

# Town of Kennebunk, Maine



## Historic Preservation Commission

Minutes of May 9, 2016

**MEMBERS PRESENT:** Frances **Smith** (Chair); Maureen **Weaver** (Vice-Chair); Patrick **Orr**; Barbara **Fleshman**; and Judee **Jandreau**

**MEMBERS ABSENT:** Maureen **Raiter**

**FROM THE TOWN:** None

**ALSO PRESENT:** Erik H. **Van Der Kaay**, Resident, 23 Summer Street (16-H-09)  
Paul **Bevacqua**, Resident, 26 Summer Street (16-H-09)  
Mary Beth **Bevacqua**, Resident, 26 Summer Street (16-H-09)  
Merton **Brown**, Resident, Portland Road  
Elizabeth **Gould**, Applicant, 52 Summer Street (16-H-10)

### *1) Open Meeting*

Chairperson **Smith** opened the meeting at 6:27 p.m. by welcoming all present and stated, for the record, that this was a public proceeding and unless the Commission specifically voted to go into executive session, anyone present had the right to hear everything that was being said and look at all exhibits that were offered. She asked that the Commission be notified if anyone was unable to see or hear.

Chairperson **Smith** also stated, for the record, that the Commission uses the Kennebunk Historic Preservation Overlay District Design Guidelines in their decisions and also the Secretary of Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings."

Chairperson **Smith** designated alternate Barbara **Fleshman** as a voting member for this meeting.

## *2) Continued Applications*

**Application # 16-H-09:** Property located at 44 Summer Street, Kennebunk, Maine, and owned by Judee A. **Jandreau**. The owner is proposing to paint inserted molding on stairway stanchion, 3 panels on side of entryway, and new screen door.

**Status:** Waiting for owner to provide alternate historic color choice and justify 3-color scheme.

Chairperson **Smith** acknowledged owner **Jandreau** and invited her submission comments.

**Jandreau** began a presentation of the application details. Highlights included:

The applicant presented examples of three colored shingle style homes all within a mile of 44 Summer Street.

The applicant presented a sample of the color she has chosen to paint the panels of her house.

Vice-Chair **Weaver** asked if the color was from a historic color palette.

**Jandreau** replied in the negative, adding that she had documentation showing that the board had approved the house color "Horizon" which was also not on the historic palette.

Vice-Chair **Weaver** remarked that the approval of a non historic color must have been an oversight because every color that has been approved since she has been on the board was from the historic palette, as required.

Chairperson **Smith** noted that color choices should be historically linked to the house.

Erik **Van Der Kaay** identified himself and made the following remarks.

He asked why it was important for 44 Summer Street to have historical correct colors when the house is fairly new (circa early 1900's).

Vice-Chair **Weaver** replied that even though the house was built in the early 1900's, it is still considered historic and falls under the same guidelines as all historic buildings. **Weaver** added that if exceptions are made for one, then exceptions must be made for all and there would be no guidelines for the historic district.

Paul **Bevacqua** identified himself and made the following remarks.

He maintains that there are many colors that are on the historic palette that would not be appropriate for the applicant's house, and that she could choose any one of them.

Vice-Chair **Weaver** disagreed, stating that the board requires color choices to appropriately match the time period and style of the home.

**Bevacqua** noted that the accent area in question is so small that choosing an accent color is not setting a precedent.

Chairperson **Smith** replied that everything the board does is precedent setting.

Vice-Chair **Weaver** commented that after being on the board for 3 years and approving only historic colors, it is highly unusual for **Jandreau** to request approval of a non historic color.

**Bevacqua** asked if the board had received the letters that he and his wife submitted supporting the applicants color choice.

Chairperson **Smith** replied in the affirmative.

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Merton **Brown** identified himself and made the following remarks.

He testified that as a school board member the policy had been to not accept any correspondence that had not been signed and recommended that the Historic Preservation Commission adopt the same policy of not accepting unsigned letters.

Chairperson **Smith** thanked **Brown** for the suggestion and stated that in the future the board will adopt that policy.

**Brown** added that an anonymous letter is similar to an unsigned "Letter to the Editor" of any newspaper. The newspaper won't publish any "Letter to the Editor" without a sender's name.

Receiving no additional comments regarding this issue, Chairperson **Smith** asked for a motion.

Vice-Chair **Weaver** ask the applicant if she would rather have the application continued and return with a historic color choice or did she want the board to take a vote at this time.

The applicant replied that she would return with a new historic color choice and asked for a 30 day extension.

**A motion was made to extend the expiration date of application 16-H-09 for 30 additional days.**

**MOVED: Weaver**

**SECONDED: Orr**

**DISCUSSION: None**

**EXCEPTIONS: None**

**VOTE: 5 in favor, 0 opposed; the motion carried.**

Chairperson **Smith** thanked the applicant and moved to the next agenda item.

**Application # 16-H-10:** Property located at 52 Summer Street, Kennebunk, Maine, and owned by Grain Station, INC. The owner is proposing to:

1. Replace pine clapboards with textured concrete clapboards.
2. Install 2 new 2<sup>nd</sup> story windows.

**Status:** Waiting for owner to present.

Chairperson **Smith** acknowledged applicant Elizabeth **Gould** and invited her submission comments.

**Gould** began a presentation of the application details. Highlights included:

- Clapboard siding replacement;
- Building window additions (2); and
- Repaint the entire building using the existing color.

Providing a sample for board review, the applicant requested approval of textured concrete siding clapboards.

Vice-Chair **Weaver** noted that the applicant requested vinyl windows.

**Gould** replied that vinyl windows were chosen because they are more durable than wood and being located on the rear of the building; they are not viewable from the road.

Vice-Chair **Weaver** noted that the board is currently approving windows made with a wood and polymer combination.

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Chairperson **Smith** asked if the weight of the concrete siding would be an issue. The applicant responded in the negative.

Paul **Bevacqua** testified that textured concrete siding clapboards have been used in the South for a number of years due to its weather resistance, durability, and longevity.

Commissioner **Fleshman** noted that some organizations, notably members of the National Alliance of Preservation Commissions in the West (Colorado), North (New York), and Connecticut are approving textured concrete siding because of its durability and longevity.

The applicant noted that paint adheres better to concrete siding than other types of materials.

Commissioner **Orr** asked if vibrations from the nearby railroad tracks would affect the siding.

**Bevacqua** replied in the negative.

Reading from the Kennebunk Historic Preservation Overlay District Design Guidelines, Vice-Chair **Weaver** noted that repairs should be made utilizing like materials if possible; and that “siding should be replaced with in-kind material.”

The applicant asked how the board deals with changes in technology.

Chairperson **Smith** replied that the Maine Historical Society meets in September and presents to all those in attendance, the details of how the various historic districts are dealing with new changes.

Vice-Chair **Weaver** noted that the board has allowed composite gutters to replace wood gutters because they have a wood grain texture and are visually indistinguishable from wood.

Chairperson **Smith** asked if there was any more discussion.

Commissioner **Fleshman** asked the applicant when the siding was planned to be replaced and if the project could be delayed a short time until more research could be completed.

The applicant replied that they are ready to move forward as soon as possible, but would be willing to wait a short time if more research is needed.

Chairperson **Smith** asked the applicant if she would be willing to research the use of textured concrete siding for historical precedents.

**Gould** replied in the affirmative.

Receiving no additional comments regarding this issue, Chairperson **Smith** thanked the applicant for her participation and asked for a motion to continue the application for an additional 30 days.

**A motion was made to extend the expiration date of application 16-H-10 for 30 additional days.**

**MOVED:** Weaver

**SECONDED:** Orr

**DISCUSSION:** None

**EXCEPTIONS:** None

**VOTE:** 5 in favor, 0 opposed; the motion carried.

Chairperson **Smith** moved to the next agenda item.

### ***3) New Applications***

None

#### 4) *Amended Applications*

None

#### 5) *Minutes*

- Minutes of December 14, 2015:

Review of the December 14, 2015, November 21, 2015, and November 14, 2015 minutes was moved to the next meeting.

Chairperson **Smith** moved to the next agenda item.

#### 6) *New/Old Business*

- New Business:

##### 1. Commissioner Jandreau appointment.

Chairperson **Smith** reported that Judge A. **Jandreau** has been appointed and sworn in as a permanent Board member.

##### 2. New Owner Welcome Letter.

Vice-Chair **Weaver** reported sending the signed New Owner Welcome Letter to the realtors that have listed the properties at 21 and 36 Summer Street; in addition, she reported sending copies of the letter to all area broker managers.

Vice-Chair **Weaver** read a letter (provided as Enclosure #1, which is incorporated by reference into these minutes) received from realtor Claire Marie **Sevigny** praising the New Owner Welcome Letter for its information and value.

##### 3. 127 Summer Street.

Chairperson **Smith** reported receiving a call from a person that was interested in 127 Summer Street, but no further information was received and no application was submitted.

Commissioner **Fleshman** provided the following information:

- a) She has been conducting historic property demolition research and will forward the information to all board members;
- b) When consideration is given to demolition by neglect, minimum maintenance requirements need to be established by the Selectmen and Planning Commission with assistance from the Historic Commission; and
- c) Federal and State funds and grants are available for historic property removal.

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Chairperson **Smith** presumed that any new ordinances pertaining to this subject would be separated from town ordinances and would apply only to the Historic District overlay area.  
Commissioner **Fleshman** agreed.

• **Old Business:**

1. Mtg 3/25/13 – Historic District Expansion.

*Subject: Discuss possible ways to expand the Historic District to include all of Main Street and portions of Fletcher, Storer, Pleasant, Dane, and Park Streets.*

There was no update or change reported for this agenda item.

2. Mtg 10/14/14 – 75 Summer Street, tree removal and landscape alteration without application.

*Subject: Waiting for the applicant to provide a copy of the letter from the tree service recommending removal and a list of landscape alterations.*

There was no update or change reported for this agenda item.

3. Mtg 07/27/15 – 88 Main Street, Xtramart fuel dispensers logo change.

*Subject: Waiting for the applicant to submit an application for the fuel dispenser modifications.*

There was no update or change reported for this agenda item.

4. Mtg 07/27/15 – Scott **Stevens** Historic Architectural Survey.

*Subject: Waiting for **Stevens** to explain the scope of his project.*

There was no update or change reported for this agenda item.

5. Mtg 09/28/15 – High School project help for the Historic Overlay Data Base effort.

*Subject: Waiting for scope of project definition.*

There was no update or change reported for this agenda item.

6. Mtg 11/09/15 – Stephen **Larrabee** Certificate of Appreciation.

*Subject: Waiting for Board members input.*

A discussion developed regarding when a presentation might be conducted. All agreed that due to the warmer weather and longer daylight, the summer season would be the best period to arrange a ceremony.

7. Mtg 01/25/16 – 161 Summer Street, New Construction, Grant **Lewis**.

*Subject: Waiting landscaping application submittal.*

There was no update or change reported for this agenda item.

8. Mtg 04/25/16 – Eliza **Chappell** Certificate of Appreciation.

*Subject: Waiting for Board members input.*

**A motion was made to create a Certificate of Appreciation for Eliza Chappell**

**MOVED:** Weaver

**SECONDED:** Fleshman

**DISCUSSION:** None

**EXCEPTIONS:** None

**VOTE:** 5 in favor, 0 opposed; the motion carried.

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Chairperson **Smith** moved to the next agenda item.

**7) Adjournment**

Chairperson **Smith** asked for a motion to adjourn.

**A motion was made to adjourn the meeting at 7:16 p.m.**

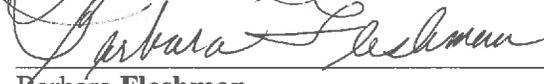
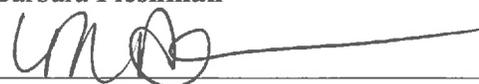
**MOVED: Weaver**

**SECONDED: Orr**

**DISCUSSION: None**

**VOTE: 5 in favor, 0 opposed; the motion carried.**

Date signed: 6-27-2016

Signed by:   
Patrick Orr  
  
Judee Jandreau  
  
Barbara Fleshman  
  
Maureen Weaver  
  
Frances Smith

Enclosures:

(1) Claire Marie **Sevigny** letter of May 9, 2016, RE: Welcome Letter HPC.pdf

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Enclosure (1)

**Subject:** Fwd: Welcome Letter HPC.pdf  
**From:** Maureen Weaver (mweaver@legacysir.com)  
**To:** ftrexler48@yahoo.com;  
**Date:** Monday, May 9, 2016 7:12 PM

Maureen Adams Weaver

Vice President

Legacy Properties, SIR

150 Port Rd

Kennebunk, ME 04043

c 610.322.5832

Sent from my iPhone

Begin forwarded message:

From: "Clairemarie" <[clairemarie@seignyandassociates.com](mailto:clairemarie@seignyandassociates.com)>

Date: May 9, 2016 at 2:48:52 PM EDT

To: "Maureen Weaver" <[mweaver@legacysir.com](mailto:mweaver@legacysir.com)>

Subject: RE: Welcome Letter HPC.pdf

Got it. Thanks again. I just printed off a bunch of copies of the letter to insert into my packages. From my point of view, it's a very nice welcoming letter with lots of information and of value.

Thanks again,

ClaireMarie Sevigny

Broker / Owner

Mobile: 207-752-7202

[clairemarie@seignyandassociates.com](mailto:clairemarie@seignyandassociates.com) | <http://seignyandassociates.com>