

City of Biddeford
Historic Preservation Commission
November 18, 2020 4:00 PM Zoom:
When: Nov 18, 2020 04:00 PM Eastern Time (US and Canada)
Topic: Historic Preservation Commission

Please click the link below to join the webinar:

<https://biddeford.zoom.us/j/93380965566>

Or iPhone one-tap :

US: +13017158592,,93380965566# or +13126266799,,93380965566#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1
346 248 7799 or +1 669 900 9128

Webinar ID: 933 8096 5566

International numbers available: <https://biddeford.zoom.us/j/93380965566>

1. Adjustments to the Agenda

2. Consent Agenda

- 2.1. a. Minutes of October 14, 2020 Historic Preservation
Commission Meeting
[HPC Minutes 101420.pdf](#)

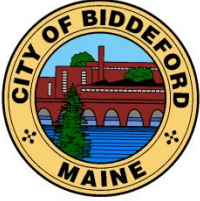
3. New Business

- 3.1. a. 2020HPC.32 Commission Review
K & S Development Tax Map 39, Lot 112-45 Hill Street, to construct a 3-family
residential building.
[2020.32 HPC 45 Hill St Application.pdf](#)
[2020.32 HPC 45 Hill St FOF.pdf](#)
[2020.32 HPC 45 Hill Street Staff Report.pdf](#)
- 3.2. b. 2020HPC.35 Committee Review
Emir Raees aka Shai-Tax Map 38 Lot 44-316 Main Street To install kitchen exhaust
duct work.
[2020.35 HPC 316 Main St Application.pdf](#)
[2020.35 316 Main Street FOF.pdf](#)
[2020.35 HPC 316 Main Street Staff Review.pdf](#)
- 3.3. c. 2020HPC.36 Commission Review
Sarem Al-Shawk and Omar Sowomrah Tax Map 38 Lot 52-32-34 Cutts Street
To replace windows on the first floor.
[2020.36 32 Cutts St Application.pdf](#)
[2020.36 32 Cutts St FOF.pdf](#)
[2020.36 32 Cutts St Staff Review.pdf](#)

3.4. d. Discussion of Historical Preservation Ordinance
[Historic Preservation Ordinance Revised 10_26_2020.pdf](#)

4. Other Business

5. Adjourn



CITY OF BIDDEFORD

Planning and Development Department

Brad Favreau
Economic Development Coordinator
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207)-282-7119 or (207)-284-9115
Brad.Favreau@biddefordmaine.org

HISTORICAL PRESERVATION COMMISSION

Date: October 14, 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).

1. Declaration of Quorum/Voting Members
 - Quorum Present: Chair Jeff Cabral, Catherine Glynn, Leah Schaffer, Carina Walter
 - Absent: Patricia McGuire
2. Adjustments to the Agenda
3. Consent Agenda
 - A. Minutes of September 9, 2020 Historical Preservation Commission Meeting.

Motion:

 - Glynn-Motion: to approve minute of September 9, 2020
 - Schaffer-Second
 - Chair Cabral-Roll Call for vote-Unanimous Approval (3-0) all in favor (Glynn, Schaffer, Walter)
4. Unfinished Business
5. New Business
 - A. 2020.30 HPC-Certificate of Appropriateness-Commission Review for owner Nick Hurlin to add dormer and enlarge front canopy at 60 Birch Street (Tax Map 38, lot 468) in the MSRD-2 zone.
 - Economic Development Coordinator Favreau gave a brief report on the project
 - Sean Brannen of Springpoint, Inc. represented the homeowners and spoke on the project.
 - All members of the committee discussed the project and asked Mr. Brannen questions for clarification on the project. The fact of the dormer being expanded was debated, Mr. Brannen explained that no other part of the house would be changed.
 - No comments from the public

Motions:

- Glynn- Motion: To approve homeowner, Nick Hurlin, to add a dormer and enlarge the front canopy at 60 Birch Street as presented to the HPC.
- Schaffer- Second
- Chair Cabral-Roll Call for vote-Unanimous Approval (3-0) all in favor (Glynn, Schaffer, Walter)

B. 2020.31 HPC Certificate of Appropriateness-Commission Review for owner Tiffani Ruszenas to remodel 111 Elm Street (Tax Map 40, lot 69) in the MSRD-1 zone.

- Economic Development Coordinator Favreau gave a brief report on the project
- Chris Osgood of Mike Osgood and Son represented the building owner and spoke on the project.
- All members of the committee discussed the project. Whether or not to change the roof line of the structure was discussed along with any changes to the building fitting in the structures in the area and the neighborhood as a whole.

Motions:

- Schaffer- Motion: To approve building owner Tiffani Ruszenas to remodel 111 Elm Street as presented to the HPC.
- Glynn- Second
- Chair Cabral-Roll Call for vote-Unanimous Approval (3-0) all in favor (Glynn, Schaffer, Walter)

6. Economic Developer's Business

- A. Mr. Favreau announced that two nominees for the HPC will be presented to the Council on October 20, 2020. The two nominees (Julie Larry & Erin Ware) will serve as associate members beginning in November.
- B. The next scheduled meeting of November 18, 2020 may be rescheduled as there are conflicts for the committee members. Mr. Favreau will look into the dates and get back to the committee regarding a new meeting date.

Meeting adjourned at 5:25

Historical Preservation Commission Chair

Date

These minutes are summary and are not intended to be verbatim. Archived meetings are viewable on the City's website: www.biddefordmaine.org.



CITY OF BIDDEFORD

PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
207-284-9115

Greg.Tansley@biddefordmaine.org

HISTORIC PRESERVATION COMMISSION APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

Type of Application (see pages 2 and 3 below):

- ☒ Certificate of Appropriateness – Commission Review (\$140.00 fee)
☐ Certificate of Appropriateness – Subcommittee Review

Note: If unsure, check with the Planning Department which applies.

Applicant's/Owner's Information:

Applicant's Name: K&S Development Inc.
Applicant's Address: 16 Ratchet Way Biddeford ME. 04005
Applicant's Phone(s): 207-282-9990
Applicant's E-mail: john@mainelypaving.com
Applicant's Legal Interest in the Property:

☒ Owner ☐ Purchase and Sale ☐ Lease/Rental Agreement

Owner's Name: Same as Above
Owner's Address: _____
Owner's Phone(s): _____
Owner's E-mail: _____

Representative's (Agent, Engineer, Architect, and/or Contractor) Information:

Agent's Name: _____
Agent's Address: _____
Agent's Phone(s): _____
Agent's E-mail: _____

Attach separate pages where multiple representatives are involved.

Project Information:

Project Address: 45 Hill St. Biddeford

Project Zone: MSRD 2 Existing Use of Property: Lot

Project Tax Map(s): 0391120000 Project Lot Number(s): 0391120000

COMMISSION Review Project Activities (Check all that apply):

Alterations and Repair

- ☐ Removal and/or replacement of architectural detailing (for example porch spindles and columns, railings, windows and window moldings, and cornices)
- ☐ Installation or replacement of siding
- ☐ Porch replacement or construction of new porches
- ☐ Installation or replacement of either roofing or gutters when they are a significant and integral feature of the structure
- ☐ Alteration of accessory structures such as garages
- ☐ Other: _____

Additions and New Construction

- ☒ New Construction
- ☐ Building additions, including rooftop additions, dormers or decks
- ☐ Construction of accessory structures
- ☐ Installation of exterior access stairs or fire escapes
- ☐ Installation of antennas and satellite receiving dishes
- ☐ Installation of solar collectors
- ☐ Rooftop mechanicals (e.g., HVAC)
- Other: _____

Moving and Demolition

- ☐ Moving of structures or objects on the same site or to another site
- ☐ Any demolition or relocation of a landmark contributing and/or contributing structure within a district

If FULL COMMITTEE Review is required - 10 Copies of the following are recommended or may be requested:

- ☐ Photographs of the building involved as well as adjacent buildings
- ☐ Samples of materials proposed for use in the activity
- ☐ Drawings (i.e., exterior elevations) and/or plans to illustrate the proposed activity for which the certificate is being applied for, including lettering styles (if applicable)

Note: Where Subcommittee Review is applicable, only 3 Copies of the above should be submitted.

Signature of applicant:

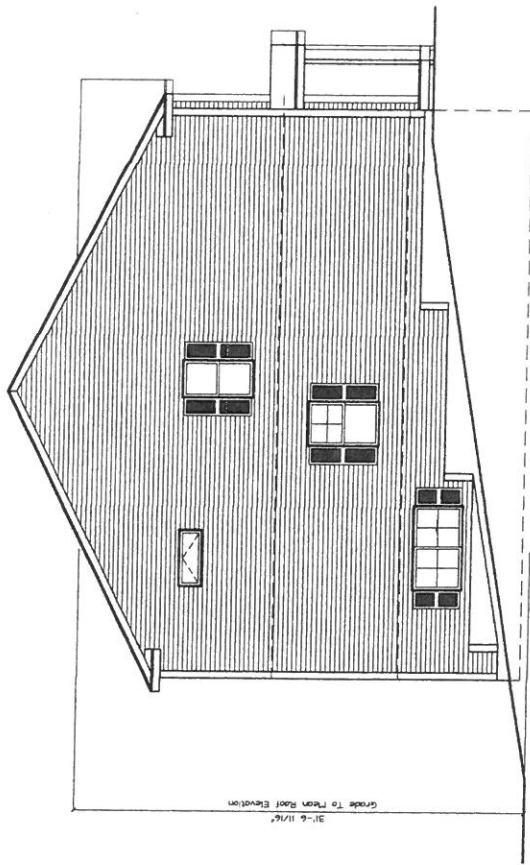


Date:

10/13/20

Signature of property owner:

Date:

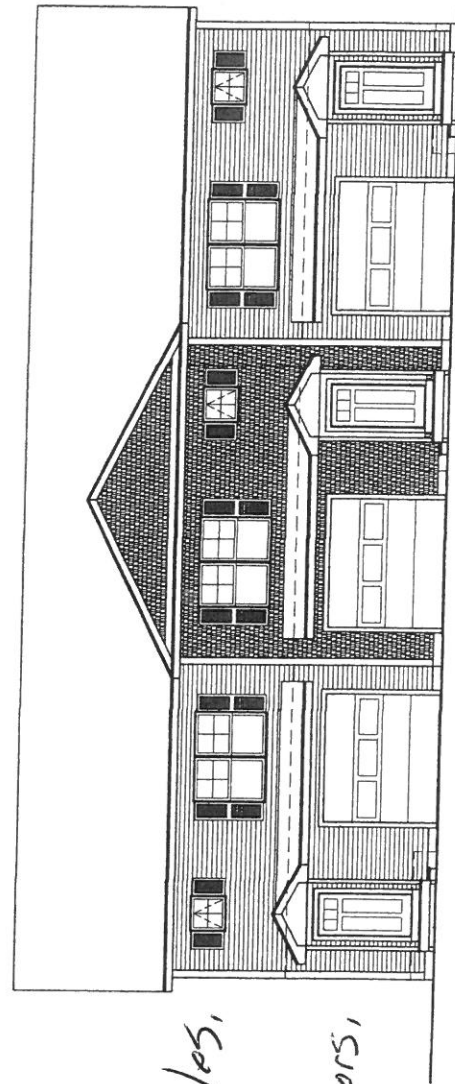


Front Elevation
Scale: 1/4" = 1'-0"

Note:

1. white vinyl siding.
2. Black Metal trim.
3. Black Asphalt roof shingles.
4. Black Front Doors.
5. Black or white garage doors.
6. windows white vinyl.
7. Doors Vinyl.

8. Garage Doors metal



Right Elevation
Scale: 1/4" = 1'-0"

Working Plans are not an
engineering firm. It is the
responsibility of the general
contractor to make structural
member to meet structural
loads and to ensure that all
work is built according to all
data & load codes in effect
at the time of construction.

Maine

Hill Street

John Korpaczewski

Biddeford

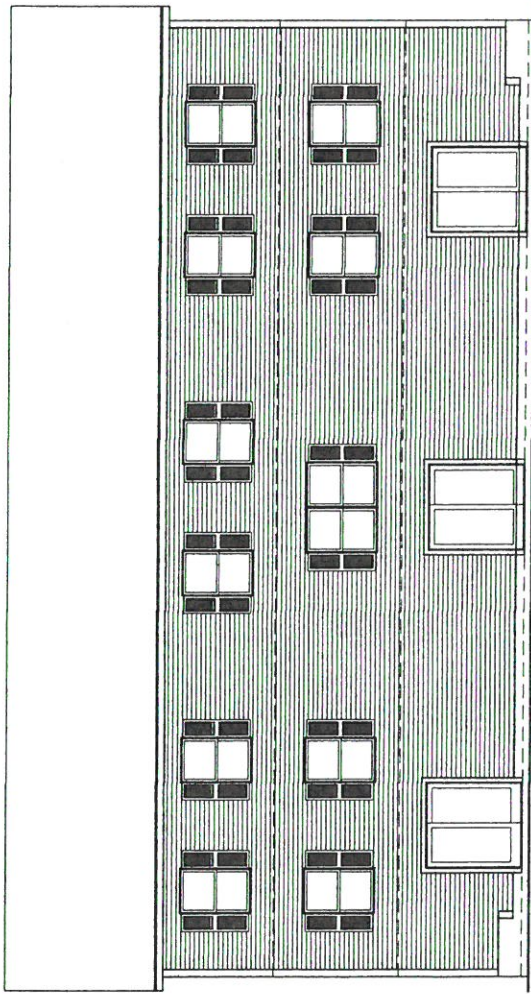
Prepared For:

Asymptote



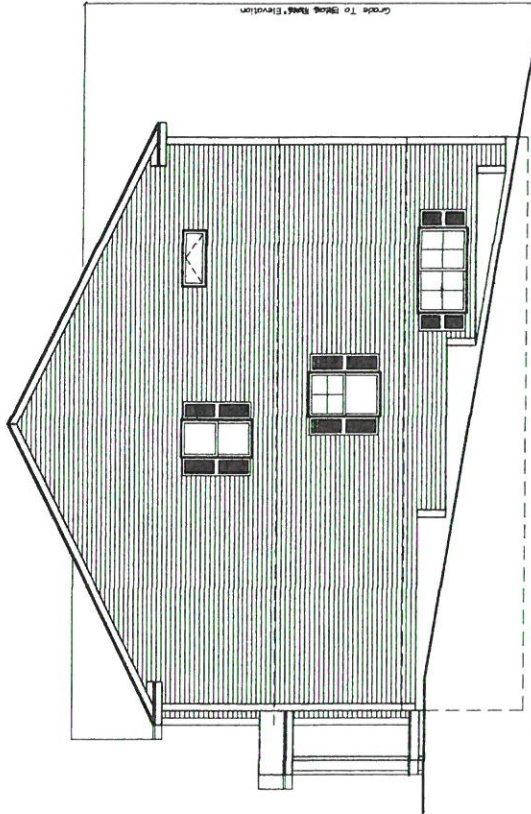
ARCHITECTURAL
DESIGN & DRAFTING
207-292-7744
SPECIALIZING IN YOUR DREAM HOME

7/18/2023
John A. Korpaczewski
Maine
Professional Seal



Left Elevation

Scale: 1/4" = 1'-0"



Rear Elevation

Scale: 1/4" = 1'-0"

Sealing this is not an
 engineering firm in the
 state of Maine.
 Maine

John Korpaczewski
 Hill Street
 Biddeford

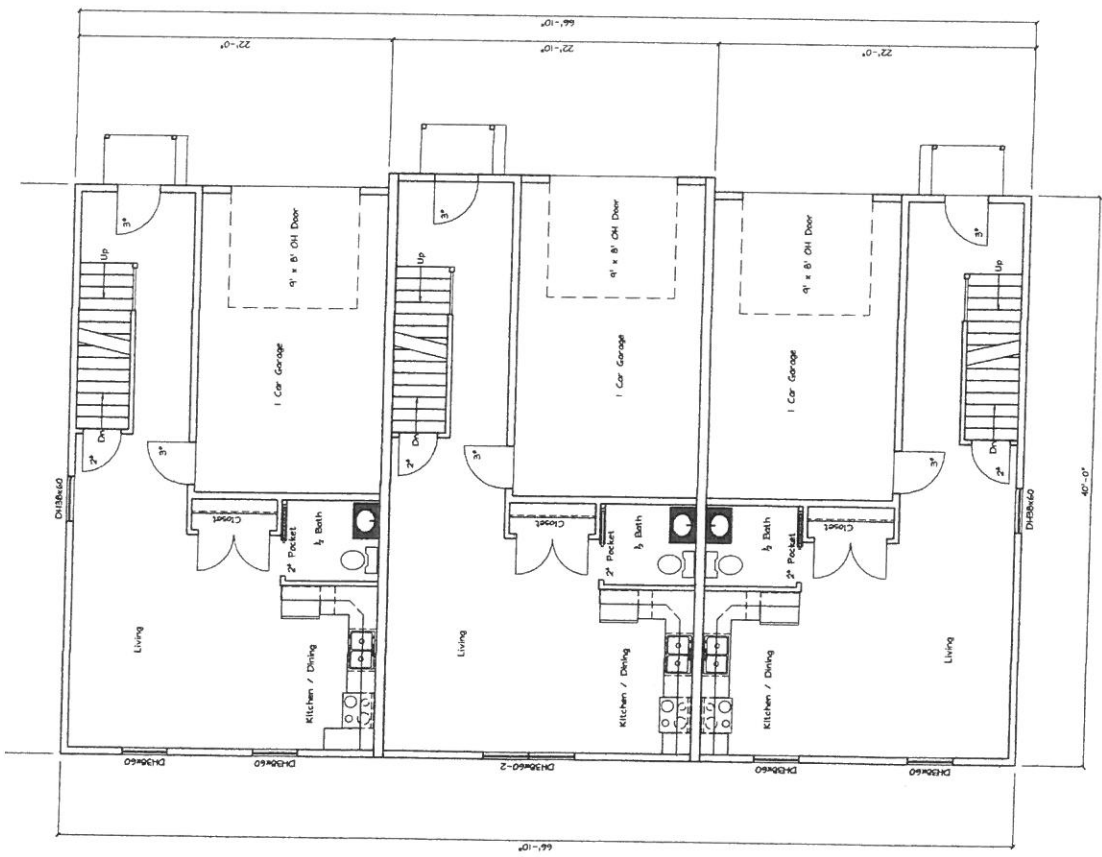
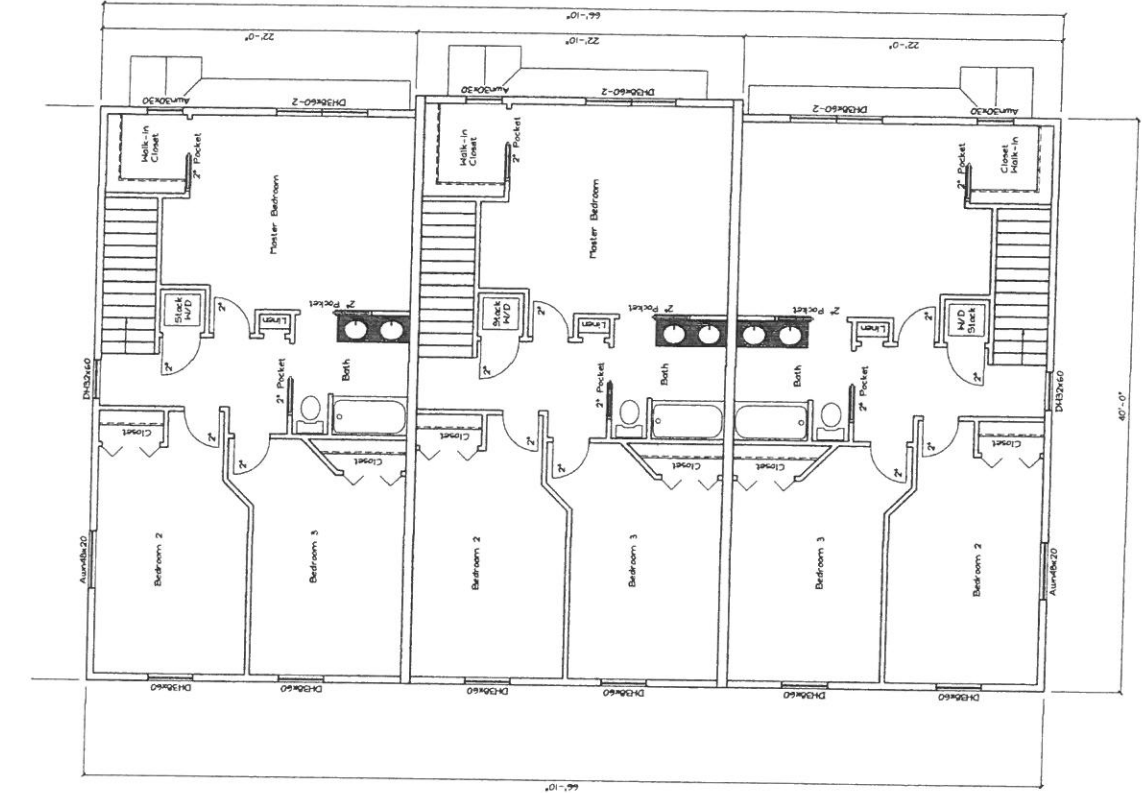
Prepared For:

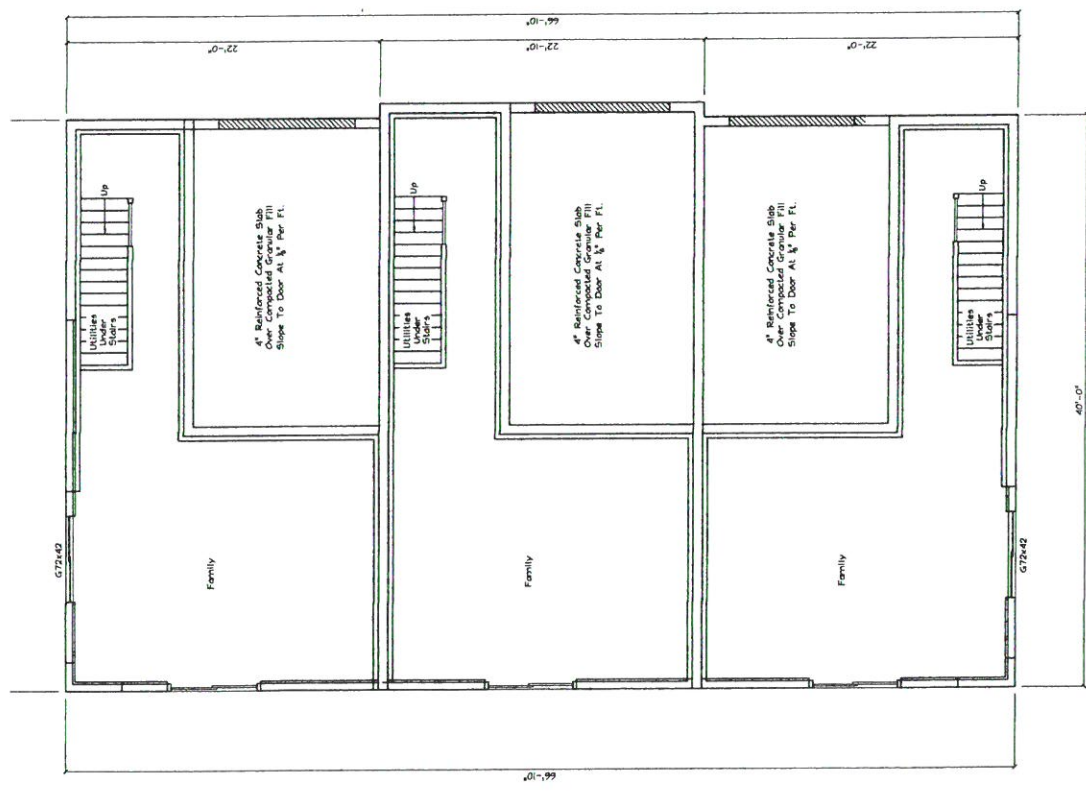
Agencies

Architectural
 Design & Drafting
 207-283-7744
 207-283-7744

7/18/2023
 207-283-7744
 207-283-7744
 207-283-7744

7/18/2023
 207-283-7744
 207-283-7744
 207-283-7744





Basement Floor Plan

Scale: 1/4" = 1'-0"

10:48



© 2020 Google



45 Hill St

45 Hill St, Biddeford, ME 04005

2.9 mi



Directio...



Phot...



Sa...

10:48



© 2020 Google



45 Hill St

45 Hill St, Biddeford, ME 04005

2.9 mi



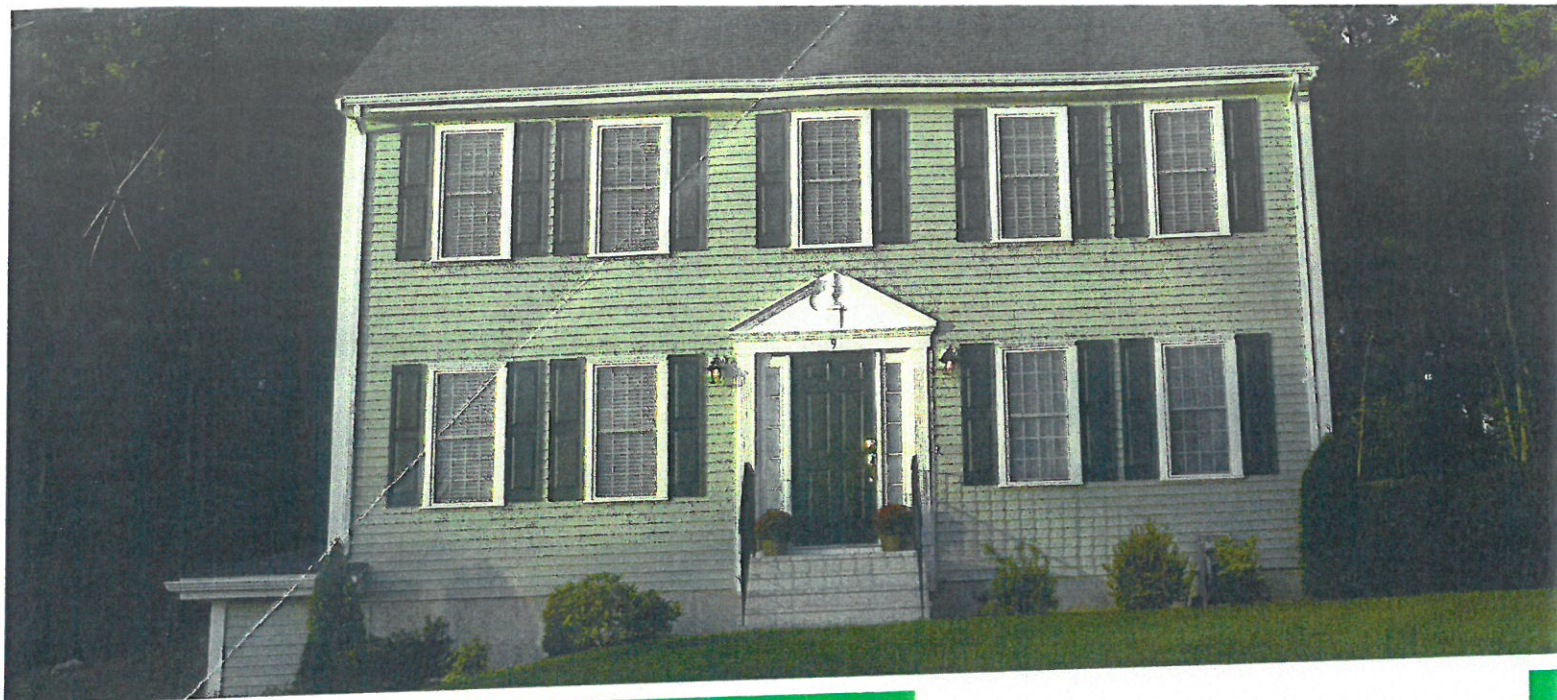
Directio...



Phot...



Sa...

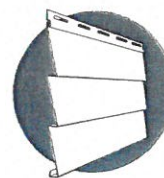


Progressions®

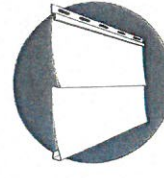
Setting the Standard for Beauty

Enjoy the beauty of wood siding without the work and maintenance, while increasing the value and curb appeal of your home.

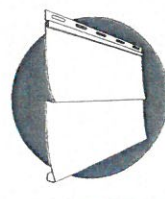
- .042" thickness adds impact resistance
- 1/2" profile height creates realistic shadow lines
- Full-size top lock and return leg ensure a stronger, more secure installation
- Fine-grained design looks like freshly-painted wood
- Available in five profiles: Triple 3", Double 4" and Double 5" Traditional Lap, and Double 4 1/2" and Double 5" Dutch Lap
- Limited Lifetime Warranty



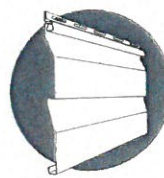
PG30
Progressions
Triple 3"
Smooth



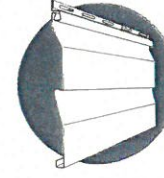
PG40
Progressions
Double 4"



PG50
Progressions
Double 5"

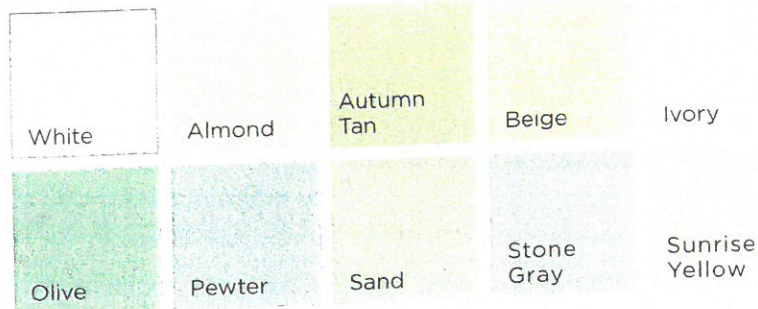


PGD45
Progressions
Double 4 1/2"
Dutch Lap

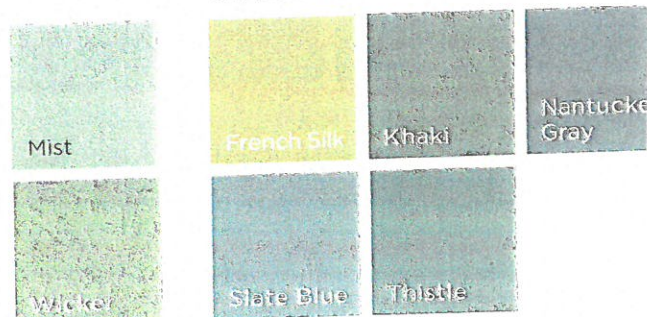


PGD50
Progressions
Double 5"
Dutch Lap

WHITE AND LIGHT COLORS



CLASSIC COLORS*



DEEP COLORS*



* Colors shown are Progressions® Smooth Finish. For more information, visit us online at www.progressionsinc.com or call 1-800-854-7676.

★ New color additions

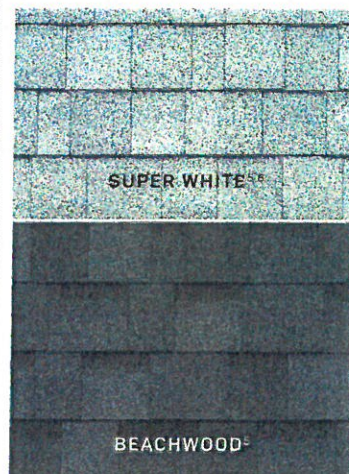


Cambridge™

SPECIFICATIONS ³	Limited Warranty ¹	Limited Lifetime	Dimensions (L x W)	40 7/8 in (1038 mm) x 13 3/4 in (349 mm)	STANDARDS ⁴	ASTM D3462
	Iron Clad Protection ¹	10 Years	Exposure	5 7/8 in (149 mm)		ASTM D3018
	Limited Wind Warranty ¹	110 mph (177 km/h)	Coverage per Bundle	33 1/3 ft² (3.1 m²)		ASTM D7158 – Class H
	Limited High-Wind Warranty Upgrade ^{1,2}	130 mph (210 km/h)				ASTM D3161 – Class F
	Blue-Green Algae Resistant ¹	Yes	Shingles per Square	60		ASTM E108/UL 790 – Class A

WEATHERWOOD	DUAL BLACK	DUAL BROWN
CHARCOAL GREY	DRIFTWOOD	AGED REDWOOD
EARTHTONE CEDAR	HARVARD SLATE	DUAL GREY

COLORS BELOW ONLY AVAILABLE IN SELECT SHIPPING AREAS.



IMPORTANT! To ensure complete satisfaction, please view several full-size shingles and an actual roof installation prior to final color selection as the shingle swatches and photography shown online, in our brochures and in our app may not accurately reflect shingle color and do not fully represent the entire color blend range, nor the impact of sunlight.

The information in this literature is subject to change without notice. We assume no responsibility for errors that may appear in this literature. **Note:** Product and color availability may vary by region. Products with Miami Dade NOA, FBC product approval and Texas Department of Insurance listings are available. Please contact IKO for details. ¹See Limited Warranty at IKO.com for complete terms, conditions, restrictions and application requirements. Shingles must be applied in accordance with application instructions and local building code requirements. ²High-wind application is required. ³All values shown are approximate. ⁴Products are developed with reference to these standards. ⁵Limited availability in U.S. ⁶Super White is CRRC® listed in U.S.



To find out more about Cambridge Architectural shingles or additional IKO products, please talk to an IKO sales representative or a professional roofing contractor, or contact IKO directly.

United States 1-888-IKO-ROOF (1-888-456-7663)

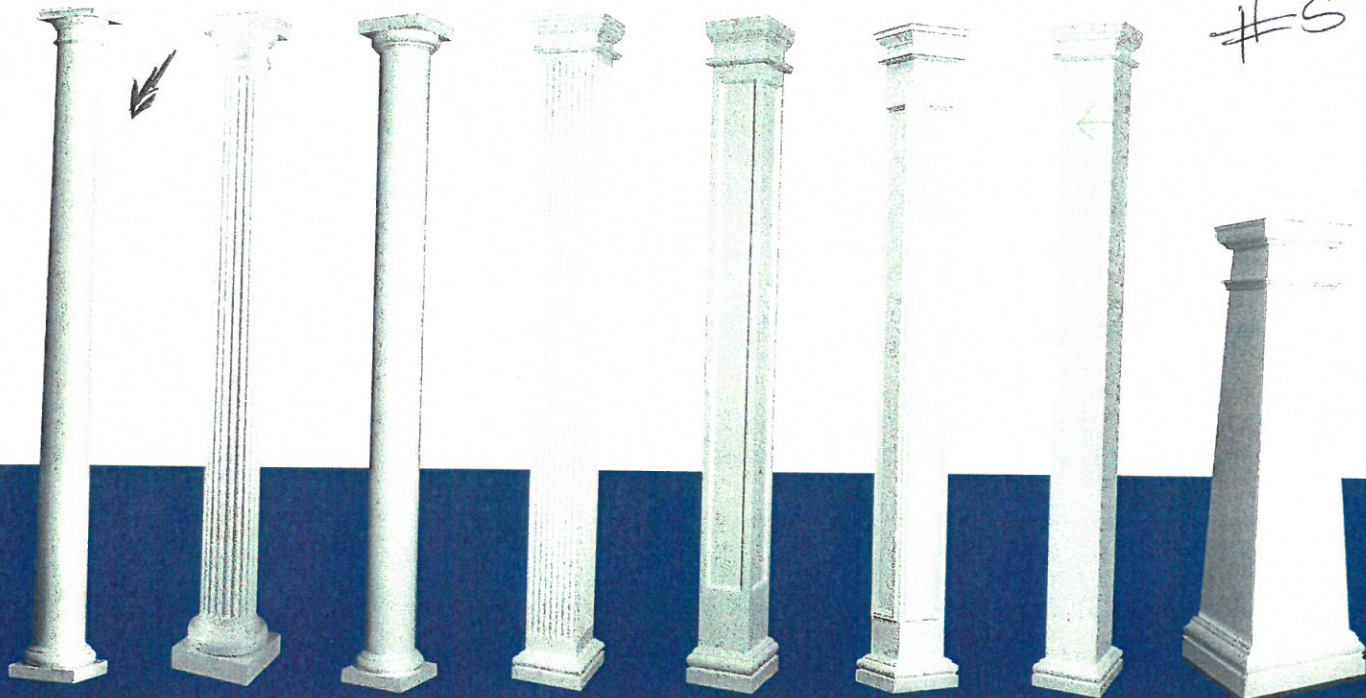
Visit us online at: IKO.COM.

IKO Roofing Elevated

HB&G PermaCast® Columns are available in round or square. The round columns are fluted, or plain, with or without the classic tapering of the upper two-thirds of the column. Square columns are available in a variety of styles as well, including plain or fluted, applied panel,

recessed panel, or the craftsman style column. The PermaCast® capitals and bases are made from durable low-maintenance materials, and like the columns, they maintain architectural authenticity and historical accuracy.

#5



Round Plain
(page 8)

Round Fluted
(page 8)

Round No-Taper
(page 9)

Square Fluted
(page 10)

Square
Recessed Panel
(page 11)

Square
Applied Panel
(page 10)

Plain Square
(page 10)

Craftsman
(page 12)



Tuscan Cap (Round)



Tuscan Cap (Square)



Doric Cap (Round)



Colonial Cap
(Round)



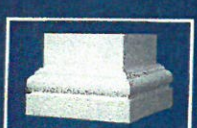
Attic Base
(Round)



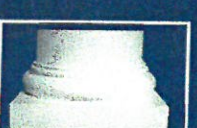
Crown Cap or Base



Tuscan Base Poly/Fiberglass
(Round)



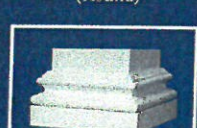
Tuscan Base (Square)



Doric Base (Round)



Colonial Base (Round)



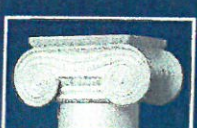
Attic Base (Square)



PermaTuff™ Tuscan Base



Roman Ionic



Greek Ionic



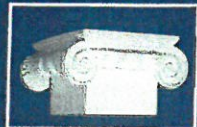
Temple of the Winds



Roman Corinthian



Scamozzi



Roman Ionic (Square)



Greek Ionic (Square)



Temple of the Winds (Square)



Roman Corinthian (Square)



Scamozzi (Square)

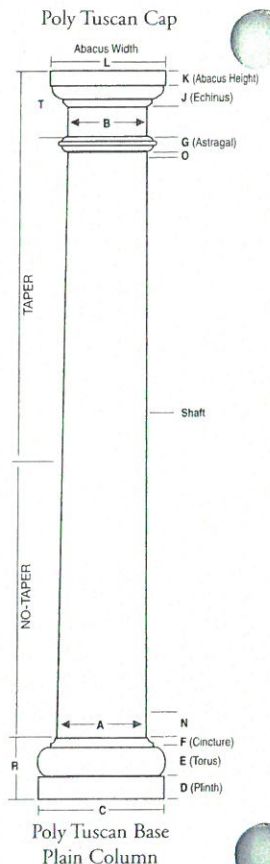
See pages 15 and 16 for cap and base dimensions.

Round **PERMA**Cast® Columns

ROUND PERMACAST® COLUMN DIMENSIONS (IN INCHES)*

COL. SIZE	A	B	C	D	E	F	G	J	K	L	O	N	R	T	LENGTH AVAIL (ft)
6"	5 1/8"	4 1/8"	9"	1 1/8"	1 1/8"	3/8"	3/8"	1 1/4"	1 1/4"	8"	1"	6 1/4"	3 1/8"	4 1/8"	4.6, 8
8"	7 1/8"	6 1/8"	10 1/2"	1 1/4"	1 1/4"	3/4"	3/4"	1 1/4"	1 1/2"	9 1/4"	1 1/2"	2 1/4"	4 1/8"	4 1/2"	5.6, 8, 10, 12
10"	9 1/8"	8 1/8"	13 1/2"	2 1/8"	2 1/8"	3/4"	3/4"	1 1/4"	1 3/4"	11 1/4"	3/4"	2 1/4"	5 1/4"	5"	6.6, 8, 10, 12, 14, 16, 18
12"	11 1/8"	9 1/8"	16 1/2"	2 3/8"	2 3/8"	7/8"	7/8"	1 3/4"	2 1/4"	13 1/4"	3/4"	2 3/8"	6 1/4"	5 1/2"	6.8, 8, 10, 12, 14, 16, 18
14"	13 1/8"	11 1/8"	19 1/2"	3 1/8"	3 1/8"	1 1/8"	1 1/8"	2"	2 3/4"	17"	3/4"	2 3/8"	7 1/4"	7"	8, 10, 12, 14, 16, 18, 20
16"	15 1/8"	13 1/8"	22 1/2"	4"	3 1/2"	1 1/8"	1"	2 1/4"	3"	19 1/4"	1"	3"	8 1/4"	8"	8, 10, 12, 14, 16, 18, 20, 22, 24, 26
18"	17 1/8"	15 1/8"	24 1/2"	4 1/4"	4 1/4"	1 1/8"	1 1/8"	2 1/4"	3 1/4"	22 1/4"	1 1/2"	10 1/4"	9 1/4"	8 1/2"	10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30
20"	19 1/8"	17 1/8"	27"	4 3/4"	4 3/4"	2"	1 1/8"	2 1/4"	3 3/4"	24 1/4"	1 1/2"	10 3/4"	11 1/4"	9"	10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30
22"	21 1/8"	19 1/8"	30 1/4"	5 1/8"	4 7/8"	2"	1 1/4"	3"	3 3/4"	27 1/4"	1 1/2"	10 3/4"	12 1/4"	10 1/4"	12, 14, 16, 18, 20, 22, 24, 26, 28, 30
24"	23 1/8"	21 1/8"	33 1/2"	5 3/8"	5 1/4"	2 1/8"	2 1/8"	3 1/4"	4 1/8"	30 1/4"	1 1/2"	10 3/4"	13 1/8"	11 1/8"	12, 14, 16, 18, 20, 22, 24, 26, 28, 30
28"	28"	24 1/8"	38"	6 1/8"	6"	2 3/4"	2 1/4"	3 3/4"	4 3/4"	33 1/4"	1 1/2"	10 3/4"	15 1/8"	11 1/4"	20, 22, 24, 26, 28, 30
30"	29 1/8"	26 1/8"	41 1/8"	6 1/2"	5 7/8"	2 1/2"	3 1/8"	4"	4 7/8"	38 1/4"	1 1/2"	10 3/4"	14 1/8"	14 1/8"	20, 22, 24, 26, 28, 30

*There may be a variance of up to 1/4" in all dimensions. Fluted columns available in all diameters. See page 14 for Parallel dimensions. See page 16 for Ornamental Capital dimensions. □ Standard Fluted Column (Fluted in mold)



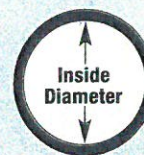
ROUND & SQUARE PERMACAST® LOAD BEARING SPECIFICATIONS

Split columns are not load bearing.

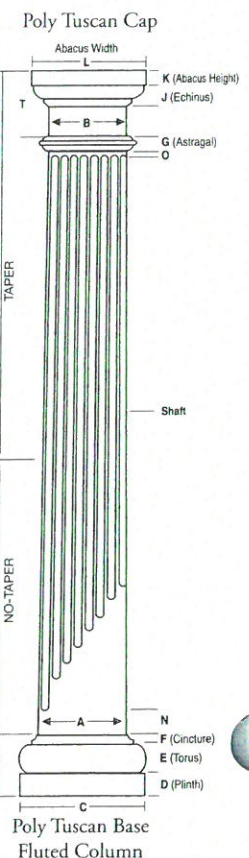
COLUMN DIAMETER	STRUCTURAL LOAD
6"	8,000 lbs. Max
8"	10,000 lbs. Max
10"	14,000 lbs. Max
12"	18,000 lbs. Max
14"	20,000 lbs. Max
16"	20,000 lbs. Max
18"	20,000 lbs. Max
20"	20,000 lbs. Max
22"	20,000 lbs. Max
28"	20,000 lbs. Max
30"	20,000 lbs. Max

ROUND PERMACAST® INSIDE DIMENSIONS

Inside dimension may vary up to 1/8". Splitting a column will decrease inside dimension 1/8".



COLUMN SIZE	TOP I.D.	BOT I.D.
6"	3 3/8"	4 1/8"
8"	5 1/2"	6 1/8"
10"	7 1/8"	8 1/8"
12"	8 3/4"	10 1/4"
14"	10 1/4"	12 1/4"
16"	12 1/8"	15"
18"	14 1/8"	16 3/8"
20"	16 1/4"	19"
22"	18 1/4"	20 3/4"
24"	20 1/4"	22 3/4"
28"	22"	26 1/2"
30"	25 1/4"	28 3/4"



SPLIT COLUMN ASSEMBLY KITS

HB&G offers a split column assembly kit that utilizes a mechanical fastening system for easy and secure assembly. This kit can be purchased separately when ordering a factory split column or they can be ordered pre-installed on factory split columns. This kit is available on select sizes.

Smooth-Star

Fiber-Classic & Smooth-Star



FC5700_SL
12"x 6'8"
14"x 6'8"



FC5710_SL
12"x 6'8"
14"x 6'8"



FC5720_SL
12"x 6'8"
14"x 6'8"



S1205
2'6"x 6'8" Δ
2'8"x 6'8" Δ
2'10"x 6'8" Δ
3'0"x 6'8" Δ



S1207
2'6"x 6'8" Δ
2'8"x 6'8" Δ
2'10"x 6'8" Δ
3'0"x 6'8" Δ



S2010
2'6"x 6'8" Δ
2'8"x 6'8" Δ
2'10"x 6'8" Δ
3'0"x 6'8" Δ



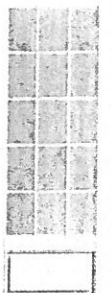
S82103
2'6"x 8'0"
2'8"x 8'0"
2'10"x 8'0"
3'0"x 8'0"



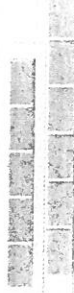
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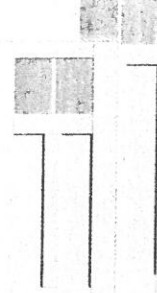
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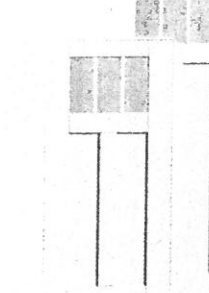
S82107
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2'10"x 8'0"
3'0"x 8'0"



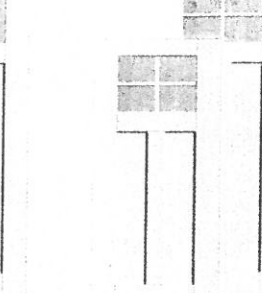
S2010_SL
10"x 6'8" Δ
12"x 6'8" Δ
14"x 6'8" Δ



S84886_SL
12"x 8'0" Δ
14"x 8'0" Δ



S4812 *
2'8"x 6'8"
2'10"x 6'8"
3'0"x 6'8"



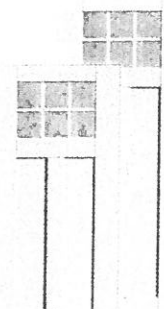
S84812 *
2'8"x 8'0"
2'10"x 8'0"
3'0"x 8'0"

S4813 *
2'8"x 6'8"
2'10"x 6'8"
3'0"x 6'8"

S84813 *
2'8"x 8'0"
2'10"x 8'0"
3'0"x 8'0"

S4814 *
2'8"x 6'8"
2'10"x 6'8"
3'0"x 6'8"

S84814 *
2'8"x 8'0"
2'10"x 8'0"
3'0"x 8'0"



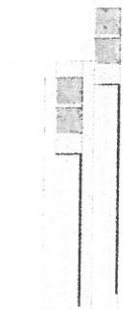
S4816 *
2'8"x 6'8"
2'10"x 6'8"
3'0"x 6'8"



S84816 *
2'8"x 8'0"
2'10"x 8'0"
3'0"x 8'0"



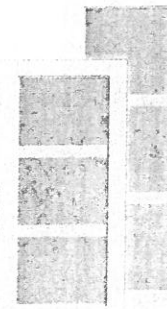
S2000_SL-2C*
10"x 6'8" Δ
12"x 6'8" Δ
14"x 6'8" Δ



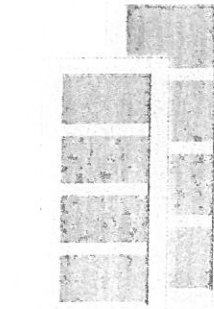
S2000_SL-4C*
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12"x 6'8" Δ
14"x 6'8" Δ



S4812_SL*
12"x 6'8"
14"x 6'8"



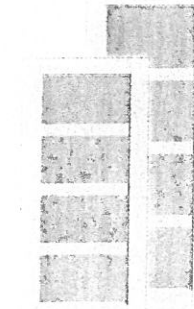
S84812_SL*
12"x 8'0"
14"x 8'0"



S5700
2'6"x 6'8" Δ
2'8"x 6'8" Δ
2'10"x 6'8" Δ
3'0"x 6'8" Δ



S85700
2'6"x 8'0"
2'8"x 8'0"
2'10"x 8'0"
3'0"x 8'0"



S5710
2'6"x 6'8" Δ
2'8"x 6'8" Δ
2'10"x 6'8" Δ
3'0"x 6'8" Δ



S85710
2'6"x 8'0"
2'8"x 8'0"
2'10"x 8'0"
3'0"x 8'0"

EnLiten Flush-Glazed Privacy & Textured Glass with Divided Lites *Continues on next page.*

Key

- No Stile Lines
- Flush-Glazed Glass (FG)
- Simulated Divided Lites (SDL)
- Simulated Divided Lites (SDFL)

- Simulated Divided Lites (SDFL2)
- Flat Lite Frame
- Vented Sidelite (No Impact)
(6'6" & 6'8" only in 12" & 14")
(8'0" only in 14")

- WBDR Options
- WBDR / HVHZ Options
- 6'6" Height Available
- 7'0" Height Available

Optional Dentil Shelf**

4-Block Dentil Shelf
Available for all Craftsman-style
Smooth-Star doors.

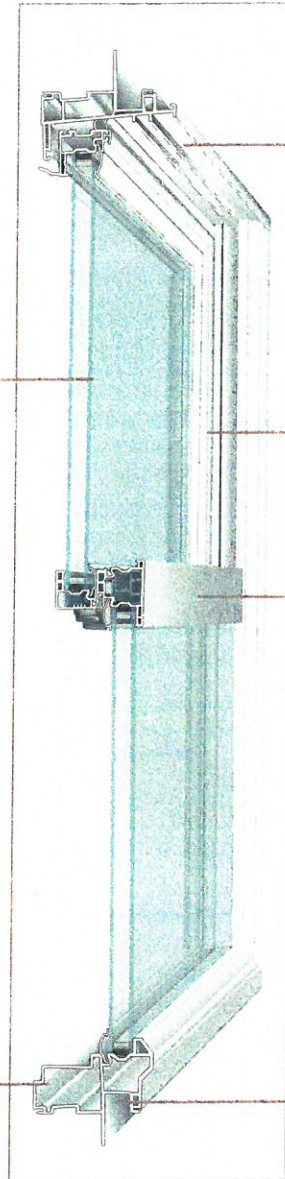
Windgate® Double-Hung & Single-Hung Window Features

6

New Construction Vinyl Window Systems

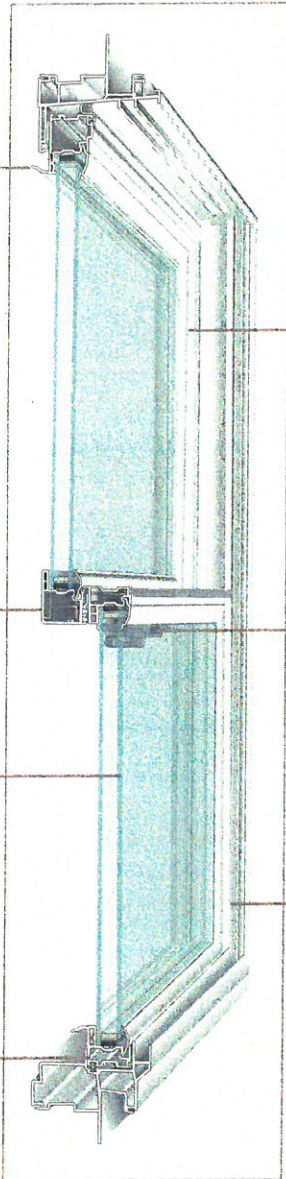


Single Hung



- Patented built in "J" channel is recessed into frame
- Fixed meeting rail interlocks with operating sash to minimize air infiltration
- Operable sash tilts in for easy cleaning
- Sloped sill drains water away from house
- 3/4" insulating glass, choose our innovative® for the most energy efficient glazing option.
- Die-cast cam lock and keeper
- Top and bottom sash tilt in for easy cleaning
- Heavy gauge vinyl frame extrusion for strength & durability
- Dual layers of wool pile weather stripping.
- 3/4" insulated glass with Duralite® warm edge technology
- Top & bottom sash interlock at meeting rails for added security and to minimize air infiltration
- Deep pocketed head with compression seal
- weather strip

Double Hung



- Integral finger lift on top and bottom sash for ease of operation
- Top & bottom sash interlock at meeting rails for added security and to minimize air infiltration
- edge technology
- 3/4" insulated glass with Duralite® warm edge technology
- Top & bottom sash interlock at meeting rails for added security and to minimize air infiltration
- Deep pocketed head with compression seal
- weather strip

The Power of a National Network, the Service of a Regional Supplier, the Support of Local People!

Double-Hung (widths 20" to 48")

Rough Opening	20"	22"	24"	26"	28"	30"	32"	34"	36"	38"	40"	42"	44"	46"	48"
Unit Size	19 1/2"	21 1/2"	23 1/2"	25 1/2"	27 1/2"	29 1/2"	31 1/2"	33 1/2"	35 1/2"	37 1/2"	39 1/2"	41 1/2"	43 1/2"	45 1/2"	47 1/2"
Exposed Glass	12 1/2"	14 1/2"	16 1/2"	18 1/2"	20 1/2"	22 1/2"	24 1/2"	26 1/2"	28 1/2"	30 1/2"	32 1/2"	34 1/2"	36 1/2"	38 1/2"	40 1/2"
Clear Opening	14 5/8"	16 5/8"	18 5/8"	20 5/8"	22 5/8"	24 5/8"	26 5/8"	28 5/8"	30 5/8"	32 5/8"	34 5/8"	36 5/8"	38 5/8"	40 5/8"	42 5/8"

2036	2236	2436	2636	2836	3036	3236	3436	3636	3836	4036	4236	4436	4636	4836
2042	2242	2442	2642	2842	3042	3242	3442	3642	3842	4042	4242	4442	4642	4842
2048	2248	2448	2648	2848	3048	3248	3448	3648	3848	4048	4248	4448	4648	4848
2054	2254	2454	2654	2854	3054	3254	3454	3654	3854	4054	4254	4454	4654	4854
2057	2257	2457	2657	2857	3057	3257	3457	3657	3857	4057	4257	4457	4657	4857
2060	2260	2460	2660	2860	3060	3260	3460	3660	3860	4060†	4260†	4460†	4660†	4860†
2066	2266	2466	2666	2866	3066	3266	3466	3666†	3866†	4066†	4266†	4466†	4666†	4866†
2072	2272	2472	2672	2872	3072	3272	3472	3672†	3872†	4072†	4272†	4472†	4672†	4872†

4 over
1
grille
pattern



Call out sizes are calculated in inches. Check with regional fabricator for rough opening sizes when mulling. Additional egress sizes may be available with modification. Contact your regional fabricator.

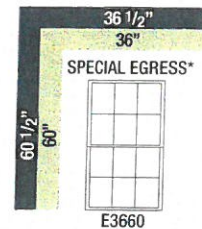
† Meets egress of:

Clear openable area 5.7 sq. ft.

Clear openable width 20"

Clear openable height ≥ 24"

InnovativeE®
ENERGY MANAGEMENT SYSTEM



* Not available in all regions.

In some regions, larger sizes may be available. Consult your local fabricator.

New Construction Vinyl Window Systems

The Power of a National Network, the Service of a Regional Supplier, the Support of Local People!

Casement/Fixed/Casement*

Rough Opening*	54"	60"	72"	84"	90"	108"
Unit Size	53 1/2"	59 1/2"	71 1/2"	83 1/2"	89 1/2"	107 1/2"
Exposed Glass	13 1/2"	15 1/2"	19 1/2"	23 1/2"	25 1/2"	31 1/2"
Clear Opening	10 1/2"	12 1/2"	16 1/2"	20 1/2"	22 1/2"	28 1/2"
						
	CFC5436	CFC6036	CFC7236	CFC8436	CFC9036	CFC10836
						
	CFC5442	CFC6042	CFC7242	CFC8442	CFC9042	CFC10842
						
	CFC5448	CFC6048	CFC7248	CFC8448	CFC9048†	CFC10848†
						
	CFC5460	CFC6060	CFC7260	CFC8460	CFC9060†	CFC10860†
						
	CFC5466	CFC6066	CFC7266	CFC8466	CFC9066†	CFC10866†

* Common frame multiple units are available in some regions. Check with your local fabricator.

Call out sizes are calculated in inches.

† Meets egress of: Clear openable area ≥ 5.7 sq. ft. Clear openable width ≥ 20". Clear openable height ≥ 24".

†† Requires egress hardware

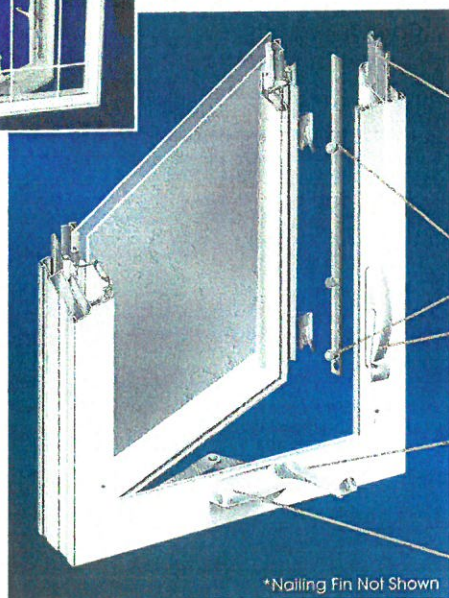
Awning

Rough Opening*	24"	36"	42"	48"	54"	60"
Unit Size	23 1/2"	35 1/2"	41 1/2"	47 1/2"	53 1/2"	59 1/2"
Exposed Glass	18 1/2"	30 1/2"	36 1/2"	42 1/2"	48 1/2"	54 1/2"
						
	A2418	A3618	A4218	A4818	A5418	A6018
						
	A2420	A3620	A4220	A4820	A5420	A6020
						
	A2424	A3624	A4224	A4824	A5424	A6024
						
	A2428	A3628	A4228	A4828	A5428	A6028
						
	A2436	A3636	A4236	A4836	A5436	A6036

Call out sizes are calculated in inches.



Casement Window Features



*Nailing Fin Not Shown

Available with optional add on J-Channel

- **Specially Designed Airtight Seal:**
Cuts off the maximum amount of air flow while increasing tightness.
- **Heavy Wall/ Reinforced Construction:**
Allows for slim line look while insuring maximum strength and durability
- **Multi-Point Lock**
- **Low Profile Curved Lock:**
Lies flat out of the way of window treatments
- **Low Torque Operator:**
Crank requires 33% less operating force. Fold down handle with nesting cover available.
- **Airtight Operator Cover**

enviro sealed
windows

New Construction Vinyl Window Systems

CERTIFICATE OF APPROPRIATENESS**FINDINGS OF FACT AND CONCLUSIONS OF LAW
CITY OF BIDDEFORD – 45 Hill Street**

Pursuant to the provisions of the City of Biddeford Land Development Regulations, Articles XV (Historic Preservation Ordinance) the Biddeford Historic Preservation Commission has considered the application of K & S Development, Inc. to construct a three-unit multi-family building at 45 Hill Street, including supportive data, public hearing testimony and related materials contained in the record. Based on the materials submitted, Public Comment, and Staff's review and recommendation, the Historic Preservation Commission makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	K & S Development 16 Ratchet Way Biddeford ME 04005 john@mainelypaving.com
2.	Owner of Property:	K & S Development 16 Ratchet Way Biddeford ME 04005 john@mainelypaving.com
3.	Agent:	None
4.	Engineer/Architect/Contractor:	Unknown
5.	Project Location:	45 Hill Street
6.	Project Tax Map #/Lot #:	Tax Map 39, Lot 112
7.	Contributing Structure?	No
8.	Existing Zoning:	MSRD-2
9.	Overlay Zoning:	None
10.	Existing Use:	Vacant parcel
11.	Proposed Use:	Residential
12.	Uses in the Vicinity:	Residential (Primarily), Commercial
13.	Parcel Size:	.17 acres (7,405 SF)
14.	Front Setback Required:	15'
15.	Side Setbacks Required:	10'
16.	Rear Setback Requires:	10'
17.	Height Requirements:	Maximum 3 stories or 35 feet
18.	LDR Attachment A: Fess Paid:	Yes

Conclusions of Law:

The proposed project is consistent with the Biddeford Historic Preservation Ordinance, particularly the evaluation standards contained in Part III (Land Development Regulations, Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness).

Approval Granted:

Based on the evidence available and the conclusions above, the Biddeford Historic Preservation Commission approves the Certificate of Appropriateness for the proposed project located at 45 Hill Street, summarized above and evidenced in the file in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

All permits must be obtained from Code Enforcement prior to beginning any work.

Historic Preservation Commission Chairperson

Date



CITY OF BIDDEFORD PLANNING DEPARTMENT

2020.32 HPC

Greg Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

HISTORIC PRESERVATION COMMISSION REPORT

TO: Jeff Cabral, Chair & Members of the Biddeford Historic Preservation Commission

FROM: Brad Favreau, Economic Development Coordinator

DATE: November 4, 2020

RE: ITEM #3.1: 2020.32 HPC- New Multi-Family Residential Building at 45 Hill St (Tax Map 39, lot 112) in the MSRD-2 Zone.

MEETING DATE/TIME: November 18, 2020 @ 4:00 PM

1. INTRODUCTION

The applicant proposes to build a three-unit, three-story townhouse-style multi-family building on the site where once a six-unit apartment building stood.

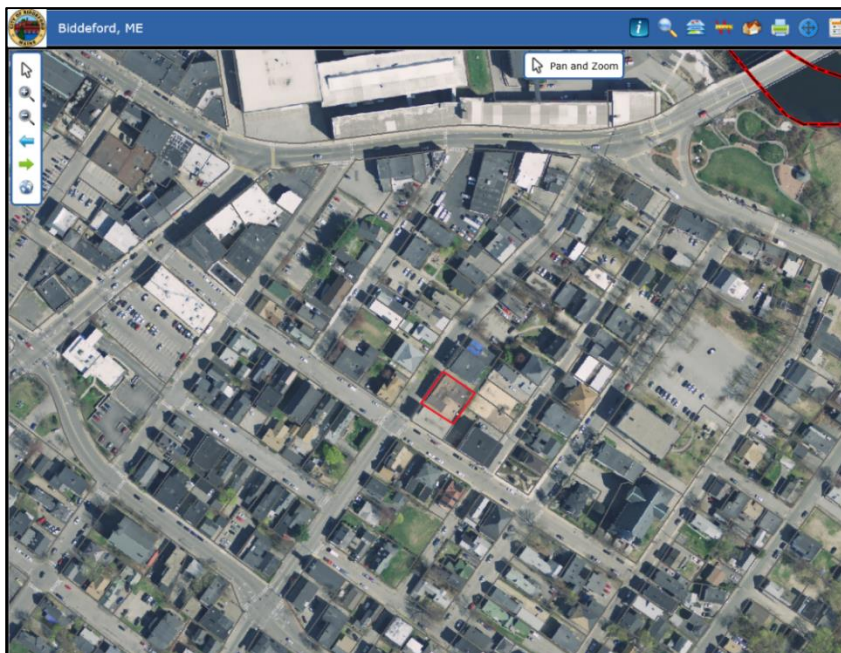
2. PROJECT DATA/INFORMATION

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	K & S Development 16 Ratchet Way Biddeford ME 04005 john@mainelypaving.com
2.	Owner of Property:	K & S Development 16 Ratchet Way Biddeford ME 04005 john@mainelypaving.com
3.	Agent:	None

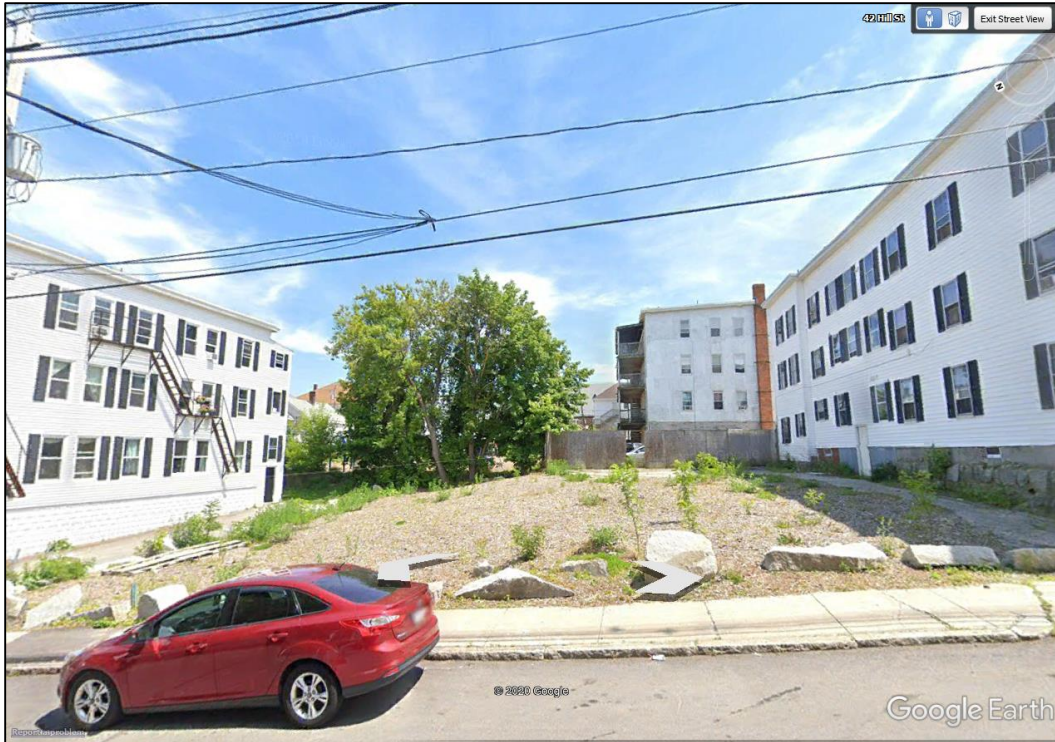
4.	Engineer/Architect/Contractor:	Unknown
5.	Project Location:	45 Hill Street
6.	Project Tax Map #/Lot #:	Tax Map 39, Lot 112
7.	Contributing Structure?	No
8.	Existing Zoning:	MSRD-2
9.	Overlay Zoning:	None
10.	Existing Use:	Vacant parcel
11.	Proposed Use:	Residential
12.	Uses in the Vicinity:	Residential (Primarily), Commercial
13.	Parcel Size:	.17 acres (7,405 SF)
14.	Front Setback Required:	15'
15.	Side Setbacks Required:	10'
16.	Rear Setback Requires:	10'
17.	Height Requirements:	Maximum 3 stories or 35 feet
18.	LDR Attachment A: Fess Paid:	Yes

3. EXISTING CONDITIONS:

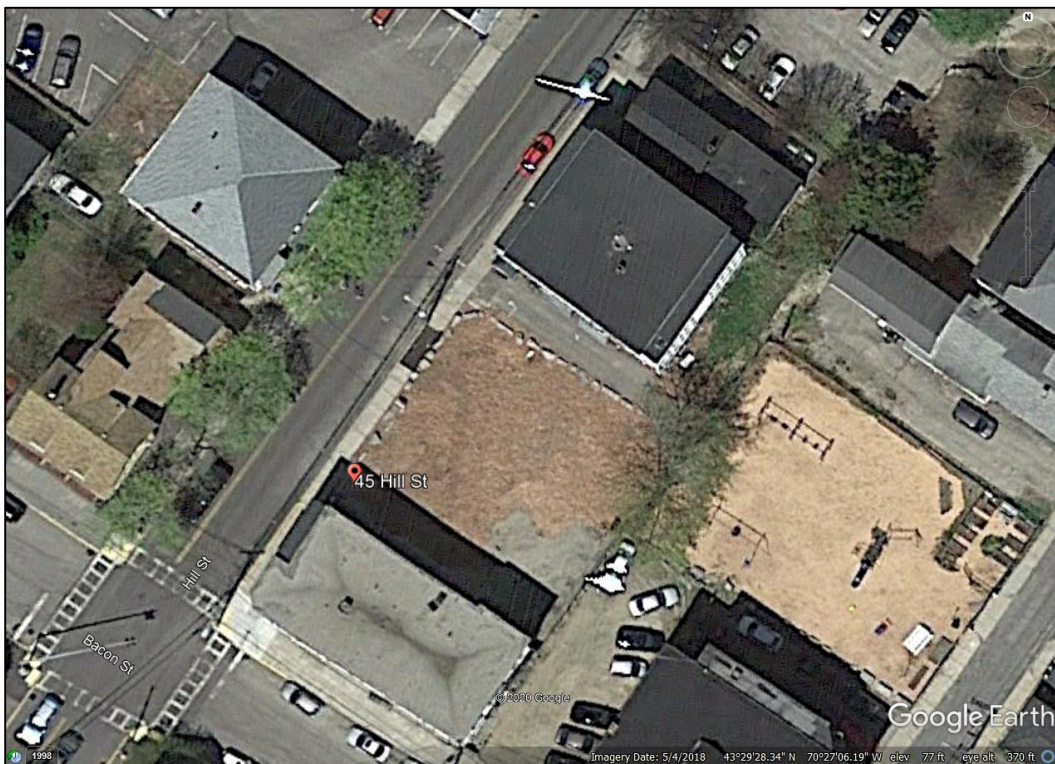
The project property is on the southeast side of Hill Street near the intersection of Bacon Street in a dense well-established residential neighborhood. Almost 60% of the housing units in this neighborhood were built before 1950, presumably as mill worker housing, as many structures are 8 – 10 units multi-family buildings. In April 2018 fire destroyed a six-unit apartment building on this .17 acre lot on Hill Street, leaving 34 people homeless.



Source: "45 Hill Street". <http://gis.vgsi.com/BiddefordMEMap/index.html?pid=4569>.
 Accessed Date: 10/28/2020.



Source: "45 Hill Street, Biddeford, Maine." 43°29'27.13" N 70°27'03.13" W. **Google Earth Street View.** Imagery Date: 06/2019. Accessed Date: 10/29/2020.



Source: "45 Hill Street, Biddeford, Maine." 43°29'28.34" N 70°27'06.19" W. **Google Earth View.** Imagery Date: 05/2018. Accessed Date: 10/29/2020.



Source: "45 Hill Street, Biddeford, Maine." 43°29'27.13" N 70°27'03.13" W. Google Earth Street View. Imagery Date: 06/2019. Accessed Date: 10/29/2020.

4. PROJECT PROPOSAL

The applicant now proposes to build a three unit, townhouse-style multi-family structure on this site. The building will be sited with the main façade facing the southwest toward the building located at 47 Bacon Street. The façade proposed to face Hill Street will be the gabled side of the building. The rear will closely face the multi-family building to the northeast of the site, leaving abundant ground area in the front of the building to be asphalt paved for vehicular ingress and egress and for access to the garage bays. Though traditionally styled, this building would possess considerably less massing than buildings adjacent to this site.

The applicant proposes to use the following materials:

Siding:	vinyl
Roof:	asphalt shingles
Windows:	vinyl
Doors:	vinyl
Garage doors:	metal

5. PUBLIC COMMENT

As of the time of this report no public comments had been received.

6. STAFF REVIEW:

- a. REVIEW STANDARDS: Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness).

The Ordinance states the following in the submission requirements section of the Ordinance (Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness):

Section 11 Evaluation standards for certificate of appropriateness.

- C. *Construction of new buildings or structures. The construction of a new building or structure within an historic district shall be generally of such a design, form, proportion, mass, configuration, building material, texture, color and location on a lot as will be compatible with buildings, structures and open spaces where it is visually related and in keeping with the area.*

The following factors shall be considered:

- 1. **Height.** The height of proposed buildings shall be compatible with adjacent buildings;*
- 2. **Proportion of building's front facade.** The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings, structures and open spaces where it is visually related;*
- 3. **Proportion of openings within the facade.** The relationship of the width of the windows to the height of windows and doors in a building shall be visually compatible with that of windows and doors of buildings to which the building is visually related;*
- 4. **Rhythm of solids to voids in front facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with that of the buildings to which it is visually related;*
- 5. **Rhythm of spacing of buildings on streets.** The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with that prevailing in the area to which it is visually related;*
- 6. **Rhythm of entrance and/or porch projection.** The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible with that of buildings to which it is visually related;*

7. Relationship of materials and textures. *The relationship of the materials and textures of the facade of a building shall be visually compatible with that of the predominant materials used in the buildings to which it is visually related;*

8. Roof shapes. *The roof shape of a building shall be visually compatible with that of the buildings to which it is visually related;*

9. Scale of building. *The size of the building and the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with those characteristics of buildings and spaces to which it is visually related; and*

10. Directional expression of front elevation. *A building shall be visually compatible with the building, squares and places to which it is visually related in its directional character, whether this shall be vertical character, horizontal character or non directional character.*

b. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. None

7. STAFF RECOMMENDATION:

Recommend the Commission consider the submitted application for approval, approval with conditions, or denial.

Staff recommends close attention be paid to Section 11, Subsection C of the ordinance that addresses new construction (see above), in particular:

1. **Height**
2. **Proportion of building's front façade**
3. **Proportion of openings within the facade**
4. **Rhythm of solids to voids in front facades**
5. **Rhythm of spacing of buildings on streets**
7. **Relationship of materials and textures**
9. **Scale of building**

This project sites the building with the side façade facing Hill Street. It is considerable less massive than many other structures in the vicinity. Commission members should consider how the proposed building fits into the fabric of this well-established neighborhood, especially as the side of the building faces the street.

8. STAFF RECOMMENDATION:

If the Commission approves the project, Staff recommends doing so with the following minimum Conditions of Approval attached:

- a. **All permits must be obtained from Code Enforcement prior to beginning any work.**

9. SAMPLE MOTIONS

A. *Motion to approve the Certificate of Appropriateness for K & S Development to construct a new multi-family building at 45 Hill Street in the MSRD-2 zone based on materials presented and conditioned on the following:*

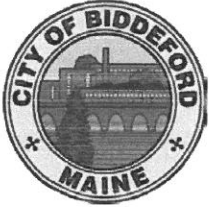
- a. **All permits must be obtained from Code Enforcement prior to beginning any work.**

b. _____

B. *Motion to table this item until the following minimum additional information has been submitted for review:*

a. _____

b. _____



CITY OF BIDDEFORD PLANNING DEPARTMENT

Brad Favreau
205 Main Street
PO Box 586
Biddeford, ME 04005
207-284-9115
Brad.Favreau@biddefordmaine.org

HISTORIC PRESERVATION COMMISSION APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

Type of Application (see pages 2 and 3 below):

- ☐ Certificate of Appropriateness – Commission Review (\$140.00 fee)
☒ Certificate of Appropriateness – Subcommittee Review

Note: If unsure, check with the Planning Department which applies.

Applicant's/Owner's Information:

Applicant's Name: ERIN RAEES AKA SHAI
Applicant's Address: 316 MAIN ST. Suite 201
Applicant's Phone(s): 917-860-9040
Applicant's E-mail: SHAI@BIDDEFORDFOODBAZAAR.COM
Applicant's Legal Interest in the Property:

☐ Owner ☐ Purchase and Sale ☐ Lease/Rental Agreement

Owner's Name: SHAI Property Management
Owner's Address: 316 main st. Biddeford ME 04005
Owner's Phone(s): 917 860 9040
Owner's E-mail: SHAI@BiddefordFoodBazaar.com

Representative's (Agent, Engineer, Architect, and/or Contractor) Information:

Agent's Name: Lebel's Sheet Metal
Agent's Address: 221 LINCOLN ST. Lew., Me. 04240
Agent's Phone(s): 207-576-1863
Agent's E-mail: METALGOOD213@LIVE.COM

Attach separate pages where multiple representatives are involved.

Project Information:

Project Address: 316 Main St. Suite 201
Project Zone: _____ Existing Use of Property: Empty
Project Tax Map(s): 38 Project Lot Number(s): 44

COMMISSION Review Project Activities (Check all that apply):

Alterations and Repair

- ☐ Removal and/or replacement of architectural detailing (for example porch spindles and columns, railings, windows and window moldings, and cornices)
- ☐ Installation or replacement of siding
- ☐ Porch replacement or construction of new porches
- ☐ Installation or replacement of either roofing or gutters when they are a significant and integral feature of the structure
- ☐ Alteration of accessory structures such as garages
- ☒ Other: Install Kitchen Exhaust Duct-work as per sketch

Additions and New Construction

- ☐ New Construction
- ☐ Building additions, including rooftop additions, dormers or decks
- ☐ Construction of accessory structures
- ☐ Installation of exterior access stairs or fire escapes
- ☐ Installation of antennas and satellite receiving dishes
- ☐ Installation of solar collectors
- ☐ Rooftop mechanicals (e.g., HVAC)

Other: _____

Moving and Demolition

- ☐ Moving of structures or objects on the same site or to another site
- ☐ Any demolition or relocation of a landmark contributing and/or contributing structure within a district

If FULL COMMITTEE Review is required - 10 Copies of the following are recommended or may be requested:

- ☒ Photographs of the building involved as well as adjacent buildings
- ☒ Samples of materials proposed for use in the activity
- ☒ Drawings (i.e., exterior elevations) and/or plans to illustrate the proposed activity for which the certificate is being applied for, including lettering styles (if applicable)

Note: Where Subcommittee Review is applicable, only 3 Copies of the above should be submitted.

Signature of applicant:

Paul Roy

Date: 10-28-²⁰18

Signature of property owner:

Mr. J. J. J.

Date: 10-28-20

316 MAIN ST. Bidde Road

Proposed duct layout #1

UL noted
Exhaust
Fan

18x18 welded
all around
duct

To Kitchen Hood
Inside

3" Fire wrap
insulation

NOTE:

- 1) STairs To be Removed
- 2) proposed duct for Kitchen Hood
But lay out for Fan service
duct To be Painted Black



316 Main St.
Proped duct layout #2

18x18
welded steel
duct.

- 1) duct to be painted black
- 2) This option make it
tough for F on service
- 3) stains to be removed

To kitchen
hood

CERTIFICATE OF APPROPRIATENESS**FINDINGS OF FACT AND CONCLUSIONS OF LAW****CITY OF BIDDEFORD – 316 Main Street**

Pursuant to the provisions of the City of Biddeford Land Development Regulations, Articles XV (Historic Preservation Ordinance) the Biddeford Historic Preservation Commission has considered the application of **Emir Raees (AKA Shai) to install exterior kitchen ductwork at 316 Main Street**, including supportive data, public hearing testimony and related materials contained in the record. Based on the materials submitted, Public Comment, and Staff's review and recommendation, the Historic Preservation Commission makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Shai Property Management 316 Main Street Biddeford ME 04005 (917) 860-9040 shai@biddefordfoodbazaar.com
2.	Owner of Property:	Shai Property Management 316 Main Street Biddeford ME 04005 (917) 860-9040 shai@biddefordfoodbazaar.com
3.	Agent:	Lebel's Sheet Metal 221 Lincoln Street Lewiston ME 04240 (207) 576-1863 metalgod213@live.com
4.	Engineer/Architect/Contractor:	N/A
5.	Project Location:	316 Main Street
6.	Project Tax Map #/Lot #:	Map 38 Lot 44
7.	Contributing Structure?	Yes
8.	Existing Zoning:	MSRD-1
9.	Overlay Zoning:	None
10.	Existing Use:	Commercial
11.	Proposed Use:	Commercial
12.	Uses in the Vicinity:	Commercial, Residential
13.	Parcel Size:	.22 acres (9,583 sf)
14.	Front Setback Required:	None
15.	Side Setbacks Required:	None
16.	Rear Setback Requires:	None
17.	Height Requirements:	Min. 2 Stories or 26 feet; 60 feet max.
18.	LDR Attachment A: Fess Paid:	Yes

Conclusions of Law:

The proposed project is consistent with the Biddeford Historic Preservation Ordinance, particularly the evaluation standards contained in Part III (Land Development Regulations, Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness).

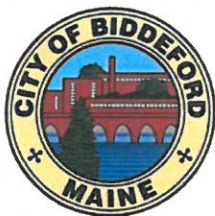
Approval Granted:

Based on the evidence available and the conclusions above, the Biddeford Historic Preservation Commission approves the Certificate of Appropriateness for the proposed project located at **316 Main Street**, summarized above and evidenced in the file in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

All permits must be obtained from Code Enforcement prior to beginning any work.

Historic Preservation Commission Chairperson

Date



CITY OF BIDDEFORD

PLANNING DEPARTMENT

2020.35 HPC

Greg Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

HISTORIC PRESERVATION COMMISSION REPORT

TO: Jeff Cabral, Chair & Members of the Biddeford Historic Preservation Commission

FROM: Brad Favreau, Economic Development Coordinator

DATE: November 5, 2020

RE: ITEM #3.2: 2020.35 HPC- Install Exterior Kitchen Ductwork at 316 Main Street (Tax Map 38, Lot 44) in the MSRD-1 Zone.

MEETING

DATE/TIME: November 18, 2020 @ 4:00 PM

1. INTRODUCTION

The applicant proposes to remove existing fire escape and install new metal grease ducts on the northeast side of the building. Grease ducts remove smoke and grease laden vapors from commercial kitchens. Two proposals for the new ductwork are offered: 1.) installing the ductwork horizontally to the northerly corner of the building, and; 2.) installing the ductwork vertically to the edge of the roof.

2. PROJECT DATA/INFORMATION

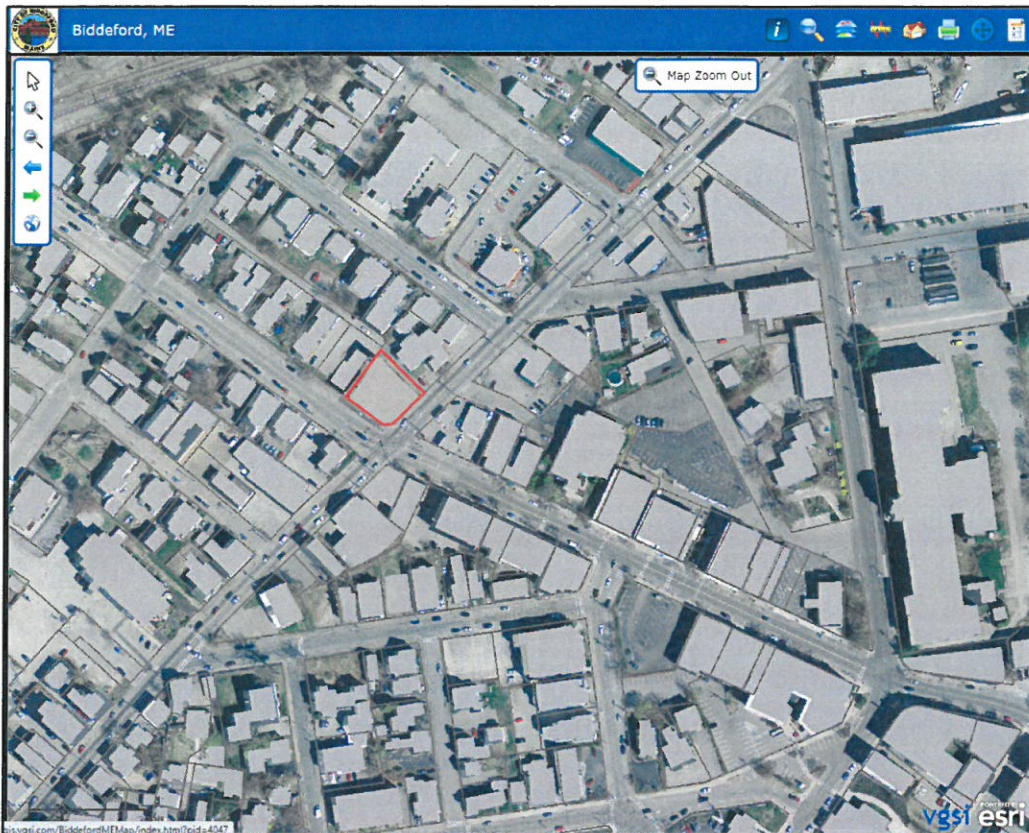
	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Emir Raees 316 Main Street Biddeford ME 04005 (917) 860-9040

		shai@biddefordfoodbazaar.com
2.	Owner of Property:	Emir Raees 316 Main Street Biddeford ME 04005 (917) 860-9040 shai@biddefordfoodbazaar.com
3.	Agent:	Lebel's Sheet Metal 221 Lincoln Street Lewiston ME 04240 (207) 576-1863 metalgod213@live.com
4.	Engineer/Architect/Contractor:	N/A
5.	Project Location:	316 Main Street
6.	Project Tax Map #/Lot #:	Map 38 Lot 44
7.	Contributing Structure?	Yes
8.	Existing Zoning:	MSRD-1
9.	Overlay Zoning:	None
10.	Existing Use:	Commercial
11.	Proposed Use:	Commercial
12.	Uses in the Vicinity:	Commercial, Residential
13.	Parcel Size:	.22 acres (9,583 sf)
14.	Front Setback Required:	None
15.	Side Setbacks Required:	None
16.	Rear Setback Requires:	None
17.	Height Requirements:	Min. 2 Stories or 26 feet; 60 feet max.
18.	LDR Attachment A: Fess Paid:	Yes

3. EXISTING CONDITIONS:

This property is known as the St. John's Building. Built in 1896, it was designed in the Renaissance Revival style, a style which took its inspiration from many historical styles. This building is a **Contributing** structure according to the Russell Wright Survey.

The St. John Building is located on the prominent corner of Main Street and Elm Street on the edge of the central business core.



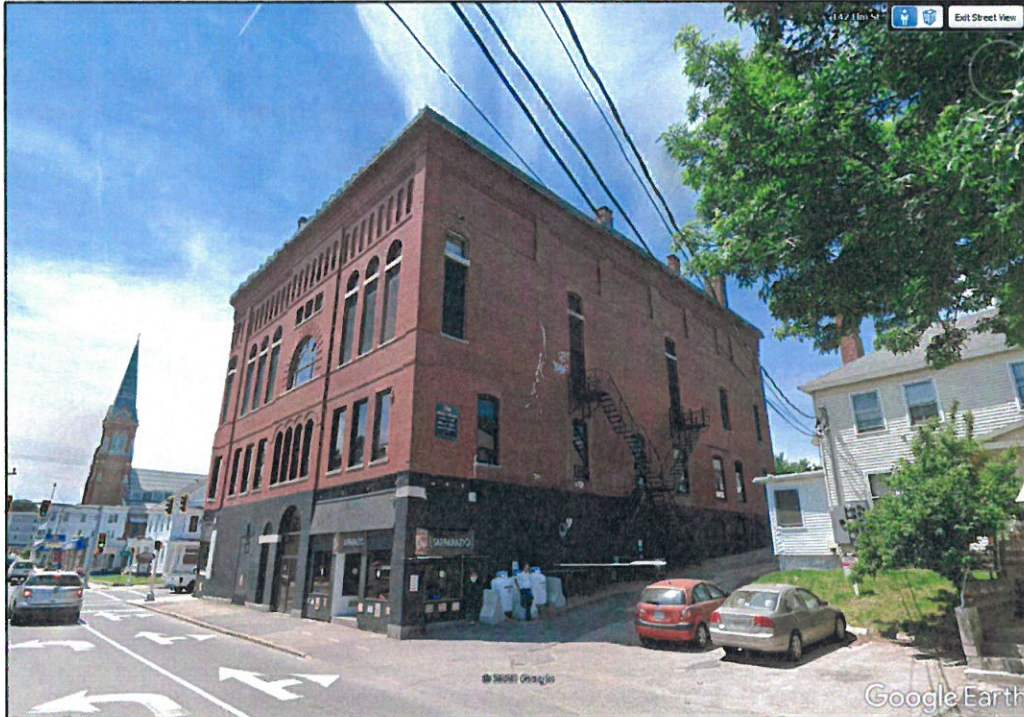
Source: "316 Main Street". <http://gis.vgsi.com/BiddefordMEMap/index.html?pid=4047>.
 Accessed Date: 11/05/2020.



Source: "316 Main Street, Biddeford, Maine." 43°29'40.86" N 70°27'33.63" W.

Google Earth Street View. Imagery Date: 06/2019. Accessed Date: 11/05/2020.

Work is proposed for the northeast side of the building, which faces the driveway for an adjacent house. This side of the building is visible from high-traffic Elm Street.



Source: "316 Main Street, Biddeford, Maine." 43°29'40.86" N 70°27'33.63" W.

Google Earth Street View. Imagery Date: 06/2019. Accessed Date: 11/05/2020.

4. PROJECT PROPOSAL

The applicant proposes to remove existing fire escape and install new metal exhaust ductwork on the northeast side of the building. The ductwork will exit the building at a former window opening at the first floor, approximately half way between the Elm Street side of the building and the side of the building that faces the Main Street parking lot. The applicant has proposed two possible configuration of the ductwork: 1.) Installing the ductwork horizontally to the parking-lot (northerly) corner of the building, and; 2.) installing the ductwork vertically up to the edge of the roof. The applicant proposes to use 18" x 18" square ductwork which will be painted black. In both configurations, a fan will be installed at the terminus of the duct.

5. PUBLIC COMMENT

As of the time of this report, no public comments had been received.

6. STAFF REVIEW:

- a. REVIEW STANDARDS: Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness).

The Ordinance states the following in the submission requirements section of the Ordinance (Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness):

Section 11 Evaluation standards for Certificate of Appropriateness.

A. *Reconstruction and alterations.*

1. A building or structure classified as an historic landmark or located within an historic district, or any part thereof, or any appurtenance related to such structures, including but not limited to walls, fences, light fixtures, steps, paving and signs, shall not be reconstructed or altered unless a certificate of appropriateness has been issued for such activity. No certificate of appropriateness for a structure or building identified as contributing to the district shall be issued unless the proposed activity is found to preserve or enhance a building's or structure's historical or architectural character. No certificate of appropriateness shall be issued for a noncontributing structure or building unless the proposed activity is complementary to the historic character of surrounding structures and buildings and meets the intent of this ordinance.

2. The standards and requirements in the United States Secretary of the Interior's Standards of Rehabilitation as well as the following factors shall be considered when reviewing applications for reconstruction or alteration of buildings or structures subject to review under this ordinance:

- a. Every reasonable effort shall be made to use a property for its historic purpose and in a way which will require minimum alteration to the structure and its environment;*
- b. Rehabilitation work shall not destroy the distinguishing qualities nor character of the structure and its environment. The removal or alteration of any historic material or architectural features should be avoided;*
- c. Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event that replacement is necessary, the new material*

should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on physical or pictorial evidence rather than on conjectural designs or the availability of different architectural features from other buildings;

d. Distinctive stylistic features or examples of skilled craftsmanship which characterize historic structures and often predate the mass production of building materials shall be treated with sensitivity;

e. Changes which may have taken place in the course of time are evidence of the history and development of the structure and its environment, and these changes shall be recognized and respected;

f. All structures shall be recognized as products of their own time. Alterations to create an earlier appearance shall be discouraged;

g. Contemporary design for additions to existing structures shall be encouraged if such design is compatible with the size, scale, material and character of the neighborhood, the structure or its environment; and

h. Wherever possible, new additions or alterations to structures shall be done in such a manner that if they were to be removed in the future the essential form and integrity of the original structure would be unimpaired.

C. Construction of new buildings or structures. *The construction of a new building or structure within an historic district shall be generally of such a design, form, proportion, mass, configuration, building material, texture, color and location on a lot as will be compatible with buildings, structures and open spaces where it is visually related and in keeping with the area. The following factors shall be considered:*

- 1. Height.** *The height of proposed buildings shall be compatible with adjacent buildings;*
- 2. Proportion of building's front facade.** *The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings, structures and open spaces where it is visually related;*
- 3. Proportion of openings within the facade.** *The relationship of the width of the windows to the height of windows and doors in a building shall be visually compatible with that of windows and doors of buildings to which the building is visually related;*
- 4. Rhythm of solids to voids in front facades.** *The relationship of solids to voids in the front facade of a building shall be visually compatible with that of the buildings to which it is visually related;*
- 5. Rhythm of spacing of buildings on streets.** *The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with that prevailing in the area to which it is visually related;*
- 6. Rhythm of entrance and/or porch projection.** *The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible with that of buildings to which it is visually related;*

7. **Relationship of materials and textures.** *The relationship of the materials and textures of the facade of a building shall be visually compatible with that of the predominant materials used in the buildings to which it is visually related;*

8. **Roof shapes.** *The roof shape of a building shall be visually compatible with that of the buildings to which it is visually related;*

9. **Scale of building.** *The size of the building and the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with those characteristics of buildings and spaces to which it is visually related; and*

10. **Directional expression of front elevation.** *A building shall be visually compatible with the building, squares and places to which it is visually related in its directional character, whether this shall be vertical character, horizontal character or non directional character.*

b. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. None

7. STAFF RECOMMENDATION:

Recommend the Commission consider the submitted application for approval, approval with conditions, or denial.

8. STAFF RECOMMENDATION:

If the Commission approves the project, Staff recommends doing so with the following minimum Conditions of Approval attached:

a. **All permits must be obtained from Code Enforcement prior to beginning any work.**

9. SAMPLE MOTIONS

A. *Motion to approve the Certificate of Appropriateness for Shai Property Management to install new exhaust ductwork at 316 Main Street in the MSRD-1 zone based on materials presented and conditioned on the following:*

a. **All permits must be obtained from Code Enforcement prior to beginning any work.**

b. _____

B. Motion to table this item until the following minimum additional information has been submitted for review:

a. _____

b. _____

MHPC USE ONLY

041-0002

INVENTORY NO.

MAINE HISTORIC PRESERVATION COMMISSION Historic Building/Structure Survey Form

- PROPERTY NAME (HISTORIC): SOCIETE' JEAN BAPTISTE BIEFAISANCE
- PROPERTY NAME (OTHER): ST JOHN'S BUILDING
- STREET ADDRESS: 314-320 MAIN E FLM
- TOWN: Biddeford
- COUNTY: York
- DATE RECORDED: 12/16/97
- SURVEYOR: Russell Wright
- OWNER NAME: _____ ADDRESS: _____
- PRIMARY USE (PRESENT):

☐ SINGLE FAMILY	☐ AGRICULTURE	☒ COMMERCIAL/TRADE	☐ FUNERARY
☐ MULTI-FAMILY	☐ GOVERNMENTAL	☐ EDUCATION	☐ HEALTH CARE
☐ INDUSTRY	☐ RELIGIOUS	☐ HOTEL	☐ LANDSCAPE
☐ TRANSPORTATION	☐ DEFENSE	☐ SUMMER COTTAGE/CAMP	☐ SOCIAL
☐ RECREATION/CULTURE	☐ UNKNOWN		
☐ OTHER _____			
- CONDITION: ☒ GOOD ☐ FAIR ☐ POOR ☐ DESTROYED, DATE 1/1

ARCHITECTURAL DATA

- PRIMARY STYLISTIC CATEGORY:

☐ COLONIAL	☐ STICK STYLE	☒ NEO-CLASSICAL REV.	☐ FOUR SQUARE
☐ FEDERAL	☐ QUEEN ANNE	☒ RENAISSANCE REV.	☐ ART DECO
☐ GREEK REVIVAL	☐ SHINGLE STYLE	☐ 19TH/20TH C. REVIVAL	☐ INTERNATIONAL
☐ GOTHIC REVIVAL	☐ R. ROMANESQUE	☐ ARTS & CRAFTS	☐ RANCH
☐ ITALIANATE	☐ ROMANESQUE	☐ BUNGALOW	☐ VERNACULAR
☐ SECOND EMPIRE	☐ HIGH VIC. GOTHIC	☐ OTHER _____	
- OTHER STYLISTIC CATEGORY:

☐ COLONIAL	☐ STICK STYLE	☐ NEO-CLASSICAL REV.	☐ FOUR SQUARE
☐ FEDERAL	☐ QUEEN ANNE	☐ RENAISSANCE REV.	☐ ART DECO
☐ GREEK REVIVAL	☐ SHINGLE STYLE	☐ 19TH/20TH C. REVIVAL	☐ INTERNATIONAL
☐ GOTHIC REVIVAL	☐ R. ROMANESQUE	☐ ARTS & CRAFTS	☐ RANCH
☐ ITALIANATE	☐ ROMANESQUE	☐ BUNGALOW	☐ VERNACULAR
☐ SECOND EMPIRE	☐ HIGH VIC. GOTHIC	☐ OTHER _____	
- HEIGHT:
☐ 1 STORY ☐ 1 1/2 STORY ☐ 2 STORY ☐ 2 1/2 STORY ☒ 3 STORY ☐ 4 STORY
☐ 5 STORY ☐ OVER 5 ()
- PRIMARY FACADE WIDTH (MAIN BLOCK; USE GROUND FLOOR):
☐ 1 BAY ☐ 2 BAY ☐ 3 BAY ☐ 4 BAY ☐ 5 BAY ☐ MORE THAN 5 (2) @ MAIN
- APPENDAGES:

☐ SIDE ELL	☐ REAR ELL	☐ FRONT	☐ ADDED STORIES	☐ SHED
☐ DORMERS	☐ PORCH	☐ TOWER	☐ CUPOLA	☐ BAY WINDOW



16. PORCH: ☐ ATTACHED ☐ ENGAGED ☐ ONE STORY ☐ MORE THAN ONE STORY
☐ FULL WIDTH ☐ WRAPAROUND ☐ SLEEPING PORCH ☐ SECONDARY PORCH
17. PLAN: ☐ HALL AND PARLOR ☒ 1/2 CAPE ☐ CENTRAL HALL ☐ SIDE HALL
☐ BACK HALL ☒ IRREGULAR ☐ OTHER _____
18. PRIMARY STRUCTURAL SYSTEM: ☐ TIMBER FRAME ☐ BRACED FRAME ☐ BRICK ☐ STONE ☐ BALLOON FRAME
☐ CONCRETE ☐ STEEL ☐ LOG ☐ PLANK WALL ☐ PLATFORM FRAME
☐ FRAME CONSTRUCTION - TYPE UNKNOWN ☐ OTHER _____
19. CHIMNEY PLACEMENT: ☐ INTERIOR ☒ INTERIOR FRONT/REAR ☐ CENTER ☐ INTERIOR END ☐ EXTERIOR
☐ OTHER _____
20. ROOF CONFIGURATION: ☐ GABLE SIDE ☐ GABLE FRONT ☐ HIP ☐ MANSARD ☒ FLAT
☐ GAMBREL ☐ PARAPET GABLE ☐ SHED ☐ CROSS ☐ GABLE
☐ COMPOUND ☐ OTHER _____
21. ROOF MATERIAL: WOOD ☐ METAL ☐ TILE ☐ SLATE ☐ ASPHALT ☒ ASBESTOS ☐
22. EXTERIOR WALL MATERIALS: ☐ CLAPBOARD ☒ BRICK ☒ FLUSH SHEATHING ☐ WOOD SHINGLE ☐ STONE
☐ LOG ☐ PRESSED METAL ☐ CONCRETE ☐ STUCCO ☐ ASPHALT
☐ GRANITE ☐ ASBESTOS ☐ TERRA COTTA ☐ BOARD AND BATTEN ☐ ALUMINUM/VINYL
☐ OTHER _____
23. FOUNDATION MATERIAL: ☐ FIELDSTONE ☐ BRICK ☐ WOOD ☐ CONCRETE ☒ GRANITE ☐ ORNAMENTAL CONC. BLOCK
☐ OTHER _____
24. OUTBUILDINGS/FEATURES: ☐ CARRIAGE HOUSE ☐ FENCE OR WALL ☐ CEMETERY ☐ BARN (CONNECTED)
☐ BARN (DETACHED) ☐ FORMAL GARDEN ☐ LANDSCAPE/PLANT MAT. ☐ ARCHAEOLOGICAL SITE
☐ GARAGE ☐ OTHER _____

HISTORICAL DATA

25. DOCUMENTED DATE OF CONSTRUCTION: 1896 DATE BK 26. ESTIMATED DATE OF CONSTRUCTION: _____
27. DATE MAJOR ADDITIONS/ALTERATIONS: _____
28. ARCHITECT: FL + EF FASSETT 29. CONTRACTOR: NE MASTER
30. ORIGINAL OWNER: SOCIETE JEAN-BAPTISTE
31. SUBSEQUENT SIGNIFICANT OWNER: _____ DATES: _____
32. CULTURAL/ETHNIC AFFILIATION: ☐ ENGLISH ☒ FRENCH ACADIAN ☐ NATIVE AMERICAN ☐ SCOTTISH ☐ FRENCH CANADIAN
☐ EAST EUROPEAN ☐ IRISH ☐ OTHER _____
33. HISTORIC CONTEXT(S): ☒ COMMERCE ☐ INDUSTRY ☐ TRANSPORTATION ☐ AGRICULTURE ☐ MILITARY
☐ RELIGION ☐ CIVIC AFFAIRS ☐ RECREATION ☐ HABITATION ☐ EDUCATION
☐ ART, LIT, SCIENCE ☒ SOCIAL _____
34. COMMENTS/SOURCES: _____

35. HISTORICAL DRAWINGS EXIST: ☐ YES ☒ NO LOCATION: _____

ENVIRONMENTAL DATA

36. SITE INTEGRITY: ☒ ORIGINAL ☐ MOVED DATE MOVED _____
37. SETTING: ☐ RURAL/UNDISTURBED ☐ RURAL/BUILT UP ☐ SMALL TOWN ☒ URBAN ☐ SUBURBAN
38. QUADRANGLE MAP USED: Biddeford QUADRANGLE #: _____
39. UTM NORTHING: _____ 40. UTM EASTING: _____
41. FACADE DIRECTION (CIRCLE ONE): N S E W NE NW SE SW

MHPC USE ONLY

- DATE ENTERED IN INVENTORY: _____ PHOTO FILE #: _____
- NR STATUS: L ☐ HD ☐ E ☐ NE ☐ ND ☐ REVIEWER _____
- DATA SOURCE: ☐ HPF ☐ CLG ☐ R&C ☐ STAFF ☐ STATE SURVEY ☐ OTHER _____ LEVEL OF SURVEY: R I



CITY OF BIDDEFORD PLANNING DEPARTMENT

Brad Favreau
205 Main Street
PO Box 586
Biddeford, ME 04005
207-284-9115
Brad.Favreau@biddefordmaine.org

HISTORIC PRESERVATION COMMISSION APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

Type of Application (see pages 2 and 3 below):

- ☒ Certificate of Appropriateness – Commission Review (\$140.00 fee)
☐ Certificate of Appropriateness – Subcommittee Review

Note: If unsure, check with the Planning Department which applies.

Applicant's/Owner's Information:

Applicant's Name: Salem Al-Shawk and Omar Sawanrah
Applicant's Address: 32 CUTTS ST Biddeford ME 04105
Applicant's Phone(s): 207-415-7986
Applicant's E-mail: SALMA1Shawk@gmail.com
Applicant's Legal Interest in the Property:

☒ Owner ☐ Purchase and Sale ☐ Lease/Rental Agreement

Owner's Name: Salem Al-Shawk and Omar Sawanrah
Owner's Address: 32 CUTTS ST biddeford ME 04105
Owner's Phone(s): 207-415-7986
Owner's E-mail: SALMA1Shawk@gmail.com

Representative's (Agent, Engineer, Architect, and/or Contractor) Information:

Agent's Name: _____
Agent's Address: _____
Agent's Phone(s): _____
Agent's E-mail: _____

Attach separate pages where multiple representatives are involved.

Project Information:

Project Address: 3234 CUTTS ST Biddeford ME 04106

Project Zone: _____ Existing Use of Property: _____

Project Tax Map(s): _____ Project Lot Number(s): _____

COMMISSION Review Project Activities (Check all that apply):

Alterations and Repair

- ☒ Removal and/or replacement of architectural detailing (for example porch spindles and columns, railings, windows and window moldings, and cornices)
- ☐ Installation or replacement of siding
- ☐ Porch replacement or construction of new porches
- ☐ Installation or replacement of either roofing or gutters when they are a significant and integral feature of the structure
- ☐ Alteration of accessory structures such as garages
- ☐ Other: _____

Additions and New Construction

- ☐ New Construction
- ☐ Building additions, including rooftop additions, dormers or decks
- ☐ Construction of accessory structures
- ☐ Installation of exterior access stairs or fire escapes
- ☐ Installation of antennas and satellite receiving dishes
- ☐ Installation of solar collectors
- ☐ Rooftop mechanicals (e.g., HVAC)
- Other: _____

Moving and Demolition

- ☐ Moving of structures or objects on the same site or to another site
- ☐ Any demolition or relocation of a landmark contributing and/or contributing structure within a district

☐ Other: _____

SUBCOMMITTEE Review Project Activities (Check all that apply):

Alterations and Repair

- ☐ Masonry work, including repointing, sandblasting, chemical cleaning, painting where the masonry has never been painted, or conversely, removal of paint where the masonry historically has been painted
- ☐ Other: _____

Signage and Exterior Utilities

- ☐ Installation or alteration of any exterior sign, awning, or related lighting
- ☐ Exterior lighting where proposed in conjunction with commercial and institutional signage or awnings
- ☐ Exterior utilities, including mechanical, plumbing, and electrical, where placed on or near clearly visible facades
- ☐ Other: _____

Note: In cases where the project is minor in nature, the Planning Department may determine that even if the activity qualifies for full Commission review it would be more appropriate to have it delegated to Subcommittee review.

Note: Your project may also require a building permit. Please call the Code Enforcement Office (284-9236) to make this determination.

Submittal Information Checklist:

- ☒ Required Application Fee: If full Commission review is required - \$140.00
If Subcommittee review is required - N/A

If FULL COMMITTEE Review is required - 10 Copies of the following are *required*:

- ☒ Completed Application Form
 - ☐ Description of Proposed Activity

If FULL COMMITTEE Review is required - 10 Copies of the following are recommended or may be requested:

- ☐ Photographs of the building involved as well as adjacent buildings
Samples of materials proposed for use in the activity
- ☐ Drawings (i.e., exterior elevations) and/or plans to illustrate the proposed activity for which the certificate is being applied for, including lettering styles (if applicable)

Note: Where Subcommittee Review is applicable, only 3 Copies of the above should be submitted.

Signature of applicant:

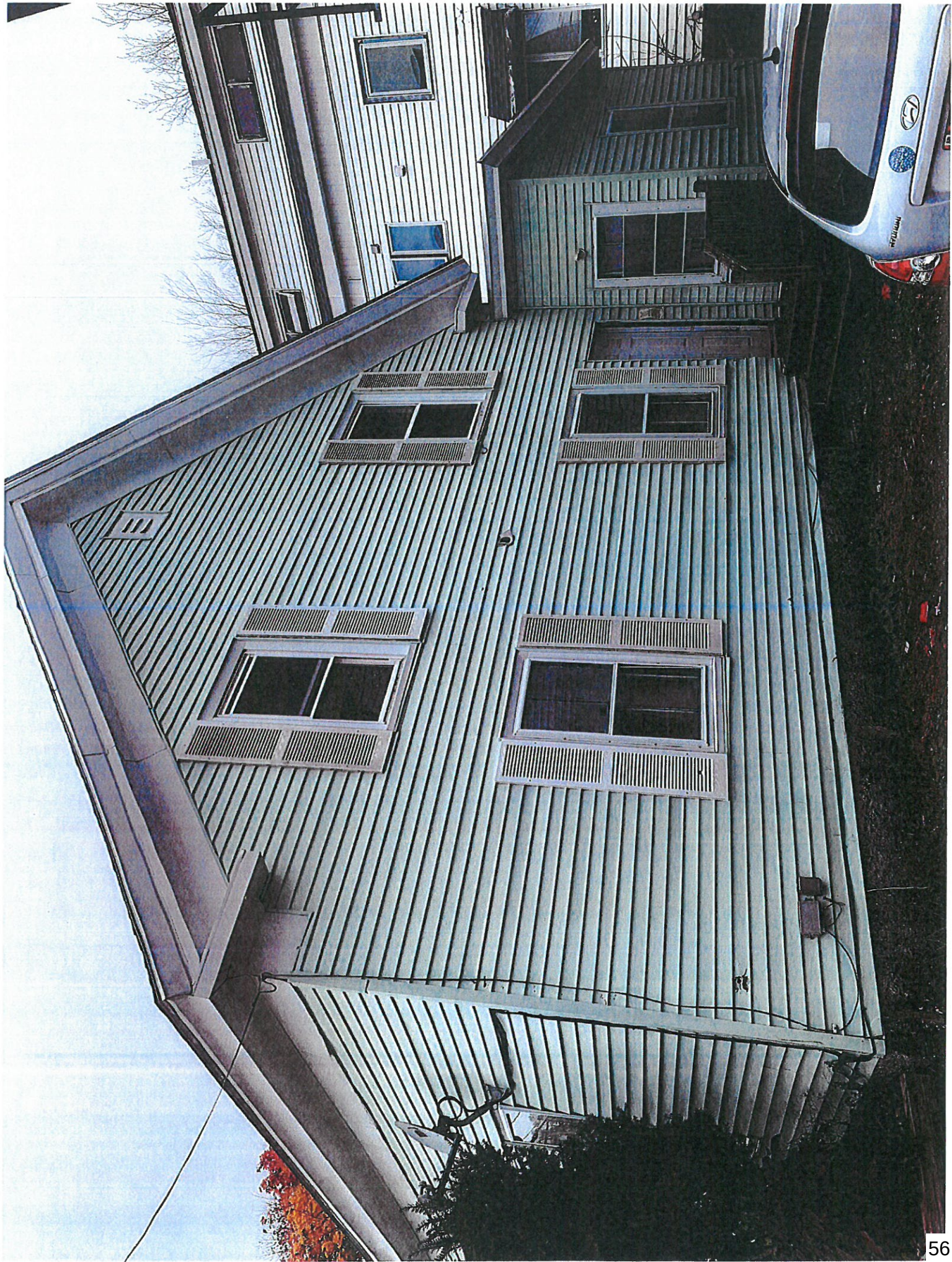


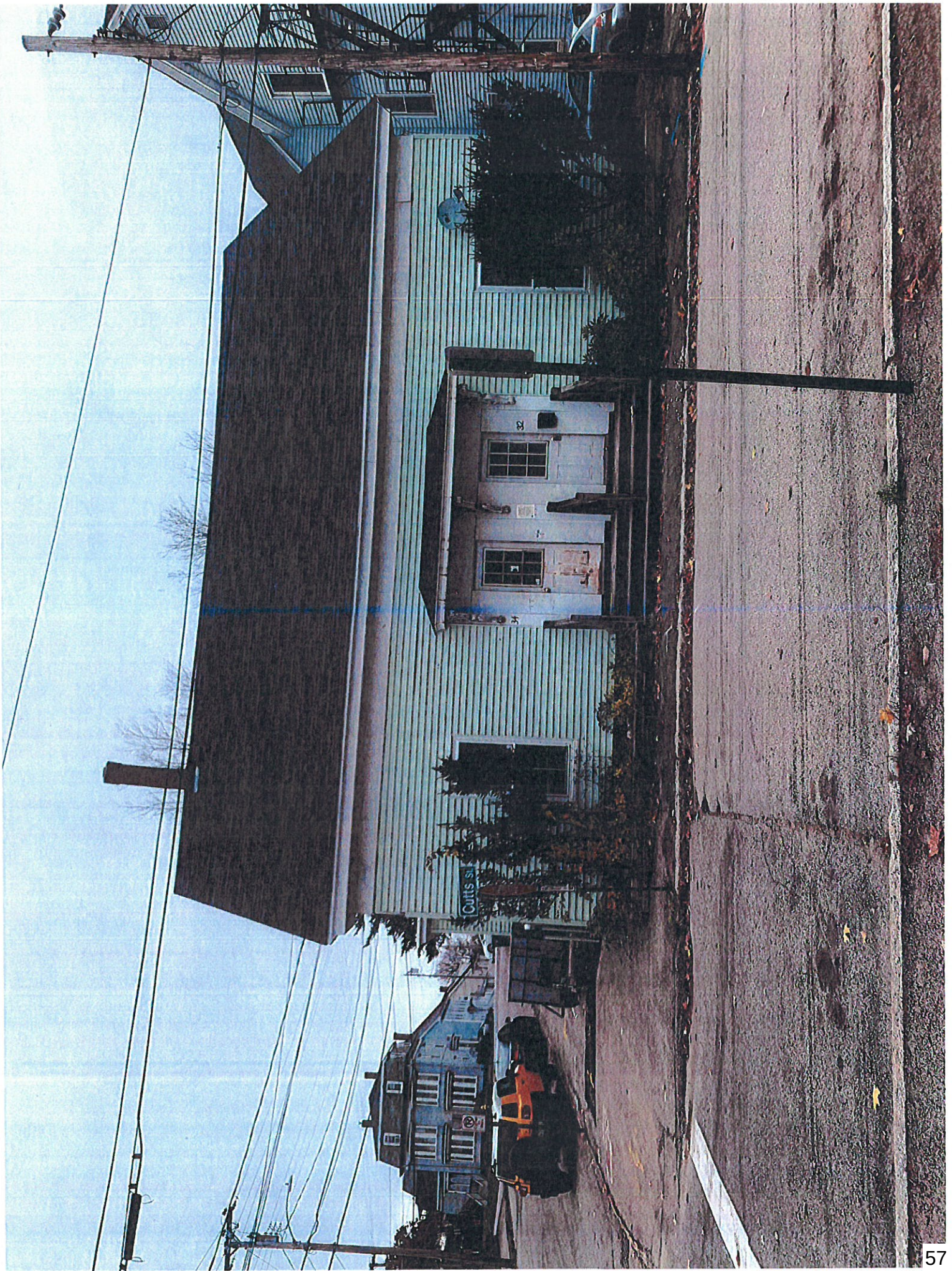
Date: _____

Signature of property owner:

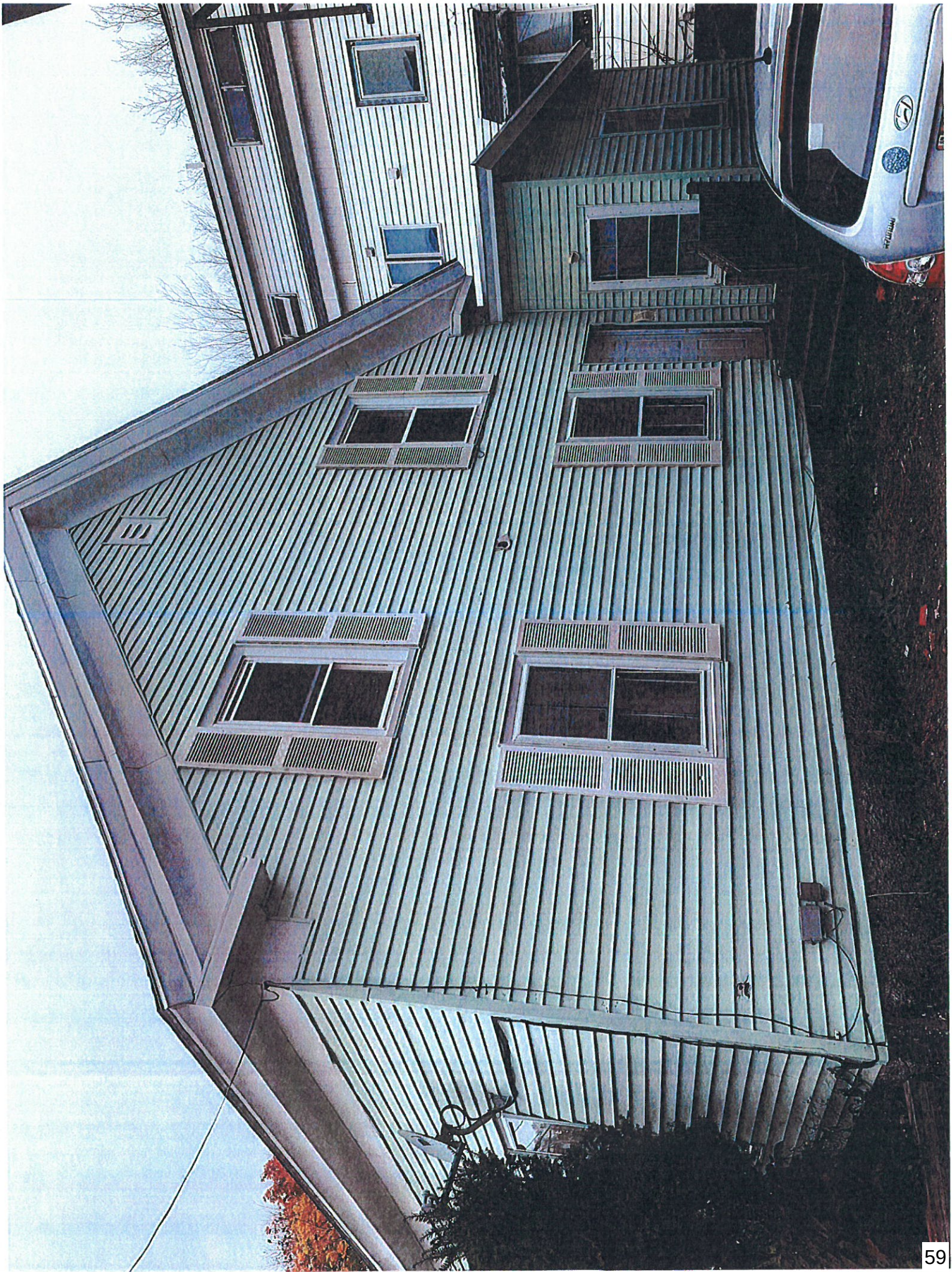


Date: _____









You're shopping
Biddeford

● OPEN until 9 pm

Delivering to
04005

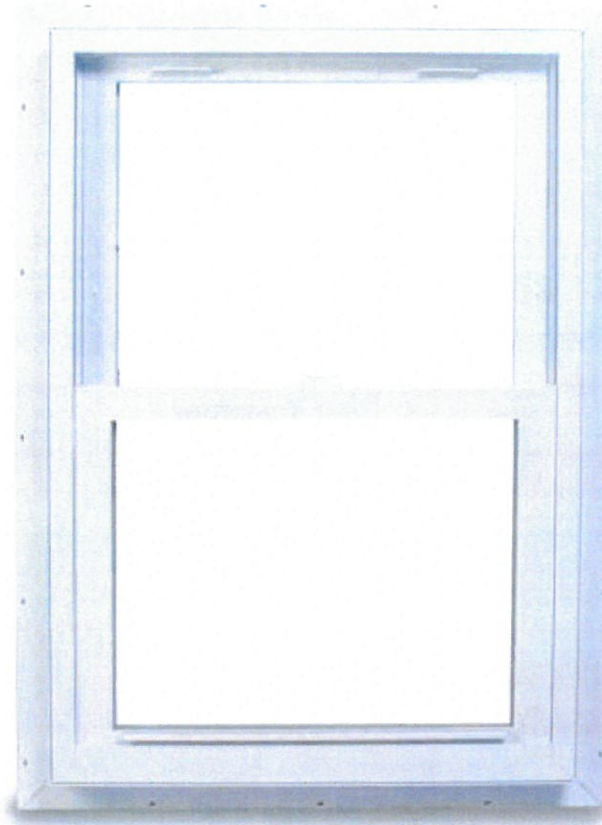
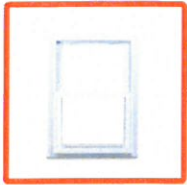
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Internet #203157331 Model #70 DH FIN Store SKU #532227



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37.75 in. x 56.75 in. 70 Series Double Hung White Vinyl Window with Nailing
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(255)

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379

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37.75 x 56.75

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Scheduled Delivery

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Tomorrow

\$35.00

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— or —

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Complete the Project: How To Install a Window



Difficulty
Intermediate



Time
Over 1 day

CERTIFICATE OF APPROPRIATENESS**FINDINGS OF FACT AND CONCLUSIONS OF LAW
CITY OF BIDDEFORD – 32 Cutts Street**

Pursuant to the provisions of the City of Biddeford Land Development Regulations, Articles XV (Historic Preservation Ordinance) the Biddeford Historic Preservation Commission has considered the application of Sarem Al Shawk to install replacement windows at 32 Cutts Street, including supportive data, public hearing testimony and related materials contained in the record. Based on the materials submitted, Public Comment, and Staff's review and recommendation, the Historic Preservation Commission makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Sarem Al Shawk and Omar Sowamrah 32 Cutts St Biddeford ME 04005 (207) 415-7986 saremalshawk@gmail.com
2.	Owner of Property:	Sarem Al Shawk and Omar Sowamrah 32 Cutts St Biddeford ME 04005 (207) 415-7986 saremalshawk@gmail.com
3.	Agent:	N/A
4.	Engineer/Architect/Contractor:	N/A
5.	Project Location:	32 Cutts St
6.	Project Tax Map #/Lot #:	38/52
7.	Contributing Structure?	No
8.	Existing Zoning:	MSRD-2
9.	Overlay Zoning:	None
10.	Existing Use:	Residential
11.	Proposed Use:	Residential
12.	Uses in the Vicinity:	Residential
13.	Parcel Size:	.07 Acres (3,049 sf)
14.	Front Setback Required:	15'
15.	Side Setbacks Required:	10'
16.	Rear Setback Requires:	10'
17.	Height Requirements:	3 stories or 35' maximum
18.	LDR Attachment A: Fess Paid:	Yes

Conclusions of Law:

The proposed project is consistent with the Biddeford Historic Preservation Ordinance, particularly the evaluation standards contained in Part III (Land Development Regulations, Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness).

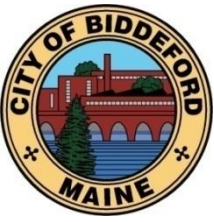
Approval Granted:

Based on the evidence available and the conclusions above, the Biddeford Historic Preservation Commission approves the Certificate of Appropriateness for the proposed project located at 32 Cutts Street, summarized above and evidenced in the file in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

All permits must be obtained from Code Enforcement prior to beginning any work.

Historic Preservation Commission Chairperson

Date



CITY OF BIDDEFORD PLANNING DEPARTMENT

2020.36 HPC

Greg Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

HISTORIC PRESERVATION COMMISSION REPORT

TO: Jeff Cabral, Chair & Members of the Biddeford Historic Preservation Commission

FROM: Brad Favreau, Economic Development Coordinator

DATE: November 2, 2020

RE: ITEM #3.3: 2020.36 HPC- Window replacement at 32 Cutts Street (Tax Map 38, Lot 52) in the MSRD-2 Zone.

MEETING

DATE/TIME: November 18, 2020 @ 4:00 PM

1. INTRODUCTION

The applicant proposes to replace existing windows in a three-family residential building with new vinyl windows.

2. PROJECT DATA/INFORMATION

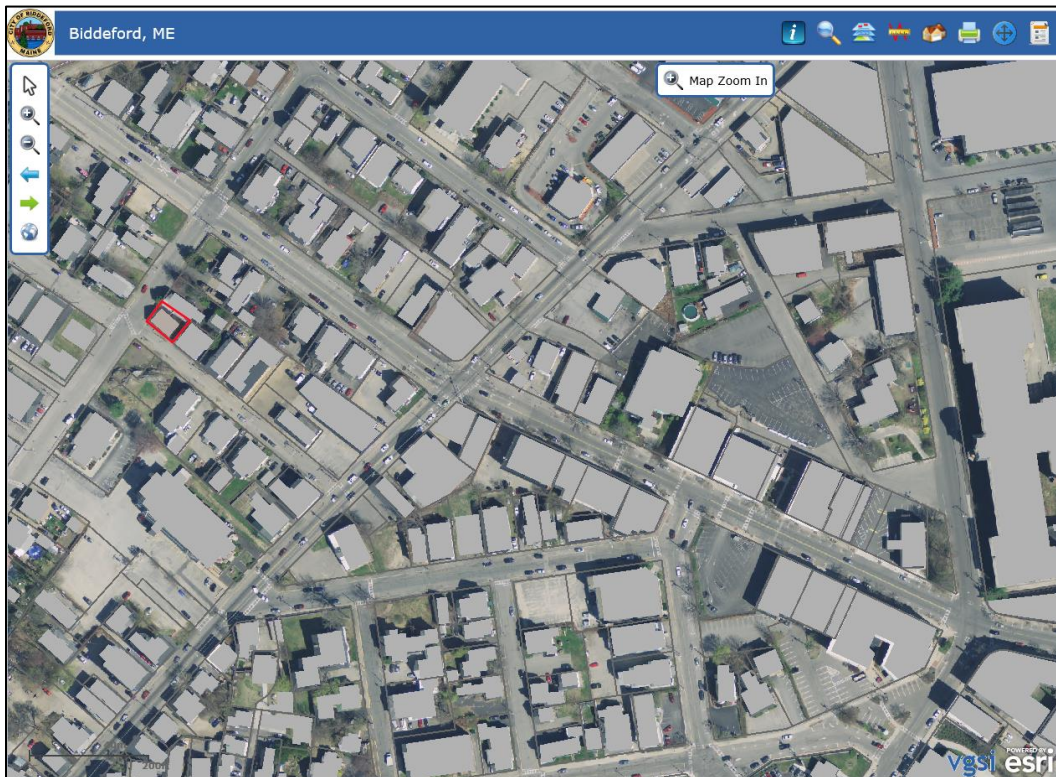
	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Sarem Al Shawk and Omar Sowamrah 32 Cutts St Biddeford ME 04005 (207) 415-7986 saremalshawk@gmail.com
2.	Owner of Property:	Sarem Al Shawk and Omar Sowamrah 32 Cutts St Biddeford ME 04005 (207) 415-7986 saremalshawk@gmail.com

3.	Contractor/Developer:	N/A
6.	Project Agent/Architect:	N/A
5.	Project Location:	32 Cutts Street
6.	Project Tax Map #/Lot #:	Map 38 Lot 52
7.	Existing Zoning:	MSRD-2
8.	Overlay Zoning:	Biddeford Historic District.
9.	Contributing/Non-contributing:	Non-Contributing
10.	Existing Use:	Residential
11.	Proposed Use:	Residential
12.	Proposed Project:	
13.	Approvals Required:	Certificate of Appropriateness
14.	Uses in the Vicinity:	Residential
15.	Other Permits Obtained:	None
16.	Historic Preservation Commission Review History:	November 18, 2020 Meeting: The notice was posted in City Hall and on the city website on Month Day, 2020. Mailing notices were also sent out to all abutters within 100' on Month Day, 2020 – __ notices were sent out.

3. EXISTING CONDITIONS:

The building is a one and a half, three-unit structure built in 1900. It is located on the corner of Cutts Street and Bradbury Street, one block west of Elm Street and one block south of Main Street. The surrounding buildings are multi-family dwellings and were constructed generally between 1880 and 1900.

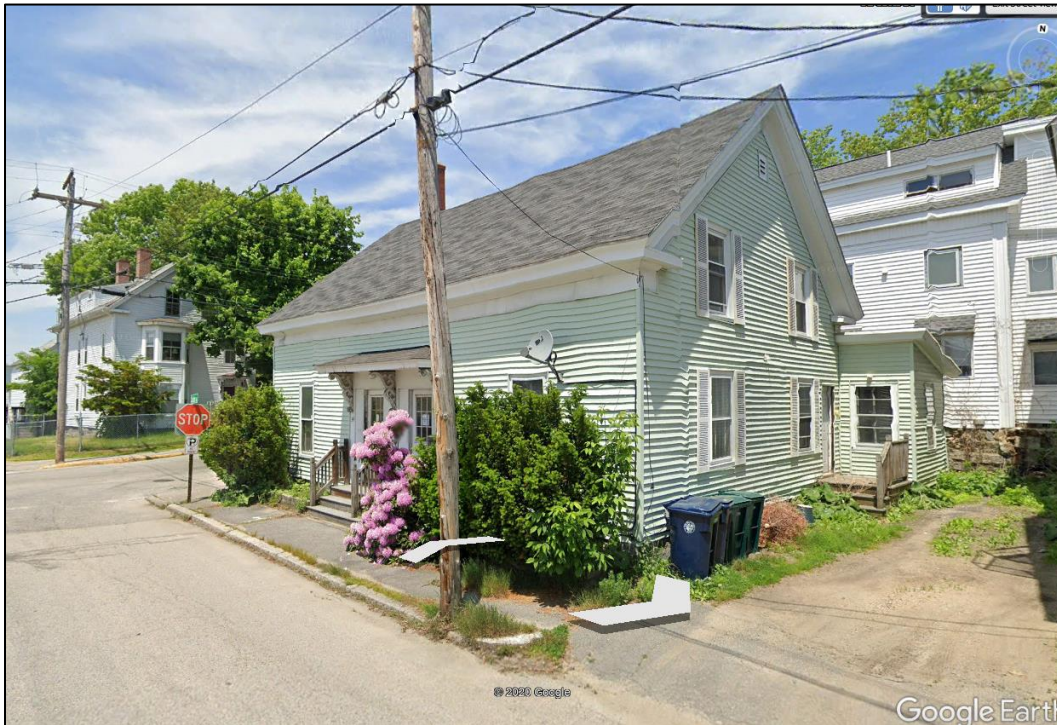
Windows on the upper floor of the building are one-over-one replacement windows, installed several years ago. On the first floor, it appears that two-over-two windows are original to the structure. The building is vinyl-sided, as are the immediately adjacent buildings.



Source: "32 Cutts Street". <http://gis.vgsi.com/BiddefordMEMap/index.html?pid=4055>.
 Accessed Date: 11/04/2020.



Source: "45 Hill Street, Biddeford, Maine." 43°29'41.53" N 70°27'39.86" W. **Google Earth Street View**.
 Imagery Date: 06/2019. Accessed Date: 11/04/2020.



Source: "45 Hill Street, Biddeford, Maine." 43°29'41.53" N 70°27'39.86" W. **Google Earth View.**
Imagery Date: 06/2019. Accessed Date: 11/04/2020.



Source: "45 Hill Street, Biddeford, Maine." 43°29'41.53" N 70°27'39.86" W. **Google Earth View.**
Imagery Date: 06/2019. Accessed Date: 11/05/2020.

4. PROJECT PROPOSAL

The owner proposes to replace all windows on the first floor of the building, using Home Depot's line of American Craftsman vinyl replacement double hung windows (see attached cut sheet). This window is available with one-over-one sashes or with six-over-six colonial grille pattern. Neither is in keeping with this vintage building.

5. PUBLIC COMMENT

As of the time of this report, no public comments had been received.

6. STAFF REVIEW:

- a. REVIEW STANDARDS: Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness).

The Ordinance states the following in the submission requirements section of the Ordinance (Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness):

Section 11 Evaluation standards for Certificate of Appropriateness.

A. Reconstruction and alterations.

1. A building or structure classified as an historic landmark or located within an historic district, or any part thereof, or any appurtenance related to such structures, including but not limited to walls, fences, light fixtures, steps, paving and signs, shall not be reconstructed or altered unless a certificate of appropriateness has been issued for such activity. No certificate of appropriateness for a structure or building identified as contributing to the district shall be issued unless the proposed activity is found to preserve or enhance a building's or structure's historical or architectural character. No certificate of appropriateness shall be issued for a noncontributing structure or building unless the proposed activity is complementary to the historic character of surrounding structures and buildings and meets the intent of this ordinance.

2. The standards and requirements in the United States Secretary of the Interior's Standards of Rehabilitation as well as the following factors shall be considered when reviewing applications for reconstruction or alteration of buildings or structures subject to review under this ordinance:

a. Every reasonable effort shall be made to use a property for its historic purpose and in a way which will require minimum alteration to the structure and its environment;

b. Rehabilitation work shall not destroy the distinguishing qualities nor character of the structure and its environment. The removal or alteration of any historic material or architectural features should be avoided;

c. Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on physical or pictorial evidence rather than on conjectural designs or the availability of different architectural features from other buildings;

d. Distinctive stylistic features or examples of skilled craftsmanship which characterize historic structures and often predate the mass production of building materials shall be treated with sensitivity;

e. Changes which may have taken place in the course of time are evidence of the history and development of the structure and its environment, and these changes shall be recognized and respected;

f. All structures shall be recognized as products of their own time. Alterations to create an earlier appearance shall be discouraged;

g. Contemporary design for additions to existing structures shall be encouraged if such design is compatible with the size, scale, material and character of the neighborhood, the structure or its environment; and

h. Wherever possible, new additions or alterations to structures shall be done in such a manner that if they were to be removed in the future the essential form and integrity of the original structure would be unimpaired.

C. Construction of new buildings or structures. The construction of a new building or structure within an historic district shall be generally of such a design, form, proportion, mass, configuration, building material, texture, color and location on a lot as will be compatible with buildings, structures and open spaces where it is visually related and in keeping with the area. The following factors shall be considered:

- 1. **Height.** The height of proposed buildings shall be compatible with adjacent buildings;*
- 2. **Proportion of building's front facade.** The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings, structures and open spaces where it is visually related;*
- 3. **Proportion of openings within the facade.** The relationship of the width of the windows to the height of windows and doors in a building shall be visually compatible with that of windows and doors of buildings to which the building is visually related;*

- 4. Rhythm of solids to voids in front facades.** *The relationship of solids to voids in the front facade of a building shall be visually compatible with that of the buildings to which it is visually related;*
- 5. Rhythm of spacing of buildings on streets.** *The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with that prevailing in the area to which it is visually related;*
- 6. Rhythm of entrance and/or porch projection.** *The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible with that of buildings to which it is visually related;*
- 7. Relationship of materials and textures.** *The relationship of the materials and textures of the facade of a building shall be visually compatible with that of the predominant materials used in the buildings to which it is visually related;*
- 8. Roof shapes.** *The roof shape of a building shall be visually compatible with that of the buildings to which it is visually related;*
- 9. Scale of building.** *The size of the building and the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with those characteristics of buildings and spaces to which it is visually related; and*
- 10. Directional expression of front elevation.** *A building shall be visually compatible with the building, squares and places to which it is visually related in its directional character, whether this shall be vertical character, horizontal character or non-directional character.*

b. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. None

7. STAFF RECOMMENDATION:

Recommend the Commission consider the submitted application for approval, approval with conditions, or denial.

The windows on the upper floor were replaced years ago and are currently one-over-one vinyl replacement windows. The applicant is proposing to replace lower windows with a like, opening price-point product in his non-contributing structure. As vinyl windows are now so prevalent, the commission should consider a policy for the use of this type window in historic buildings and district, regardless of contributing status.

8. STAFF RECOMMENDATION:

If the Commission approves the project, Staff recommends doing so with the following minimum Conditions of Approval attached:

- a. **All permits must be obtained from Code Enforcement prior to beginning any work.**

9. SAMPLE MOTIONS

A. Motion to approve the Certificate of Appropriateness for Sarem Al Shawk to replace all existing lower windows at 32 Cutts Street in the MSRD-2 zone based on materials presented and conditioned on the following:

- a. **All permits must be obtained from Code Enforcement prior to beginning any work.**

b. _____

B. Motion to table this item until the following minimum additional information has been submitted for review:

a. _____

b. _____

Article XV

HISTORIC PRESERVATION ORDINANCE

Section 1. Authority.

This ordinance is adopted by the municipal officers of the City of Biddeford, Maine, pursuant to the authority granted under 30-A M.R.S.A. § 3001 and § 3007.

Section 2. Purpose and intent.

- A. Purpose. The purpose of this ordinance is to promote the educational, cultural, economic and general welfare of the City of Biddeford by providing a legal framework within which the residents of the City can protect the historic and architectural heritage of historically significant areas, landmarks and sites while accepting compatible new construction.
- B. Intent. The intent of this ordinance is to create a legal mechanism to further the above-mentioned purpose and to:
1. Protect, preserve and enhance the outward appearance and architectural features of historic landmarks and structures within designated historic districts and of designated historic landmarks.
 2. Protect and enhance neighborhood character.
 3. Enhance the economic welfare of the City by stabilizing and improving the values of structures and properties within designated historic districts.
 4. Protect and enhance the attractiveness of the City to its home buyers, home owners, residents, tourists, visitors, businesses and shoppers.
 5. Foster civic pride in the City's history and development patterns as represented in such designated historic districts and landmarks.
 6. Apply design standards in a reasonable and flexible manner to prevent the unnecessary loss of the community's historical features and to ensure compatible construction and rehabilitation in historic districts while not stifling change and development or forcing modern recreations of historic styles.
 7. Prevent the demolition or removal of significant historic buildings or structures within designated historic districts or of designated historic landmarks.
 8. Preserve, protect and enhance the essential character of designated historic districts by protecting relationships of groups of buildings and structures.

9. Accept new buildings and structures in designated historic districts, which are designed and built in a manner which is compatible with the character of the district.
10. Encourage the use of environmentally sustainable practices in building construction and renovations, while ~~at the same time~~ supporting the ~~overall~~ purpose of this ordinance being historic preservation.

Section 3. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ALTERATION — Any act or process requiring a building permit and any other act or process not requiring a building permit but specifically listed in this article as a reviewable action, including, without limitation, the repair, reconstruction, demolition or relocation of any structure or object or any part of a structure or object.

ALTERED — The word altered includes "rebuilt," "reconstructed," "rehabilitated," "restored," "removed" and "demolished."

APPLICANT — A person who submits an application for issuance of a certificate of appropriateness.

APPLICATION — A form submitted for approval of alteration, construction, demolition or removal that requires issuance of a certificate of appropriateness.

APPROPRIATE — Refers to those changes in historic properties, landmarks, buildings, structures or sites within historic overlay zones, or sites or landmarks, which are not incongruous with what is historically and architecturally significant as determined by the Commission or its designee.

APPROVAL AUTHORITY — Either the Commission or its designee as provided for in Section 8 of this ordinance.

CERTIFICATE OF APPROPRIATENESS — A certificate issued by the Commission or its designee evidencing approval of specific plans for alteration of a structure or construction on a site in accordance with this article.

CERTIFICATE OF ECONOMIC HARDSHIP — A certificate issued by the Commission or its designee evidencing a hardship variance approved by the Board of Appeals in accordance with Section 11E of this ordinance.

CERTIFICATE OF NONAPPLICABILITY — A certificate issued by the Commission or its designee evidencing a determination that specific plans for alteration of a structure or construction on a site do not require approval under this article.

COMMISSION — The Commission acting as the Historic Preservation Commission established in Section 6 of this ordinance.

CONSTRUCTION — The adding to a structure by an addition, or the erection or placement of any new structure on a lot or property.

CONTRIBUTING — A classification applied to a site, structure or object within an historic district signifying that it contributes generally to the qualities that give the historic district cultural, historic, architectural or archeological significance as embodied in the criteria for designating an historic district, but without being itself a landmark. See Section 17 of this ordinance.

CONTRIBUTING STRUCTURE — A structure located within a designated historic district and identified as contributing to the historical or architectural significance of said district. See Section 17 of this ordinance.

DEMOLITION —

- A. Any act or process that partially or totally destroys a structure or object.
- B. The razing of a building or a structure or the removal of any exterior architectural feature or structure or object.

DEPARTMENT — The Planning Department.

EXTERIOR ARCHITECTURAL FEATURE — The architectural style and general arrangement of the exterior of a building or structure, including but not limited to:

- A. The kind, type, and texture of the building materials;
- B. The type and style of all windows, doors, lights, dormers, roofs, gable cornices, porches, decorative trim, etc.;
- C. The location and treatment of any vehicle access or parking space;
- D. The design of any sign; and
- E. The arrangement of any fencing.

HISTORIC (adj.) — Important in or contributing to history.

HISTORIC DISTRICT — Any place or area which includes or encompasses such historic landmarks, buildings, signs, appurtenances, structures or objects as may be designated within this ordinance in Section 5 as appropriate for historic preservation.

HISTORIC LANDMARK — Any improvement, building or structure of particular historic or architectural significance to the City relating to its heritage or cultural, social, economic or political history or which exemplifies historic personages or important events in local, state or national history, as may be designated in accordance with this chapter. An historic landmark does not necessarily need to be located within an historic district.

HISTORIC SIGNIFICANCE — Any building, structure or site identified in Section 179 as contributing. Any building, structure, or site not identified in Section 179 is not considered to possess historical significance.

LANDMARK — A structure that has significant historical, architectural, or cultural meaning and that has been given legal protection from alteration and destruction by City Council. A property, site, structure or object designated as a "landmark" by the City Council.

MASSING — The perception of the general shape and form as well as size of a building.

NONCONTRIBUTING STRUCTURE — Any structure which is neither a contributing structure within a district nor a landmark and is not identified as contributing in Section 179 of this ordinance.

OBJECT — Anything constructed, fabricated or created the use of which does not require permanent or semipermanent location on or in the ground.

ORDINARY MAINTENANCE — Acts of maintenance or repair which do not include a change in the design, material or outer appearance of a structure, including, without limitation, repainting, replacement of materials or windows of the same scale, texture and color, and landscaping other than within an historic landscape district.

OWNER — The person or persons holding record title to the building, site or property; provided, however, the last previous tax roll in the records of the City Assessor's office may be relied upon as showing record ownership in the absence of substantial evidence to the contrary.

PROPERTY — Land and improvements identified as a separate lot for purposes of subdivision, site plan, or zoning regulation.

RELOCATION — Any removal or relocation of a structure on its site or to another site.

RESTORATION — Any act which returns a structure or a feature of a structure to a prior state of historic significance.

RHYTHM — Characterized by the regular recurrence of strong and weak elements.

SCALE — The size or apparent size of an object seen in relation to other objects, people, or its environment or format.

Section 4. Applicability.

This ordinance shall apply to all lands, building, structures, and exterior building features which require a building permit, including but not limited to sign and demolition permits, from the Code Enforcement Office, as identified in Section 10 A., either located within a designated Historic District or designated as an historic landmark in Section 5 of this ordinance.

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Section 5. Historic districts and historic landmarks designated.

The following described lands, buildings, structures, or areas of the City of Biddeford are designated as historic districts or historic landmarks:

A. Districts:

1. Downtown Historic District, as defined by the MSRD-1 Zone.
2. Mill Area Historic District, as defined by the MSRD-3 Zone, except for those lands within MSRD-3 located northwest of Elm Street.

4-3. Mixed Residential Historic District, as defined by the MSRD-2 Zone.

A. Landmarks:

6-B. All such structures/places, not including districts, identified on the National Register of Historic Places.

Section 6. Eligibility for Historic Designation.

The historic districts, historic sites, and historic landmarks established in accordance with this chapter shall have one or more of the following characteristics:

- A. History of Biddeford. Structures, buildings or sites at which events have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, social history of Saco or the nation, including sites or buildings at which visitors may gain insight or see examples of particular items or of larger patterns in the North American heritage.
- B. Persons. Structures, buildings, or sites associated with important historic persons.
- C. Ideas. Structures, buildings, or sites associated with important examples of a great idea or ideal.
- D. Architecture. Structures or structural remains and sites embodying examples of architectural types or specimens valuable for study of a period, style or method of building construction, of community organization and living; landscaping; a single notable structure; or a site representing the work of a master builder, master designer, architect or landscape architect.
- E. Visual continuity. Structures or buildings contributing to the visual continuity of the historic district.
- F. National register. Those sites or areas listed on or eligible for listing on the National Register of Historic Places or as a National Historic Landmark.

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Section 7. Establishment of Historic Sites, Landmarks, and New Historic Districts; and Expansion of Existing Historic Districts.

A. Amendment process. Any person seeking to add or expand historic districts, sites, or landmarks shall request the amendment in writing to the Commission. Any proposal by the Council or Planning Board shall be referred to the Commission for comment before Council action. After receiving the Commission's recommendation concerning the request, the City Administrator shall place the matter on the agenda of the City Council. Any applications or designation of buildings, structures, sites and districts shall be in writing.

B. Application requirements. Applications shall be in writing and shall include the following, as appropriate:

1. A concise description of the physical elements, qualities, architectural style, period and historical significance represented by the building, structure or site, including a consideration of scale, materials, workmanship and spatial qualities, as relevant.
2. A concise statement of how the building, structure or site meets the review criteria of this chapter
3. Exterior photographs of the building or structure, and/or a site map, illustrating significant details. In addition, the Commission may request photographs of interior features of particular historic significance. These interior photographs may be provided by the applicant on a voluntary basis and are not required submissions.
- a. A concise statement of the physical elements which justify making this area an historic district and a description of building types and architectural styles and periods represented
- b. An explanation of the proposed boundaries of the district.
- c. Details on the structures that do not contribute to the significance of the district.
- d. A map showing the location of all district structures.

C. Studies and recommendations. Before making its recommendation concerning the proposed establishment or expansion of an historic district, historic site or historic landmark, the Commission may conduct studies and research on the proposal. The Commission shall make a report to the City Administrator on every request received within six months. Drafts of the report shall also be mailed to the Maine Historic Preservation Commission for review.

D. Public hearing. Prior to making a recommendation concerning the proposed establishment or expansion of an historic district, historic site, or historic landmark, the Commission shall hold a public hearing on the request, after due notice is provided at least seven days prior to the hearing in a newspaper of general local circulation. Written notice of the proposal shall be given to the applicant, owners of all property to be included within the proposed designation and property within a 200-foot radius of the property under consideration.

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E. Final report. Not later than 30 days after the public hearing, the Commission shall submit a final report to the City Council with the Commission's recommendation.

Section 7 HISTORIC PRESERVATION ORDINANCE Section 8

F. Action by the City Council. After receipt of the Commission's recommendations, as provided above, the City Council shall consider said proposed designation and approve or disapprove the request. Within 20 days after the designation of any historic district, historic site or historic landmark, the owner of each property so designated shall be given written notice

G. Applicability of this section. All land, buildings or structures within an historic district are subject to the requirements of this chapter after a district has been designated by the City Council. All historic sites and landmarks are subject to the requirements of this chapter after they have been so designated by the City Council.

Section 86. Historic Preservation Commission membership; meetings.

A. Membership.

1. The Board shall consist of seven members, five voting members and two associate members, each a resident of the City of Biddeford. Each member shall be nominated by the Mayor, confirmed by the City Council, for a three year-term. The Mayor shall have the discretion of appointing members and associate members to the Commission with terms expiring after two years but less than three years for the purpose of staggering appointments throughout a calendar year.
2. Associate members may be made voting members of the Board upon the retirement or no appointment of a voting member. Associate members are expected to participate in all hearings and discussions. They shall vote only if the Chair appoints an associate to act in place of a regular member who is absent or has been disqualified because of conflict of interest.
3. When there is a permanent vacancy, the Mayor shall nominate, with confirmation by the City Council, a new member to serve for the remainder of the unexpired term.
4. No serving municipal officer or official of the City of Biddeford shall serve as a member or associate member of the Board.

B. Member qualifications.

1. All members of the Commission shall be residents of the City of Biddeford.
2. Appointments shall be made on the basis of demonstrated interest, knowledge, ability, experience and desire to promote historic preservation in the City of Biddeford. To the extent possible, members should have a background in architecture, historic preservation, planning, engineering, building construction, or a combination thereof.
3. Ideally a member of the Biddeford Historical Society would be a member, as well as a resident of one of the Historic Districts designated by this

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ordinance.

C. Removal of an Historic Preservation Commission member.

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1. Members of the Commission may be removed for cause by the City Council. Cause may include, but not necessarily be limited to, the following reasons:
 - a. A member is no longer a resident of the City of Biddeford;
 - b. A member is absent from meetings without good cause; or
 - c. A member conducts himself/herself in a manner that is inconsistent with the official position of the Historic Preservation Commission, such as consistently having conflicts of interest or displaying unprofessional behavior toward applicants, City employees, or members of the public.
2. Removal action may be initiated by the Mayor or the City Council; however, any member proposed for removal shall be given written notice and shall have an opportunity to be heard prior to final action.

D. Commission officers.

1. The Commission shall elect from its voting membership a Chair, Vice Chair, and Secretary. Each officer shall be elected each January and shall serve a term of one year.
2. Elected officers shall be responsible for the following:
 - a. The Chair shall preside at all meetings and shall be responsible for the scheduling of special meetings of the Commission as needed. The Chair shall vote only in case of a tie.
 - b. In the event the Chair is absent or has been recused due to conflict of interest, the Vice Chair shall act as the Chair.
 - c. Secretary: ensures that the records of meetings are accurate and available for the Commission's review and reference.

E. Staff. The Commission shall be staffed by the Planning Department.

F. Meetings.

1. The Commission shall conduct monthly meetings. Meetings shall convene on the second Wednesday of each month, unless prior arrangement and announcement has been made by the Commission.
2. In coordination with the Planning Department, the Chair may call special meetings and workshops as needed.
3. All meetings of the Commission shall be open to the public. All meeting agendas shall be posted at the same location in City Hall as Planning Board agendas no less than seven days prior to the hearing. Materials

XV:8

and records of the meetings shall be maintained

XV-9

and available for public inspection in the Planning Department.

[Amended 3-5-2019 by Ord. No. 2019.14]

4. The Commission shall adopt Roberts Rules of Order and may adopt rules of procedure for the conduct of its business not inconsistent with this article. The Commission shall allow for public comment at all meetings on all applications, with a reasonable amount of time provided to all who wish to speak. In cases where there are applications and a number of those present wish to speak, the Commission may by motion establish a time limit for public comment.
5. Commission meetings shall be called to order when a quorum of the voting members is present. For this purpose a quorum shall be three voting members. When a regular member of the Commission is unable to serve because of conflict of interest, incapacity, absence or lack of confirmed appointment to fill a permanent vacancy, an associate member shall be designated to vote by the Chairman.
6. The Commission shall issue a written decision, appropriately signed by the Chairman, on matters when determined by the Commission to be necessary. The decisions shall include:
 - a. A statement of findings and conclusions.
 - b. Any conditional actions and the timetable for completion.
- G. Conflicts. Any questions raised by any interested party of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting shall be decided by a majority of the members present except the member who is being challenged.

Section 97. Responsibilities.

The Historic Preservation Commission shall have the following responsibilities:

- A. Issue certificates of appropriateness for eligible activities identified in Section 8-10 of this ordinance.
- B. Conduct or administer an ongoing survey to identify historically and architecturally significant areas, sites, structures, and landmarks.
- C. Make recommendations for designation of landmarks or new or expanded districts to the Planning Board.
- D. Advise the City Council, Planning Board, and City Departments, as necessary, regarding the protection of historic landmarks and districts.
- E. Review and make recommendations regarding all national register proposals for properties and districts within the City.

- F. Assist in the development of relevant sections of the City's Comprehensive Plan pertaining to historic resources and historic preservation.
- G. Educate and inform the citizens and property owners in Biddeford concerning the historic and architectural heritage of the City.
- H. To engage in other activities in furtherance of the purposes of this ordinance.

Section ~~810~~. Certificate of appropriateness required.

- A. Historic Preservation Commission review. The Historic Preservation Commission shall protect historic districts and historic landmarks by the issuance of certificates of appropriateness for certain activities in historic districts and involving historic landmarks. Certificates of appropriateness from the Commission are required for:
 - 1. Any change to the exterior appearance of any building or structure in an historic district that requires a building permit or a sign permit from the Code Enforcement Office and for any change to the exterior appearance of an historic landmark that requires either a building permit or a sign permit from the Code Enforcement Office;
 - 2. New construction of a principal or accessory building or structure visible from a public street where such a building or structure will be located in an historic district;
 - 3. Demolition of an historic landmark or ~~any~~ building or significant architectural feature in an historic district;
 - 4. Moving of an historic landmark or any building in an historic district; and/or
 - 5. Any change, except for minor repair, in siding materials, roofing materials, door and window sash and integral decorative elements, such as, but not limited to, cornices, brackets, window architraves, doorway pediments, railings, balusters, columns, cupolas, and cresting ~~and~~ roof decorations.
- B. Subcommittee review. In order to process certificates of appropriateness more efficiently, applications for minor alterations, temporary alterations, and the installation or alteration of any exterior sign shall be reviewed by a subcommittee consisting of the City Planner and the Chair of the Historic Preservation Commission, or their respective designees, rather than the Historic Preservation Commission, as follows:
 - 1. The subcommittee shall review the application under the standards of Section ~~11-13~~ and approve the application, approve it with modifications or deny it within 10 working days of receiving a complete application.

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2. No public hearings, meeting agenda postings, or abutter notices are required for applications reviewed under this section.
 3. If the subcommittee has not acted on an application within 10 working days the applicant may seek approval from the Commission instead. Inaction by the subcommittee under this section does not constitute approval or disapproval of the plan.
 4. If the applicant is not satisfied with the determination of the subcommittee, the applicant shall be permitted to have the entire application reviewed by the Commission. The subcommittee can, for any reason, forward any application received under these provisions to the Commission for review.
 5. For purposes of this section only, "temporary" is defined as either a one-time occurrence that does not exceed 30 days or as an annual occurrence that does not exceed one thirty-day period each year.
 6. The City Planner or Commission Chair shall report back to the Commission at the next meeting of the Commission any decisions made by the subcommittee since the last meeting.
 7. "Minor alterations" are defined as incidental changes or additions to a building or site features which will neither result in substantial changes to any significant historic features nor obscure such features. In no event shall any change be deemed minor when, in the determination of the subcommittee, such change shall alter the historic character of the building or site.
- C. When a certificate of appropriateness is required in any historic district or for any historic landmark, no building or sign permit shall be issued by the Code Enforcement Office until a corresponding certificate of appropriateness has been issued by the authorities described above.

Section ~~911~~. Application for certificate of appropriateness.

- A. Applications for certificates of appropriateness can be obtained either in the Code Enforcement Office or the Planning Department.
- B. Completed applications shall be submitted to the Biddeford Planning Department, which shall date and time stamp said applications upon receipt. Completed applications are due 14 days prior to the Commission's regularly scheduled meetings, which are the second Wednesday of every month.
- C. The Commission shall review and make a decision on all complete applications within 35 days of submission. If after 35 days no decision has been made, the certificate of appropriateness shall be deemed as approved.
- D. Applications shall be on a form developed by the Planning Department, and all applications shall include the following:

1. The applicant's name and address and his or her interest in the property;
 2. The owner's name and address, if different from the applicant's;
 3. If applicable, the contractor's and/or architect's name and address;
 4. The address or location of the subject property;
 5. The existing use and zoning of the property;
 6. A brief description of the proposed activity for which a certificate of appropriateness is sought.
- E. The applicant may wish to also provide, or the Planning Department may also request, on behalf of the Commission, additional information to better enable the Commission to reach a timely decision on an application under review, which may include:
1. Drawings (i.e., exterior elevations) and/or plans to better illustrate the proposed activity for which the certificate is being applied for;
 2. Samples of materials proposed for use in the activity;
 3. Photographs of other recently completed projects by the applicant in a similar fashion to which the certificate is being applied for; and
 4. Photographs of the building involved as well as adjacent buildings.

Section 10.12. Hearings and action on applications for certificates of appropriateness.

- A. Hearing required. Where applications under Section 8.10A are reviewed by the Commission, the Commission shall conduct a public hearing prior to rendering a decision.
- B. Notice requirements.
1. Notice requirements for all items scheduled for a public hearing shall include posting the meeting agenda at the same location in City Hall as Planning Board agendas are posted no less than seven days prior to the hearing; and
 2. Notice via United States Postal Service shall also be sent to the applicant, owner, and all property owners within 100 feet of the subject property no less than seven days prior; and¹
- C. Hearing and notice not required. Where applications are reviewed under Section 8.10B, no public hearing or notice is required. If the applicant requests a public hearing, the application shall be forwarded to the Commission, which shall then review and make a decision

1. Editor's Note: Former Subsection 3, regarding newspaper announcements, which immediately followed, was repealed 3-5-2019 by Ord. No. 2019-14.

regarding a certificate of appropriateness for said application under its normal procedure of review.

- D. Approval. If the approval authority determines that the proposed activity is appropriate, it shall approve the certificate of appropriateness and forward it to the Planning Department, which shall subsequently forward it to the Code Enforcement Office for the issuance of necessary permits.
- E. Disapproval. If the approval authority determines that the proposed activity is not appropriate, it shall make findings as to why it is not appropriate and shall forward said decision to the Planning Department, which shall notify the applicant of said determination and provide, as applicable, guidance regarding the opportunity to resubmit the application with revisions or to appeal the determination as outlined in Section 15-17 of this ordinance.

Section 143. Evaluation standards for certificate of appropriateness.

A. Reconstruction and alterations.

- 1. A building or structure classified as an historic landmark or located within an historic district, or any part thereof, or any appurtenance related to such structures, including but not limited to walls, fences, light fixtures, steps, paving and signs, shall not be reconstructed or altered unless a certificate of appropriateness has been issued for such activity. No certificate of appropriateness for a structure or building identified as contributing to the district shall be issued unless the proposed activity is found to preserve or enhance a building's or structure's historical or architectural character. No certificate of appropriateness shall be issued for a noncontributing structure or building unless the proposed activity is complementary to the historic character of surrounding structures and buildings and meets the intent of this ordinance.
- 2. The standards and requirements in the United States Secretary of the Interior's Standards of Rehabilitation as well as the following factors shall be considered when reviewing applications for reconstruction or alteration of buildings or structures subject to review under this ordinance:
 - a. Every reasonable effort shall be made to use a property for its historic purpose and in a way which will require minimum alteration to the structure and its environment;
 - b. Rehabilitation work shall not destroy the distinguishing qualities nor character of the structure and its environment. The removal or alteration of any historic material or architectural features should be avoided;
 - c. Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event that

replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on physical or pictorial evidence rather than on conjectural designs or the availability of different architectural features from other buildings;

- d. Distinctive stylistic features or examples of skilled craftsmanship which characterize historic structures and often predate the mass production of building materials shall be treated with sensitivity;
- e. Changes which may have taken place in the course of time are evidence of the history and development of the structure and its environment, and these changes shall be recognized and respected;
- f. All structures shall be recognized as products of their own time. Alterations to create an earlier appearance shall be discouraged;
- g. Contemporary design for additions to existing structures shall be encouraged if such design is compatible with the size, scale, material and character of the neighborhood, the structure or its environment; and
- h. Wherever possible, new additions or alterations to structures shall be done in such a manner that if they were to be removed in the future the essential form and integrity of the original structure would be unimpaired.

B. Demolition or removal: See Section 12.14 of this ordinance.

C. Construction of new buildings or structures. The construction of a new building or structure within an historic district shall be generally of such a design, form, proportion, mass, configuration, building material, texture, color and location on a lot as will be compatible with buildings, structures and open spaces where it is visually related and in keeping with the area. The following factors shall be considered:

- 1. Height. The height of proposed buildings shall be compatible with adjacent buildings;
- 2. Proportion of building's front facade. The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings, structures and open spaces where it is visually related;
- 3. Proportion of openings within the facade. The relationship of the width of the windows to the height of windows and doors in a building shall be visually compatible with that of windows and doors of buildings to which the building is visually related;

4. Rhythm of solids to voids in front facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with that of the buildings to which it is visually related;
 5. Rhythm of spacing of buildings on streets. The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with that prevailing in the area to which it is visually related;
 6. Rhythm of entrance and/or porch projection. The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible with that of buildings to which it is visually related;
 7. Relationship of materials and textures. The relationship of the materials and textures of the facade of a building shall be visually compatible with that of the predominant materials used in the buildings to which it is visually related;
 8. Roof shapes. The roof shape of a building shall be visually compatible with that of the buildings to which it is visually related;
 9. Scale of building. The size of the building and the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with those characteristics of buildings and spaces to which it is visually related; and
 10. Directional expression of front elevation. A building shall be visually compatible with the building, squares and places to which it is visually related in its directional character, whether this shall be vertical character, horizontal character or nondirectional character.
- D. Signs. Signs shall be reviewed based on the standards contained in Article VI (Performance Standards), Section 59 (Signs). When a certificate of appropriateness is required for a new or altered sign, the following factors shall be considered:
1. See Article VI (Performance Standards), Section 59 (Signs).
 2. Sign size should be contextually compatible with the building or storefront facade. Signs should be placed so as to not obscure architectural details related to the building.
 3. Sign placement should respect adjacent signs and structures.
- E. Exceptional circumstances.
1. The approval authority may issue a certificate of hardship in lieu of a certificate of appropriateness where the standards otherwise set forth in this section are not met but where the approval authority determines that failure to issue a certificate would result in undue

hardship to the owner of the property. Before the approval authority may issue a certificate under this subsection, the records must show the following:

- a. The property cannot yield a reasonable economic return or the owner cannot make any reasonable use of the property;
 - b. The plight of the owner is due to exceptional or unique circumstances and not due to the general applicability of this ordinance; and
 - c. The conditions or circumstances which constitute the hardship were not caused or created by the property owner after this ordinance became applicable to that property.
2. For the purposes of Subsection E1a, "reasonable economic return" shall not be construed to mean a maximum return, and "any reasonable use" shall not be construed to mean the highest and best use.

Section I ~~24~~. Demolition.

- A. An historic landmark, or any building or structure identified as contributing, shall not be demolished or removed and a certificate of appropriateness to do so shall not be issued unless one of the following conditions is met:
 1. The building or structure has been identified by the Historic Preservation Commission (hereafter referred to as "the Commission") as noncontributing or incompatible with the MSRD District in which it is located; or
 2. The property owner can demonstrate to the Commission that it cannot be renovated or reconstructed so as to earn an economic return on its value in its present location as determined by a qualified real estate appraiser; or
 3. The property owner can demonstrate to the Commission that he/ she has offered the property for sale through a real estate broker for at least 180 days and that there has been no bona fide offer to buy the property from any person or entity that is willing to preserve and restore the property.
- B. Applicants applying for the demolition or removal of designated historic landmarks or contributing structures or buildings, or important portions and features thereof, shall clearly demonstrate that their application meets one or more of the following demolition or removal criteria before the Commission will approve the application for demolition or removal:

1. The physical condition of the building makes the continued upkeep of the building, or important portions or features thereof, uneconomical; or
 2. The building or structure, or important portions and features thereof, has been determined by the Division of Code Enforcement to represent an immediate hazard to the public health or safety, which hazard cannot be abated by reasonable measures.
- C. Demolition delay. Before the issuance of a demolition permit by the Code Enforcement Office, a delay period of 90 days shall apply to any building or structure and portion thereof that is:
1. An historic landmark or is designated as contributing.
 2. Listed and eligible for listing on the National Register of Historic Places, but not designated significant locally.
- D. Demolition delay procedures. At the hearing on an application to relocate or demolish a contributing building in an historic preservation district, or an historic landmark, the Commission may, in the interest of exploring reasonable alternatives, delay issuance of a permit for up to 120 days from the date of the hearing. If, 10 days prior to the expiration of the delay period, the Commission finds that there are still reasonable alternatives to explore, the Commission may continue the delay for an additional period of up to 60 days. The purpose of the delay is to find alternatives to demolition, such as assisting in securing funding to preserve in place the building, structure, or important portions and features thereof; or finding other ways to preserve the building or structure, such as outright purchase of the property, when feasible, or relocation; or proper recordation of buildings, structures and sites, including photography and narrative report; or preservation of historic artifacts.
- E. This section shall not apply to any structure which has been ordered demolished by the City Council or the court in accordance with 17 M.R.S.A. §§ 2851 through 2959 and amendments thereto, or to any structure which has been partially destroyed and is determined by the Division of Code Enforcement to represent an immediate hazard to the public health or safety, which hazard cannot be abated by reasonable measures, specified by the Division of Code Enforcement, including securing apertures and/or erecting fences.

Section 135. Exceptions to requirement for certificate of appropriateness.

A certificate of appropriateness is not required and the City Planner shall issue a certificate of nonapplicability for the following:

- A. Where a certificate of hardship has been issued within the previous 12 months.

- B. Where the activity involves ordinary maintenance, or the repair of exterior features of an historic landmark or of a building or structure in an historic district is permitted, so long as it does not alter the design, materials, or outer appearance thereof.
- C. The construction, reconstruction, alteration, restoration or demolition of any feature which the Code Enforcement Office has certified as required to maintain public safety because of an unsafe or dangerous condition.
- D. Where the activity involves emergency repairs of a temporary nature.
- E. Where the activity proposed results in exterior alterations not readily visible at pedestrian heights, when viewed at any height between four and six feet from any open space or street.

Section 146. Certificate validity.

All certificates of appropriateness, nonapplicability, and hardship shall be valid for no more than 12 months from the date of issuance.

Section 157. Appeals.

Appeals of the issuance of any certificate under this ordinance or denial of any certificate under this ordinance may be appealed within 30 days of such a decision as follows:

- A. Appeals of decisions made by the Commission shall be to the Zoning Board of Appeals.
- B. Appeals of any decision made by the City Planner and Chair of the Commission under Section ~~8B-10B~~ of this ordinance shall be to the Historic Preservation Commission. Appeals of this nature shall be appellate reviews by the Commission and not de novo.

Section 168. Enforcement.

Enforcement of this ordinance shall be as per Part III (Land Development Regulations), Article VIII (Administration, Enforcement, and Penalties).

Section 179. Parcels with structures or buildings identified as historically contributing.

Parcels identified as "contributing" are contained in the "Official Listing of Historically Contributing Buildings or Structures" which has been certified by the Mayor and attested by the City Clerk together with the date of adoption of this ordinance. Identified parcels/structures/buildings may only be added to the list through a zoning amendment that approves such —an amended list. Parcels/structures/buildings may be removed from the list upon recommendation by the Historic Preservation Commission and approval of the Planning Board, at which time it shall be recertified by the Mayor and re-attested by the City Clerk.

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