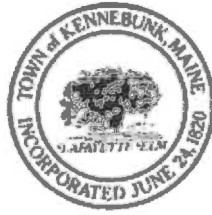


Town of Kennebunk, Maine



Historic Preservation Commission

Minutes of Monday, January 28, 2019

MEMBERS PRESENT: Frances **Smith** (Chair); Maria **Kyriakides**; Paul **Bevacqua**; Barbara **Fleshman**; Judee **Jandreau**; and Patrick **Orr**

MEMBERS ABSENT: Maureen **Raiter**

FROM THE TOWN: Chris **Osterrieder**, Town Engineer

ALSO PRESENT: Gail **Preble**; Chair, Christ Church Property Committee, (19-H-01)
Mary Ellen **Van Hemel**, Owner, 18 Dane Street, (19-H-01)
Todd E. **Wimpfheimer**, Owner, 22 Dane Street, (19-H-01)

1) Open Meeting

Chairperson **Smith** opened the meeting at 6:29 p.m. by welcoming all attendees and stated, for the record, that this was a public proceeding and unless the Commission specifically voted to go into executive session, anyone present had the right to hear everything that was being said and look at all exhibits that was offered. She asked that the Commission be notified if anyone was unable to see or hear.

Chairperson **Smith** also stated, for the record, that the Commission uses the Kennebunk Historic Preservation Overlay District Design Guidelines in their decisions and also the Secretary of Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings."

Chairperson **Smith** designated alternate member Maria **Kyriakides** as a voting member for this meeting.

2) New Applications

Application # 19-H-01: Property located at Dane Street, Main St. to Park St, Kennebunk, Maine, and owned by the Town of Kennebunk. The owner is proposing to:

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Application # 19-H-01: (continued)

1. Install an 8 ft. paved parking area on the northerly side near Parsons Field.
2. Install granite curbing on each side of the road.
3. Install new sidewalk on the northerly side.
4. Replace drainage system.
5. Reconstruction of the street surface.

Chairperson **Smith** announced the application particulars, acknowledged applicant Chris **Osterrieder**, Town Engineer, and invited submission comments.

Town Engineer **Osterrieder** introduced himself and began a review of the application details as submitted with the following additions, revisions, comments, and notes:

- Traffic operations will be formalize with a two way street, divided by a double yellow line, and have limited parking;
- A public hearing was held on December 12, 2018 to inform the public;
- Christ Church hitching posts will be maintained;
- The tree warden's inspection resulted in no "significant" or "legacy" trees;
- One obstruction tree will be removed at the Elm St. intersection and replaced with an TBD ornamental;
- The tree canopy will be maintained;
- Project bidding is anticipated to take place in the next three weeks;

Chairperson **Smith** noted that Commissioner **Bevacqua** joined the meeting at time 6:40 p.m.

The following visitors arrived at the meeting:

- Gail **Preble**; Chair, Christ Church Property Committee;
- Mary Ellen **Van Hemel**, Owner, 18 Dane Street; and
- Todd E. **Wimpfheimer**, Owner, 22 Dane Street

A discussion developed regarding installation of underground utility wires using various approaches. Town Engineer **Osterrieder** agreed that he would research the feasibility of installing underground utilities and report back to the Commission.

Continuing his review, Town Engineer **Osterrieder** submitted the following additions, revisions, comments, and notes:

- Increasing handicap access by installing a paved ramp from Dane St. to the ball field at Park St.;
- The sidewalk material will be bituminous asphalt;
- The curbing material will be type 1 granite;
- ADA ramps and crosswalk installation;
- Construction is anticipated to occur from April thru June, 2019;
- The budget was approved for \$400,000; and
- Parking will only be available in designated areas.

Noting that a formalize street will remove the village atmosphere, Chairperson **Smith** objected to the curbing and the double yellow lane delineation.

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Gail **Preble**, Christ Church Property Committee Chair, expressed concern that the front steps of the church will need to be modified, and that water will drain off the road into the parking lot along the church foundation.

Town Engineer **Osterrieder** replied that when the area is rebuilt, the steps and rail material will not be change, thus retaining its historical significance; however, they will be made code compliant. Due to the shift in elevation, they will have either a full rise or the sidewalk will blend into the step. Addressing the drainage issue, Town Engineer **Osterrieder** assured **Preble** that due to the lowering of the road bed, storm water will not drain into the parking lot.

Commissioner **Kyriakides** asked for details of the proposed street lighting.

Town Engineer **Osterrieder** explained that he existing overhead street lights will remain.

Mary Ellen **Van Hemel**, 18 Dane Street, noted that the street light closest to her house is very bright and shines into the windows. She requested that the light be made to shine down instead of out.

Town Engineer **Osterrieder** replied that the Town is planning to evaluate Main Street lighting next month and he would ensure **Van Hemel**'s street light is included.

Agreeing with Chairperson **Smith** regarding loosing the "village atmosphere" by formalizing the street, **Van Hemel** expressed concern about loosing convenience and character with the removal of on-street parking at the Park Street end of Dane Street.

Town Engineer **Osterrieder** replied that there will be on-street parking, but it will be dedicated to a specific area. He also provided the following specific advantages that curbing provides:

- Safety;
- Storm water drainage; and
- It provides a defined edge to support sidewalk construction.

Town Engineer **Osterrieder** added that formalizing the street to urban (defined by structure density) standards will make the street code compliant.

Preble asked for details of the right of way boundary.

Town Engineer **Osterrieder** replied that a full boundary survey was conducted with the following results regarding the Town's ROW (right of way):

- Dane Street ROW is irregular;
- Typical new construction ROW is 50 feet;
- The boundary doesn't always follow the centerline of the street;
- One area of Dane street has 14 to 15 feet of ROW from the edge of the road while on the opposite side the ROW is at the sidewalk's edge;
- In other areas, the centerline of the road matches the center of the ROW;
- The current layout matches the road to all intersections;
- All current utility poles are located within the ROW; and
- The edge of the proposed parking is the edge of the ROW.

Van Hemel asked how the 5 foot sidewalk width was determined.

Town Engineer **Osterrieder** provided the following response regarding the sidewalk dimension:

- A 5 foot wide residential sidewalk is the Town standard;
- The sidewalk tractor clears 4ft. 8in;
- ADA requires a minimum width of 3 ft;
- DOT requires a standard width of 4ft;
- ADA also requires the width be enough for 2 wheel chairs to pass which is 5ft;
- Functionally, a 5 foot wide sidewalk is the baseline; and
- The existing sidewalk is +/- 4 ft.

Commissioner **Fleshman** asked for a review of the issues addressed.

Town Engineer **Osterrieder** provided the following list of action items:

- Research feasibility of installing underground power;
- Create an alternate for brick sidewalks along the street;
- Evaluate the street light across from 18 Dane St; and
- Select a replacement ornamental tree species for the Elm St. intersection.

There being no further questions or comments regarding this issue, Chairperson **Smith** thanked all the participants.

Referring to lingering “**Old Business:**” agenda items, Town Engineer **Osterrieder** proposed setting a limit of 30 days for owners to respond to notice letters, after which it becomes an enforcement issue.

Chairperson **Smith** moved to the next agenda item.

3) Continued Applications

There being no questions or comments regarding this issue, Chairperson **Smith** moved to the next agenda item.

4) Amended Applications

There being no questions or comments regarding this issue, Chairperson **Smith** moved to the next agenda item.

5) Minutes

- **Minutes of December 10, 2018:**

The minutes of December 10, 2018 were reviewed. Chairperson **Smith** asked for any comments.

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Receiving no comments, corrections, or amendments regarding the minutes of December 10, 2018, Chairperson **Smith** asked for a motion.

A motion was made to approve the minutes of December 10, 2018 as submitted.

MOVED: **Fleshman**
SECONDED: **Orr**
DISCUSSION: **None**
EXCEPTIONS: **None**
VOTE: **6 in favor, 0 opposed; the motion carried.**

The minutes of December 10, 2018 were signed by all.

- **Minutes of November 13, 2018:**

The minutes of November 13, 2018 were signed by: **Jandreau**

- **Minutes of October 22, 2018:**

The minutes of October 22, 2018 were signed by: **Jandreau**
The minutes of October 22, 2018 require signature by: **Raiter**

Chairperson **Smith** moved to the next agenda item.

6) *New/Old Business*

- **New Business:**

1. Election of Officers, Vice-Chair

Chairperson **Smith** asked for nominations for the office of Vice-Chair vacated by the resignation of Maureen **Adams**.

A motion was made to nominate Commissioner Barbara Fleshman for the office of Vice-Chairperson.

MOVED: **Bevacqua**
SECONDED: **Jandreau**
DISCUSSION: **None**
EXCEPTIONS: **None**
VOTE: **6 in favor, 0 opposed; the motion carried.**

2. New Commission member

Chairperson **Smith** recognized and welcomed new Commission member Maria **Kyriakides** appointed on January 8, 2019 by the Board of Selectmen to serve as an Alternate member on the Historic Preservation Commission for the remainder of a one-year term that expires on June 30, 2019.

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3. Wedding Cake House

Chairperson **Smith** reported having contact with the Wedding Cake House “person in possession,” **Hunt Edwards**. He expressed his desire to attend a meeting in the spring to discuss preservation of the structure.

• **Old Business:**

Issues:

1. Mtg 06/13/16 – 125 Summer Street, unusual screen door color, **Lori Wears**
Subject: Waiting for the Applicant to re-submit a color change request.
There was no update or change reported for this agenda item.
2. Mtg 01/23/17 – Discussion; National Historic Registry of the Mousam River Dams.
Subject: Waiting for resident request.
There was no update or change reported for this agenda item.
3. Mtg 12/11/17 – 8 Summer Street, sign post lighting.
Subject: Waiting for the owner to remove unauthorized lighting and install approved lighting.
There was no update or change reported for this agenda item.
4. Mtg 10/09/18 – New Owner Welcome Letter.
Subject: Revision needed to correct an error regarding the historic district boundary measurement; a better distribution method needs to be developed.
There was no update or change reported for this agenda item.
5. Mtg 11/03/18 – Reservations of Trust (Massachusetts).
*Subject: Commissioner **Fleshman** to explore possible funding opportunities with Stephen P. **Spofford**, Kennebunk Town Historian, Brick Store Museum.*
There was no update or change reported for this agenda item.

Approved Applications With Additional Information To Be Provided:

1. Mtg 03/14/16 – Old Port Road, New Construction, **Denis Sousa**.
Subject: Waiting landscaping application submittal.
There was no update or change reported for this agenda item.
2. Mtg 09/12/16 – 18 Dane Street, Balustrade Replacement, **Peter J. Van Hemel**.
Subject: Applicant agreed to provide dimensional drawings, to the HPC Recording Secretary, either by mail or hand delivery at a scheduled meeting, as soon as they are completed, and prior to starting any work.
There was no update or change reported for this agenda item.
3. Mtg 04/24/17 – Kennebunk Landing Historic Signs, Brick Store Museum, **Bruce Jackson**.
Subject: Waiting for the applicant to provide a list of owners that have requested a sign and to define building placement of the sign.
There was no update or change reported for this agenda item.

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4. Mtg 08/13/18 – 112 Main Street, Kennebunk Free Library, Michelle K. **Conners**.
Subject: Waiting for the applicant to identify the replacement tree for HPC approval.
There was no update or change reported for this agenda item.

5. Mtg 09/24/18 – 30 Summer Street, Tree Removal, Maureen **Raiter**.
Subject: Waiting for the applicant to provide an arborist letter recommending tree removal which the applicant agreed to as a condition of approval.
There was no update or change reported for this agenda item.

6. Mtg 10/22/18 – The Landing Condominiums, Tree Removal, Cynthia **Cyr**, Nason Prop. Service.
*Subject: Waiting for the applicant to provide an arborist letter from their Arborist, Philip A. **Gough**, 67 Port Road, Kennebunk, ME 04043 recommending tree removal which the applicant agreed to deliver as a condition of approval for Application 18-H-27.*
There was no update or change reported for this agenda item.

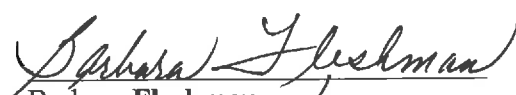
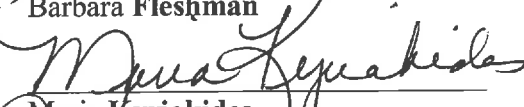
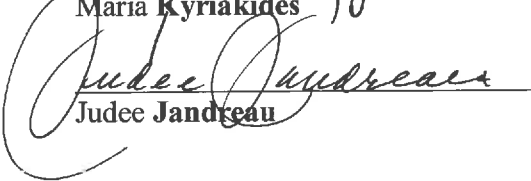
Chairperson **Smith** moved to the next agenda item.

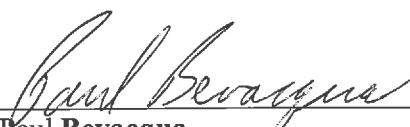

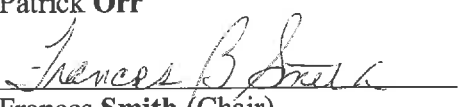
6) Adjournment

Chairperson **Smith** asked for a motion to adjourn.

A motion was made to adjourn the meeting at 7:29 p.m.

MOVED: Jandreau
SECONDED: Fleshman
DISCUSSION: None
VOTE: 6 in favor, 0 opposed; the motion carried.

Signed by: 
Barbara **Fleshman**

Maria **Kyriakides**

Judge **Jandreau**


Paul **Bevacqua**

Patrick **Orr**

Frances **Smith** (Chair)

Date signed: 4-8-19