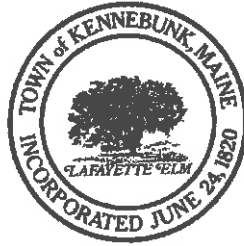


Town of Kennebunk, Maine



Historic Preservation Commission

MEETING MINUTES

May 26th, 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], Maria Kyriakides [Member], Stephen Dalzell [Alternate], and Mary Megeaski [Alternate]

Absent: None

Also Present: Karen Winton [Deputy Director, Community Development]

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*".

Later in the hearing (but before voting), F. Smith designated alternates M. Megeaski and S. Dalzell as a voting members for the purpose of this meeting and reiterated her [F. Smith's] policy of abstaining from voting unless a tie-break vote is required.

- 2. Prior Applications**

Application 21-H-16

Property owner(s): William Pasquill, Jr. and Michael Lavasseur

Applicant: William Pasquill, Jr.
Property location: 14 Summer Street, Units 1 and 2
Summary: Replace 11 windows [6 in Unit 1 and 5 in Unit 2].

The hearing of this application was postponed until a future meeting in June.

3. New Applications

Application 21-H-19

Property owner(s): Judith O'Donnell

Applicant: Same

Property location: 9 Dane Street

Summary: Install 4 windows.

Applicant J. O'Donnell addressed the Commission, requesting authorization to replace 6 awning windows on the ground floor at the back of her residence with slider windows, and 2 awning windows on the second floor with similar. Eight windows in total.

P. Bevacqua questioned whether the windows were original to the building, and applicant responded in the negative. B. Fleshman inquired about the material composition of the existing windows, and applicant stated that they are either wood or composite, but she did not know which.

B. Fleshman noted that applicant had provided spec sheets for Andersen 200-Series and 400-Series windows. Fleshman encouraged applicant to additionally check into Andersen Renewal 100-Series windows made of Fibrex, and applicant said she would do so.

J. Jaudreau asked for confirmation of the specific model for which applicant is seeking approval. Applicant confirmed that she sought approval of Andersen 200-Series and 400-Series windows at this time, but would like the ability to amend her application if 100-Series windows are found to be suitable. F. Smith stated that applicant could, indeed, seek an amendment by notifying K. Winton or J. Schlagheck by email.

Motion was made to approve application 21-H-19 as submitted with the exception that only Andersen 200-Series and 400-Series windows are authorized at this time.

Motion: P. Bevacqua

Second: B. Fleshman

Vote: Roll call vote. 5 votes in favor, none opposed, 1 abstention [S. Dalzell arrived late in the discussion]. Motion carried.

Application 21-H-20

Property owner(s): William & Catherine Snow

Applicant: Same
Property location: 30 Summer Street
Summary: Remove 3 bushes invading sewer pipes

Applicant W. Snow asked the Commission to approve his request to remove three bushes at the back left corner of his driveway which are (a) diseased, and (b) invading his sewer system. Snow has no immediate replacement plans, but will take up that consideration when developing a larger landscaping plan later in time.

The Commission had no questions. B. Fleshman moved to approve Application 21-H-20 as submitted for the removal of three bushes at 30 Summer Street.

Motion: B. Fleshman
Second: P. Bevacqua

Vote: Roll call vote. 6 votes in favor, none opposed. Motion carried.

Application 21-H-21

Property owner(s): John & Ann Marie Short
Applicant: Same
Property location: 70 Summer Street
Summary: Replace existing roofing with like in kind and color.

Applicant J. Short spoke to the Commission, requesting authorization to replace his existing roof with like and kind. In response to questions from P. Bevacqua and F. Smith, applicant affirmed that the same "Charcoal" color will be used and that work is expected to begin next week if HPC approval is granted.

Motion was made to approve application 21-H-21 as submitted

Motion: S. Dalzell
Second: P. Bevacqua

Vote: Roll call vote. 6 votes in favor, none opposed. Motion carried.

Application 21-H-22

Property owner(s): Norm & Grainne Archer
Applicant: Same
Property location: 47 Summer Street
Summary: Create a 20' x 20' parking area.

Applicants N. Archer and G. Archer appeared before the Commission seeking approval to install a 2-car "parking area" using "Duragreen" grid pavers, permitting grass to grow between the paver-blocks. Commission members voiced enthusiasm for the concept.

Motion: P. Bevacqua moved to approve Application 21-H-22 as submitted.
Second: S. Dalzell

Vote: Roll call vote. 6votes in favor, none opposed. Motion carried.

4. Approval of Prior Minutes

F. Smith next led Commission members in a review of the May 12, 2021 and January 13, 2021 minutes

Motion: B. Fleshman moved to accept the Minutes of May 12, 2021 as presented.

Second: M. Kyriakides

Vote: Roll call vote. 4 votes in favor, 0 opposed, 2 abstentions [D. Dalzell and M. Kyriakides had not attended the meeting]. Motion carried.

The Commission then reviewed the Minutes of January 13, 2021 which had been reviewed and amended on February 10th, but inadvertently not signed.

Motion: P. Bevacqua moved to accept the Minutes of January 13, 2021 as amended.

Second: S. Dalzell

Vote: Roll call vote. 6 votes in favor, none opposed. Motion carried.

5. Other Business

Condominium Applications

The Commission next took up the matter of condominium owners seeking HPC approvals for renovations. In particular, F. Smith addressed the status of 21-H-16, the application of two condo unit owners for the replacement of 11 windows. In the course of reviewing this application, the Commission learned that other, but different, windows had already been installed in the building by other residents. Photos of the exterior show quite different sets of windows in different parts of the same building.

P. Bevacqua and B. Fleshman questioned whether it is or should be the responsibility of a condominium association to seek HPC approval and ensure window uniformity or the responsibility of the individual owners.

S. Dalzell asked for a copy of the condominium association's by-laws to properly assess the legal responsibility for renovation work and/or requests for HPC approvals. M. Kyriakides concurred.

P. Bevacqua questioned whether the owners of other units in the building or the association had obtained building permits for the window replacements previously done. K. Winton relayed information from applicant W. Pasquill that Unit 4 in the building [the unit with different windows] had installed the windows in 2015 or 2017. It is not clear, however, whether any HPC approval or building permit had been obtained for them.

K. Winton encapsulated the discussion, observing that Commission members had identified two main issues: (1) responsibility (i.e. is it a condo association's or each individual owner's responsibility to obtain HPC authorizations and building permits?),

and (2) uniformity (i.e. how will visual uniformity be ensured in a multiple-dwelling unit in the Historic District?). The Commission agreed that K. Winton or J. Schlagheck should contact applicant W. Pasquill to obtain a copy of the condominium association's by-laws as a next step.

35 Summer Street

S. Dalzell inquired about the status of the removal of two trees at 35 Summer Street. The removals had been required in a November, 2020 COA, but action has yet to be taken. A friendly reminder about the removals had recently been sent to the home owner. There is now issue about that owner's installation of multiple rose bushes on the same property. K. Winton will have a Code Enforcement Officer visit the site to investigate.

6. Adjournment

There being no further business, the presiding officer declared the meeting adjourned at 7:27pm.

Motion: P. Bevacqua moved to adjourn the meeting.

Second: B. Fleshman

Vote: Roll call vote. 6 votes in favor, none opposed; motion carried.

Respectfully submitted by,
J. Schlagheck

Adopted by the Commission in its meeting
of June 9, 2021

Signed by



Historic Preservation Commission