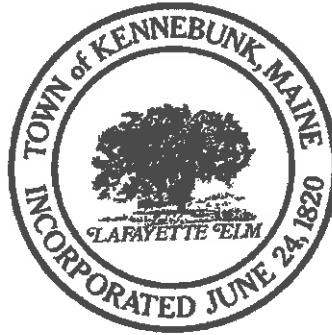


# Town of Kennebunk, Maine



## Historic Preservation Commission

### MEETING MINUTES

June 28, 2023

In Person Meeting, 3<sup>rd</sup> Floor, Town Hall, 1 Summer Street, Kennebunk

- 1. Call to Order:** Chair and presiding officer Frances Smith called the meeting to order on June 28, 2023 at 6:30pm at Town Hall, Room 306, 3<sup>rd</sup> Floor, 1 Summer Street, Kennebunk. The meeting was held in-person. Those in attendance were:

Present: Frances Smith [Chair], Barbara Fleshman [Vice Chair], Paul Bevacqua [Member], Maria Kyriakides [Member]. Judee Jandreau [Member], and Stephen Dalzell [Alternate], and James Cartwright [Alternate];

Absent: None.

F. Smith introduced the members in attendance. There were five voting members present: F. Smith, B. Fleshman, P. Bevacqua, M. Kyriakides, and J. Jandreau. (Alternate members S. Dalzell and J. Cartwright voted in the course of this meeting, but did not have voting authority. Their votes are not recorded here.)

F. Smith stated, for the record, that this was a public hearing at which all present had the right to hear all that was said and view all exhibits submitted unless the Board specifically voted to go into Executive Session. She asked that the Commission be notified if anyone could not see or hear.

The presiding officer further stated for the record that the meeting would be conducted in accordance with the published agenda. The Commission, she stated, 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*".

- 2. Continued Applications**

There were none.

### 3. New Applications

#### a. Application 23-H-19

Property owner(s): Jack & Angela Russell  
Applicant(s): Same  
Property: 80 Summer Street  
Application Date: June 5, 2023  
Summary: Repaint exterior.

Applicants Jack and Angela Russell addressed the Commission, seeking authorization to repaint the exterior of their residence in the color Benjamin Moore HC-105 "Rockport Gray" with white trim.

**Motion: Move to approve Application 23-H-19 as submitted.**  
**Moved:** P. Bevacqua  
**Second:** B. Fleshman  
**Vote: Roll call vote, 5 votes in favor, none opposed; the motion carried.**

#### b. Application 23-H-20

Property owner(s): Maureen & Walter Harris  
Applicant(s): Same  
Property: 12 Dane Street  
Application Date: June 5, 2023  
Summary: Multiple: (1) install 42" fence; (2) plantings; (3) replace porch steps; (4) replace garage doors; (5) replace three doors; (6) repaint them; and (7) replace sun porch windows.

Applicant Maureen Harris addressed the Commission next, describing the multiple projects for which she sought approval. The applicant had provided supplemental materials, changing the kinds of sun porch windows to be installed as her original application had proposed all-vinyl windows. The applicant then described each of her renovation items in detail

##### (1) Install 42 Inch Fence

M. Harris sought to erect a vinyl fence in two locations, and the applicant pointed out the locations on a diagram. The segments would be located on the west side and front of the house. The fence, M. Harris said, would be 42 inches high and sourced from Anchor Fence.

F. Smith advised the applicants that vinyl fences were not permitted in the Historic District. The material, Smith said, was not "historic", discolored with age, was more costly, and decayed over time after snow and rain exposure. M. Harris countered that her neighbor already had a similar vinyl fence installed. Commission members said they had not approved it.

Members suggested that all-wood, aluminum, or wrought iron fences were permissible. S. Dalzell urged the applicant to consider a white aluminum fence which would be cheaper and more durable. The installation cost, Dalzell said, would be the same. Members cited several Kennebunk addresses where such fencing could be viewed.

**(2) Plantings**

The applicant then stated that she hoped to plant an Eastern red bud clump. Brief discussion ensued about the hardiness of these plants. An aerial diagram included in the applicant's application packet depicted where the plants were to be located. M. Harris also proposed to plant rosgosa roses near the fences. "But we will address that when we resolve the fencing," Ms. Harris said.

**(3) Replace Porch Steps**

The applicant then cited prior approvals by the HPC for different doorway steps in the past. M. Harris now sought to install three [3] concrete steps leading to a 42-inch deep doorway landing. The steps, the applicant added, would have black aluminum handrails on one side. Commission members had no objections or caveats.

**(4) Replace Garage Doors**

M. Harris next asked for authorization to install new garage doors, which would be painted white. The new doors would be made of steel and manufactured by ARARR-Hillcrest. Commission members asked for a copy of the spec sheet, which had not been submitted. However, members otherwise had no objection or caveats.

**(5) Replace Three Doors**

The applicant then described the locations of one porch and two exit doors to be replaced. M. Harris specifically sought to replace her existing doors with ThermoTru Low-E SDL units. The applicant did not know if the doors were made of wood or fiberglass. HPC members again asked for "spec sheets".

**(6) Repaint Doors**

The applicant next asked for authorization to paint the three new doors in one of two colors — Benjamin Moore's "Governor's Gold" or, alternatively, "Damask Yellow". Members suggested that flat casings would be preferable, and the applicant concurred. However, members told M. Harris that the final paint color was her choice to make and that the Commission would only approve the applicant's final-choice color. M. Harris replied that "Governor's Gold" was her final choice.

**(7) Replace Sun Porch Windows**

M. Harris then remarked that her sun porch currently had three sections of single-pane, all-wood windows which she likewise sought to replace. The applicant said she was considering Andersen 200-Series or 400-Series replacements. Members briefly highlighted the differences between 200-Series and 400-Series units. Andersen 400-Series would be vinyl-clad wood windows and would be closer, size wise, to the applicant's existing porch windows. Andersen 200-Series would be made of Fibrex, a vinyl-wood composite.

HPC members again advised the applicant that the final window choice was hers to make. They expressed willingness to afford her time to make choices for fencing and windows, and said they would be pleased to take up her choices "as a separate matter but as a continuation of this hearing" at a later meeting. F. Smith stated that this would be an addendum ["23-H-20B"] and said that the applicant would not need to submit another application. The applicant agreed to a continuance regarding the fencing, but stated that Andersen 400-Series windows were her final choice.

Members then proceeded to entertain the following motion:

**Motion:** Move that the HPC approve Application 23-H-20 as submitted with the following revisions and caveats: (a) Item #1 (install a 42" fence) will be continued until additional detail about the fence is provided; (b) Item #4 (replace garage doors) [is approved contingent upon] receipt of cut sheets on the proposed doors [specifying] the manufacturer, style, and size; (c) Item #5 (replace the porch and exit doors): cut sheets [are to] be provided on the proposed doors and the assumption [is] that 3-1/2 inch flat casing will be the style used; (d) Item #6 (paint the three exterior doors): the color approved is "Governor's Gold", Benjamin Moore CW 395; and (e) Item #7: Andersen 400-Series windows are approved with a 3-1/2 inch exterior casing, sizes to match as close as possible the existing units.

Moved: P. Bevacqua

Second: J. Jandreau

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

After the vote, Commission members informally agreed to extend the validity of this approval for a total of one [1] year from this date. No formal vote on the extension was taken.

Ms. Harris was then advised that she could apply for building permits even before a formal Certificate of Appropriateness was issued or received. The Code Enforcement Office, F. Smith said, would be promptly advised of this 12-month approval.

**c. Application 23-H-21**

Property owner(s): William & Catherine Snow  
Applicant(s): Same  
Property: 30 Summer Street  
Application Date: June 6, 2023  
Summary: (1) Replace 11 windows; (2) change driveway to gravel.

Applicant William Snow addressed the Commission next, requesting authorization to replace 11 windows with Andersen E-Series ones, to add cobblestone aprons to his driveway, and to change the driveway from asphalt to compacted gravel. He had also just received a landscaping plan, he said, for which he sought approval as well.

The applicant explained that his home's existing windows were damaged and needed to be replaced. He proposed to install Andersen E-Series windows using the current trim. The new windows, he said, would be virtually the same size as the existing ones and have half-screens. If approved, W. Snow asked for an approval extension for the windows because there was a delivery backlog. Board members voiced no objection.

W. Snow next proposed to install cobblestone aprons. He showed depictions of the proposed aprons. The applicant added that he likewise sought to replace two slate walkways with reclaimed blue stone ones.

During the meeting, the applicant additionally asked for authorization to remove three [3] Norway maples, which, the applicant said, "were failing according to arborist Bill Hotchkiss." W. Snow alleged that his neighbor was in agreement with the trees' removal. However, the tree removals had not been mentioned in the applicant's original HPC application.

F. Smith asked what replacement trees would be planted. W. Snow replied that he was considering red maples with a privet hedge. The combination, he said, would afford more privacy.

The applicant then went on to describe other landscaping changes which had likewise not been mentioned in the original application. Mr. Snow said he hoped to plant ostrich ferns in front of the house and possibly remove lilacs there. A bottom drive — "now dirt", according to the applicant — would also be redone with reclaimed asphalt. The material was permeable and stable, the applicant said.

HPC members proceeded to entertain the following motion.

**Motion: Move to approve Application 23-H-21 as submitted and to extend the validity of this approval for a total of 12 [twelve] months from this date.**

Moved: P. Bevacqua

Second: J. Jandreau

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

**d. Application 23-H-22**

Property owner(s): Andrea Berlin

Applicant(s): Same

Property: 71 Summer Street

Application Date: June 8, 2023

Summary: Remove four (4) trees

Applicant Andrea Berlin addressed the Commission next, seeking authorization to remove four (4) trees endangering her property. A statement from a tree specialist confirmed that the trees were hazardous.

F. Smith inquired whether the applicant intended to replace the trees, and A. Belin answered in the affirmative. The applicant stated that she proposed to plant one Eastern red bud and a grouping of three Eastern cedars at the back of her property.

**Motion: Move to approve Application 23-H-22 for the removal of one pine, two Norway maples, and one cherry [tree] to be replaced by one red bud and three Eastern cedars.**

Moved: J. Jandreau

Second: M. Kyriakides

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

**e. Application 23-H-23**

Property owner(s): David Allen & Kati Gaulkin

Applicant(s): Same

Property: 122 Summer Street

Application Date: June 12, 2023

Summary: Remove one (1) tree.

According to applicant Kati Gaulkin, a pine tree on her property was substantially decayed. She illustrated its poor condition with photos. An arborist's statement confirmed that the tree in question was badly decayed. Ms. Gaulkin added that she did not intend to replace the tree as it stood in a leach field and was also "right up against the road."

In response to Commission comments, the applicant stated that her neighbor had agreed to permit a tree service truck to use his [the neighbor's] driveway to take down the tree in question.

**Motion: Move to approve Application 23-H-23 as presented.**

Moved: J. Jandreau

Second: M. Kyriakides

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

**4. Old Business**

There was none.

**5. New Business**

Members discussed recent property sales on Summer Street. They noted that buyers of real estate in the Historic District were often not advised of the District's maintenance, restoration, and approval requirements for historic buildings. Discussion ensued about ways of possibly notifying prospective buyers of the Town's "Historic Overlay" obligations.

F. Smith next reported that the owners of the Wedding Cake House were seeking approval for a Contract Zone before another board. The Chair also reported that the house at 127 Summer Street had been denied status as a structure having "Historic Significance" by state authorities because it had been "re-sited incorrectly". Members discussed whether to approach state and federal authorities to appeal the state ruling.

**6. Minutes of Prior Meetings**

Members then reviewed the minutes of the HPC's meetings of June 14, 2023. Several errors were identified and corrected. Members also posed questions about the specific approval language cited in the minutes for Application 23-H-17, but agreed that the language contained in the minutes was, indeed, accurate.

**Motion:** Move to approve the minutes of June 14, 2023 as corrected.

**Moved:** P. Bevacqua

**Second:** S. Dalzell

**Vote:** Roll call vote. 3 votes in favor [Bevacqua, Kyriakides, Fleshman], none opposed, 2 abstentions [Smith and Jandreau had not attended the 6/14/2023 meeting]; the motion carried.

**7. Adjournment**

There being no further business, F. Smith declared the meeting adjourned at 8:30pm.

**Motion:** To adjourn the meeting.

**Moved:** S. Dalzell

**Second:** P. Bevacqua

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

Respectfully submitted by,  
J. Schlagheck, Clerk

Adopted by the Commission in its meeting  
of July 26, 2022

Signed by  
  
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HISTORIC PRESERVATION COMMISSION