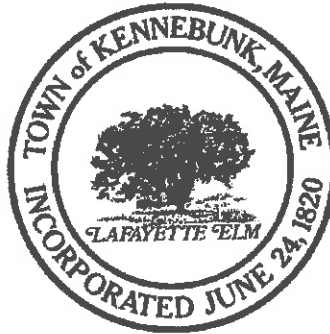


# Town of Kennebunk, Maine



## Historic Preservation Commission

### MEETING MINUTES

August 23, 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 August 23, 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], Paul Bevacqua [Member], Maria Kyriakides [Member], Stephen Dalzell [Alternate], and James Cartwright [Alternate];

Absent: Barbara Fleshman [Vice Chair] and Judee Jandreau [Member];

Also Present: Kevin Therrien [Select Board Liaison].

F. Smith introduced the members in attendance and elevated J. Cartwright and S. Dalzell, both Alternate Members, to voting status for the purpose of this meeting. There were, therefore, five voting members present: Smith, Bevacqua, Kyriakides, Dalzell, and Cartwright.

F. Smith then 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

### Application 23-H-26

Property owner(s): Judith Minaudo  
Applicant(s): Same  
Property: 56 Summer Street  
Application Date: July 31, 2023  
Summary: Repaint house and garage.

Applicant addressed the Commission, requesting approval to paint the exterior of her home in the same color as at present. The trim, Ms. Minaudo said, would be painted the same color as well.

**Motion: Move to approve Application 23-H-26 as presented.**

Moved: P. Bevacqua

Second: S. Dalzell

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

### Application 23-H-27

Property owner(s): Walter Olihovic & Janet Atkinson  
Applicant(s): Tom Hartfield  
Property: 25 Summer Street  
Application Date: August 9, 2023  
Summary: Pave driveway.

F. Smith recused herself from this review as she was an abutting neighbor. P. Bevacqua became acting Chair. T. Hartfield, representing the applicants, explained that the owners sought to pave their driveway, which was currently gravel. Only the existing driveway areas, Mr. Hartfield said, would be asphalted.

Speaking as an abutter, F. Smith expressed concern that using asphalt near a line of large, very old trees straddling her and the applicants' property line might impede rain-fall reaching the trees' roots and endanger them.

T. Hartfield countered that the driveway was only 9 feet wide and paving it with asphalt should not inhibit rain water reaching the roots. The driveway area near the trees was at the back of the house, he said. He estimated that there was an 8 ft. distance between the driveway and the tree line in question.

Discussion ensued about the possible effects of asphalt paving. J. Cartwright stated that he lost trees on his own property when his driveway was paved. Water could not reach the tree roots. Cartwright suggested that it might be appropriate to have an arborist's opine on the merits of this particular driveway proposal.

T. Hartfield interjected that the majority of homes on Summer Street had paved driveways. The applicants, Hartfield stated, should not be discriminated against when most other residents already had asphalt driveways.

Commission members explained that the issue was not whether asphaltting was permissible or not in the Historic District. Asphaltting was permissible. Instead, the issue was whether paving this or any other driveway in the District would endanger “important Town assets” (i.e. trees that were more than 100 years old).

F. Smith asked if a “cut-out” or possibly some expanse of grass might be a solution to protect the trees. T. Hartfield charged Commission members with “giving too much weight to the views of the HPC Chair.” Mr. Hartfield insisted that the applicants were keen to initiate the paving work as soon as possible without further delay.

P. Bevacqua suggested that members consider a “provisional approval” with the condition that an arborist confirm that asphaltting this driveway would not endanger the trees. If, Bevacqua said, an arborist found there was, after all, some risk, then that specialist could help the applicants devise an acceptable, different driveway design, cut-out spaces, or different permeable materials to eliminate the risk.

Other Commission members suggested that a possible solution was to require that only a small part of the driveway near the trees be paved with permeable asphalt to permit water infiltration. S. Dalzell proposed the following compromise, amalgamating the different ideas and enabling the applicants to begin work after consulting an arborist.

**Motion:**        **Move to approve Application 23-H-27 with the proviso that a permeable area be introduced in the back if an arborist deems it appropriate.**

**Moved:**        S. Dalzell

**Second:**      M. Kyriakides

**Vote:**         **Roll call vote, 4 votes in favor, none opposed, 1 abstention [Smith]; the motion carried.**

#### **4. Old Business**

There was none.

#### **5. New Business**

Members next briefly discussed the federal government’s “Certified Local Government” [CLG] grant program, which makes funds available to assist local historic preservation initiatives. Grant funds, F. Smith stated, were currently available.

Members proceeded to identify four initiatives for which grant money might be sought: (1) rewrite the Town’s standards for the Historic District to align them with the Town’s eventual Charter and Ordinance changes; (2) update the Town’s “historic data base” with colored photos of historic buildings in the Historic Overlay District; (3) install a digital screen in the HPC’s meeting room so applicants could share digital drawings,

photos, or plans; and/or (4) create additional copies of the Town's "Historic District Design Guidelines" booklet.

Members agreed to take up this grant topic again at the HPC's September 13, 2023 meeting when there was likely to be a fuller complement of Commission members in attendance.

## 6. Minutes of Prior Meetings

F. Smith then led the Commission in a review of the minutes of its July 26, 2023 and August 9, 2023 minutes.

**Motion:** Move to approve the minutes of the July 26, 2023 meeting as submitted.

Moved: P. Bevacqua

Second: J. Cartwright

**Vote:** Roll call vote, 3 votes in favor [Smith, Bevacqua, Cartwright], none opposed, 2 abstentions [Dalzell and Kyriakides had not attended the 7/26/2023 meeting]; the motion carried.

**Motion:** Move to approve the minutes of the August 9, 2023 meeting as submitted.

Moved: S. Dalzell

Second: P. Bevacqua

**Vote:** Roll call vote, 3 votes in favor [Smith, Bevacqua, Dalzell], none opposed, 2 abstentions [Kyriakides and Cartwright had not attended the 8/09/23 meeting]; the motion carried.

## 7. Adjournment

There being no further business, F. Smith declared the meeting adjourned at 7:50pm.

**Motion:** To adjourn the meeting.

Moved: P. Bevacqua

Second: S. Dalzell

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

Respectfully submitted by,  
J. Schlagheck, Clerk

Adopted by the Commission in its meeting  
of September 27, 2023

Signed by

  
FRANCES B. SMITH  
HISTORIC PRESERVATION COMMISSION