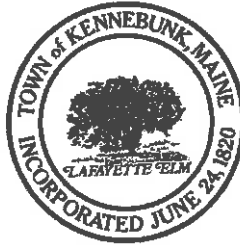


# Town of Kennebunk, Maine



## Historic Preservation Commission

### MEETING MINUTES

March 24<sup>th</sup>, 2021

Zoom Teleconference Meeting, Kennebunk

- 1. Call to Order:** The meeting was called to order at 6:34pm by presiding officer Frances Smith via Zoom teleconferencing under the Governor's COVID-19 Executive Order and by request of the Town's Select Board. Those in attendance were:

Present: Frances Smith [Chair], Barbara Fleshman [Vice Chair], Paul Bevacqua [Member], Judee Jaudreau [Member], Stephen Dalzell [Alternate], , and Karen Winton [Deputy Director, Community Development]

Interrupted: Mary Megeaski [joined the meeting, but lost connection]

Absent: Maria Kyriakides [Member]

Also Present: Randy Gates, Kari Gates, Jeffrey Clafin, Michaela Hutchins Jergensen

The presiding officer stated, for the record, that this 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 formally noted, is guided by the Town of Kennebunk's "*Historic Preservation Overlay District Design Guidelines*" as well as the Secretary of Interior's "*Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*".

F. Smith designated alternate S. Dazell as a voting member for the purpose of this meeting and reiterated her [F. Smith's] policy of personally abstaining from voting unless a tie-break vote is required.

## 2. Pending Applications

### (a) Application 21-H-09

Property owner(s): Randy Gates & Kari Gates

Applicant(s): Same as owners

Property Location: 9 Barnard Lane

Summary of proposed project: Add back addition, parking, barn window; replace windows, chimneys, siding and roof; repaint.

R. Gates asked the Board to approve the materials and colors for the siding and roofing as submitted. Applicants had recently provided digital materials and specific product website addresses, seeking authorization to use Western Red Cedar siding to be painted with Benjamin Moore "Kendall Charcoal" and, for roofing, Owens Corning TrueDefinition roofing shingles in "Onyx Black".

S. Dazell expressed willingness to approve these submissions, P. Bevacqua moved to accept the colors, and B. Fleshman seconded the motion. However, M. Hutchins Jergensen, a member of the Rhode Island Historical Preservation Commission and a specialist attending the meeting at the request of the Commission to assist with the review of this application, interrupted before a vote took place, questioning whether HPC members were voting on simply the colors to be used or, more broadly, the colors as well as materials.

P. Bevacqua responded that materials had already been discussed at a prior meeting. J. Vance added that applicants specifically propose using Western Red Cedar for siding.

M. Hutchins Jergensen countered that Western Red Cedar is not appropriate since buildings of the era did not use that wood, and also observed that the existing siding of a historic building should not be removed in a wholesale fashion.

Instead, Hutchins Jergensen recommended that applicants locate a local timber-framing expert (such as Aaron Sturgis, South Berwick) to opine on the kind of regionally appropriate replacement siding to be used to "patch in" between salvageable, original pieces. Discussion ensued on the merits and expense of such an approach.

M. Hutchins Jergensen additionally urged applicants to hire an expert to undertake a detailed "Historic Structures Report" to opine on the condition of the entire building and determine, among other things, what percent of the siding and other existing materials can and should be kept. S. Dazell urged consideration of using Eastern White Cedar.

F. Smith expressed disquiet with the precedent of accepting “digital” materials instead of actual paint chips and spec sheets, but expressed willingness to go forward with digital versions in this case. Smith nevertheless questioned whether the Commission should consider this project -- or, indeed, any application -- in a piecemeal fashion or in its entirety. P. Bevacqua concurred that more overall detail is needed and withdrew his motion.

S. Dalzell agreed, stating that he would like to see “the big picture”, and only entertain details afterward. There are large issues to consider with this project, he stated, and it should first be viewed in its entirety. However, Dalzell suggested that the HPC consider the approval of the colors now before the Commission subject to applicants’ submission of hard materials and paint chips.

Dazell additionally expressed concern about the material to be used under the proposed roofing. He likewise recommended bringing in a historic building structural specialist to recommend appropriate roofing.

Applicants voiced concern about the expense of retaining sundry experts and questioned the priority of “modern” salvage improvements versus historic authenticity. The building in question, K. Gates stated, is in extremely poor state and the roof near collapse. She expressed concern about delaying the proposed roofing changes.

R. Gates agreed to submit material samples or hard-copy spec sheets and paint chips to Town Hall as the board requires. M. Hutchins Jergensen urged applicants to investigate possible tax credits.

Motion: P. Bevacqua moved to adjourn the hearing on this application until the HPC’s April 14<sup>th</sup> meeting, by which time applicants can submit paint chips and roofing samples or cut sheets.

Second: S. Dazell

Vote: Motion carried with four votes in favor [Megeaski absent], and none opposed.

(b) Application 21-H-10

Property owner(s): Jeffrey Claflin

Applicant(s): Same as owner

Property Location: 86 Summer Street

Summary of proposed project: Removal of hazardous tree [post-fact; emergency authorization previously granted]

This is a post-fact review as the tree in question came down on applicant's roof and, after a drive-by inspection, the Town Code Officer granted emergency authorization to remove it.

Motion: B. Fleshman moved to approve the tree removal post-fact.

Second: J. Jaudreau

Vote: Motion carried with four votes in favor [Megeaski absent], none opposed.

### **3. Other Business**

- (a) Enforcement: S. Dazell noted that the boulders on Hardy Lane are still there. He voiced concern that enforcement of HPC decisions may be lacking. F. Smith noted that this case is a court matter. Dazell acknowledged that arbitration is underway, although it may not be binding.

B. Fleshman commented that Kennebunk's Town Ordinance gives enforcement authority to the Code Enforcement Officer. The HPC, she said, should address concerns and community reports or infractions to K. Winton, who can follow up on any enforcement action needed to be taken or any enforcement not taken.

K. Winton observed that extensive personnel turnover has taken place and that the new Community Development team would be pleased to look into new enforcement and tracking procedures.

- (b) Application 21-H-09, 9 Barnard Way: After public attendees had logged off the Zoom platform, M. Hutchins Jergensen offered the view that Application 21-H-09 [9 Barnard's Lane] lacked an overall plan, detail, and architectural drawings to warrant HPC consideration. Such projects, she ventured, should not be reviewed on a "segmented", piece-meal basis. She recommended that the HPC review this and other projects "in their entirety" before venturing into details.

K. Winton offered the view that perhaps the HPC or other historic preservation boards have guidelines or "check lists" so that new applications can be screened at Town Hall to determine whether adequate information is available to warrant forwarding the application to the Board for consideration. Winton also reiterated the Town's appreciation for the Board's work.

- (c) Application Support Materials: The Board voiced willingness to receive some (albeit limited) support materials digitally such as an occasional arborist

statement on the condition of a failing tree. However, the HPC is otherwise adamant that hard-copy spec sheets, tear sheets, and/or paint chips back up any application.

**4. Approval of Prior Minutes**

Board members reviewed the prior March 10, 2021 minutes.

Motion: P. Bevacqua moved to accept the minutes as presented.

Second: S. Dazell

Vote: Motion carried with 4 votes in favor, none opposed.

**5. Adjournment**

There being no further business, the presiding officer declared the meeting adjourned at 7:52pm.

Motion: P. Bevacqua moved to adjourn the meeting.

Second: B. Fleshman

Vote: Motion carried with 4 votes in favor, none opposed.

Respectfully submitted by,  
J. Schlagheck

Adopted by the Board in its meeting  
of April 14, 2021.

Signed by

  
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Historic Preservation Commission