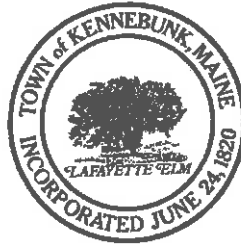


# Town of Kennebunk, Maine



## Historic Preservation Commission

### MEETING MINUTES

April 13, 2022

In Person Meeting

- 1. Call to Order:** Vice Chair and presiding officer Barbara Fleshman called the meeting to order on April 13, 2022 at Town Hall, 1 Summer Street, Kennebunk, at 6:30pm. Those in attendance were:

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

Absent: Frances Smith [Chair];

Also Present: Brittany Howard [Town Planner].

B. Fleshman 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.

B. Fleshman 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*".

B. Fleshman then elevated alternate member S. Dalzell to voting status for the purpose of this meeting. The total number of voting members was, therefore, five: B. Fleshman, P. Bevacqua, J. Jandreau, M. Kyriakides, and S. Dalzell.

- 2. Continued Applications**

#### Application 21-H-37

Property owner(s): Ellen Gaulkin

Applicant(s): Kati Gaulkin  
Property: 116 Summer Street  
Application Date: August 13, 2021  
Summary: Request for amendment of approved COA to permit the removal of four trees.

On October 13, 2021, the HPC approved this application for landscaping improvements and confirmed that the application could be amended at a later date for additional landscape and/or tree changes. Applicant today sought to amend the application for approval to remove 4 trees. A statement from Bartlett Trees was provided.

Applicant's daughter, Kari Gaulkin, circulated a photo identifying the four dying trees as well as the statement from the arborist.

**Motion: Move to approve Application 21-H-37 as presented.**

Moved: J. Jandreau

Second: M. Kyriakides

**Vote: Show-of-hands vote. 5 votes in favor, none opposed; the motion carried.**

### 3. Old Business

The Vice Chair recommended and the Board informally agreed to defer hearing "Old Business", the topic next on the Agenda, until later in the hearing for the sake of waiting applicants. Board members agreed to hear "New Business" first.

### 4. New Business

#### Application 22-H-04

Property owner(s): Halo Property Partners  
Applicant(s): Hana Pevny  
Property: 108 Summer Street  
Application Date: March 10, 2022  
Summary: Pave driveway and replace fence.

Applicant Hanna Pevny came before the Commission to request authorization to replace an existing fence and pave her driveway. She circulated a photo and spec sheet of the fence, affirming that the color would be "matte black".

The Vice Chair solicited abutter, public, as well as Commission member comments and questions. P. Bevacqua asked if the fence would have a bottom "drop rail", and the applicant responded in the negative. The fence, she said, would be 3 feet tall and one of the manufacturer's "Home" series as depicted in the spec sheet.

However, applicant also stated that she was not sure when or if she would pave the driveway. B. Fleshman and P. Bevacqua observed that the Commission's COA, if approved, could be made valid for up to 24 months.

**Motion: Move to approve Application 22-H-04 with the following clarifications: (1) the proposed fence [is] to be the "Home" series, 3 feet tall,**

in the color “matte black”; (2) paving is to be in the same location as applicant’s present gravel drive; (3) applicant shall inform the HPC when paving work is begun; (4) prior to beginning any driveway work, applicant is to provide a sketch of the driveway; and (5) this COA shall remain valid for twenty-four [24] months from the date of this hearing.

Moved: P. Bevacqua

Second: M. Kyriakides

**Vote: Show-of-hands vote. 5 votes in favor, none opposed; the motion carried.**

### **Application 22-H-05**

Property owner(s): Meaghan Agnew & Dan Tobin

Applicant(s): Joe Little, contractor

Property: 141 Summer Street

Application Date: March 28, 2022

Summary: Remove vinyl siding and replace one window with a Jeld-Wen, all-wood, double hung window.

As the owners and applicant were not present, the Commission moved to continue this hearing until a later date.

**Motion: Move to continue the hearing of Application 22-H-05 until the HPC’s next meeting on April 27, 2022.**

Moved: B. Fleshman

Second: J. Jandreau

**Vote: Show-of-hands vote. 5 votes in favor, none opposed; the motion carried.**

### **Application 22-H-06**

Property owner(s): Growing Mindz LLC

Applicant(s): William Bly, Esq.

Property: 119 Main Street

Application Date: March 29, 2022

Summary: Repaint exterior

Applicant William Bly introduced himself to the Commission and requested authorization to repaint the exterior of 119 Main Street. The exterior of the building, he said, was in “dire need” of rehabilitation and repainting. However, the rendering of the paint color in the application photo submitted, he said, was not true. Mr. Bly confirmed that he intends to use “Benjamin Moore 1067” paint for the walls and black for the window trim.

The Vice Chair solicited public, abutter, as well as Commission member comments and questions. P. Bevacqua urged the applicant to make foundation and caulking repairs before painting to prevent inverse water-table damage near the foundation.

**Motion:** Move to approve Application 22-H-06 as submitted.  
**Moved:** S. Dalzell  
**Second:** P. Bevacqua  
**Vote:** Show-of-hands vote. 5 votes in favor, none opposed; the motion carried.

## 5. Old Business

The Chair next opened a public hearing and solicited public comments and questions on the updated survey of Kennebunk's historic properties for the Maine Historic Preservation Commission and National Registry of Historic Places.

B. Howard shared copies of the written comments she had received from B. Fleshman for (1) 9 Barnard Lane, (2) 127 Summer Street, and (3) 9 Durrell Bridge Road. State HPC officials, Howard said, agreed to take the comments into consideration.

A discussion of "contributing" versus "non-contributing" classifications ensued. B. Howard affirmed that the State had made the classifications given to Kennebunk's historic properties.

A public commentator, June Huston, asked by email whether "non-contributing" buildings in Kennebunk were held to the same standard as "contributing" ones. In response, B. Howard affirmed that the Town's Ordinance does not make a distinction between the two.

Ms. Huston also asked that the Commission consider scheduling another public hearing on this topic so that more residents could participate in the discussion, learn more about historic classifications, and understand their ramifications.

B. Fleshman observed that the State may initiate a new survey of properties that are or may qualify to be "historic". Some homes in Kennebunk, she said, are on the National Register but are not located in Kennebunk's Historic Overlay District.

Randy Gates, a property owner in the Overlay District, then addressed the Commission with several requests and comments. First, he asked the Commission to ensure that his property, 9 Barnard Lane, was classified "non-contributing". B. Fleshman affirmed that the main house, "L" connector, and windmill at 9 Barnard Lane are "non-contributing", but the barn may have a different classification.

Mr. Gates next expressed concern that no "outreach" mailings or public notices were put out by the HPC about this classification process, the tax and grant implications of different classifications, or about possible changes in the Historic Overlay District's regulations for historic homes. "These historic classifications," Mr. Gates asserted, "could have an effect on property values."

Mr. Gates likewise urged the HPC to convene another public hearing to discuss the classification process, renovation oversight, grants, taxes, and other "historic" considerations.

B. Fleshman agreed that periodic newsletters and/or public hearings or workshops could be useful to keep the public up to date about historic property classifications and regulations. B. Howard then gathered recommendations from the Commission for revisions to the write-ups being returned to the State about Kennebunk's historic properties. Several errors and typos were identified and corrected. A copy of the final document is attached.

**Motion:** Move to approve the comments for the State Historic Preservation Commission as revised by Kennebunk's HPC and consolidated by B. Howard.

Moved: P. Bevacqua

Second: M. Kyriakides

**Vote:** Show-of-hands vote. 5 votes in favor, none opposed; the motion carried.

#### 6. Review and Approval of Minutes

The Chair then led the Commission in a review of the minutes of the HPC's March 9, 2022 meeting. Several typos were identified and corrected.

**Motion:** Move to approve the Minutes of the HPC's March 9, 2022 meeting as amended.

Moved: B. Fleshman

Second: J. Jandreau

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

#### 7. Adjournment

There being no further business, the presiding officer declared the meeting adjourned at 7:44pm.

**Motion:** Move that the meeting be adjourned.

Moved: P. Bevacqua

Second: S. Dalzell

**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 April 27, 2022

Signed by

  
\_\_\_\_\_  
HISTORIC PRESERVATION COMMISSION

## Comments as of 4/13/2022

1. Suggested Text Change: Narrative Description, 2nd Paragraph. Alter to: In the Upper Square area which includes Main Street, Dane Street, Elm Street, Green Street, part of Park Street and the upper portion of Summer Street, most of the.....
  
2. Inventory List 85. – Suggested Write Up:  
85. Dalzell-Healey House, 2020 – NC Building  
5 Park Street, map 45, lot 71  
This single story house was designed to complement the historic district. The house sits on a concrete slab foundation and is not far above grade. The general appearance of the main part of the house, which sits well back from the road, is of a Greek revival cape clad in clapboards with six over six windows and transom and side lights to the front door, which is recessed into the facade. There is a short ell connecting to the large garage, which is in front of the house and perpendicular to the street. The garage has double overhead doors with transoms above under the gable end. The garage and ell have clapboard siding. Nearest the street is a shed roofed addition which is sided with wood shingles, as is the street side of the garage
  
3. Inventory List 140. The information here is incorrect. The current building, 'Jim's Garage', is a new(ish) replacement of the much altered original repair shop and was built within the last 10 years. It's general form and proportions echo the original but it is not a replica. It needs a better description that reflects this. There are no longer any gas pumps. Stephen Dalzell at the meeting stated he was going to look into this item and supply the Town Planner with updated text.
  
4. On page 6, at the end of the second full paragraph, there is mentioned that the Main Street utilities were placed underground in the 1970's. This should be check for accuracy. It is believed the utilities were relocated to the rear of the buildings along Main Street. This needs to be confirmed, the Town Planner will reach out to Kennebunk Light and Power.
  
5. Suggested Text Change: On page 61, Property 233 - the second paragraph is not accurate. The following is suggested:  
“Originally part of the parcel at 46 Summer Street, that parcel was subdivided in 1952 and this lot was sold to Edmund Cashen in the same year. The home is located in the approximate location of a station house of the now defunct Sanford and Cape Porpoise Railroad. In 1989 Ronald Robinson purchased the Cashen house and extensively remodeled it to its present appearance.”
  
6. Suggested Text Change: On page 62, Property 235, the construction date is not accurate (see below). The following change is suggested:  
"The property at 46 Summer Street, when sold to Sylvester Chick in 1889, included the land that is now 50 Summer Street. In 1899, a small portion of the property was sold to the Sanford and Cape Porpoise Railway (later acquired by the Atlantic and Shore Line Railway) for a station house. This small parcel was reacquired by a subsequent owner

(Bessey Sheppard) in 1944. The structure at 46 Summer Street was originally constructed as a small four-square 2 story building of unknown use. It was extensively remodeled by Sylvester Chick, when he purchased the property, into the L-shaped Queen Anne/Shingle Style home that exists today. The work done by Chick created a cross gabled, L shaped home, with a large front gable and a smaller cross gable at the rear of the house that projects to the right, creating a 2-story side ell. The house is asymmetrical, three bays wide, with a one-story porch wrapping around the front and right side. The sheathing is clapboard for 2 stories with shingles on all of the gable ends. The base of an enclosed pediment on the front facade forms a pent, accented by rafter tails and paired double hung windows. The entrance is marked by a gable on the porch roof in the far northwest bay. The porch supports are simple square posts resting on a solid clapboarded half wall. The windows are two-over-one double hung sash and tucked above the entry is an elliptical half window. The 2-story side ell includes a gable with a pent and a single window, and repeats some of the details of the main block, such as the pent and elliptical window. A hyphen of unknown use connecting the barn to the home was removed in 2013 and replaced with a single-story structure that is now an extension of the home's living space. An entrance in the center of this extension replaces the entrance that was originally present at the back of the porch."

7. Suggested Text Change: On page 62, Property 236, the heading should probably call the structure a barn or carriage house. The following change was suggested:

"Probably detached from the main house when Chick first constructed it in 1899, the carriage house/barn is also cross-gabled, with a large, front facing gable and a smaller cross gable on the right side. It was at first attached, at a time uncertain, to the main house by a single story, shed roofed hyphen that served (at least in later years) as a second garage bay. The original partially open lower level of the barn and hyphen is now fully enclosed basement space."

8. **Number 3. Barnard's Tavern c. 1780 C building to be changed to NC (see underlined text below).**

9 Barnard Land, map 43 lot 65

The house is symmetrical, five bays wide, side gabled, with large interior chimneys, nine-over-six double hung windows with simple entablatures, and sheathed in narrow clapboards. The west, south, and east facades all have identical entrances, with pedimented door surrounds and a row of lights above the paneled doors. A two-story ell connects the house and barn, and the windows of the ell are six-over-six. Barnard's Tavern has figured prominently in Kennebunk history since it was built c. 1780. Joseph Barnard built his large Colonial house and barn complex on a hill along the main road from Portsmouth to Portland at the northern edge of the town, and Barnard's Tavern was a rest stop for travelers into the 1820s.

The home and ell have been demolished. A new structure is to be constructed although not to the same description with some altered dimensions. Window sizes changed and new windows to be added. Interior doors and other non-structural items have been removed and may be reused in reconstruction.

9. **Number 4. Barn at Barnard's Tavern, c. 1830-1850 C building - To be determined.**

This structure has been resided with red cedar clapboard. Window openings were enlarged and new windows added. Door openings were modified.

The three-bay, front gabled New England-plan barn is large, with batten doors and a double row of lights above the door opening. A tall, round arched window has been placed over the barn doors, and a cupola and tower have been placed on the roof of the barn. A former owner was in the architectural salvage business and added these elements.

10. **Number 5. Windmill at Barnard's Tavern, 20<sup>th</sup> century NC structure - This structure will be removed. It is not known if it will be returned after new construction is completed.**

Located to the northeast of the barn is an approximately 40-foot-high skeletal steel Aeromotor water-pumping windmill. Its history is unknown.

\*Mr. Randy Gates was present at the meeting and was in support of the proposed text and classification changes to the 9 Barnard Lane structures (see minutes)

11. **Number 143. Samuel Simpson House, c. 1815 NC building - Discussion about NC rating see underlined text below**

127 Summer Street, Map 81, lot 35

*This house was constructed between 1815 and 1820, and remained in the Simpson family until 1979. Although the building appears to be a single-family, Colonia-era house, it was constructed as a two-family house, and according to Simpson family tradition the interior woodwork is different on each side. The two-story house is symmetrical with a center doorway and the center door surround has battered posts under a molded pediment and four transom lights. The windows are six-over-six double hung sash, and in the attic, there are a pair of small windows on each side elevation. Long sheathed in asbestos, this material has been removed exposing wooden clapboards. A two-story ell sheathed in clapboard projects from the rear and connects to the Joiner's Shop.*

This property underwent substantial renovation and restoration between 2015 and 2021. As part of this project the house was placed on a new foundation that was angled to, as opposed to parallel with, the road. The pediment was reconstructed, the end chimneys (possibly the original configuration) removed and a center chimney built. The height of the ell was raised to two stories and connected to the previously free-standing Joiner's Shop. Although the



building visually blends into the district the extensive alterations render it, and the Joiner's Shop, non-contributing.

The Commission still believes that the main home structure be considered Contributing due to the work and historical detail returned to the house. We believe the property would be severely penalized by removing it from Contributing after the owners spent years researching and returning the property to it'd previously era of significant.

**12. Number 176. John Elwell House 1794, 1911 C building change to NC (see underlined text below)**

9 Durrell's Bridge Road

Cordwainer John Elwell constructed this two-story, double-pile, center chimney house in 1794 facing the Kennebunk River, near his shop. In 1911 the owner, E. Josephine Brazier, hired Kennebunk architect William E. Barry to remodel and improve the house, and copies of these plans are in the archives of The Brick Store Museum. The house has distinctive overhangs created by dropped girts at the second floor and attic levels in the gable ends. The house is symmetrical, three bays wide, with a center entrance. The windows are six-over-six double hung sash. Barry added a hip roofed projecting entrance pavilion with a porch at the entrance below an addition to the front hall upstairs. The entrance has a post and lintel surround with Doric capitals on the posts, and the paneled door has two lights. Paired, narrow windows have been placed on either side of the entrance and on the sides of the entrance pavilion. On the second floor of the pavilion the façade has a tripartite window, and narrow double hung windows on the side. The siding is clapboard. Barry added a front porch that was removed by a subsequent owner. Other alterations include the addition of a two-car garage with living quarter above, an extension to the kitchen and addition of a bedroom to the back of the one-story ell, and the addition of open decks.

**Changed to NC. This structure was demolished due to structural issues. This property was not visible from the road and had remained empty while owner assessed possible renovations. In the end, the structure was taken down and a new structure was built on the property.**