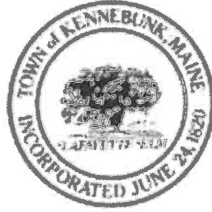


Town of Kennebunk, Maine



Historic Preservation Commission

Minutes of Monday, April 8, 2019

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

MEMBERS ABSENT: Maureen **Raiter**

ALSO PRESENT: John P. **Temperilli**, Blackbird Carpentry, Applicant, 19 Summer Street, (19-H-02)
Kevin **Kerin**, Blackbird Carpentry, Applicant, 19 Summer Street, (19-H-02)
Keith **Wallace**, Applicant, 9 Durrell's Bridge Road, (19-H-03)
Jeri **Wallace**, Applicant, 9 Durrell's Bridge Road, (19-H-03)
Brian **Beaudette**, Applicant, 9 Durrell's Bridge Road, (19-H-03)

1) Open Meeting

Chairperson **Smith** opened the meeting at 6:30 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 members Maria **Kyriakides** and Paul **Bevacqua** as voting members for this meeting.

2) *New Applications*

Application # 19-H-02: Property located at 19 Summer Street, Kennebunk, Maine, and owned by Darrin S. Weigle. The owner is proposing to:

1. Convert former stable space into “in-law” apartment.
2. Add one wooden window to the rear.
3. Install new covered porch with granite steps and K-style gutters.
4. Restore broken windows with wooden replacements.
5. Replace front/rear doors adding granite steps at the rear door.

Chairperson **Smith** announced the application particulars, acknowledged applicant John P. **Temperilli**, Blackbird Carpentry, and invited submission comments.

Temperilli introduced himself and began a review of the application details as submitted with the following additions and/or changes:

- The correct designation of the conversion is “Suite” not “In-Law Apartment”;
- Specs for 27.5 in. by 52.0 in. (2 over 2) windows to be provided;
- The rear will have an “egress” (2 over 2) window of 5.7 sq. ft. glass area consisting of a 8 ft., 94.5 in. triple window, (2) 27.5 in. , and (1) 34.5 in;
- Aluminum half-round gutters to replace K-style;
- Door specs for handicapped accessibility to be provided;

Receiving no further questions or comments regarding this issue, Chairperson **Smith** asked for a motion.

A motion was made to approve application 19-H-02 as submitted with the condition that window and door specifications be provided and aluminum half-round gutters replace K-style.

MOVED: Fleshman

SECONDED: Orr

DISCUSSION: None

EXCEPTIONS: None

VOTE: 6 in favor, 0 opposed; the motion carried.

Application # 19-H-03: Property located at 9 Durrell’s Bridge Road, Kennebunk, Maine, and owned by Durrell's Bridge Landing LLC. The owner is proposing to:

1. Pre-design discussion regarding the condition of the existing structure and replacement of the existing building with a new, period appropriate residence.

Chairperson **Smith** announced the application particulars; acknowledged applicants Keith & Jeri **Wallace**, and Architect Brian **Beaudette**; and invited submission comments.

Keith **Wallace** introduced himself and began a presentation of the application details as submitted.

After hearing all the details of the existing structure’s condition, Commissioner **Bevacqua** requested a site walk.

A discussion developed regarding site walk scheduling.

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All present agreed that a site walk will be conducted at the following times:

- Tuesday, April 9, 2019 at 9:00 AM, for Commissioners Paul **Bevacqua**; Barbara **Fleshman**; Judee **Jandreau**; and Patrick **Orr**.
- Saturday, April 13, 2019 at 10:00 AM, for Commissioners Paul **Bevacqua**; Frances **Smith** (Chair); Maria **Kyriakides**

Receiving no further questions or comments regarding this issue, Chairperson **Smith** asked for the application to be continued until the next meeting when Commissioners will have completed a site walk

A motion was made to continue application 19-H-03 as submitted until the next meeting scheduled for April 22 and completion of the site walk.

MOVED: Jandreau

SECONDED: Fleshman

DISCUSSION: None

EXCEPTIONS: None

VOTE: 6 in favor, 0 opposed; the motion carried.

Chairperson **Smith** thanked all the participants and 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 February 25, 2019:**

The minutes of February 25, 2019 were reviewed. Chairperson **Smith** asked for any comments.

Receiving no comments, corrections, or amendments regarding the minutes of February 25, 2019, Chairperson **Smith** asked for a motion.

A motion was made to approve the minutes of February 25, 2019 as submitted.

MOVED: Jandreau

SECONDED: Orr

DISCUSSION: None

EXCEPTIONS: None

VOTE: 6 in favor, 0 opposed; the motion carried.

The minutes of February 25, 2019 were signed by all.

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- **Minutes of February 11, 2019:**

The minutes of February 11, 2019 were reviewed. Chairperson **Smith** asked for any comments.

Receiving no comments, corrections, or amendments regarding the minutes of February 11, 2019, Chairperson **Smith** asked for a motion.

A motion was made to approve the minutes of February 11, 2019 as submitted.

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

The minutes of February 11, 2019 were signed by all.

- **Minutes of January 28, 2019:**

The minutes of January 28, 2019 were reviewed. Chairperson **Smith** asked for any comments.

Receiving no comments, corrections, or amendments regarding the minutes of January 28, 2019, Chairperson **Smith** asked for a motion.

A motion was made to approve the minutes of January 28, 2019 as submitted.

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

The minutes of January 28, 2019 were signed by all.

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

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. Mtg 12/11/17 – 8 Summer Street, sign post lighting

Subject: Waiting for the owner to remove unauthorized lighting and install approved lighting

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Referring to Paul Demers e-mail dated Thursday, February 07, 2019 2:59 PM, (provided as Enclosure #1, which is incorporated by reference into these minutes), Chairperson **Smith** opened a discussion regarding possible solutions to the issue.

All agreed that the simplest solution would be to reduce the brightness of the light by lowering the wattage of the bulbs and directed the Recording Secretary to draft a letter requesting the bulb wattage reduction.

2. Mtg 04/08/19 – #23 Portland Road, large amount of out buildings

Subject: #21 Portland Rd. owner contacted HPC Chairperson with complaint of too many out building on the property at #23 Portland Road.

Chairperson **Smith** will bring the issue to the Code Enforcement Officer.

3. Mtg 04/08/19 – #31 Summer Street, fence and vegetation removal

Subject: The CEO issued a stop work order for fence and vegetation removal until an application is approved by the HPC.

Recording Secretary **Trexler** reported that an application has been received and will be on the agenda for the next scheduled meeting on April 22, 2019.

A discussion developed regarding Commission members observing unapproved activity.

Citing the need to have one point of contact, Chairperson **Smith** reiterated that in all cases of observed unapproved activity the report should be made to the HPC Chairperson.

Regarding Old Business agenda items, Recording Secretary **Trexler** announced that all issues older than 30 days will be highlighted in yellow per request by Chris **Osterrieder**, Town Engineer.

- **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.

HPC decided that a lower wattage bulb would be an acceptable solution to the issue.

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.

A motion was made to remove Item # 2 (18 Dane Street, Balustrade Replacement, Peter J. Van Hemel) from the Old Business List Approved Applications with Additional Information to Be Provided.

MOVED: **Fleshman**

SECONDED: **Jandreau**

DISCUSSION: **None**

EXCEPTIONS: **None**

VOTE: **6 in favor, 0 opposed; the motion carried.**

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.

4. Mtg 08/13/18 – 112 Main Street, Kennebunk Free Library, Michelle K. **Connors**.

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.

Chairperson **Smith** reported that Commissioner **Raiter** will be attending the next meeting.

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.

7) *Adjournment*

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

A motion was made to adjourn the meeting at 7:51 p.m.

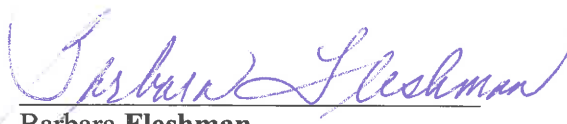
MOVED: Bevacqua

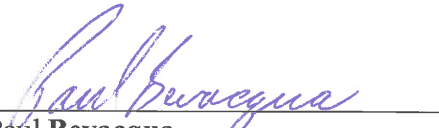
SECONDED: Orr

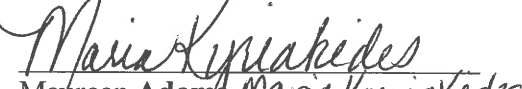
DISCUSSION: None

VOTE: 6 in favor, 0 opposed; the motion carried.

Signed by:


Barbara **Fleshman**


Paul **Bevacqua**


~~Maureen Adams~~ Maria **Kyriakides**


Patrick **Orr**


Frances **Smith** (Chair)


Judge **Jandreau**

Date signed: 5/28/19

Enclosures:

- (1) Paul Demers e-mail "RE: Sign Post Lights Notification Letter 8 Summer Street"

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Enclosure (1)

RE: Sign Post Lights Notification Letter 8 Summer Street

Paul Demers

Sent: Thursday, February 07, 2019 2:59 PM

To: HPCSecretary

Cc: Frances Smith [flbs49@roadrunner.com]; Chris Osterrieder; Patrick Orr [kennebunk@myfairpoint.net]; Maureen Raiter [chumthispuf@roadrunner.com]; Frances Smith [flbs49@roadrunner.com]; Paul Bevacqua [pbevac@yahoo.com]; Judee Jandreau [jjan925@yahoo.com]; Barbara Fleshman [barbjf95@mac.com]; Richard A. Morin; Cynthia Walker BSM [cwalker@brickstoremuseum.org]; Maureen Adams [maureenadams20@gmail.com]

Good afternoon to the HPC,

It has recently come to my attention that a past item has been carried on your agenda that required my attention but has not been resolved. The issue of the post lights installed on the business sign at 8 Summer Street not being consistent with the original approval.

I have met with Mr. Trottier on several occasions and discussed this matter and we thought I had addressed the matter. This is clearly an error on my part and I hope the following will allow closure or action on this matter.

I met with Mr. Trottier today to discuss his lighting and I want to offer the results of the discussion as he believes that the lights are consistent with his approval. There is no question from the tape of the meeting that the lights were discussed and options considered with a possible misunderstanding of the final appearance. But Mr. Trottier believes the post top lights were the result of opposition to his original idea of ground mounted lights or a less decorative light cap above his sign. His installation was clearly intended to be consistent with the 11 building mounted wall fixtures that appear on the photos below. They are in the same fixture style family and understandable as to why he thought those on the posts were ok.

As to the issue of a “downward facing light” requirement also discussed at the meeting, I believe the positive direction of the committee was to aid in light plan compliance by directing him to “full cut-off fixtures” outlined in Article 10 Section 6 of the Zoning Performance standards, see attachment. While the full cut-off fixture is a key requirement of the lighting plan in the ordinance, the section also allows the use of non-cut-off decorative fixtures under certain conditions. In this case the units do appear to meet the conditions as they do not exceed the 150 watts. In this case I recall a review last spring that indicated the fixtures and bulbs being compliance with the “private outdoor lighting standards. This however does not change limit the HPC authority to have different standards which you administer. I do certainly agree that the top of the post fixture are glass and not solid as the Board asked on tape, but as presented by Mr. Trottier they also match the style of the existing decorative wall lamps which are also topped with glass panels.

I would offer possible solutions to this could be:

1. The Board my wish to have the applicant come back or not to discuss this further and discuss alternatives if deemed necessary. If based on a historic significant of the need for a solid top the HPC may wish to have the applicant provide alternatives. If the HPC does not wish to pursue this I would be comfortable noting compliance with the “private outdoor lighting” standards and close the file.

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2. Also the applicant could choose to “screen out” the upper portion of the fixture to make the glass appear solid colored to match the frame of the glazing. I am a bit uncomfortable with that option if there is not a “kit” from the manufacturer as a modification would potentially void the installation and unit rating. This may cause the need for a different type of fixture which may not be easily matched to the remaining approved fixtures.

I have copied Mr. Trottier on this email so that he would be aware of a response as he like you would like to bring closure to this matter as well. Again I will say that it was not his belief that an issue remained as he had thought I had addressed this matter. Please let me know if you have any questions or wish to have me present to discuss this memo at a future meeting. Thank you for your understanding of this matter as I thought I had forwarded a similar memo some time ago. I would also be happy to attend a future HPC meeting to address this matter if that is your desire.



[View photos](#)

Sincerely,

Paul A. Demers
Code Officer