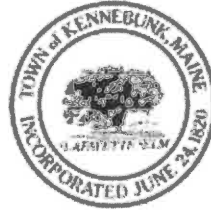


Town of Kennebunk, Maine



Historic Preservation Commission

Minutes of Monday, April 22, 2019

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

MEMBERS ABSENT: Maureen **Raiter**

FROM THE TOWN: Paul A. **Demers**, CEO

ALSO PRESENT: James **Harrison**, Cole Harrison Ins., Applicant, 83 Main Street, (19-H-04)
Daniel P. **Weaver**, Owner, 31 Summer Street, (19-H-05)
John W. **Fleshman**, Owner, 77 Summer Street, (19-H-06)
Kevin C. **Therrien**, Owner, 58 Summer Street, (19-H-07)
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-04: Property located at 83 Main Street, Kennebunk, Maine, and owned by 83 Main Street, LLC. The owner is proposing to:

1. Install formal garden w/small (48"x14"x4") rectangular woodbury grey bench.

Chairperson **Smith** announced the application particulars, acknowledged applicant James **Harrison**, Cole Harrison Ins, and invited submission comments.

Harrison introduced himself and began a review of the application details as submitted citing no additions or changes.

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

A motion was made to approve application 19-H-04 as submitted.

MOVED: **Fleshman**

SECONDED: **Jandreau**

DISCUSSION: **None**

EXCEPTIONS: **None**

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

Application # 19-H-05: Property located at 31 Summer Street, Kennebunk, Maine, and owned by Daniel P. **Weaver**. The owner is proposing to:

1. Remove front and side wood fence.
2. Remove vegetation behind fence.
3. Rebuild porch posts and railing to match existing design using AZEK composite material.
4. Remove dead/dying tree in center of side yard.

Chairperson **Smith** announced the application particulars, acknowledged owner Daniel P. **Weaver**, and invited submission comments.

Weaver introduced himself and began a review of the application details as submitted citing no additions or changes.

A discussion developed regarding the application with the following issues being addressed:

- The fence is an original historical landmark and should be replace;
- Replacement plan for removed vegetation;
- Replicating the porch railing and trim using AZEK;
- Roof leakage;
- Replacement fencing options

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

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A motion was made to approve application 19-H-05 as submitted with the following conditions:

- **Photos of the existing porch railing to be provided;**
- **Arborist letter verifying tree removal;**
- **The fence will be replaced;**
- **Tree plantings behind the fence instead of shrubs; and**
- **Porch railing will be replaced with wood.**

MOVED: Jandreau

SECONDED: Fleshman

DISCUSSION: None

EXCEPTIONS: None

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

Commissioner Barbara J. **Fleshman** recused herself from the Board during consideration of the next agenda item (Application 19-H-06).

Application # 19-H-06: Property located at 77 Summer Street, Kennebunk, Maine, and owned by John W. & Barbara J. **Fleshman**. The owners are proposing to:

1. Install a solar panel array (27) on rear house roof.

Chairperson **Smith** announced the application particulars, acknowledged owner John W. **Fleshman**, and invited submission comments.

John **Fleshman** introduced himself and began a review of the application details as submitted citing no additions or changes:

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

A motion was made to approve application 19-H-06 as submitted.

MOVED: Orr

SECONDED: Jandreau

DISCUSSION: None

EXCEPTIONS: None

VOTE: 5 in favor, 0 opposed; the motion carried.

Application # 19-H-07: Property located at 58 Summer Street, Kennebunk, Maine, and owned by Kevin C. & Dawn **Therrien**. The owners are proposing to:

1. Replace overgrown shrubs, bushes, and plants.
2. Replace mailbox post.
3. Install lamp post lighting near driveway entrance.
4. Repaint house and shutters with existing colors.

Chairperson **Smith** announced the application particulars, acknowledged owner Kevin C. **Therrien**, and invited submission comments.

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

- The barn paint color will be selected from a historic pallet.

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

A motion was made to approve application 19-H-07 as submitted with the following conditions:

- **The barn paint color will be selected from a historic pallet; and**
- **The proposed light shall be shielded from illuminating upward.**

MOVED: Bevacqua

SECONDED: Orr

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

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 opened a discussion centered on the site walk results.

Various views were expressed, including the following:

- Restoration expenses would be prohibitive;
- So much replacement would be necessary to restore the structure that little, if any, of the original structure would remain; and
- Some of the architectural features may be installed in the new structure.

Commissioner **Bevacqua** proposed the following guidelines for application approval.

- No demolition of any exterior element of the existing home occurs prior to issuance of the requested Certificate.

- Application for the requested Certificate shall be made no earlier than 60 days prior to commencement of demolition.

- The Application shall, at a minimum, include the following:

1. *A complete photographic inventory of the exterior of the home, including broad views of all elevations and close-up of views of all significant details and trim elements. One copy of all photos shall be on 8x10 archival quality photo paper.*
2. *A plat, to scale, of the premises showing, at a minimum, the relationship of the home to significant land features such as Durrells Bridge Road and the Kennebunk River.*
3. *An archival quality copy, scan, or photograph of the 1911 plans for the renovation of the home prepared by William E. Barry; also, an elevation drawing of the west side of the home, as designed by Barry.*

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4. *Architectural drawings of the proposed new home, including a plat of the property showing the new home over-laid on the original home. The new home and its location should be respectful of the original design and location, giving due consideration to original design elements, scale, and architectural features.*

5. *A signed letter from a registered architect or engineer stating the reasons for recommending replacement of the existing home rather than rehabilitating it.*

Having reviewed the proposed guidelines, the applicants agreed.

Keith Wallace began a review of the proposed application plan views and details.

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

A motion was made to advise the applicant to pursue the process of having the old house removed and a new house constructed in accordance with the guidelines previously cited by Commissioner Bevacqua which shall be attached to the Certificate of Appropriateness for application 19-H-03.

MOVED: Jandreau
SECONDED: Orr
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.

4) Amended Applications

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

5) Minutes

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

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

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

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

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

The minutes of March 11, 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. 25 Summer Street, porte-cochere balustrade removal

Referring to the Patrick **Orr** & Peter **Simonetta** letter to the Historic Preservation Commission dated April 22, 2019, (provided as Enclosure #1, which is incorporated by reference into these minutes), Commissioner **Orr** explained that the porte-cochere balustrade had to be removed due to structure failure from rotting wood and he intends to replace all balustrades that were removed.

2. Wedding Cake House

Vice-Chair **Fleshman** reported that the Comprehensive Plan Commission was contacted by the Board of Selectmen for a status on the wedding cake house. Vice-Chair **Fleshman** stated that she has been tasked with preparing a response.

3. 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** opened a discussion regarding the out building usage.

CEO **Demers** provided the following information:

- The buildings are chicken coops;
- Chickens are not regulated under the current Town Zoning Ordinance;
- The Town's building codes do not regulate structures smaller than 200 sq. ft;
- The property is a rental;
- It is unclear if the owner approved the structures and/or the usage

4. 20 Summer Street excavation

CEO **Demers** reported that the excavation work being conducted at 20 Summer Street is for the purpose of repairing a frozen sewer line and the work is being performed by an authorized contractor.

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

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

All present agreed that the simplest solution would be to reduce the brightness of the light by lowering the wattage of the bulbs.

CEO **Demers** replied that he would check with the owner regarding using a lower wattage bulb and requested an email reminder from the Board.

- **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.

CEO Demers to check with the owner regarding using a lower wattage bulb and requested an email reminded from the Board.

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.

6. 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.

The Code Enforcement Officer provided a definition of building usage and animal regulations as defined by the Town Zoning Ordinance.

7. 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.

Application 19-H-05 approved, waiting for the following conditions to be satisfied;

- Railing photos to be provided;
- Arborist letter verifying tree removal;
- The fence will be replaced;
- Tree plantings behind the fence instead of shrubs; and
- Porch railing will be replaced with wood.

Approved Applications With Additional Information To Be Provided:

1. 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.

2. 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.

3. 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.

4. 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.

5. Mtg 04/08//19 – 19 Summer Street, convert former stable space into “in-law” apartment, John P. Temperilli, Blackbird Carpentry (19-H-02).
Subject: Waiting for the applicant to provide detail information regarding window specifications and door changes.
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 8:31 p.m.

MOVED: Fleshman

SECONDED: Orr

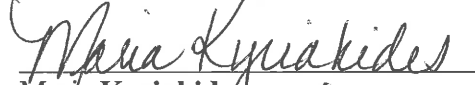
DISCUSSION: None

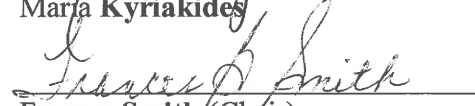
VOTE: 6 in favor, 0 opposed; the motion carried.

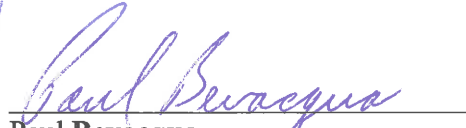
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Signed by:



Barbara **Fleshman**


Maria **Kyriakides**


Frances **Smith** (Chair)


Paul **Bevacqua**


Patrick **Orr**


Judée **Jandreau**

Date signed: 5/28/19

Enclosures:

- (1) **Orr / Simonetta** letter to the Historic Preservation Commission dated April 22, 2019

4/22/2019

PATRICK ORR

PETER SIMONETTA
25 SUMMER STREET
KENNEBUNK, ME. 04043
207-985-3774

TO THE HISTORIC PRESERVATION COMMISSION:

ON FRIDAY APRIL 19th 2019, WE HAD TO REMOVE
THE BALUSTRADE ABOVE THE PORTE-COCHERE.

WE FOUND PARTS OF THE BALUSTRADE IN THE
DRIVEWAY + A SECTION HANGING OVER THE
PORTE-COCHERE. WE TOOK DOWN THE ONE
SECTION BUT, UPON INSPECTION THE REST OF THE
BALUSTRADE WAS ROTTEN + WAS A HAZARD TO
ANYONE OR VEHICLE BELOW.

AT SOME POINT WE WILL REPLACE THE BALUST,
IN THE SAME STYLE OVER THE PORTE-COCHERE
PAINTED WHITE.

Thank you,

Patrick Orr
Peter Simonetta

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Enclosure (1)

