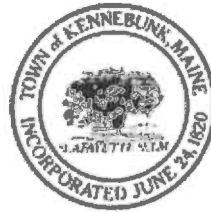


# Town of Kennebunk, Maine



## Historic Preservation Commission

~~Tuesday~~  
*MONDAY*  
Minutes of ~~Tuesday~~, June 10, 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**, Code Enforcement Officer

**ALSO PRESENT:** Howard **Hurd**, Architectural Sales Rep, Mathews Brothers Windows and Doors  
Cynthia **Cyr**, Manger, Nason Property Service, Applicant, The Landing Condominiums, (19-H-11)  
Charles **Margaritis**, Owner, 9 Summer Street

### *1) Open Meeting*

Chairperson **Smith** opened the meeting at 6:15 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.

In consideration of visitor **Hurd** being present and there being no objection from the Board, Chairperson **Smith** moved ahead to agenda item number 6). New Business

## 6) *New/Old Business*

- New Business:

1. Code Enforcement Officer topics

- Roof shingle replacement issues
- New window options

CEO **Demers** provided a sample of an interior insulating window insert from a WEB Based organization titled “Window Dressers” located in Rockland, Maine. He described the window insert features and submitted their flyer for the HPC record file.

Having completed his presentation, CEO **Demers** introduced Howard **Hurd**, Architectural Sales Rep, Mathews Brothers Windows and Doors, and asked for his remarks.

Sales Rep **Hurd** opened a discussion regarding the Sanford Hills High Performance Vinyl Windows line and provided the product brochure detailing all the window features and specifications for the HPC record file. His presentation included:

- A history of Mathews Brothers Windows and Doors; and
- Features and installation methods of the historic Sanford Hills window.

There being no further questions or comments regarding this item, Chairperson **Smith** moved back to agenda item number 2).

## 2) *New Applications*

**Application # 19-H-11:** Property located at Landing Drive, Units 2, 4, 6, and 8, Kennebunk, Maine, and owned by The Landing Condominiums. The owner is proposing to:

1. Replace existing (three tab shingle) roof on units 2 – 8 with new architectural shingles of the same color.
2. Remove pine tree stumps along units 2, 4, and 6.
3. Replace existing failed metal culvers with two 20’ x 12” plastic culvers at the beginning of units 2, 4, 6, and 8 driveways, graveled to make passable.
4. Remove existing asphalt and repave driveways of units 2 – 6 and unit 8
5. Remove Junipers.
6. Remove stumps behind mail boxes.

Chairperson **Smith** announced the application particulars, acknowledged applicant Cynthia **Cyr**, Nason Property Service, and invited submission comments.

Manager **Cyr** introduced herself and began a review of the application details as submitted.

When asked to identify the shingle manufacturer and color, Manager **Cyr** asked for a short break to collect the information.

All present agreed.

In consideration of the absence of Manager **Cyr** to research specifications, the presence of resident **Margaritis**, and there being no objection from the Board, Chairperson **Smith** returned to agenda item number 6). New Business

**6) *New/Old Business***

• **New Business:**

2. **Charles Margaritis address the Board**

Chairperson **Smith** acknowledged resident **Margaritis** and invited comments.

Resident **Margaritis** introduced himself and opened a discussion regarding a tree issue on his property. Highlights of the discussion included the following:

- The root system of a “Vermont Red Maple” tree has invaded the sewer line; and
- The proximity of a “Silver Maple” tree to the house is too close due to excessive growth.

Chairperson **Smith** advised resident **Margaritis** that the normal protocol is to submit an application for a Certificate of Appropriateness with written justification for tree removal from a licensed Arborist. Resident **Margaritis** expressed his understanding.

There being no further questions or comments regarding this item, Chairperson **Smith** returned to agenda item number 2).

**2) *New Applications***

**Application # 19-H-11:** (continued)

Chairperson **Smith** announced the return of Manager **Cyr** and asked her to continue. Manager **Cyr** continued her review of the application details as submitted citing the following additions or changes:

- The shingle manufacturer and product is “CertainTeed, Landmark,” architectural shingle;
- The shingle color is “Burnt Sienna;”
- The driveway work will be accomplished by “K P Asphalt, LLC;”
- The culvert work will be accomplished by Dwayne of “Three Seeds” and;
- The culvert material is “Sched. 80 PVC.”

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

**A motion was made to approve application 19-H-11 as submitted with the condition that the shingles shall be “CertainTeed, Landmark,” architectural shingles with the color of “Burnt Sienna.”**

**MOVED: Bevacqua**

**SECONDED: Jandreau**

**DISCUSSION: None**

**EXCEPTIONS: None**

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

Referring to the Steve Bryant & Son Tree and Brush letter to the Historic Preservation Commission dated February 12, 2019, (provided as Enclosure #1, which is incorporated by reference into these minutes), Manager **Cyr** asked if the submission satisfies agenda item 6), Old Business, B. - Approved Applications with Additional Information to Be Provided, Item #4, “received arborist tree removal recommendation letter dated February 14, 2019. Board review of February 25, 2019, determined that the letter contained insufficient information. Sent letter to Cynthia **Cyr**, Nason Property Service, requesting missing information.”

Board members recommended various tree species to replace the removed pines.

There being no further questions or comments regarding this item, Chairperson **Smith** thanked all the participants and moved to the next agenda item..

### ***3) Continued Applications***

**Application # 19-H-10:** Property located at 15 Dane Street, Kennebunk, Maine, and owned by Janet H. Perry & Jill Perry-Hurst. The owner is proposing to:

1. Replace all windows.

**Status:**

Waiting for owner to:

1. Arrange for project manager (Owner’s Nephew Nathan) to contact Commissioner **Bevacqua** with window details.

Chairperson **Smith** announced the application particulars.

Commissioner **Orr** asked Commissioner **Bevacqua** if he had been contacted by the Owner’s Nephew Nathan.

Commissioner **Bevacqua** replied in the negative.

Commissioner **Bevacqua** asked CEO **Demers** if a building permit had been issued for window replacement.

CEO **Demers** replied in the negative.

There being no representative present for this agenda item, Chairperson **Smith** moved to the next agenda item.

### ***4) Amended Applications***

There being no questions or comments regarding this agenda item and in consideration of the CEO being present and there being no objection from the Board, Chairperson **Smith** returned to agenda item number 6). Old Business

### ***6) New/Old Business***

- **Old Business:**

**A. - Issues:**

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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.*

**After a lengthy discussion with the CEO regarding sign post lighting, a motion was made to remove the agenda item from “Old Business,” Section A. #3.**

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

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.*  
There was no update or change reported for this agenda item.

**B. - 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. **Conners**.  
*Subject: Waiting for the applicant to identify the replacement tree for HPC approval.*  
There was no update or change reported for this agenda item.

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**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.*

Commissioner **Orr** volunteered to contact Commissioner **Raiter** to obtain the letter.

**4. Mtg 10/22/18 – The Landing Condominiums, Tree Removal, Cynthia Cyr, Nason Prop. Service.**

*Subject: “received arborist tree removal recommendation letter dated February 14, 2019. Board review of February 25, 2019, determined that the letter contained insufficient information. Sent letter to Cynthia Cyr, Nason Property Service, requesting missing information.”*

**A motion was made to accept the Steve Bryant & Son Tree and Brush letter to the Historic Preservation Commission dated February 12, 2019 (Enclosure # 1), as satisfying the request for missing information and to remove the agenda item from “Old Business,” Section B. #4.**

**MOVED:**           Fleshman

**SECONDED:**     Bevacqua

**DISCUSSION:**   None

**EXCEPTIONS:**  None

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

**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.*

Commissioner **Orr** reported that he met with the applicant and that he was going to provide a hand written list of HPC required information to the applicant.

**6. 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.

CEO **Demers** agreed to meet with the applicant to establish a fence replacement deadline of “end of summer” which was defined as Labor Day.

In consideration of the CEO being present and there being no objection from the Board, Chairperson **Smith** returned to agenda item number 6). New Business

• **New Business:**

1. **Code Enforcement Officer topics**

- Roof shingle replacement issues
- New window options

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CEO **Demers** provided a sample (that illustrates the snap on feature) from a section of the Sanford Hills High Performance Vinyl Windows line previously presented by Sales Rep **Hurd** for the HPC record file and opened a discussion regarding:

- Banded borders;
- Color options;
- Warranty;
- Customer Service;
- Energy efficiency; and
- Pillar column construction material (GenStone DIY Faux Stone).

Continuing his agenda item topics, CEO **Demers** reported the following:

- Temporary signs for parking lot directions will be in place at Hope Woods Cemetery. They expect to submit an HPC application for permanent signs in the near future.
- Re-roofing is needed at the Library. They intend to use the same color and style and therefore do not need to get HPC approval.
- Introduction of a building product called “KOMA.”

There being no further questions or comments regarding this item and there being no objection from the Board, Chairperson **Smith** returned to agenda item number 6). Old Business

- **Old Business:**

**B. - Approved Applications With Additional Information To Be Provided:**

3. Mtg 09/24/18 – 30 Summer Street, Tree Removal, Maureen Raiter
  - Waiting for the applicant to provide an arborist letter recommending tree removal which the applicant agreed to as a condition of approval.

Commissioner **Orr** volunteered to contact Commissioner **Raiter** to obtain the letter.  
All present agreed.

There being no further questions or comments regarding this item and there being no objection from the Board, Chairperson **Smith** moved back to agenda item number 5).

**5) Minutes**

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

The minutes of October 22, 2018 were not signed by: **Raiter**

Commissioner **Orr** volunteered to contact Commissioner **Raiter** to obtain her signature on the document.  
All present agreed.

There being no objection from the Board, Chairperson **Smith** returned to agenda item number 6). New Business

6) *New/Old Business*

• New Business:

3. Historic District issues

Vice-Chair **Fleshman** opened a discussion regarding Historic District expansion by asking if the District had been extended to the Mousam River. The discussion included the following highlights:

- The district has not changed since Old Port Rd. was added; and
- A review of the benefits and problems associated with extending the district down Main Street to the river crossing should be conducted and included in the Town Comprehensive.

CEO **Demers** opened a discussion regarding structure modifications listed on the National Historic Register but not in the Town of Kennebunk Historic District, highlights included;

- Are exterior modifications allowed to the part of the structure that cannot be observed from the road?

All present agreed that guidance should be sought from the Maine Historical Preservation Commission.

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 8:07 p.m.

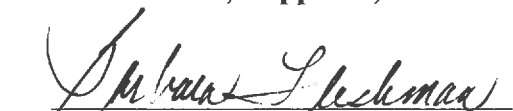
**MOVED:** Fleshman

**SECONDED:** Orr


**DISCUSSION:** None

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

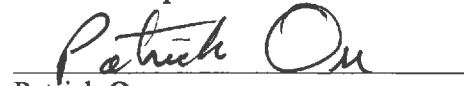
Signed by:

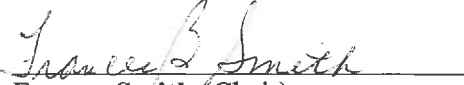
  
Barbara Fleshman

  
Maria Kyriakides

  
Judee Jandreau

  
Paul Bevacqua

  
Patrick Orr

  
Frances Smith (Chair)

Date signed: July 8, 2019

Enclosures:

- (1) Steve Bryant & Son Tree and Brush letter to the Historic Preservation Commission dated February 12, 2019



**Town of Kennebunk Historic Preservation Commission**  
Meeting Minutes for June 10, 2019  
Enclosure (1)

**Steve Bryant & Son Tree and Brush**  
**38 Bryant Lane**  
**Kennebunkport, ME 04046**

After assessing all eight tagged pine trees located immediately on the left after entering the Landing Condominiums, I've carefully come to the conclusion that all trees in question should be removed. It is obvious that these trees are dead and now becoming more hazardous by dropping large branches on the driveway. Pine trees are known to be shallow rooted, leaving many of them to uproot during high winds and snow storms. As a licensed Arborist, I would suggest these tagged pine trees should not be disregarded without taking immediate action to prevent any further danger to nearby vehicles, buildings or people.

*Dillon C. Bryant*  
License# FCL3368

*February 12 2019*