the upper Main Street Plaza. That gives the Board a sight line to the windows and the covered porch on the Main Street Plaza.

Moving to No. 4, they are moving down a little bit in front of Linda Bean's and towards the walkways so, you can see standing on Main Street in front of the Linda Bean area looking up at the new peak of the entrance, the covered porch, the landscape and all the walls as they exist today. The next slide shows after you have climbed the stairs, you have made it up from former Morse Street in the area by Boat and Ski. Your view is in No. 6 so you can see this would be in front of the new entrance, the pedestrian walkway, some of the green spaces and seating in the upper plaza that gives you a place to wait and just people watch.

The next slide had an aerial view to give you a bird's eye view on how that dynamic programming area can function where they can demonstrate something for kayaks, they could have a casting class, a fly-tying class or they could have something for their wintering programming. The Kayak store will remain as it is. You can see the function of the drop off in that separation. There is actually one continuous pedestrian experience once you enter the campus and in what would be a horseshoe. There would be no vehicular pedestrian conflicts unless you choose to cross into the park itself. Ms. Berger asked where the exit is from the drop off? Ms. Mason explained that it is the same as it is today and pointed it out on the slide. Ms. Berger asked where the accessible parking is being moved to? Ms. Mason pointed out the accessible parking would be extended into the Coyote Lot. She mentioned there is no parking provided in the center of the campus. She explained the next few slides. She had a slide showing a bird's eye view of how everything works together. She displayed a slide showing the pedestrian prioritized area that is being widened out. They are proposing a full stop.

To orient the Board, Ms. Mason explained that you are now standing in the L.L. Bean campus in the Boot area standing with your back behind the Boot looking outward so you can get an idea of the pedestrian connection, the widened park area, lots of safety bollards so everybody knows they are supposed to stay in the drop-off lane. The next slide gives you the idea of coming out of the Home Store and engaging in that widened crosswalk so that again the pedestrian experience is the prioritized experience and is just a secondary passageway for those vehicles that have dropped off somebody. She feels it might be useful during a winter event or a concert series where we can create two segregated areas and create circulation. From a bird's eye view, the Board can see how they are all working together.

Ms. Pelletier mentioned that Ms. Mason is here for Site Plan and Design Review and as she knows, Design Review looks at visibility from the public right-of-way. She asked her to point out on here where Cross Street is so they can understand what can be seen from the Design Review perspective? Ms. Mason pointed out where Cross Street is as it is now. Ms. Hamlen asked her to go to Image No. 3 where there are big granite bollards all along Main Street. She asked why they are necessary on that side of the street where the rest of Freeport does not have bollards next to their sidewalks? Ms. Mason suspected it was probably something that a previous Project Review Board wanted to restrict access from jaywalkers. They are entirely part of the Town's property

and no changes are proposed in the public right-of-way. Ms. Hamlen pointed out that in looking from an aerial point of view, they have this natural green canopy and all these wonderful green roofs that tie everything together. There doesn't seem to be a continuation on Main Street in this long, long walk and she is wondering why there isn't an effort to continue that wonderful dark green around the corner? Ms. Mason noted that one is for the resident architect. Ms. Wise explained that they will come back with a graphic and signage package and feels it is their intention to have this portion of the building to feel more at home with the other existing buildings across the street when you are on Main Street as opposed to the gable kind of New England architecture of their internal campus. It was an intentional decision. Ms. Berger asked if she had a view of the other side of the street in this display. Ms. Wise went back to a slide and mentioned that the other side has flat roofs but it also has more openings. One thing they are looking at currently is you walk their whole façade and a lot of it is solid wall and they want to change that. Where they could, they are trying to add windows on the ground floor and also the upper floor to mimic the openings you see across the street. Ms. Hamlen added that vegetation is nice. Mr. Madeira asked to go back to Image No. 3 and noted he finds this exciting. Ms. Wise advised that there is a lot more openings and they want to add that to their façade.

Mr. Monteleone brought up crown trim and asked if there are other ways they can accent the roof line? Ms. Wise explained that their hope is to do that through the openings and also the store front the Board will see. Their goal is that instead of customers walking across the street to window shop, they want to give them that experience there so they will be able to see in the store. In the current version, those windows have always been display windows for them so even though it reads as a window, you could not actually see into their store. In the future designs, those will not be there so you will actually be able to see into the store as you can do across the street. It gives it a more downtown feeling seeing activity and people in there. Their goal is to mimic that downtown feeling through those as opposed to ornamental trim. They are keeping the dark green windows they are currently showing and will match the dark green on the other side of the street.

Ms. Berger mentioned that the proposal is removing all the awnings that are there. She feels awnings give that break up of space if they would consider putting them back in some of that area. Mr. Yankee mentioned that he is seeing a bunch of breaks in the wall and he heard someone say this was designed as a New England feel. He asked if they could point out what those are? Right now, people can get under the awning if it is raining in inclement weather and it has more of a feeling of New England than having a big flat wall even though you are adding windows, it seems cavernous and not very New England to him. Ms. Wise advised that the intention was not to bring in that New England gable form architecture of the campus here. Their intention was to keep it very much the same with the removal of the awnings. They are not trying to change the architecture of what is already on Main Street. They are proposing to remove the awnings because they feel it will bring in more natural daylight to the store but they will take feedback if the Project Review Board likes the awnings.

Ms. Pelletier wanted to recap. The only change on this façade is just to add more windows to help break it up more. Everything else is staying but obviously the door will be replaced with the windows. Mr. Yankee added removing the awnings and suggested throwing out some green on the trim and try to break it up so it is not one big brown wall. Ms. Hamlen mentioned doing a wood overhang that is like an awning but it is not but that is an architectural feature and Ms. Wise is the architect. Ms. Berger mentioned the corner with the entrances on Justin's Way has that wood overhang that is kind of like an awning that just gives something because it is so flat and straight. There is almost no design other than you just see some windows. Ms. Wise noted she could take that into consideration.

Chair Reiche refreshed the Board's memory noting they are here tonight to give the Board an update of direction. Ms. Mason agreed and added that this is wonderful feedback. As the Board looks at the facade of the building, you can actually see the Existing Conditions Plan. One thing that is particularly important about this

façade is that the property line is literally the skin of the building so it is worth noting that any structural projection would actually be directing them to put a structural element into the public right-of-way so that is another constraint that this particular project is up against. If you will look at within your packet this smaller handout, you will actually see it ten pages in, the L.L. Bean store, the property line is really running up against the skin on the façade on Justin's Way. The architectural team is walking a fine line of structural enhancements. Mr. Yankee felt the awnings could be considered grandfathered. Ms. Mason mentioned she would be curious for some direction from Codes Enforcement. She thinks there was something with the fabric versus actual structural components but that is feedback we wanted to hear tonight.

Ms. Pelletier mentioned that we would need to get clarification from the Codes Officer. It is existing today so they could leave it as is and that would be that. We can't really design it but she hears the Board saying if you are going to be making changes and with the windows you still feel like it needs to be broken up with the addition of the windows and removal of the awnings. Mr. Yankee suggested reciprocating more with what is going on over the other side somehow with colors, trim, treatments and awnings.

Chair Reiche mentioned that we are here to react to what the applicants are presenting to us rather than for us to be designing their building. With that said, he thinks the building in this elevation is harsh and plain and the awnings soften it and would make several of us more comfortable.

Ms. Madeira asked to go back to Image No. 3 before Google Earth got involved in the conversation. His question is when we did the site walk which was helpful and the materials provided showed the elevator tower or the stair tower which was green, he is struck that it is just a big façade with nothing on it that sort of detracts from the general view. He thinks the stairwell is behind the tree with all the leaves on it. He feels the whole green area is very plain. Ms. Wise added that her team thought a lot about this corner and about how this architecture needs to meet that architecture so they are open to feedback. It is still in conception but they wanted to bring it tonight. Ms. Hamlen added that she could see a climbing wall.

Chair Reiche advised that this is the one thing that troubles him the most within the confines of our ordinance. Part 4 of the 10 Design Standards in the Design Review Ordinance really emphasizes him to have a balance and rhythm with openings and voids and solids and that is nothing but solid. Although the graphic masks it, it is very visible from Bow Street and he thinks you are looking right at it. It is visible through much of the travel down Main Street. I wonder what else can be done there. He asked if it is a stairway or mechanicals with an elevator? Ms. Wise advised it is a stairway. He asked why a stairway wouldn't be glass? Ms. Wise feels a glass stairway reads educational or corporate, something like that. As a retailer, when you put openings, you want people to be looking at product and you also do not want to confuse people that that is an entrance or a way in because it is not, only the egress stair. At 4:30 p.m. it will be a glowing sort of mass and they only want to direct people to the things they want to look at and frankly where they should be going. She is confident they can bring something graphically. They have done murals on their campus in a spot to hang and look at as art. In the future she would like to bring back some ideas for graphics. Mr. Yankee suggested landscaping. For him, he is not sure a mural is what people want to see while driving down Main Street. It could be wood or a combination of wood and landscaping, vines, something.

Chair Reiche asked Ms. Wise to reflect on what the Board is required to find in the Design Review Ordinance because it feels like it is a long way off. Ms. Pelletier asked if they considered putting windows on the lower? Ms. Wise advised that that is something they could look at. Mr. Donahue referred to the materials in the image of the iconic new building. Ms. Wise advised that they are still working through materials and will bring physical samples but the construction of this building does require non-combustible materials so their goal is to have it match the Hunt/Fish and Home building as best as possible. In the renderings the Board can see the board and

batten siding and they are looking at matching that same sort of creamy neutral color but it will be in metal siding because it is a non-combustible. The roof would be green to somewhat match but would also be metal. They are using wood-toned accents, not real wood, but they want this to feel like a Maine building that matches the rest of the campus so those are the kinds of colors you are seeing with a real stone base. Chair Reiche asked if the stone would be used on the stone walls as well and Ms. Wise replied, yes. Mr. Yankee mentioned that right now Discovery Park is used for lots of things including concerts. Ms. Wise added that they are still working through the siter with their Programming Team. The intention is that the park will get larger. Ms. Mason explained that the canopies will rise above your heads and if that means they will have to spread them out a bit to loosen them up, obviously that can be done. She would like to see a few more canopy trees on this campus to reinvigorate that park-like feeling. Mr. Yankee referred to the picture on the back side of the Bike & Kayak, there are a bunch of racks and there are built-in racks around the corner. Ms. Mason advised that they will be staying just as they are but this is a perfect place for those racks to be out for display. Mr. Yankee asked that they give some consideration to their signage to the graphics. It looks like right now that the signage you are using is back lit but also lit itself. Ms. Wise advised that the signage would be lit by gooseneck lighting.

Mr. Monteleone recalled that on Image No 1., we looked at the façade on Justin's Way and it was expressed that landscaping with large trees was not possible. Ms. Mason asked him to remember that they are not proposing trees. Behind her is a big team of people that is preparing to give you these images. Yes, it is a fair comment that these trees are shown too large. Mr. Monteleone asked if the Board should not construe anything we are seeing in these images as concept plan about landscaping? Ms. Mason replied, correct and their intention was to come back to the Board as frequently as they could to show you the progress they are making. She does not want to make any assumptions where they don't know their materials. The tree placement she would say is not where every tree is going to be but they do need to make it look like a built landscape so the Board can understand the context. These images are only to bring you along in their minds on the journey we are all going.

Ms. Berger asked if she would give the Board an indication of what would be the years going forward to get vegetation of this height? Ms. Mason advised that for James' comment, no number of years is going to yield a tree of this size on this side of the building but generally, when they place a tree, their goal is a 5–10-year maturity so she gave an example in the L.L. Bean Boot Plaza, those ash trees were installed at 3 ½" caliper. The roots had to be shaved in order to get them into the tree well. They have not grown much larger since their time there but certainly they are thicker but their canopy has not increased demonstrably over time. The goal is that within 5-10 years there will be a decent park-like canopy. Ms. Hamlen suggested that when your people come back with more realistic plantings, the goal would be to soften the corner with the telephone pole. Ms. Mason advised that they would absolutely bring new landscape but the one thing it won't show is a large canopy tree.

Ms. Pelletier added that the Board is really here to see the buildings. Anytime you get these photo renderings, they are beautiful but always keep in mind that they are photo renderings and they are sometimes off and they never show many trees. Some of the trees they show here like on the Main Street side are there. Once they finish the building design, they will bring a complete landscaping plan and one of the things we asked them to do is they do have mature trees and they hope they can keep some of them. When they are ready to come back with a landscaping plan, we have asked that they call out existing full-size trees and see how they will supplement it but we are a ways off from it at this point.

Ms. Berger explained that she asked that question because the Board is looking here at these conceptual plans with this type of tree and if this is a ten-year out, maybe we should be looking at the ten years coming and what it will look like to start with. If you have a 6' or a 4' tree along Main Street maybe that would give us a different view of this in the first place. Ms. Mason completely agreed but this is just to bring the Board along in the process. She pointed out that they are not asking for action tonight. They are asking for feedback specifically on

the building and if this tree is influencing this building entrance, on the next one it will certainly be a smaller tree. Chair Reiche added his preference that they minimize that and give the Board what they will be seeing for the first five years. Ms. Mason agreed and again, this is just a miss. If we don't want to pick on this one, we will go all the other ones she did catch and those trees are probably accurately sized. Mr. Monteleone mentioned that for feedback and the future, show us tiny trees or no trees. In Image 6, it is hard to see the building and understand the building when we are looking behind large trees. He has no idea what is behind that tree. It would be helpful to see fewer fake trees and more building. Ms. Mason thanked him and assured him that they don't want to show fake trees. She offered that it is a standard practice to show a tree in its mature site if it is going to be 5-10 years out. She can assure the Board that you will dislike the site in its context if she shows no vegetation or a bare landscape so she asked the Board to trust her to go and find a middle ground. She promises to bring back images the Board can relate to. Mr. Yankee asked Ms. Mason to keep in mind that for many months we do not have foliage on our trees. Ms. Pelletier noted these are very pretty and as it goes forward, you will get less pretty, you will be looking at elevations, window trim and window muttons. Ms. Mason added that their Design Team is working on winter images so they can place evergreens in a spot so it won't look like a barren winter land. One of the things she is hoping to remedy is every year at this time she gets a lot of tiny little Christmas trees inserted into the landscape which wreaks havoc on their plan so their goal is to create a sustainable and really beautiful winter landscape when there are not leaves on the trees all months of the year here. Ms. Berger suggested using an overlay. Chair Reiche did not mean to cut her off but noted he thinks Ms. Mason got the message on the trees. Because he has concerns about the stair tower, he asked that Ms. Mason not put trees in there.

Ms. Wise wanted to know exactly what to bring next time so she asked for the slide showing existing in the spring. There is existing landscaping they are hoping to preserve. Ms. Pelletier advised that his concern was not from that angle. It is when you are sitting at the stop sign trying to get off of Bow Street, right in front of you is the view. Chair Reiche noted his concern is what they will do with the elevator tower. He mentioned that they also asked the Board to consider phasing their approval. Ms. Mason noted that they are proposing Project Area One which is the Main Street façade so those two entrances at Justin's Way and Bow and then the façade along Main Street. Project Area Two which is the remainder of the building, the immediate site as well as the relocation of some of accessible parking spaces. Project Area Three which is the remainder of the campus and the park. What they are looking for timing wise, is for Project Area One to come back hopefully for a February submission, a March approval recognizing there might still be some conversation perhaps even a January submission for February conversation to allow them to continue. One of the things this team is up against is that they do need to start construction in April. The goal is to have this particular façade ready for peak season and that timing does force them into an April timeframe for start.

Project Area Two there is a lot more space with that and a lot more time to have a conversation. This would be the tower area, the Boot and the new main entrance. They are hoping for some time to continue those conversations looking for an April approval for construction in 2025. That obviously can shift a bit. Project Area Three in an ideal world she thinks they can do them together so we are really not talking about three phases but two. Again, it is easily broken out and it stands alone on its own if need be. She can bring them back in two packages as opposed to one whole. Chair Reiche clarified that basically, Ms. Mason is asking for one phase to be approved theoretically one month ahead of everything else. Ms. Mason agreed. She mentioned they just wanted to hear the Board's appetite to take on one more phase would be. Mr. Yankee noted he thinks it is fine with him to do the two-phased approach. It looks like a pretty tight schedule and a lot of it will depend on addressing comments. The Board will need to feel comfortable with it rather than trying to fit a schedule. Mr. Madeira pointed out that the Board would be looking at Design Review for Phase One but the view of the elevator tower is something you would see from Bow Street so would it be part of what we would be reviewing in Phase One as how it looks and fits? Ms. Pelletier mentioned that Phase One shows the immediate Main Street

façade and that door on the corner so technically, if they came in and got approval, they could make those Phase One changes and then never come back just like any other applicant so the Board would strictly be looking at that piece. When they come back, they will already have that Phase One approval at which time the Board would be looking at the tower, that flat façade and that whole side that faces internally at the park. Mr. Madeira mentioned sitting on Bow Street and looking at the Main Street view and right above and behind it is the elevator tower. Mr. Monteleone shared that concern really just about the nook immediately behind the corner of Project Area One because visually there is so much intertwined that there is risk that changes happen there may affect the way we've seen and understood in Project Area One and at that point of time, he fears construction will be underway and there won't be anything the Board can do about it.

Ms. Mason advised that the project is essentially relocating the doors and adding some window punches. It is not an unreasonable project and the thing you are holding out is the potential of the green tower but on it stands alone as a project to be considered. That green tower is part of a façade that is happening behind it and in actuality if you look at the windows, there is not much that will change the façade behind it but what it does is offer a lot more time to work on that green tower together and not hold up what would be a pretty basic stand-alone project on its own. Mr. Yankee clarified that this is one big project. They are not separate projects. Ms. Mason is not bidding them out as separate projects. Ms. Mason advised that they are constructing them as separate projects.

Ms. Pelletier mentioned that we all know there is concern about the green tower so are you concerned that how you feel about just that flat Main Street façade along the sidewalk is impacted by the tower? Are you going to want to look at the façade and the tower when you look at the Main Street façade or is it reversed? You could approve the Main Street façade and then they could come back and you could just not like the way that nook with the green tower is working with that flat Main Street façade. If it is that situation, that is a risk they are taking. Mr. Yankee advised that he is looking at Google Earth from Bow Street and he is seeing both of them altogether. He is seeing them tied together. Ms. Hamlen added that the Board could only view things from the public right-of-way so if you are at the stop sign, she is looking at the long wall and the nook as one even though one is recessed. Ms. Pelletier advised that anyone can come for an amendment whether it be Design Review or Site Plan for any façade of their building. They don't have to bring it as an entire package so that is why she was asking about the concern. Knowing they want to break it up, what if they were able to bring in the nook and just go around and make an ell and then bring project to that long façade? Mr. Monteleone advised that that would address his concerns if that nook was part of what we are reviewing with some finale going in Project Area One That would make him feel much more comfortable about breaking it up. Chair Reiche and Mr. Madeira noted they feel the same way.

Ms. Berger mentioned that on Project Area One, it is not just that corner with the nook, it is the entire Main Street line including the new door at that right angle so to just talk about the door and the flat area is one thing but when we talk about looking at the new door that is going into the perpendicular, that is when you are really going to see the tower and if people are concerned about having the tower as part of the view cut off from the other stuff, that is not going to work because once you start looking at the perpendicular door that is when you are seeing the tower from that view. Ms. Hamlen added that if that tower was the same color as the long building today, we might not have noticed it. If you are looking at it from Bow Street and you have this long thing with windows, light, glass and green and then suddenly you have a green box ahead. That is what makes it stand out. Ms. Wise advised that she is spot on and when she goes back to her desk, it will be the first thing she looks at. Do we just make it a continuation of kind of that Main Street? She wants to add the way they have been thinking of this project is twofold. One, they are separate projects and the mass of that two-story building on Main Street which was Coffee by Design and Men's Outerwear, that is a project area for them. As the architect, she would love to leave here tonight with a very clear understanding and look at that for the stair

tower. For that two-story massing, their hope is to start construction in April of the façade. What she is hearing is that the Board is okay with the punched openings, those are fine. Your okay with the moved entrance and making sure the signage is not back lit or internally lit. She will look in to bringing awnings back and the street trees remain. That is the critical construction path so she is not hearing concern over those things so she wanted to clarify them.

Chair Reiche asked what aspect of the tower was Ms. Hamlen spot on about? Ms. Wise advised that Ms. Hamlen mentioned that because it is green, it stands out and she mentioned changing it to be continual and neutral. If they made it match the Main Street building, it would just flow and she feels that is a valid comment.

Chair Reiche advised that changing the color does not overcome his problem. That thing is so big, so plain and contrary to what the Ordinance is looking for. It is a centerpiece to this building. He does not see a mural doing the trick. He can't picture something that is workable without voids in it. He asked if we could revisit stretching the Project Area One around to pick up that inside corner? He feels it would be very helpful. Mr. Monteleone added taking the line that is currently drawn and continuing it until it hits the structure. Ms. Pelletier asked if that is realistic and Ms. Wise advised that it is realistic if they get that portion approved in March. Ms. Pelletier explained that she wanted to be sure we are all on the same page and we were not asking for something that was unrealistic and would not work for them. She mentioned that on the long façade facing into the campus, she did not hear a lot of feedback. She asked if anyone has any comments for them. It would be behind the Boot. Ms. Berger asked if there would have to be public hearings on these and Ms. Pelletier advised that eventually the Board would do a public hearing but we typically don't do it at conceptual because it could all change. Ms. Pelletier offered to talk to the applicants and come up with a plan to get them back to the Board. They may want to come in in February for a check-in with some of their tweaks and maybe come in for final site plan amendment and Design Review Certificate in March.

Cigri Independence Drive Subdivision Amendment – Cigri Drive

The applicant is presenting conceptual plans for a one-lot amendment to the previously approved Cigri Independence Drive Subdivision. Three lots are existing, and one additional lot will be created. No open space is required. The plans will also include a design for road construction for Cigri Drive. Zoning District: Village Commercial III (VC-III), Design Review District I– Class B and C properties & Color Overlay District, and Freeport Village Overlay District. Tax Assessor Map 9, Lots 2-1 & 2-2 (0 Cigri Drive & 4 Cigri Drive). Kemal Cigri, applicant; Cigri Properties (Lot 2-1) & Kemal & Brandon Cigri (Lot 2-2), owners; Anthony P. Panciocco, P.E., Atlantic Resource Consultants, representative.

Ms. Pelletier explained that this applicant came last time for conceptual approval. Again, it is just a one lot amendment to a previously approved plan. They had three lots before but one is large and triangular and has the wetlands. They are proposing to split Lot 2 into two and create a new Lot 4. It does require a tweak to the right-of-way so the Board wanted a bit of clarity on parcel boundaries so that is shown on the plan. Even though they are not proposing real significant changes to the previously approved Lot 3, they did delineate the wetlands and the Board asked where possible building sites on that lot could go even though someone could go in there today and build a house. They also showed a building envelope on Lot 4 which she thinks would be a lot easier because it is not so constrained with wetlands. Again, it is conceptual so they haven't done all the engineering. They know they need to tweak the right-of-way a bit to get the turn-around in the right-of-way. The question came up about utilities. They are going to do new underground utilities for the subdivision. Andy is here so he can clarify anything she missed.

Andy Johnston apologized because the last time he was here he may have thought it was simpler than it is. There was some confusion about what this actually entails and some requests for additional information. This

time, he will go back to the beginning and try to explain step by step what they are hoping to do here. First, if it were not for being on a previously approved subdivision, there is nothing they are doing in this project that they could normally do without that previous approval by just drawing lines on the plan and registering it at the Registry of Deeds. Effectively, it is a lot split and the best description he can come up with is in two parts. The first part would be called a lot line adjustment where they would adjust the geometry of the existing right-of-way slightly to hook it to the left and that creates a little more length to the right-of-way on the right side and allows them to divide Lot 2 into two buildable parcels. Those are the two elements they are looking at here. He displayed the currently approved Subdivision Plan with the existing right-of-way on Cigri Drive, Lot 1, Lot 2 and the dividing line which is fainter on Lot 3.

As he just described, the best graphic he could come up with to make this as simple as possible, is the shaded plan showing what the proposed lots are and it shades on top of it where the existing lots are. The Board will see in here the new right-of-way hooks around to the left a little bit, what was previously Lot 2, and Lot 3 now becomes Lot 2, 3 and 4. It is a very slight adjustment to Lot 3 because of the geometry adjustment to the right-of-way and splitting this lot into two lots. That adjustment to the right-of-way just creates enough frontage to allow them to create another lot. He explained that the wetlands were re-delineated and updated. The net residential area calculations have been updated showing they are all buildable lots. They meet the frontage and the density requirements. He offered to show the Board the footprint areas for these buildings and noted they are generous. They are 50' x 24' and 1,200 sq. ft. He is not looking to build anything. He is looking for approval to divide the lot. Ms. Pelleitier advised that there was a note on the previously approved plan that if they wanted to put more than one unit on Lot 3, they would need to return to the Board so that note would probably stay on the plan unless they decide otherwise. That would be a challenging lot to split into multiples given the wetlands. We would see that note staying unless they shift their plans and want approvals for multiple lots, they may be looking at a slightly different project.

Mr. Monteleone advised that this is response to the Board's request for assurances that building on Lot 3 was possible. Mr. Johnston added that the other piece of information that was asked for was how they would run utilities up the new right-of-way to serve two lots. He mentioned there is a lot of room in a 50-foot right-of-way to put sewer line which would typically run down the middle, a water line would run down one side and could potentially split to serve both lots and underground power with a new pole in the right-of-way running up to a transformer that could serve four lots. The owner has had preliminary discussions with CMP so the underground power location is grounded somewhat in truth if you take what CMP tells you for granted. Sewer is certainly grounded in truth and that is how they would design it as is the water line which would run up one side. There is plenty of room to run all those utilities to serve all the lots that need to be served.

Ms. Berger asked if that area of Independence Drive is currently served by public water and sewer? Mr. Johnston advised that the sewer line runs down Independence Drive and there are actually two water mains and a catch basin in the corner. It is well served and has 3-phase power.

Chair Reiche mentioned that one of the abutters raised questions about power and so forth. Mr. Johnston advised that the abutter's attorney actually raised questions about power to a different lot. The intention was that we should make sure the power comes down our property and is on the right-of-way. He referenced a lot that was divided next door to this. They did not have any concerns about this project and said it up front.

Chair Reiche reminded the Board that this is back for conceptual approval and in order for us to grant that we need to be comfortable that the applicant is acquainted with the potential uses for their property and what is appropriate for development and appropriate for open space. If we find that, it will be appropriate for conceptual approval. He asked if anyone has any questions or comments?

Mr. Monteleone asked Caroline about proposed building envelopes. She advised that Freeport does not like the building envelopes to be shown on the plan anymore. Like any subdivision she mentioned we just look at them on paper and make sure there are wetlands, steep slopes and any environmentally sensitive areas. If they were doing building envelopes, we would scale them back in this case and the first two things we look at for concept are slopes and wetlands. We wouldn't get into setbacks until they applied for a building permit.

Mr. Monteleone mentioned that this is an amended Subdivision Plan with Lots 1-3 and now it is becoming 1-4. Is the original Lot 1 no longer in common ownership still in the subdivision? Ms. Pelletier advised that it is still part of the subdivision although their lot is not being impacted. We notify everyone within 500' of these parcel boundaries so they did receive notice. Lot 1 had frontage and had existing access. At one point, Lot 2 had access over Lot 1 but in this case, they are not proposing Lot 4 to have access over Lot 1. They are proposing to give them access over Cigri Drive.

Mr. Monteleone would the amended plan the Board is being asked to sign, will it show Lot 1 as a lot on the plan or would it be shown as an abutter? Ms. Pelletier advised it would be shown on the plan. She will ask them to clarify that Lot 1 is not impacted by the right-of-way.

Ms. Berger asked if there were too many units, would it trigger a full Subdivision requirement? Ms. Pelletier advised that if they were to create two or more additional units, they talked with the property owner and she believes they were going to talk to the Codes Officer to figure out how to remedy and they would only come forward with one lot in that existing house. She does not know if that has happened. She asked Mr. Johnston to work with the Codes Officer before returning to the Board. He agreed to resolve it with the Codes Officer.

More discussion followed. Chair Reiche asked if any members of the public have questions?

MOVED AND SECONDED: that the Freeport Project Review Board determines that based upon the information submitted by the applicant, submission dated 10-10-23 and revised 11-16-23 that the review of the Site Inventory Map, Site Analysis and Conceptual Plan for Kemal Cigri for a proposed residential subdivision (Tax Map 9, Lots 2-1 & 2-2) is considered complete as the Board finds that the appropriate areas have been determined for development and no open space is required. (Madeira & Yankee) **VOTE:** (6 Yes) (1 Abstention: Berger) (0 No)

ITEM IV: Discussion of the work of the Central Core Working Group and Ordinance recommendations made to the Planning Board regarding updates to the Design Review Ordinance.

Chair Reiche advised that Caroline gave the Board an update at the beginning. It has gone from the Planning Board to the Council for likely approval. Ms. Pelletier mentioned that the Council agenda is not set but the Group asked that it be put on the January 2nd agenda to set a public hearing and their second meeting would be on January 16th to have the public hearing. She noted they probably would not take public comments on the 2nd so if anyone wants to participate, she would save the date for January 16th. As soon as she gets confirmation of those dates, she will send them to everybody. The Planning Board took the recommendation pretty much as proposed. The hot topic was the Appeals so they recommended that appeals from PRB go to the Board of Appeals and then from Board of Appeals to court. Chair Reiche advised that it is legal.

Mr. Monteleone asked when it will go into effect? Ms. Pelletier advised that typically when the Council adopts things, they go into effect right of way. Any applications that come in after that date will be subject to the new ordinance. You might have some that have come in and are pending already that are currently under the

current ordinance. Chair Reiche feels it would make sense to go through that as an agenda item. Ms. Pelletier feels that is a great idea. Mr. Monteleone asked if this Board has the ability to develop procedures to allow an applicant with a pending application to request to be subject to the modified and updated rule that otherwise wouldn't apply to that application? Ms. Pelletier mentioned that a lot of the changes are little she would say for most people but for the Board they could have an impact so there are some things in there to allow things to go to Staff approval and things you would not see. She can't think of anything pending that would come into that. There are things like solar panels and ADA ramps that would now be exempt so they would not come in. As far as pending applications, the biggest difference would be under the Board's ten standards. The first two which are scale and height. If it went through, it would make scale and height compatible with nearby structures which are structures defined in the proposal basically measured from the center line via a road in 500 feet in all directions. All of the other eight standards would go to nearby buildings and still include the A and B references. She noted we can get guidance if needed. She can think of two applications pending that would come into that. One of them you saw tonight and there is another subdivision.

Mr. Monteleone believes there is another one the Board saw on a review basis several months ago that could be affected by this. That applicant could say they would rather be subject to the new rules without having to start over again. Ms. Pelletier agreed. After hearing him talk, Ms. Pelletier mentioned maybe having a special meeting in early February or a workshop to kind of go through because there are some changes potentially in the housing related new standards for affordable housing developments and those would have to come through the Board. Currently they would trigger Subdivision and Site Plan and there is a new section. We could do that and also go through the Design Review at the same time. The other thing she can do if there is a presentation, she is not sure how they will do it but they just went through the ordinance but she can send the Board whatever they have that they presented to Council to help you walk through that.

Ms. Hamlen wanted to go back to the meeting held in the Library where there was discussion by certain members in the audience that ordinances are making it difficult for builders to come in and do housing. She asked if the changes are enough to ease the way for this? Ms. Pelletier advised that the goal for the Central Core Working Group was to do some low-hanging fruit with the skill sets we had on the table. That did not include any landscape architects, urban designers or people that could draw renderings of buildings so they had to take the tools they had and changes the group could come to consensus on to bring forward. Sitting up here, one thing she thinks is helpful that would definitely help applicants with a project, when we have someone come in and do a project, they could pick the Shaw's building for compatibility because it is in Design Review or they could pick a house on north Main Street. This will give you a defined boundary of the 500 feet of what's considered nearby so it does give a diameter of what the Board needs to consider in terms of compatibility so she thinks that does provide some clarity. She has had some developers say it is too big and they would like to see it a little smaller. She thinks the biggest change that could remove that barrier is the proposal that shortens the district. Design Review now goes from here down to the Freeport Crossing Shaw's but it will stop at the railroad tracks. Everything on Lower Main Street like the green sign and other things would no longer be subject to Design Review so that would be a change. Once we get these through the next phase, we will see what we have for a district because it is a significant shrinking of the district, would be to get the standards updated for the remaining. She thinks when we do that, there will be another look at the boundaries because the Central Core Group looked at the boundaries and they actually shrunk them even more but then after discussion, they put some stuff back in. South of the railroad tracks you are taking them out of Design Review possibly and she thinks it will add some clarity but she doesn't know if anyone will say, "oh 500 feet, I can't wait to do housing." That is the reality.

Chair Reiche mentioned he was on the committee and everyone felt, given the short period of time, they did what could be done. There is more work to be done but people were not frustrated that we left a lot of work

undone in that time. Ms. Pelletier added that while they wanted to do housing, she thinks there are other benefits to it. She feels the Board will see a decrease in Design Review applications. Ms. Berger added that in that case, it also helps the residents in the Design Review area because if they want to put solar panels on, there is a definition of what type but they won't have to come to the Board to get that anymore.

ITEM V: Adjourn

MOVED AND SECONDED: To adjourn at 8:12 p.m. (Berger & Monteleone) **VOTE:** (7 Yes) (0 No)

Recorded by Sharon Coffin