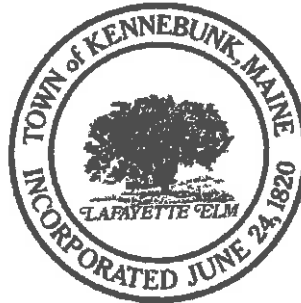


Town of Kennebunk, Maine



Historic Preservation Commission

MEETING MINUTES

August 10, 2022

In Person Meeting, 3rd Floor, Town Hall, 1 Summer Street, Kennebunk

- 1. Call to Order:** Chair and presiding officer Frances Smith called the meeting to order on August 10, 2022 at 6:30 pm at Town Hall, 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], and Judee Jandreau [Member],

Absent: Maria Kyriakides [Member], and Stephen Dalzell [Alternate];

Also Present: Robert Georgitis [Maine Planning Associates], Sally Carpenter [Select Board Liaison], Christopher Osterrieder [Director, Community Development], Karen Winton [Deputy Director, Community Development], and Frank Kunkel [Code Enforcement Officer].

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*".

The presiding officer then cited the names of the four voting members in attendance.

- 2. Continued Applications**

There were none.

3. New Applications

Application 22-H-32 [amendment to 21-H-09B]

Property owner(s): Kari and Randy Gates

Applicant(s): Same

Property: 9 Barnard Lane

Application Date: July 29, 2022

Summary: Barn foundation, addition of bulkhead and foundation windows

Applicant Randy Gates introduced R. Georgitis, a consultant, as his representative. Mr. Georgitis addressed the Board, stating that the applicants had previously reported that there would be a concrete foundation with stone facing. The HPC, he said, had approved the foundation. The applicants believed the approval was for a new foundation for both the main structure and barn. However, HPC members affirmed at their last meeting that their prior approval was for the main structure only.

"This current request is to combine the main house and barn," R. Georgitis stated. The applicants, he clarified, propose to create a new concrete foundation with stone facing for the barn as well as the main structure, and also install lower windows atop the foundation, a bulkhead, and a second egress. They are designing the building to meet both the IRC [International Residential Code] and IBC [International Building Code]. A sprinkler system plan will be sent to the Maine Fire Marshall's Office. The request before the HPC tonight is to have the same foundation under the house and barn. For the barn foundation, Mr. Georgitis said, the applicants would lift the barn to pour the concrete, "but the barn would ultimately remain at the same level as at present".

P. Bevacqua asked if the partition wall in the foundation would be coming down. R. Georgitis answered in the affirmative. P. Bevacqua then asked why the applicants needed two egresses, and R. Georgitis responded that the life safety codes call for them. P. Bevacqua also inquired whether the basement would be occupied, and R. Georgitis answered that "it's not going to be occupied in terms of living space – it's going to be habitable space under the codes so they can use it for certain things but they can't have bedrooms or sleeping rooms down there, that doesn't meet code". R. Georgitis then stated that "the plans are for an inn, with four bedrooms and an apartment to support the inn".

P. Bevacqua next posed questions about the location of the barn's existing bulkhead, and R. Georgitis confirmed that it is on the Barnard Lane side, closer to the original home. Discussion ensued about what constituted the "front" and "back" of that structure and the use of the old foundation stones for a patio and retaining wall. Discussion next followed about the proposed location for the bulkhead. It would give access to the herb gardens on the side of the building. There will be herb gardens on the residential side and the parking lot will be located on the commercial side of the building.

In response to questions about the proposed foundation windows, R. Georgitis affirmed there will not be window wells and affirmed twice that "the foundation windows

for the barn would not have much visibility on Portland Road". The small windows would be along the top of the foundation as depicted in the current plan [i.e. the elevations entitled "Inn on Barnard" and date stamped 7/29/2022]. The windows, Mr. Georgitis added, would be "bronze-colored, hopper windows...that tilt in."

The Commission then called on Code Officer Frank Kunkel to opine. Kunkel stated that "having the same foundation for the barn with egress would be beneficial". P. Bevacqua questioned whether the plans now before the HPC [i.e. the elevations labeled "Inn on Barnard" and date stamped 7/29/2022] were the same as the plans last submitted to and reviewed by the HPC [i.e. the elevations labeled "9 Barnard" and submitted on February 1, 2022]. F. Kunkel replied that the current plan was, in fact, somewhat different from the prior one. However, the application before the Commission at this time, Kunkel said, was only for the foundation.

P. Bevacqua asked "if there are changes above the foundation that differ from the plans we approved at our prior meeting". R. Georgitis responded that "as of today, the elevations that you've already approved are what they plan to go with, from the foundation up. What we didn't consider back when those plans were submitted were the windows or the access needed for the foundation down. So we're trying to combine those two together". There was then discussion about exterior changes that may be required by the State Fire Marshall's Office or Code Office. R. Georgitis stated "if we have to make a change, we will be back".

P. Bevacqua asked if he understood correctly that the current [07/29/2022] elevations were actually irrelevant as the HPC was being asked to opine *only* on the foundation, foundation windows, and foundation egresses. R. Georgitis responded in the affirmative. Any future changes to the exterior, he reiterated, will require additional review.

The Chair then solicited public comments or questions. There being none, the Commission proceeded to entertain the following motion:

Motion: Move to approve Application 22-H-32 as an amendment to prior issued COAs for the foundation plan of 9 Barnard Lane with the understanding that this approval is only for the foundation of the main structure and barn.

Moved: P. Bevacqua

Second: B. Fleshman

Vote: Roll call vote. 4 votes in favor, none opposed; the motion passed.

After the vote, Commission members told the applicant that he could obtain a time extension of this approval, if necessary, to complete the foundation work.

4. Old Business

(a) Election of Officers

Members next took up the election of officers, but informally agreed to postpone the election until August 24, 2022 when expectedly more Commission members

would be present. The Chair asked the meeting clerk to insert this topic in the agenda of that later meeting.

(b) Workshop

In prior meetings, HPC members had broadly identified lapses and missing definitions in the Town's Ordinance regarding the care, preservation, and demolition of historic buildings. They had agreed to organize a workshop at a future date to identify and propose language to rectify those shortcomings. At today's meeting, members agreed to hold this workshop on September 28, 2022.

5. New Business

There was none.

6. Review and Approve Minutes

Because few members were in attendance, Commission members also moved to postpone their review of the minutes of their July 27, 2022 meeting.

Motion: Move to postpone review of the July 27, 2022 Minutes until the next meeting.

Moved: B. Fleshman

Second: J. Jandreau

Vote: Roll call vote. 4 votes in favor, none opposed; the motion carried.

7. Adjournment

There being no further business, the presiding officer declared the meeting adjourned at 6:59.

Motion: Move that the meeting be adjourned.

Moved: P. Bevacqua

Second: J. Jandreau

Vote: Voice vote, 4 votes in favor, none opposed; the motion carried.

Respectfully submitted by,
J. Schlagheck

Adopted by the Commission in its meeting
of September 14, 2022

Signed by



HISTORIC PRESERVATION COMMISSION