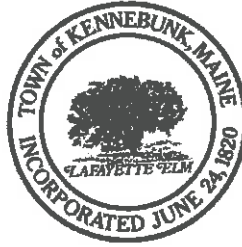


Town of Kennebunk, Maine



Historic Preservation Commission

MEETING MINUTES

February 9, 2022

Remote Zoom Teleconferencing Meeting

This meeting was held via the Zoom teleconferencing platform in keeping with the Historic Preservation Commission's "Remote Meeting and Participation Policy" for COVID safety.

- 1. Call to Order:** Chair and presiding officer Frances Smith called the meeting to order at 6:30pm. Those in attendance were:

Present: Frances Smith [Chair], Barbara Fleshman [Vice Chair], Paul Bevacqua [Member], Judee Jandreau [Member], Stephen Dalzell [Alternate], and Mary Megeaski [Alternate];

Absent: Maria Kyriakides [Member];

Also Present: Karen Winton [Deputy Director, Community Development], Brittany Howard [Town Planner], Brian Paul [Code Enforcement Officer], and Sally Carpenter [Select Board Liaison].

F. Smith stated, for the record, that this was a public hearing at which all present have the right to hear all that is said and view all exhibits submitted unless the Board specifically votes to go into Executive Session. She asked that the Commission be notified if anyone was unable to see or hear.

F. Smith further stated, for the record, that the meeting would be conducted in accordance with the published agenda. The Commission, she noted, is guided by the Town of Kennebunk's "*Historic Preservation Overlay District Design Guidelines*" as well as the U.S. Secretary of Interior's "*Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*".

F. Smith then formally appointed alternate member S. Dalzell as a voting member for the purpose of this meeting.

K. Winton introduced Brittany Howard, who will provide technical support at HPC meetings in place of Winton going forward, and Brian Paul, who was available to provide technical and code enforcement help on behalf of today's applicants.

2. Continued Applications

Because of technical difficulties, the hearing of Application 21-H-50 was postponed with the agreement of the applicants until they gained visual access to the proceeding. Application 22-H-01 was heard instead.

Application 22-H-01

Property owner(s): Dan Weaver
Applicant(s): Same
Property: 31 Summer Street
Application Date: January 25, 2022
Summary: Rebuild walkways.

Applicant Dan Weaver addressed the Commission, requesting authorization to rebuild his front walkway and two small walkways off his driveway. He submitted an aerial diagram of the proposed locations of the walkways along with a photo of the grey pavers to be used.

F. Smith opined that the proposed black stonework edging the pavers "looked modern". S. Dalzell concurred. Commission members and the applicant discussed alternatives, to include all-brick walkways, all stone, or pavers without the border. All parties ultimately agreed to grey pavers bordered by granite cobblestones.

Motion: Move that the Town of Kennebunk Historic Preservation Commission approve Application 22-H-01 as submitted with the borders changed to granite cobblestones

Moved: P. Bevacqua

Second: S. Dalzell

Vote: Roll call vote. 5 votes in favor [Smith, Fleshman, Bevacqua, Jandreau, Dalzell], none opposed; the motion carried.

The Committee then returned to Application 21-H-50.

Application 21-H-50

Property owner(s): Randy and Kari Gates
Applicant(s): Same
Property: 9 Barnard Lane
Application Date: November 23, 2021
Summary: Deconstruct and reconstruct.

At its meeting of January 12, 2022, the HPC granted a Certificate of Appropriateness ["COA"] for the deconstruction/reconstruction of 9 Barnard Lane subject to a number

of conditions. Applicant K. Gates came before the Commission today with her attorney Kristin Collins to explain the elevations and deconstruction plan which the Gates had submitted to satisfy the HPC's conditions.

The initial reaction of HPC members F. Smith, P. Bevacqua, B. Fleshman, and S. Dalzell was that applicants' latest submissions lacked adequate detail. "The HPC," Dalzell stated, "may not have been sufficiently clear about our requirements." According to B. Fleshman, applicants' inventory of the architectural elements of the existing building needed "far more detail" and their deconstruction plan lacked sufficient detail as well.

B. Paul, the Town Code Enforcement Officer, observed that the latest materials do not cite dimensions, building heights, or elevations to the roof line. Paul also stated that a site plan with setbacks would be important information.

K. Gates countered that the plans she had provided were for the HPC's use, not for a building permit. She and K. Collins asserted that "the HPC was changing the game" and "looking for information that was never a condition or requirement".

Discussion ensued on random, disparate points, but fundamentally coalesced around several of the conditions cited in the HPC's January 12, 2022 Certificate of Appropriateness: Did or did not the photos and elevations recently submitted by the applicants satisfy these requirements?

Condition #1: "Deconstruction is to take place piece by piece under a deconstruction plan vetted by a deconstruction specialist or consultant."

B. Fleshman opined that a detailed deconstruction plan vetted by a deconstruction specialist was lacking. What was submitted, Fleshman said, is "an outline", not a detailed plan and not a plan vetted by a deconstruction specialist. Ms. Gates countered that she had consulted George Burr and timber frame expert for the plan. The timber frame specialist, K. Collins stated, is a deconstruction expert. Collins offered to have that expert provide the HPC with a written statement of his experience and credentials.

K. Winton asked if a report from the timber frame expert would satisfy the Committee, but the question was lost in the ensuing conversation. HPC members and the applicant eventually agreed that the timber frame specialist and George Burr could submit a memo for the HPC's review along with evidence of their experience and specialty for consideration of meeting this provision.

Condition #2: "There is pre-fact presentation to and approval by the HPC of detailed architectural plans for the reconstructed building before deconstruction takes place."

S. Dalzell and P. Bevacqua stated that applicants had yet to provide detailed plans for the reconstructed building. The latest plans, they reiterated, do not cite dimensions.

K. Gates responded that “other than the window widths, every detail in the new building will be exactly the same as the existing building”. She professed that the HPC did not appear to be aware of her [Ms. Gates’] professional experience. However, Ms. Gates agreed to (1) interact with Code Officer B. Paul in advance of the HPC’s next hearing so he could provide guidance, and (2) then come back to the HPC with more detailed elevations. She stated that she would only provide one copy of the final elevations, but the HPC insisted on receiving ten copies as is customary.

Condition #3: “Submission is to be made to the HPC of a detailed inventory with photos of the architectural elements that exist at present.”

F. Smith, B. Fleshman, and S. Dalzell opined that the recent photos presented by the applicants did not meet the “inventory” requirement. “We are looking for a detailed inventory with measurements as well as photos,” S. Dalzell said, “with the aim of having, for the historic record, sufficient detail to enable a builder to exactly replicate the existing structure.”

K. Gates responded that the HPC had not cited specific inventory requirements in its COA. HPC members agreed that their condition had perhaps lacked clarity. Even so, S. Dalzell countered, applicants had yet to provide even the exterior dimensions of the building much less the measurements of the existing doors and windows. “We don’t have the historic record we need,” Dalzell stated.

K. Winton suggested it might be helpful for the applicants to examine the detail provided in the “Durrell’s Bridge” submission to the HPC. K. Gates initially agreed, but subsequently asked the HPC to provide a definitive list of the inventory detail it wanted. K. Collins, applicants’ attorney, reiterated the same demand: “We want a bullet-point list of the HPC’s requirements right now and... fix that list as of tonight”.

Further discussion among HPC members ensued, resulting in agreement on the following list to satisfy the inventory requirement:

- A dimensional site plan;
- Dimensions of each elevation of the exterior of the house;
- The building heights of each elevation;
- Dimensions [length, width, etc.] plus annotated photos of the building’s trim, windows, window sills, frames, doors, door casements, pediments, and all other architectural elements;
- A site plan showing (a) where the building is situated on the property, and (b) the setbacks;
- Details about the dimensions and materials of the foundation;
- Dimensions (length, width), locations, and materials of all chimneys;
- The roof pitch and roof materials currently in place.

The meeting clerk will provide this list in writing to the applicants.

Condition #4: “Historical materials are to be incorporated whenever possible.”

K. Winton asked the HPC whether the deconstruction/reconstruction materials which applicants had submitted were sufficient to satisfy this condition. P. Bevacqua responded that it was the HPC’s expectation that as much of the historic material as possible would be reused. B. Fleshman added that it would be helpful for the applicants to keep a journal or otherwise document the specific materials they recycle.

Ms. Gates inquired when the next HPC meeting would take place [February 23] and asked to be put on the agenda. Since abutters do not have to be notified, K. Winton said that applicants had until February 16th to supply materials for the HPC’s February 23rd review. K. Gates stated she would endeavor to provide new materials by the 16th and, if that deadline were not met, aim for the next meeting.

There were no motions

3. New Applications

The Commission next heard two additional new applications.

Application 22-H-02

Property owner(s): Julie Lightbourn and Jim Black
Applicant(s): Deborah Randall, Randall Architectural Design, Inc.
Property: 139 Summer Street
Application Date: January 25, 2022
Summary: Multiple alterations: Add rear extension; enclose porch; add shed roof dormer; replace windows.

Deborah Randall, the architect representing the home owners, asked for authorization to make a number of alterations and additions to this property. She summarized the main renovations or changes as: (1) add to and enclose an existing porch, making it two stories; (2) add an extension at the rear of the house; (3) add a new deck on the rear extension; and (4) replace the windows with Andersen units.

P. Bevacqua commended Ms. Randall for the quality and detail of her application. He posed numerous questions about the windows, urging Randall to investigate Matthew Brothers windows with historic extrusions. He also posed questions about window rim and framing detail, observing that technical specs for the proposed French doors should be provided.

Motion: Move to approve Application 22-H-02 with the exception that applicant will review the window specifications and submit new windows for approval.

Moved: P. Bevacqua

Second: B. Fleshman

Vote: Roll call vote. 5 votes in favor, none opposed; the motion carried.

After the vote, Ms. Randall commented that construction was only likely to begin sometime in early 2023. The HPC therefore took steps to modify its approval because the validity of its COA might otherwise lapse.

Motion: Move to reconsider the last motion and approval of Application 22-H-02.

Moved: P. Bevacqua

Second: S. Dalzell

Vote: Roll call vote. 5 votes in favor, none opposed; the motion carried.

Motion: Move to approve Application 22-H-02 as previously accepted and extend the duration of this COA to eighteen [18] months from this date.

Moved: P. Bevacqua

Second: B. Fleshman

Vote: Roll call vote. 5 votes in favor, none opposed; the motion carried.

Application 22-H-03

Property owner(s): Thomas Hartfield and Mimi Gurbst

Applicant(s): Same

Property: 21 Summer Street

Application Date: January 25, 2022

Summary: Multiple alterations to include: (1) repair chimneys and replace chimney caps; (2) add gutters; (3) rebuild brick foundation; (4) refurbish and replace windows; (5) refinish barn door; (6) add French door and windows to barn; and (7) landscaping.

Thomas Hartfield, the owner and applicant, came before the Commission with his architect Eric Petersen. They explained the numerous architectural and landscaping changes sought. The owner offered photos of the existing structures, elevations, and technical specifications of the products and windows to be used.

P. Bevacqua thanked both gentlemen for the high quality of this application. Bevacqua then posed questions about the metal gutters, crown moldings, eaves, and foundation. In response to one question about the foundation and the exterior use of brick, T. Hartfield stated that if, if brick had to be replaced, he would use historic brick but "paint it the same white as the rest of the house".

P. Bevacqua also asked questions about the specifications and manufacturer of the replacement windows to be installed. T. Hartfield responded that all storm windows will be removed, the 2nd floor windows will be slightly higher, a new window will be added in the barn, two smaller windows will be added, but the applicant had not made a decision between Norwood or Pella for the replacements.

E. Petersen and T. Hartfield also stated that the east wall of the barn would be removed and preserved, spray foam insulation added, and then the wall replaced “exactly as it is”. However, P. Bevacqua and F. Smith countered that the foam addition would necessarily push out that wall at least three inches. In response, Messrs. Petersen and Hartfield asked the HPC to “table the idea” so the applicant could come back later with alternatives.

F. Smith posed questions about the landscaping, and T. Hartfield stated that he wanted to relocate the existing rhododendrons and altogether remove the existing yucca. Applicant also sought to remove several trees. P. Bevacqua and F. Smith asked for a letter from a certified arborist confirming that the trees in question were, indeed, in need of coming down.

Motion: Move to approve Application 22-H-03 as submitted with the following conditions: (1) a letter from a certified arborist is to be submitted attesting to the need to remove the trees before action is taken; (2) changes to the east wall of the barn should not be undertaken until a later submission by the applicant and pre-approval by the HPC; (3) the windows shall be by Norwood or Pella, match the existing windows to the extent possible, and applicant is to notify the HPC of the final manufacturer selected; and (4) applicant is also to supply the dimensions of the two small windows being added.

Moved: P. Bevacqua

Second: S. Dalzell

Vote: Roll call vote. 5 votes in favor, none opposed; the motion carried.

4. Old Business

B. Fleshman reminded fellow members that they had agreed to review the Town’s Ordinance language as regards the Historic Preservation Overlay District. She volunteered to begin looking at possible language changes and additions. K. Winton affirmed that any work that could be done before the HPC’s workshop would be helpful.

S. Dalzell informed the group that the trees meant to be removed at 35 Summer Street were still in place. K. Winton urged Dalzell to test the Town’s complaint process by using the new online feature to request investigation by a Code Enforcement Officer.

5. New Business

K. Winton volunteered to organize “Zoom training” for HPC members so there are back-up hosts at future meetings.

6. Approval of Minutes

The Chair then led the Commission in a review of the minutes of the HPC's January 12 and January 26, 2022 meetings. B. Fleshman asked that the January 12th minutes be amended, and HPC members informally agreed to the modification she recommended.

Motion: Move to approve the Minutes of the HPC's January 12, 2022 meeting as amended.

Moved: B. Fleshman

Second: P. Bevacqua

Vote: Roll call vote. 4 votes in favor, none opposed, 1 absent [J. Jandreau was disconnected]; the motion carried.

The HPC then reviewed the minutes of January 26, 2022. As B. Fleshman and S. Dalzell had not attended that meeting, they could not vote on the minutes. F. Smith therefore elevated M. Megeaski to voting status for the purpose of considering these minutes.

Motion: Move to approve the Minutes of the HPC's January 26, 2022 meeting as submitted.

Moved: P. Bevacqua

Second: M. Megeaski

Vote: Roll call vote. 3 votes in favor [Megeaski, Bevacqua, Smith], none opposed, 2 abstentions [Fleshman, Dalzell]; the motion carried.

7. Adjournment

There being no further business, the presiding officer declared the meeting adjourned at 9:37pm.

Motion: Move that the meeting be adjourned.

Moved: P. Bevacqua

Second: M. Megeaski

Vote: Roll call vote. 5 votes in favor, none opposed; the motion carried.

Respectfully submitted by,
J. Schlagheck

Adopted by the Commission in its meeting
of March 9, 2022

Signed by



HISTORIC PRESERVATION COMMISSION