CITY OF BIDDEFORD

Planning & Development Department

HISTORIC PRESERVATION COMMISSION
MEETING MINUTES

Date: **December 9, 2020**
Time: **4:00 PM**
Location: **REMOTE ACCESS MEETING (1MRSA§ 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19)**

Members Present:

Jeff Cabral	**Julie Larry**
Leah Schaffer	**Catherine Glynn**
Carina Walter	**Erin Ware**

Members Absent:
Priscilla McGuire

Also present:
John Korpaczewski-K & S Development
Paul Roy

1. **Adjustments to the Agenda**
   - **Item 3.2 was heard before 3.1 due to applicant for 3.1 had trouble with zoom**

2. **Consent Agenda**
   a. **Minutes of November 18th & November 30th Meeting of the Historic Preservation Commission**
   Motion:
      - **Glynn-Motion to approve Consent Agenda**
      - **Schaffer-Second**
      - **Cabral-Roll call for Vote-Unanimous Approval (3-0) all in favor (Schaffer, Walter, Glynn)**

3. **Unfinished Business**
   3.2 2020HPC.35 Committee Review Emir Raees aka Shai-Tax Map 38 Lot 44; 316 Main Street to install kitchen exhaust duct work
      - **Paul Roy represented the application and gave details on the project of adding duct work to the building to accommodate a small restaurant going into structure. Roy spoke of the 2 options for installing the duct work a) Add the duct work vertically up the side of the building (Roy feels this will be difficult as he does not believe there is access to the roof.**
      b) Add the duct work horizontally along the building to the parking lot.

- **Both Cabral & Schaffer told Roy that there is access to the roof**
- **Schaffer commented that if they put the duct work in the black area going horizontally it would be less intrusive**
- **Roy said that they planned on painting the duct work black to match and blend in with the side of the building. They would follow the line of the buildings not blocking any windows and it would show less.**
- **Glynn said she knows the building and it is a Landmark Building, it is contributing and visible from the public way. Glynn read sections of the ordinance noting that the preference would be to keep the building to its historic purpose, not destroy the character of the structure, she believes it is renaissance revival style Glynn talked of the brickwork and arches of the building.**
- **Cabral spoke of his knowledge of the building and the changes that have been made and reversed. Cabral reminded the Commission although they may not approve of the black along the bottom of the building, the Commission cannot dictate color.**
- **Schaffer asked Roy if the owner and he had looked at other ways to install the duct work.**
- **Roy answered that they had but high cost of other options prevented other options but they could go back and explore other options.**
- **Larry said that she is less opposed to going along the base of the building than interfering more with the character of the building and covering up any of the arches.**
- **Roy told the Commission that the apparatus is 18 X 18 it will be kept close to the wall so that it doesn't stick out.**
- **Cabral asked if any of the stairs of the fire escape will be removed**
- **Roy answered that the stairs are not a true fire escape the stairs are rickety and 1 side has been removed and they have to sure up the rest.**
- **Cabral asked if anyone knew the rules of the fire code.**
- **Schaffer answered that the top floor is not used other than for storage and removing the stair portion would not be a problem as the fire code is based on the number of occupants on the floor.**
- **Ware commented that she does not want any arches blocked.**
- **Roy clarified that Ware wants him to run the duct work over the arches?**
- **Ware answered that arches should be filled only if it is temporary, nothing permanent.**
- **Cabral cautioned that due to past boundaries being pushed and unapproved changes being made to the structure any approval needs to be prescriptive and there needs to be consultation between the applicant, Roy and the Historic Preservation Commission. Cabral said he is not sold on either option he wants no further work on the façade of the building. It is not always convenient but the members of the Historic Preservation Commission have a sworn duty to preserve the character and the history of the City of Biddeford.**
- **Schaffer agreed with Cabral that caution must be used on the wording of the motion. Schaffer then asked the Commission if they should be**

concerned about the duct work going on the interior having an exorbitant impact to the historic character inside.

- **Cabral answered that interiors are outside the purview of the HPC.**
- **Schaffer asked if there could be a caveat added to the motion that the apparatus must be removed upon change of owners or use.**
- **Roy stated that they could be easily removed, if they go vertical they would need to hire a structural engineer and that would be costly. The owner is concerned about losing the tenant and that with a structural engineer the costs could be up to $100,000.**
- **Glynn asked if there was a ductless option**
- **Roy said that it is difficult because it is a 12' commercial hood and that there was a hood there previously.**

Motions:

- **Glynn: <u>Motion</u>- To table the project until the applicant can research alternative venting systems that would help to preserve the historical significance of the building.**
- **Walter: <u>Second</u>**
- **Cabral-Roll call for Vote-Unanimous Approval (3-0) all in favor (Schaffer, Walter, Glynn)**

Larry did offer to Roy that on the Greater Portland Landmarks website there is information on preserving historic properties.

3.1 2020HPC.32 Commission Review; K & S Development Tax Map 39, Lot 112; 45 Hill Street, to construct a 3-family residential building.

Motions:

- **Schaffer-<u>Motion</u>: To remove item from table**
- **Glynn-<u>Second</u>**
- **Cabral-Roll call for Vote-Unanimous Approval (3-0) all in favor (Schaffer, Walter, Glynn)**

- **Favreau gave a brief update about the project and the fact that the last time the applicant appeared before the Commission the item was tabled so that the applicant could work on the plans to make the structure more even and symmetrical.**
- **John Korpaczewski represented K & S Development spoke of the updates made, the windows do not work everywhere but they look better so sacrifices have been made to accommodate the Commission.**
- **Glynn spoke of her concerns that in the ordinance it says new buildings must be of relative scale, size, mass as related structures. She was concerned that the front door is not facing the road. She felt that the mass is off.**
- **Korpaczewski answered that he would have liked to have built a bigger building but he was limited to 35' per code.**

- **. Schaffer noted that there previously was a 6 unit on the lot and if the structure was rebuilt within 1 year of the demolition due to fire it would have been grandfathered. Now the maximum that can fit is 3 units and that is why the mass seems off.**
- **The applicant, Cabral and Schaffer discussed the peaks and that they have not changed from original plans.**
- **Schaffer asked why the windows are 4 over 1 in front and 1 over 1 in the back.**
- **Korpaczewski answered that he thinks it was an oversite and that the windows have not been ordered and can easily be changed. He will install whatever the Commission thinks is best.**
- **Larry told Korpaczewski that 4 over 1 or 1 over 1 does not matter as long as they are all the same.**
- **Schaffer asked Favreau if there are any examples of townhouse condos in this district they can use as a guide.**
- **Favreau answered that he looked and found nothing comparable.**
- **Schaffer mentioned that this new building is a struggle as they haven't had a new building in the HPC before. She mentioned that the front of the building has been set back where as previously the center unit was forward a bit.**
- **Korpaczewski answered that Oak Point Associates told him that portion of the building threw the numbers off and it did not fit the building envelope or the neighborhood so it was changed.**
- **Schaffer felt that having the middle jut out helped the front of the building a bit.**
- **Korpaczewski said that Oak Point said it had to be square.**
- **Glynn mentioned that she is struggling with the plan as well where it is setting a precedent for future buildings.**
- **Cabral reminded the Commission that we have to work with what we have.**
- **Larry told Korpaczewski that she appreciated the fact that he has an urban design in a historical neighborhood and it reminds her of the row houses. She told him that they all appreciate the improvements he made and that she understands the challenges of the site.**

Motions:

Glynn-<u>Motion</u>: to approve plans with alterations
Schaffer-<u>Amend Motion</u>: to approve plans with elevations showing the same (4 over 1) windows on all elevations
Walter-<u>Second</u> amended motion
Cabral-Roll call for Vote-Unanimous Approval (3-0) all in favor (Schaffer, Walter, Glynn)

4. **New Business**
   - **4.1 Revisions to the Historical Preservation Ordinance to go before Planning Board at workshop scheduled for December 16, 2020**

- **Favreau explained that the changes to the Historical Preservation Ordinance will go to the Planning Board on December 16th for comments and then (once approved) to the Council for 2 meetings before final approval**
- **Cabral asked if there would be a summary of the changes**
- **Favreau answered yes anytime an ordinance changes a summary is prepared.**

5. **Other Business**
6. **Adjourn 5:25 pm**

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Historic Preservation Commission **Date**