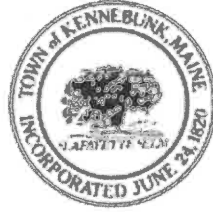


# Town of Kennebunk, Maine



## Historic Preservation Commission

Minutes of Monday, June 24, 2019

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

**MEMBERS ABSENT:** Judee **Jandreau**

**FROM THE TOWN:** Chris **Osterrieder**, Town Engineer

**ALSO PRESENT:** Howard L. **Schultz**, Snapdragon Properties, Applicant, 85 Main Street, (19-H-12)  
Stephen **Dalzell**, Owner, Park St. vacant lot 045-071, (19-H-13)  
John P. **Temperilli**, Blackbird Carpentry, Applicant, 19 Summer Street, (19-H-02)  
Michael J. **D'Amico**, Owner, 36 Summer Street

### *1) Open Meeting*

Chairperson **Smith** opened the meeting at 6:29 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-12:** Property located at 85 Main Street, Kennebunk, Maine, and owned by Snapdragon Properties, LLC. The owner is proposing to:

1. Remove aluminum siding.
2. Repair, replace, and paint wood siding.
3. Color preferences as follows:
  - Main structure - gray, pewter, gold, ivory, or brick:
  - Shutters and doors – black
  - Trim - white

Chairperson **Smith** announced the application particulars, acknowledged applicant Howard L. **Schultz**, and invited submission comments.

Applicant **Schultz** introduced himself, provided a brief description and history of the building, and began a review of the application details as submitted citing the following additions or changes:

- Preferred main structure color is Benjamin Moore, “Coventry Gray;”
- Preferred trim color is “off white;” and
- Preferred door color is Benjamin Moore “Neon Red” or “Exotic Red.”

Suggested door colors from the Board included “Heritage Red” and “Garrison Red”

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

**A motion was made to approve application 19-H-12 as submitted with the condition that the applicant returns with the final color choices for the body, trim, doors, and shutters.**

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

**Application # 19-H-13:** Property located at Park Street, Kennebunk, Maine, and owned by Stephen **Dalzell** & Virginia **Healey**. The owner is proposing to:

1. New construction, single family dwelling.

Chairperson **Smith** announced the application particulars, acknowledged owner Stephen **Dalzell**, and invited submission comments.

Owner **Dalzell** introduced himself and began a review of the application details as submitted citing the following additions or changes:

- Single story Cape of 1750 sq. ft;
- Building envelope is 60 ft. wide;
- Private sewer easement through the back of the lot;
- 3D illustration as viewed from Park Street;
- A earlier period tax map documented road ROW (“Potty Lane”) through 28 Park Street property to a land locked parcel behind the applicant’s lot;
- Distance from the street to the front door is 80 ft;

**Town of Kennebunk Historic Preservation Commission**  
Meeting Minutes for June 24, 2019

- No front porch is planned;
- Metal roof color to be gray instead of black;
- Roof shingles will be gray, architectural type;
- The chimney will be brick veneer;
- Construction is planned to begin as soon as possible; and
- The builder will be Shawn **Douston** of Douston Construction.

Commissioner **Orr** asked the applicant to provide a site plan detailing the location of all exterior features such as driveways, sidewalks, fencing, light fixtures, landscaping (vegetation), and hardscaping (permanent features).

Owner **Dalzell** identified various trees on the property that need to be removed, trimmed, and/or replaced.

Commissioner **Orr** reiterated that any tree removal requires documentation from a licensed Arborist certifying the need for removal.

Owner **Dalzell** acknowledged.

Commissioner **Bevacqua** asked the applicant to provide structure details such as windows, doors, and trim.

Owner **Dalzell** replied that the trim plan drawings are nearing completion and the windows will be “Marvin – Integrity.”

A discussion developed regarding the pros and cons of various window manufactures.

Chairperson **Smith** asked for details of the driveway location.

Owner **Dalzell** replied that it will enter the lot from the south side and presented a drawing detailing its placement.

Commissioner **Bevacqua** asked the applicant to provide details for “Smart Siding Engineered Wood”.

Owner **Dalzell** replied that he can provide a sample of the product and that it has the following characteristics:

- A wood composite product;
- An exceptionally long life;
- Looks like wood;
- Has a beveled edge;
- The recommended reveal is 3 7/8 in;
- Has a thickness of 3/8 in;
- Was introduced approximately 4 years ago by a company known as “Louisiana Pacific”; and
- Contains 85% wood.

Commissioner **Bevacqua** asked the applicant to provide trim details.

Owner **Dalzell** replied that the trim will be standard painted PVC.

Commissioner **Bevacqua** asked the applicant to provide cedar shingle siding details.

Owner **Dalzell** replied that clear bleaching oil will be applied to eastern white cedar shingles for a silver gray appearance.

Cited building code restrictions, Chairperson **Smith** stating that metal roofing and PVC trim are not appropriate for downtown.

A discussion developed regarding the pros and cons of metal roofing and metal/fiberglass doors.

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

**A motion was made to approve application 19-H-13 as submitted for construction start with the condition that the owner provides details of all exterior features such as driveways, sidewalks, fencing, light fixtures, landscaping (vegetation), and hardscaping (permanent features); structure details such as windows, doors, siding and roofing material; and all color choices including roof, siding, trim, shutters, windows and doors.**

**MOVED:** Fleshman

**DISCUSSION:** Owner Dalzell expressed urgency for approval of initial tree removal prior to the start of site work.

Commissioner Bevacqua reiterated that an arborist letter would be required and any new material should be submitted to the Board prior to the meeting.

Chris Osterrieder, Town Engineer, identified himself and noted that a time line for material submittal should be established to insure timeliness of building permit issue and prevention of any work stoppage.

Commissioner Fleshman asked if the end of July is too soon for a cutoff date.

Owner Dalzell replied that July 31 is too late and would prefer the Board review all new documentation submittal for final approval at the next meeting.

Chairperson Smith confirmed that the next meeting is scheduled for July 8 and asked the applicant if he could meet that deadline for submittal of all required documentation including the arborist letter for tree removal.

Owner Dalzell replied in the affirmative.

Chairperson Smith asked Recording Secretary Trexler to review the list of required documentation.

Recording Secretary Trexler submitted the following list:

1. Provide site plan showing location of all exterior features such as driveways, sidewalks, fencing, light fixtures, landscaping (vegetation), and hardscaping (permanent features).
2. Provide structure details such as windows, doors, siding and roofing material.
3. Provide all color choices including roof, siding, trim, shutters, windows and doors.

Owner Dalzell noted that the HPC instruction specifically states that only "elevation drawings are required for new construction application submittal;" and, had he known that the Board needed more details, he would have provided them.

Chris Osterrieder, Town Engineer, clarified that the data contained in the application submittal should only be what the owner wants to get approval for. Once approval is granted, the details can come as a supplement. This allows the applicant to get concept approval first without having to submit all the details at once.

Chairperson Smith asked for a motion second.

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

**Application # 19-H-14:** Property located at 134 Summer Street, Kennebunk, Maine, and owned by Foster Living Trust, Deirdre L. Foster. The owner is proposing to:

1. Replace 1 Maple tree removed due to Summer Street Rehabilitation with 2 Profusion Crabapple (Malus) trees of 2in. caliper.

Chairperson **Smith** announced the application particulars, acknowledged applicant Chris **Osterrieder**, Town Engineer, and invited submission comments.

Town Engineer **Osterrieder** introduced himself and began a review of the application details as submitted citing the following additions or changes:

- The Town will own the trees, but the lot owner will be responsible for their upkeep.

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

**A motion was made to approve application 19-H-14 as submitted.**

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

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

## *2) 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 **Bevacqua** remarked that he received window details and gave the documents to Recording Secretary **Trexler** for distribution.

Recording Secretary **Trexler** stated that the supplemental material (window details) for application 19-H-10 will be provide to Board member in the next package and that an agenda notice will be sent to the applicant informing him to attend the next meeting (July 8) to answer any questions the Board may have regarding his submittal.

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

### ***3) Amended Applications***

There being no questions or comments regarding this agenda item and in consideration of Town Engineer Chris **Osterrieder** 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:**

#### **2. CLG Information**

Town Engineer **Osterrieder** provided the following information regarding the Historic Preservation Commission's role as a Certified Local Government:

- A CLG "Tool Kit" has been received from Maine HPC in flash drive format and a digital file link which has been posted on the Town Website; and
- The flash drive will be kept in his office and will be available for anyone to use.

There being no further questions or comments regarding this agenda item and in consideration of applicant John P. **Temperilli**, Blackbird Carpentry, being present and there being no objection from the Board, Chairperson **Smith** moved ahead to agenda item number 6). Old Business

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

- **Old Business:**

### **B. - APPROVED APPLICATIONS WITH ADDITIONAL INFO TO BE PROVIDED:**

#### **4. Mtg 04/08//19 – 19 Summer Street, convert former stable space into "in-law" apartment, John P. Temperilli, Blackbird Carpentry (19-H-02)**

- Waiting for the applicant to provide detail information regarding window specifications and door changes.

Referring to supplemental data for Application 19-H-02 detailed in John Temperilli email "*Windows at 19 Summer St*" sent to HPCSecretary on Tuesday, June 11, 2019 8:32 PM and provided to the Board in the June 24, 2019 meeting package, Applicant **Temperilli** provided the following information:

- No change is anticipated for doors; and
- The rear window will have an arched top with no transoms.

Commissioner **Bevacqua** confirmed the historical appropriateness of the chosen Pella window.

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

**A motion was made to approve the proposed Pella arched window for the rear of the addition detailed in application 19-H-02 at 19 Summer Street.**

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

There being no further questions or comments regarding this agenda item and in consideration of resident Michael J. **D'Amico**, Owner, 36 Summer Street, being present and there being no objection from the Board, Chairperson **Smith** moved back to agenda item number 6). New Business

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

• **New Business:**

3. **36 Summer Street siding color change**

Owner Michael J. **D'Amico**, 36 Summer Street introduced himself and provided information regarding siding changes:

- An application will be submitted for a color change to light gray;
- Restoration of porch #1 railing from PVC/Plastic to wood;
- Replacement of porch #2 and #3

A discussion developed regarding the pros and cons of composite material use for porch decking replacement and trim. The following issues were included:

- Replacement in-kind is allowed without HPC review;
- Non-wood historic trim tends to have larger dimensions than wood; and
- Front and side materials should be replaced with an in-kind product.

There being no further questions or comments regarding this agenda item and at the request of Commissioner **Orr** and there being no objection from the Board, Chairperson **Smith** moved ahead to agenda item number 6). Old Business

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

• **Old Business:**

**B. - APPROVED APPLICATIONS WITH ADDITIONAL INFO 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.
- Update, 22 October, 2018: **Raiter** noted that she has the letter but forgot it.
- Update, 8 April, 2019: Chairperson **Smith** reported that Commissioner Raiter will be attending the next meeting.

**Town of Kennebunk Historic Preservation Commission**  
Meeting Minutes for June 24, 2019

- Update, 10 June, 2019: Commissioner **Orr** volunteered to contact Commissioner **Raiter** to obtain the letter.

Referring to the tree removal letter (provided as Enclosure #1, which is incorporated by reference into these minutes) of Maureen **Raiter**, 30 Summer Street, Commissioner **Orr** reported that he received a copy and submitted it to the Board for review.

The Board having completed their review of the letter and there being no further questions or comments regarding this issue, Chairperson **Smith** asked for a motion.

**A motion was made to accept the tree removal letter submitted by Maureen Raiter, 30 Summer Street as detail above.**

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

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

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

- **New Business:**

1. **Commissioner Reappointment**

Chairperson **Smith** reported that at the June Selectmen's meeting, the Board voted to reappoint the following committee members:

- Barbara Fleshman, Regular 3-year term expiring in 2022
- Paul Bevacqua, Regular 3-year term expiring in 2022
- Maria Kyriakides, Alternate 1-year term expiring in 2020

The new terms will begin on July 1<sup>st</sup>

Commissioner **Bevacqua** asked for an explanation of why he was appointed for a 3 year regular term instead of his normal 1 year alternate term.

Recording Secretary **Trexler** replied that he would check with Kathy **Nolette**, Town Manager Administrative Assistant, to get a justification for the change.

4. **NTHP Membership Renewal**

Recording Secretary **Trexler** reported that the Board's membership with the National Trust for Historic Preservation is due for annual renewal.

Chairperson **Smith** asked for a motion to renew the NTHP membership.



**A motion was made to renew the annual membership in the National Trust for Historic Preservation.**

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

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

### ***5) Minutes***

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

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

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

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

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

The minutes of May 28, 2019 were signed by all required.

- **Minutes of May 13, 2019:**

The minutes of May 13, 2019 were reviewed. Chairperson **Smith** asked for any comments.

Receiving no comments, corrections, or amendments regarding the minutes of May 13, 2019, Chairperson **Smith** asked for a motion.

**A motion was made to approve the minutes of May 13, 2019 as submitted.**

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

The minutes of May 13, 2019 require signature by: **Jandreau**.

**Town of Kennebunk Historic Preservation Commission**  
Meeting Minutes for June 24, 2019

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

The minutes of October 22, 2018 were signed by: **Raiter**

There being no further questions or comments regarding this agenda item and there being no objection from the Board, Chairperson **Smith** moved ahead to agenda item number 7).

**7) Adjournment**

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

**A motion was made to adjourn the meeting at 8:18 p.m.**

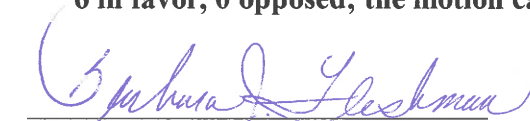
**MOVED: Bevacqua**

**SECONDED: Orr**

**DISCUSSION: None**

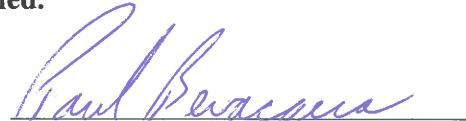
**VOTE: 6 in favor, 0 opposed; the motion carried.**


Signed by:


  
Barbara **Fleshman**

  
Maria **Kyriakides**

  
Maureen **Raiter**

  
Paul **Bevacqua**

  
Patrick **Orr**

  
Frances **Smith** (Chair)

Date signed: 8/26/2019

Enclosures:

- (1) Maureen Raiter, 30 Summer St. tree removal letter to the Historic Preservation Commission dated September 18, 2018

Thru  
 Your Service  
 590-7540

NO. 9/24/18

**Contractors Invoice**

TO:		WORK PERFORMED AT Maureen Prater 30 Summer St Kennebunk, Maine 04043 207-985-1661
DATE 9-18-18	YOUR WORK ORDER NO.	OUR BID NO.

**DESCRIPTION OF WORK PERFORMED**

We agreed to cut down tree,  
 and haul away, all for the  
 sum of One thousand eight hundred  
 & fifty \$1,850  
~~Round payment of One hundred & fifty~~  
~~\$150~~  
 Payable to Bert Gnan  
 Seventeen hundred due upon completion  
 \$1700

Hemlock tree was cut in the yard of  
 Gnan, and at the top and in the  
 yard

Maureen P. Prater

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of \_\_\_\_\_ Dollars (\$)

This is a  Partial  Full invoice due and payable by: \_\_\_\_\_

In accordance with our  Agreement  Proposal No. \_\_\_\_\_ Dated \_\_\_\_\_

Truce  
Yard Service  
590-4340

MTG. 9/24/18

Contractors Invoice

TO:

WORK PERFORMED AT:

Margaret Raiter

30 Summer St.

Kennebunk, Maine 04043

207-985-1661

DATE

9-18-18

YOUR WORK ORDER NO.

OUR BID NO.

DESCRIPTION OF WORK PERFORMED

We agreed to cut down tree,  
and haul away, all for the  
sum of One thousand eight hundred  
& fifty \$1,850

Down payment of One hundred & fifty  
\$150

Payable to Bert Grist

Seventeen hundred due upon completion  
\$1,700

Hemlock tree was seen in the middle of  
tree, and at the top had to be removed

Margaret Raiter

All material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of \_\_\_\_\_

Dollars (\$ \_\_\_\_\_).

This is a  Partial  Full invoice due and payable by: \_\_\_\_\_

In accordance with our  Agreement  Proposal No. \_\_\_\_\_ Dated \_\_\_\_\_

Month Day Year