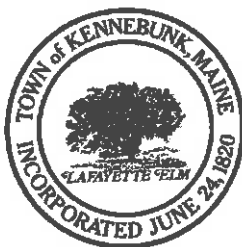


Town of Kennebunk, Maine



Historic Preservation Commission

MEETING MINUTES

April 14th, 2021

Zoom Teleconference Meeting, Kennebunk

- 1. Call to Order:** The meeting was called to order at 6:30pm 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 Mary Megeaski [Alternate]

Absent: Maria Kyriakides [Member]

Applicants Present: Kari and Randy Gates, Tina Gordon, Arthur Vose, George Harrington, and Betsy Stevens

Also Present: Karen Winton [Deputy Director, Community Development], Natalie Burns [Town Attorney], Brian Paul [Code Enforcement Officer], Michaela Hutchins Jergensen [Rhode Island Historical Preservation Commission]

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 alternates S. Dazell and M. Megeaski as voting members 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.

F. Smith and B. Fleshman also introduced; (1) Natalie Burns, Town Attorney; (2) Brian Paul, Code Enforcement Officer, (3) Karen Winton, Deputy Director of Community Development; and (4) Michaela Hutchins Jergensen, a member of the Rhode Island Historical Preservation Commission in attendance at the request of the Kennebunk HPC.

2. Prior Applications

Application 21-H-06

Property owner(s): 8 Summer Street LLC

Applicant: John Einsiedler

Property location: 26 Summer Street

Summary of proposed project: Carriage house restoration and driveway improvements. Partially approved at a prior hearing. Today: review materials in response to HPC's February 24th, 2021 motion for (a) a certified arborist's statement; and (b) cut sheets for Marvin window replacements.

J. Einsiedler reminded the Commission of the main features of this project and noted his submission of the arborist statement and window cut sheets as requested by the Commission on February 24th. There are 13 windows in total, he confirmed, and the existing window framing will remain intact.

Motion: P. Bevacqua moved to approve the supplemental materials of Application 21-H-06 and, specifically, to approve the request to replace the windows of the carriage house and remove the tree as indicated in the original Application.

Second: B. Fleshman

Vote: Roll call vote. 5 votes in favor, none opposed. Motion carried.

Application 21-H-09

Property owner(s): Randy Gates and Kari Gates

Applicants: same

Property location: 9 Barnard Lane

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

P. Bevacqua suggested postponing the hearing of this Application until the end of the session to avoid holding up other applicants. Applicants K. and R. Gates voiced preference for proceeding with the review as scheduled, and Commission members agreed to proceed as applicants requested.

Before discussion ensued, however, N. Burns introduced herself as the Town's Attorney and made preliminary remarks. It had come to the Town's attention, she stated, that a Committee member had recently visited and inspected 9 Barnard Lane. Doing so without the owners' permission was a violation of Maine State law. Under State law, Burns said, a site visit must (a) be pre-fact agreed to by the owners, (b) be undertaken by the Commission as a group, and (c) be conducted with public notice.

As these conditions were not met, N. Burns asked the Commission member who made the visit to identify and recuse him- or herself from today's proceeding.

S. Dalzell identified himself as the visitor in question and recused himself. The Commission agreed to proceed without Dalzell's participation.

R. Gates then addressed the Commission, specifically requesting authorizations for only (1) roofing, (2) siding, and (3) paint color. K. Gates confirmed that support materials for all three had been submitted to K. Winton along with "digital" spec sheets for the siding. Applicants propose using Western Red Cedar siding, Benjamin Moore "Kendall Charcoal" paint, and Owens Corning TrueDefinition roofing singles in "Onyx Black".

B. Fleshman questioned whether applicants planned to undertake a "Historic Structures Report" as previously requested in order to survey the entire structure and create an inventory of its structural elements. Fleshman asked if applicants could at least take photos and dimensions, and K. Gates responded in the affirmative.

Board members also posed questions about house trim, window framing, and the roofing underlay. K. Gates reported that the window trim is still in place, but reiterated the applicants' interest in focusing on roofing, siding, and paint color only at this time. K. Gates stated that "this is a work in progress", and that applicants propose to only do the barn siding and roofing at present. Ms. Gates further stated that she had no objection to the Commission approving siding and roofing for the barn exclusively at this time.

M. Hutchins Jergensen posed questions about the under-roofing. K. Gates responded that the roof of the house has to be completely reframed since the rafters, underlay, and roofing of the house had been substantially damaged by fire. However, the barn's under-sheathing is fine and not visible on the street, Ms. Gates said, so applicants propose using TrueDefinition roofing without changing the underlay.

P. Bevacqua asked if applicants plan to replace all of the siding or only pieces "as needed". K. Gates responded that as more than 50% of the siding is beyond repair, applicants propose to replace all of the siding so that it matches.

Members also questioned the specific kind of siding to be used. P. Bevacqua reminded members that, despite M. Hutchins Jergensen's objection at a previous

hearing, the HPC had approved the use of Western Red Cedar in several instances in the past.

F. Smith then asked if the Commission understood correctly that applicants were seeking approval at this time for new siding to be painted “Kendall Charcoal” and new roofing in “Onyx Black” for the barn only. K. Gates responded in the affirmative.

Motion: B. Fleshman moved to approve Application 21-H-09’s use of “Kendall Charcoal” HC-166 paint for the paint color, “Onyx Black” TrueDefinition shingles for the roofing with the roof decking and underlay remaining unchanged, and Western Red Cedar for the siding -- all for the barn only at this time.

Second: M. Megeaski

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

3. New Applications

Application 21-H-11

Property owner(s): Kelts Gordon & Tina Gordon

Applicant(s): Same as owners

Property Location: 11 Tidewater Court

Summary of proposed project: Replace deck with flagstone patio.

Owner T. Gordon addressed the board, seeking authorization to replace her rotted deck with a same-size stone patio made with varied-sized Genest stone.

B. Fleshman asked for cut sheets for the stone, and T. Gordon said she would be pleased to bring hardcopies to Town Hall. F. Smith inquired when work on the patio would commence, and applicant responded “immediately”.

Motion: J. Jaudreau moved to approve Application 21-H-11 as submitted with the requirement that spec sheets be submitted.

Second: M. Megeaski

Vote: Roll call vote. Motion carried with 5 votes in favor, none opposed.

Application 21-H-12

Property owner(s): PFB-BMB LLC

Applicant: Arthur Vose

Property Location: 20 Old Port Road

Summary of proposed project: New garage.

Applicant A. Vose described the project: Owners seeks to construct a new garage and eliminate two back-yard sheds. The new garage will primarily be used for storage. It will be constructed in “French Provincial” style and have stucco siding like the main house.

K. Winton confirmed that some support materials for this Application had been provided to Commission members in digital form [e.g. window specs] and some [such as the elevation plan] in hard-copy. Winton displayed these materials on screen. A. Vose confirmed that the roofing color to be used will be “Weathered Wood” and that the windows of the garage will match the house’s.

B. Fleshman expressed interest in receiving hard-copy (instead of digital versions) of the spec sheets for the windows.

Motion: P. Bevacqua moved to approve Application 21-H-12 as submitted with the requirement that all colors, materials, and construction details match those of the existing house -- namely, (1) roof shingles to be “Weathered Wood” by CertainTeed, (2) siding to be stucco material painted “Coastal Beige”, (3) corner quoins to match the existing house; and (4) windows to be Andersen casement products matching [those of] the existing house.

Second: S. Dalzell

Vote: Roll call vote. Motion carried with 5 votes in favor, none opposed.

Application 21-H-13

Property owner(s): Hope Cemetery

Applicants: Betsy Stevens (Hope Cemetery)

Property location: 2-12 Barnard Lane

Summary of proposed project: Install gate.

Applicant B. Stevens explained that Hope Cemetery has two entries flanked by stone pillars, but no gates. The Cemetery is currently using a tire rim and chain to close the entryways. It now seeks to install a simple, custom-made, triangular black gate which can be secured by a discrete lock. The Fire Department and Police Departments will be given keys for property access.

B. Fleshman questioned whether the gate was for the Cemetery’s entrance, proper, or for the “forest-walk” area, and B. Stevens confirmed that it is for Cemetery-only entrances in the Historic District. B. Stevens also confirmed that the existing pillars and stone balls on top of them will not removed or dismantled.

Motion: B. Fleshman moved that Application 21-H-13 be approved as submitted.

Second: J. Jaudreau

Vote: Roll call vote. Motion carried with 5 votes in favor, none opposed.

4. Other Business

Commission members next discussed timing parameters for HPC applications. N. Burns, the Town Attorney, advised members that, per Town Ordinance, the Town has 45 days to hear an HPC application from the time the application is received at

Town Hall. The “45-day clock” is halted, Burns said, if the Commission requests additional information.

Given this timing consideration, members asked Town Hall personnel to be sure to provide “receipt-dated” copies of HPC applications going forward.

5. Approval of March 24, 2021 Minutes

F. Smith led board members in a review of the March 24, 2021 minutes. The misspelling of one member’s name was noted and corrected.

Motion: P. Bevacqua moved to accept the Minutes of March 24.

Second: S. Dalzell

Vote: Roll call vote. Motion carried with 5 votes in favor, none opposed.

6. Adjournment

There being no further business, the presiding officer declared the meeting adjourned at 7:48pm.

Motion: P. Bevacqua moved to adjourn the meeting.

Second: B. Fleshman

Vote: Roll call vote. Motion carried with 5 votes in favor, none opposed.

Respectfully submitted by,
J. Schlagheck

Adopted by the Board in the meeting of April 28, 2021.

Signed by


Historic Preservation Commission