

City of Biddeford
Historic Preservation Commission
October 14, 2020 4:00 PM When: Oct 14, 2020 04:00 PM Eastern Time (US and Canada)
Topic: Historic Preservation Commission

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1. Adjustments to the Agenda

2. Consent Agenda

- 2.1. Minutes of September 9, 2020 Historical Preservation Commission Meeting
[HPC Minutes 09092020.pdf](#)

3. Unfinished Business

4. New Business

- 4.1. 1. 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.

[2020.30 HPC Springpoint 60 Birch St Application.pdf](#)

[2020.30 HPC Springpoint 60 Birch St FOF.pdf](#)

[2020.30 HPC Springpoint 60 Birch St SR 10022020.pdf](#)

- 4.2. 2. 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.

[2020.31 HPC Biddodome 111 Elm St Application.pdf](#)

[2020.31 HPC Biddodome 111 Elm St FOF.pdf](#)

[2020.31 HPC Biddodome 111 Elm St SR 10052020.pdf](#)

5. Other Business

6. Adjourn



CITY OF BIDDEFORD

Planning & Development Department

HISTORIC PRESERVATION COMMISSION REGULAR AGENDA

Date: September 9, 2020
Time: 4:00 PM
Location: Zoom Meeting

Join Zoom Meeting

<https://biddeford.zoom.us/j/8629181178>

Meeting ID: 862 918 1178

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Meeting ID: 862 918 1178

Find your local number: <https://biddeford.zoom.us/j/8629181178>

Members Present:

Aurelie Wallach, Chair

Jeff Cabral,

Leah Schaffer

Catherine Glynn

Steven Burr

Carina Walter

Also present:

Aaron Bateman, Phoenix Management, owner

Tony Tigglione, Triglione Construction

Mike Chapman, Triglione Construction

Howard Hurd, Mathews Brothers Windows

1. Adjustments to the Agenda
2. Unfinished Business
 - A. Approval of June 24, 2020 Minutes.
 - B. 2020.18 HPC Discussion Triglione Construction to replace windows at 1 Summer Street.
This building is 'contributing.'

Adjourn

The meeting was called to Order at 4:01 pm.

At the June 24 meeting, the applicant agreed to provide a wood window that would be acceptable to both the owner and the commission.

At this meeting the applicant has provided not a wood window, but yet another vinyl extruded window.

Aaron Bateman discussed the other work planned for this building. It is in need of considerable work. This is a Maine Housing Authority project.

Tony Tiglione, and later Howard Hurd, discussed the attributes of the Sanford Hills line of vinyl extruded windows. These windows have a historic profile and have been approved for use in other historic applications in NH and ME.

Leah Schaffer explained that she is familiar with the Mathews Brothers historic profile vinyl window and said that these windows have the same profile as modern all wood windows.

It is unclear whether true divided lite or simulated divided lite would be used in the Sanford Hills Collection. In any case, while Catherine read the ordinance to make the point that the third floor windows should be repaired and restored, Jeff recalled previous meeting regarding this project where the commission made it clear that vinyl windows were not acceptable on a 'contributing' structure.

Brad indicated that the commission cannot perpetuate the use of vinyl windows on contributing structures.

Leah confirmed that wood windows are more durable than vinyl windows over the long term.

Catherine said she has been willing to work with the team to find a mutually agreeable solution, but we cannot accept vinyl windows.

A motion was made, and seconded by Jeff that "3rd floor windows are restored, and other windows are constructed of wood in a profile as close to the existing 3rd floor windows as possible.

This motion was later dropped as it is too vague. Leah reminded the commission that the lower windows may not have been close to the upper windows in profile.

Aaron offered to provide cut sheets and pricing for an acceptable wood window. He may also install a sample window at the site for the commission to review in the context of the building.

Steven pondered the use of new windows on the front and sides only, but Brad and Aurelie reminded the commission that because the rear of the building is visible from Alfred Street, portions of the rear of the building are visible from a public way and therefore must conform to the decisions of the commission.

Leah motioned that this project be tabled until an appropriate window product is presented to the commission for use on all four sides of the building.

Steven seconded the motion

Vote: Unanimous.

Guests left the meeting

Brad explained to the commission the progress being made on seeking CLG status. The Historic Preservation Ordinance re-write must be presented to the planning board, and then to Council. Mat Eddy would like to send this to council with other zoning changes that are upcoming after the completion of the comprehensive plan. Time line for sending the ordinance to council may be the first of the year (2021).

Meeting adjourned at 5:06 pm.



**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:

Sean Brannen

Applicant's Name: Springpoint Inc.
Applicant's Address: 35 main st
Applicant's Phone(s): 978 465-7411
Applicant's E-mail: Springpointinc@comcast.net
Applicant's Legal Interest in the Property:

☒ Owner ☐ Purchase and Sale ☐ Lease/Rental Agreement

Owner's Name: Nick Hurlin
Owner's Address: 35 main st Biddeford
Owner's Phone(s): 978 465-7411
Owner's E-mail: Springpointinc@comcast.com

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

Agent's Name: Jeff Flemming
Agent's Address: 200 Main St, Biddeford, ME 04005
Agent's Phone(s): 207-216-3107
Agent's E-mail: brannen3107@gmail.com

Attach separate pages where multiple representatives are involved.

Project Information:

Project Address: 60 Birch St Biddeford
Project Zone: _____ Existing Use of Property: Residential
Project Tax Map(s): 15 Project Lot Number(s): 15

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: Concrete Pad

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: 9/28/20

Signature of property owner:

Mick Horton
by: SMB

Date: 9/30/20

60 Birch St. Biddeford, ME
Scope of Work
9/29/20

- 1) Add a 6 inch concrete pad to the middle entrance.
- 2) Extend the roof of the entrance out to the exterior wall, this will help with drainage issues.
 - a) All materials will match existing and we will maintain the pitch of the roof.
- 3) The roof will be supported by two 6"x6" P.T. columns.
- 4) Extend shed dormer to cover the skylight to the right of it.
- 5) This will be over-framing of the basic structure there. We will match existing materials and the same pitch of the shed dormer.
- 6) This is to replace a cloudy and leaking sky-light.
- 7) There will be two windows added with the shed dormer to keep it symmetrical.

Materials

- 1) Vinyl siding
- 2) P.T. Lumber
- 3) Simpson Strong Tie
- 4) Galvanized screws
- 5) Asphalt shingles

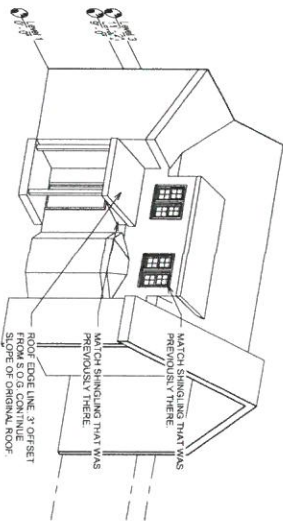
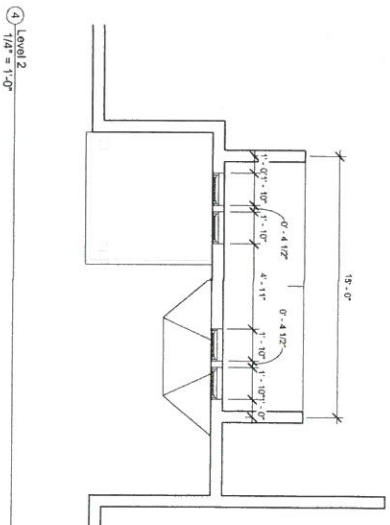
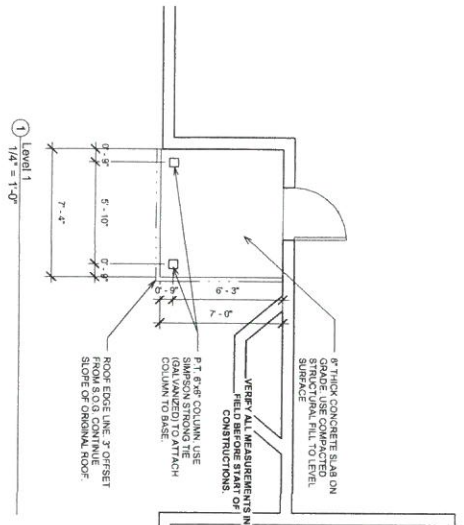


8)

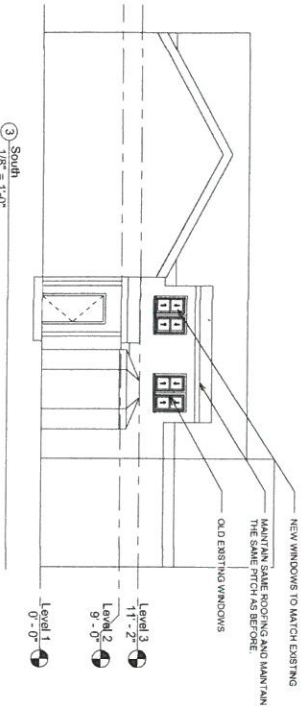
Existing Conditions



Existing Conditions



2 (3D) Copy 1



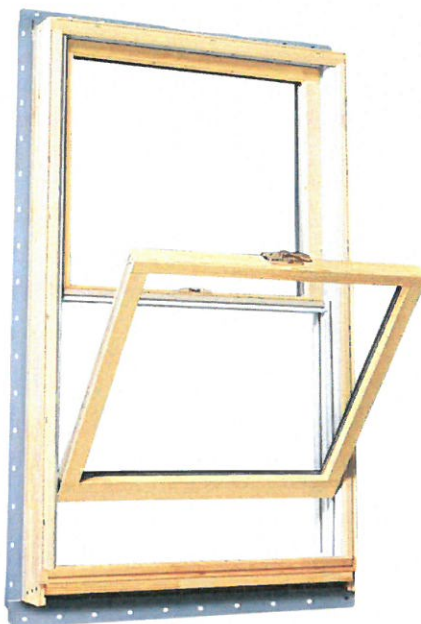
60 Birch St.
Springpoint Inc
Drawn by: SMB

[Home](#) / [Doors & Windows](#) / [Windows](#) / [Double Hung Windows](#)

Internet #100057936

Model # TW2432

Store SKU #470692



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29.625 x 40.875



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- Natural pine frame interior is paintable or stainable; white exterior color
- Low-maintenance exterior
- Classic series lock and keeper hardware in a stone finish for elegance, safety and peace of mind
- Additional sizes available through special order
- TruScene insect screen and a variety of grille and hardware options available through special order
- Classic series lock and keeper hardware in stone finish
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Current Product

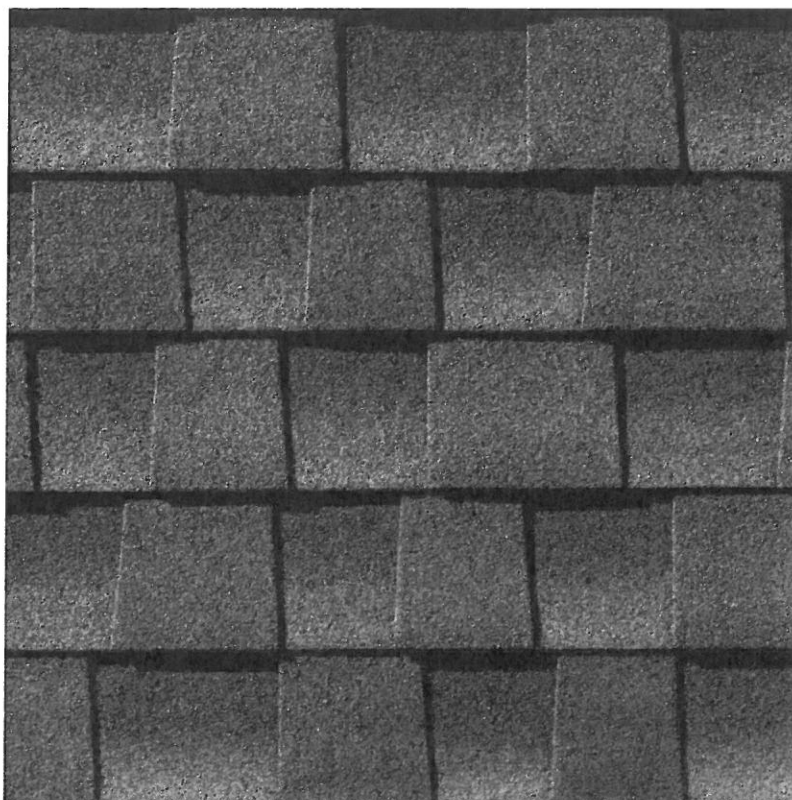


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- A great value and architecturally stylish — with a Lifetime limited warranty (See GAF Shingle & Accessory Limited Warranty for complete coverage and restrictions)
- New StrikeZone™ Nailing Area is the industry's largest nail zone designed for high visibility, ease of installation, and maximum accuracy

- Proprietary LayerLock™ Technology mechanically fastens the common bond, allowing for a larger nailing area - up to 600% larger nailing target** (**Compared to Timberline HD® Shingles)
- A dimensional look that features GAF's proprietary color blends and enhanced shadow effect for a genuine wood-shake look
- Highest Roofing Fire Rating - UL Class A, Listed to ANSI/UL 806
- Dura Grip™ sealant pairs with the smooth microgranule surface of the StrikeZone™ nailing area for fast tack. Then, an asphalt-to asphalt monolithic bond cures for durability, strength, and exceptional wind uplift performance
- Lifetime limited transferable warranty with Smart Choice® Protection (non-prorated material and installation labor coverage) for the first ten years
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- For the perfect finishing touch, use TimberTex® Premium Ridge Cap Shingles
- Note: it is difficult to reproduce the color clarity and actual color blends of these products before selecting your color, please ask to see several full-size shingles
- Charcoal is the most neutral of all shades, this cool-toned color works wonderfully with exteriors that feature blues, grays or whites, but you can also pair it up with yellow, gold, sage or green
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**CERTIFICATE OF APPROPRIATENESS
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

CITY OF BIDDEFORD – 60 Birch 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 Springpoint Inc. to perform exterior alterations at 60 Birch 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:	Springpoint, Inc. 35 Main Street Biddeford ME 04005 brannen3107@gmail.com 978-4658-7411
2.	Owner of Property:	Nick Hurlin 35 Main Street Biddeford ME 04005
3.	Agent:	None
4.	Engineer/Architect/Contractor:	Jeff Fleming 68 Ward Hill West Baldwin ME 207-216-3107
5.	Project Location:	60 Birch Street
6.	Project Tax Map #/Lot #:	Tax Map 38, Lot 468
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:	Mixed Use
13.	Parcel Size:	0.2 acres
14.	Front Setback Required:	15 Feet
15.	Side Setbacks Required:	10 Feet
16.	Rear Setback Requires:	10 Feet
17.	Height Requirements:	Max. 3 Stories or 35'.
18.	LDR Attachment A: Fess Paid:	Paid
19.	Historic Preservation Commission Review History:	October 14, 2020 Meeting Date. Posted on city website Oct. 1, 2020; Mail Notices to all abutters within 100' sent October 2, 2020 - 10 notices sent.

Conclusions of Law:

1. 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 summarized above and evidenced in the file located at 60 Birch Street in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

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

Historic Preservation Commission Chairperson

Date



CITY OF BIDDEFORD PLANNING DEPARTMENT

2020.30

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 REPORT

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

FROM: Brad Favreau, Economic Development Coordinator

DATE: October 2, 2020

RE: ITEM #D: 2020.30 HPC – Public Hearing – Springpoint Inc and Nick Hurlin to perform exterior alterations at 60 Birch Street (Tax Map 38, Lot 468) in the MSRD-2 zone.

MEETING DATE/TIME: October 14, 2020 @ 4:00 PM via Zoom

1. INTRODUCTION

The applicant proposes alterations to the Birch Street-facing façade of a three family structure. These alterations will change the appearance of the structure in minor ways.

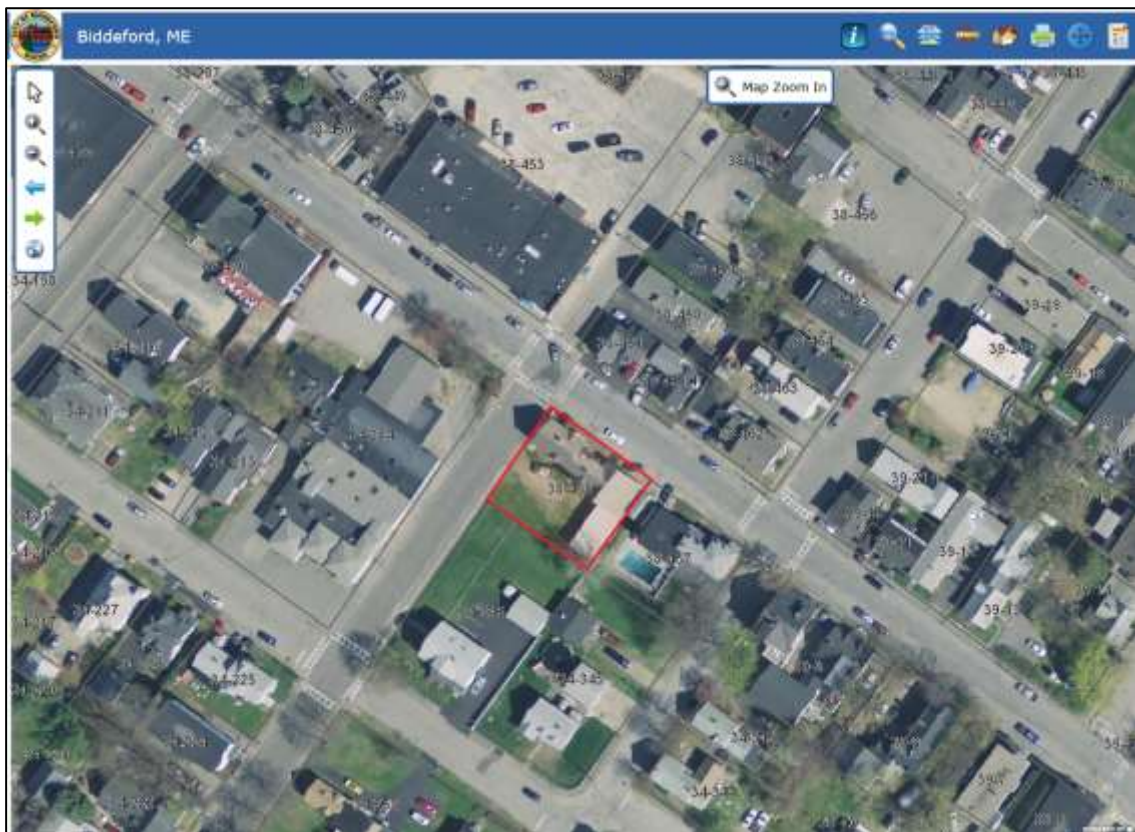
2. PROJECT DATA/INFORMATION

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Springpoint, Inc. 35 Main Street Biddeford ME 04005 brannen3107@gmail.com 978-4658-7411
2.	Owner of Property:	Nick Hurlin 35 Main Street Biddeford ME 04005
3.	Agent:	None
4.	Engineer/Architect/Contractor:	Jeff Fleming 68 Ward Hill West Baldwin ME 207-216-3107
5.	Project Location:	60 Birch Street
6.	Project Tax Map #/Lot #:	Tax Map 38, Lot 468
7.	Contributing Structure?	No
8.	Existing Zoning:	MSRD-2
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11.	Proposed Use:	Residential
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15.	Side Setbacks Required:	10 Feet
16.	Rear Setback Requires:	10 Feet
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18.	LDR Attachment A: Fess Paid:	Paid
19.	Historic Preservation Commission Review History:	October 14, 2020 Meeting Date. Posted on city website Oct. 1, 2020; Mail Notices to all abutters within 100' sent October 2, 2020 - 10 notices sent.

3. EXISTING CONDITIONS:

The project property is a three-family residential structure located on the corner of Birch Street and Prospect Street in the MSRD-2 zone.

Constructed in 1880, the front of the structure faces Prospect Street. The structure is a 1-1/2 story house and is composed with three major parts as viewed from Birch Street. There is the main house with bay windows on the first floor and a gable dormer above on the right side of the structure, a recessed section with an entry way to one of the three residential units and shed dormer above, and a three-bay garage on the left side of the structure.



Source: "60 Birch Street". <http://gis.vgsi.com/BiddefordMEMap/index.html?pid=4457>. Accessed Date: 10/05/2020.



Source: "60 Birch Street, Biddeford, Maine." 43°29'20.20"N 70°27'24.95"W.
Google Earth Street View. Imagery Date: 08/2011. Accessed Date: 10/05/2020.

4. PROJECT PROPOSAL

Alterations are limited to the recessed area of the structure that faces Birch Street. The applicant proposes to:

- Add a 7'-4" x 7'-0", 6"-thick slab stoop at the entrance to unit 102
- Enlarge the existing canopy to extend further away from the exterior wall and 3" beyond new slab below. The larger canopy will be supported by 2 (two) 6" x 6" pressure treated painted columns. To accommodate the longer (front to back) roof, the ceiling of the canopy will be lowered to maintain the same pitch as the existing canopy. The roof will be shingled in Timberline Charcoal architectural shingles. (See cut sheet attached.)
- Extend existing dormer leftward to area above entrance to unit 102, replacing an existing skylight. New windows will be installed above the entrance: Andersen Series 400 wood double hung units. (See cut sheet attached.)

New work to be performed are clearly indicated on architectural drawings.

5. PUBLIC COMMENT

As of the time of this report, no public comments had been received, although abutter notices went out the day before this report was completed.

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.

b. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. None.

7. STAFF RECOMMENDATION:

- Recommend that the Historic Preservation Commission review the revised submitted application materials and consider the 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 60 Birch Street for alterations based on the materials submitted and conditioned on the following:

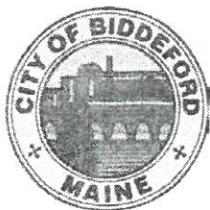
- a. All permits must be obtained from Code Enforcement prior to beginning any work.**

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: Biddedom LLC
Applicant's Address: 10 Aspen Lane Kennebunk, ME 04043
Applicant's Phone(s): (207) 641-3133
Applicant's E-mail: tiffani.ruszenas@gmail.com

Applicant's Legal Interest in the Property:

- ☒ Owner ☐ Purchase and Sale ☐ Lease/Rental Agreement

Owner's Name: Tiffani Ruszenas
Owner's Address: 10 Aspen Lane Kennebunk, ME 04043
Owner's Phone(s): (207) 641-3133
Owner's E-mail: tiffani.ruszenas@gmail.com

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

Agent's Name: Mike Osgood and Son Inc
Agent's Address: PO Box 1015 Goshen NH 03252
Agent's Phone(s): 603-398-0092
Agent's E-mail: chris@mikeosgoodandson.com

Attach separate pages where multiple representatives are involved.

Project Information:

Project Address: 111 Elm St
Project Zone: MSRD1 Existing Use of Property: restaurant
Project Tax Map(s): 40 Project Lot Number(s): 69

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:

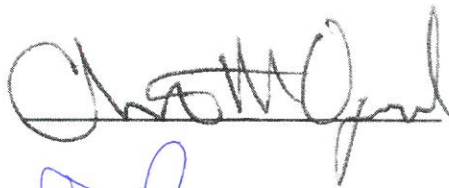
- ☒ Completed Application Form
- ☐ Description of Proposed Activity

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)

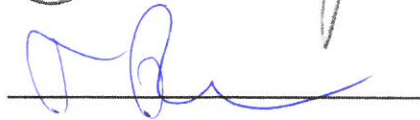
Note: Where Subcommittee Review is applicable, only 3 Copies of the above should be submitted.

Signature of applicant:



Date: 9-29-20

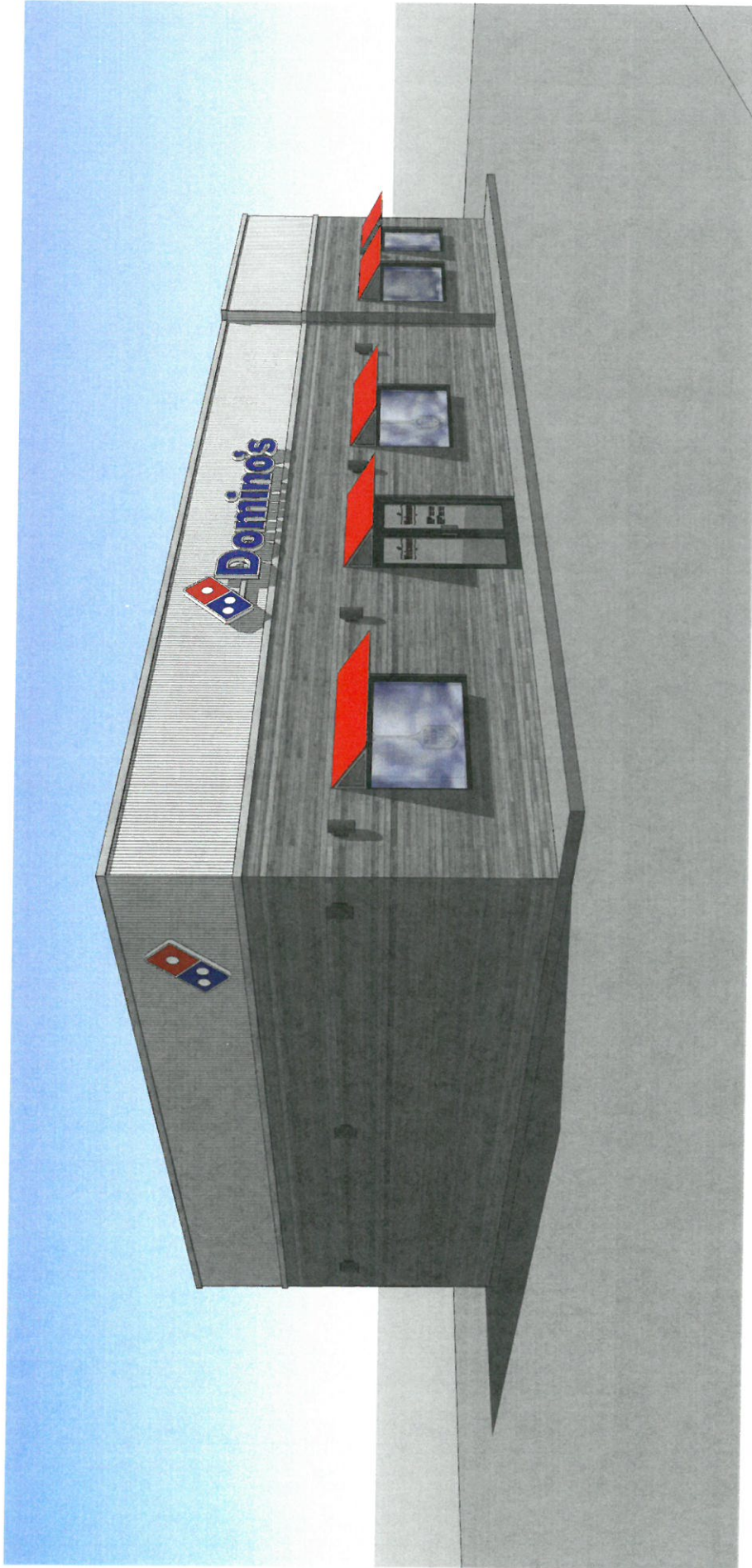
Signature of property owner:

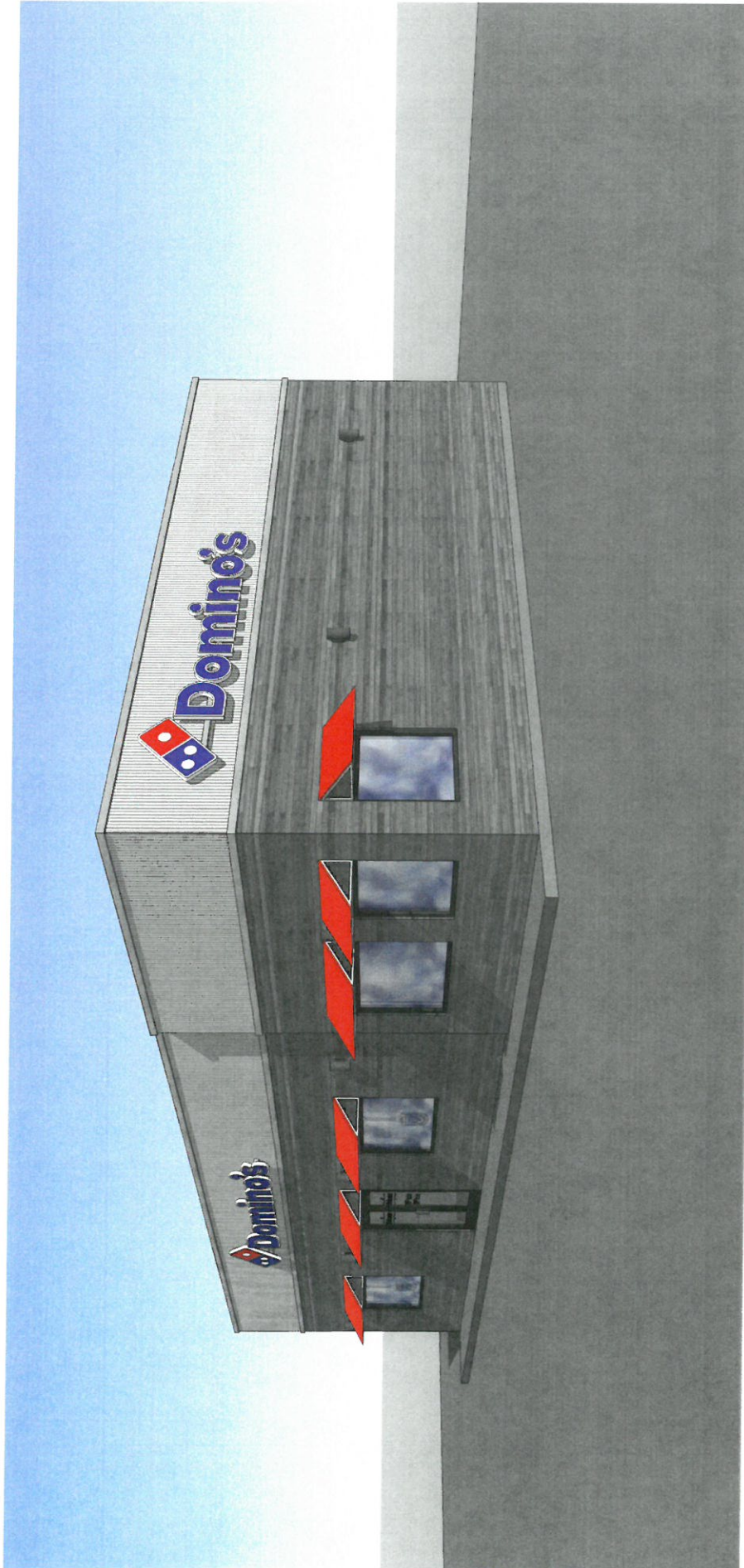


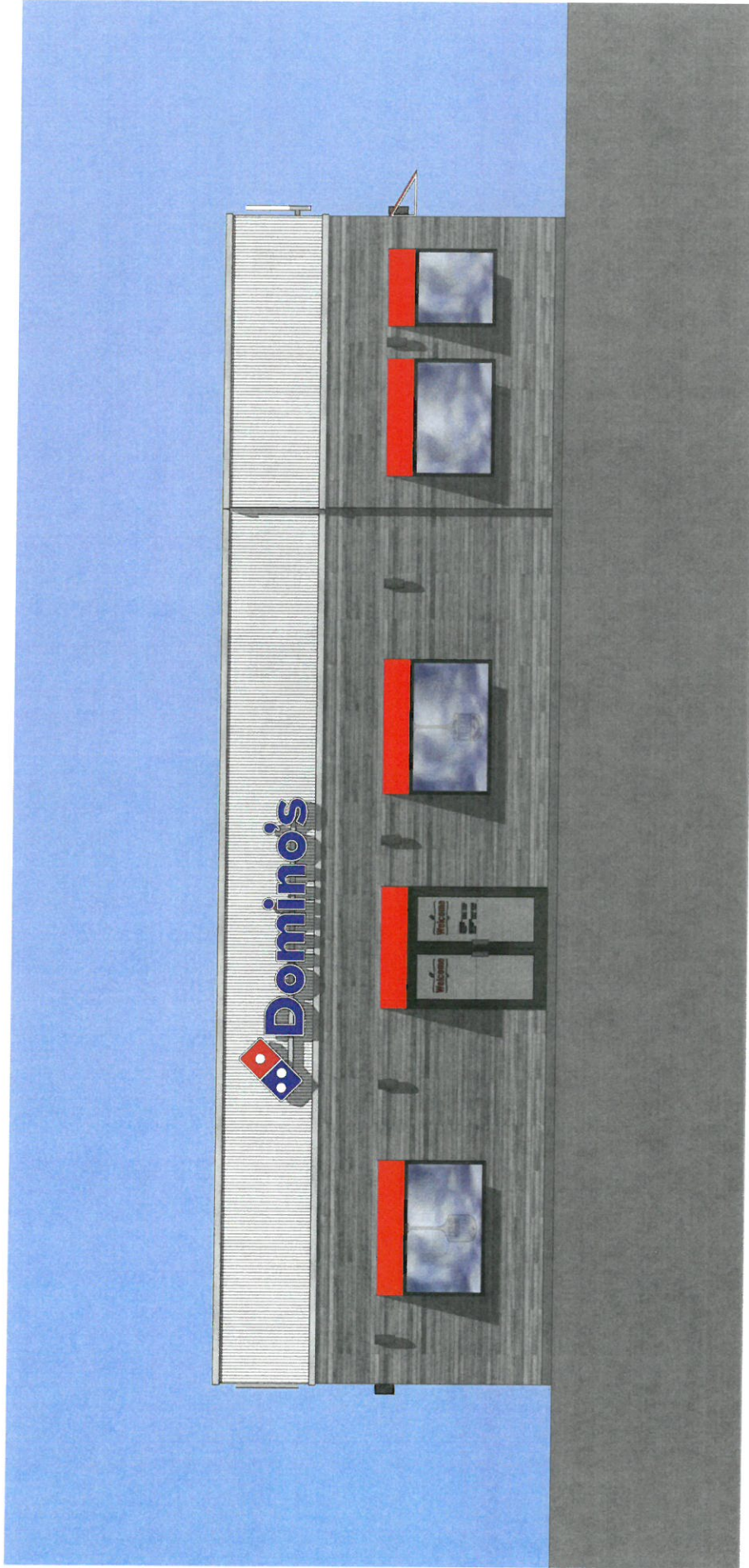
Date: 9-30-20

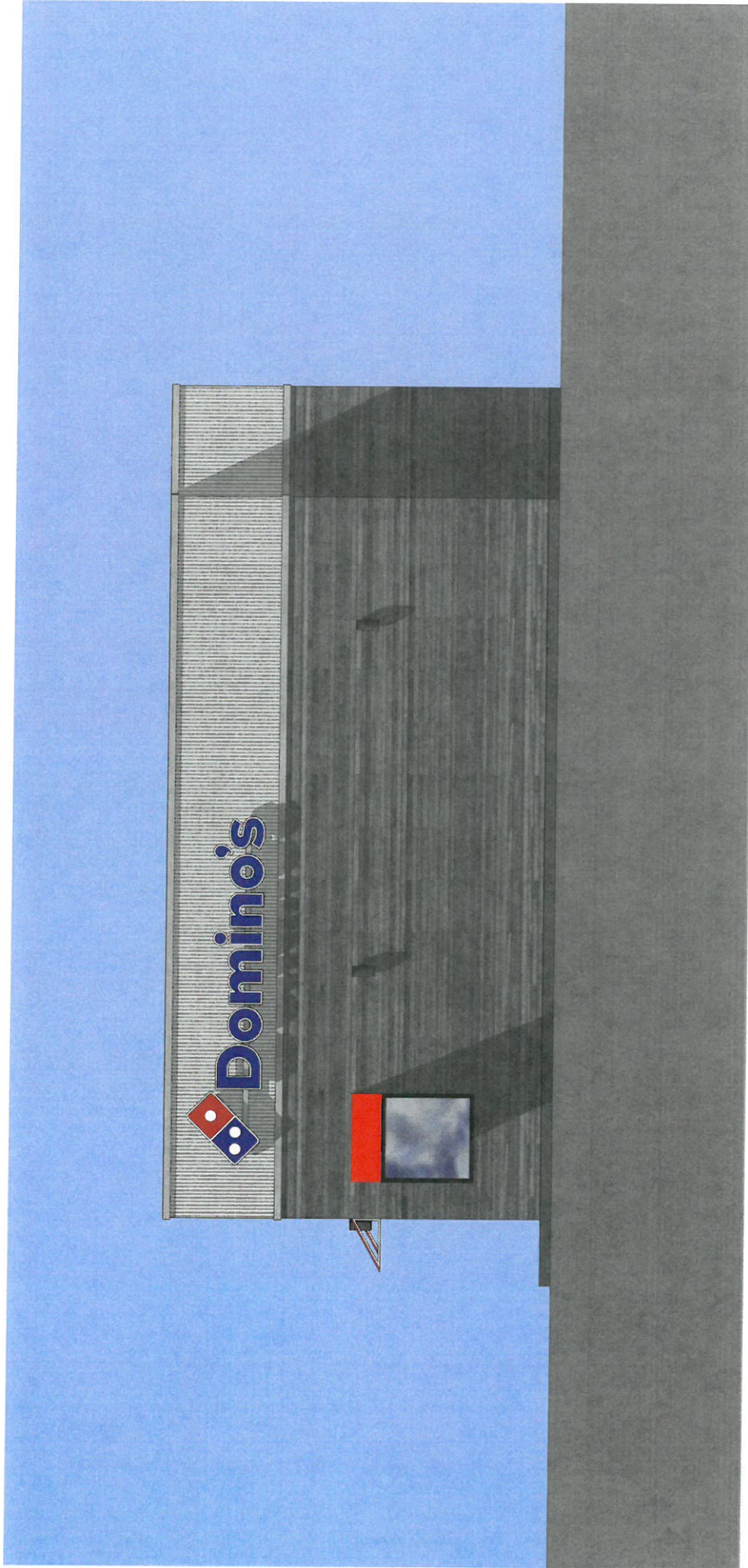


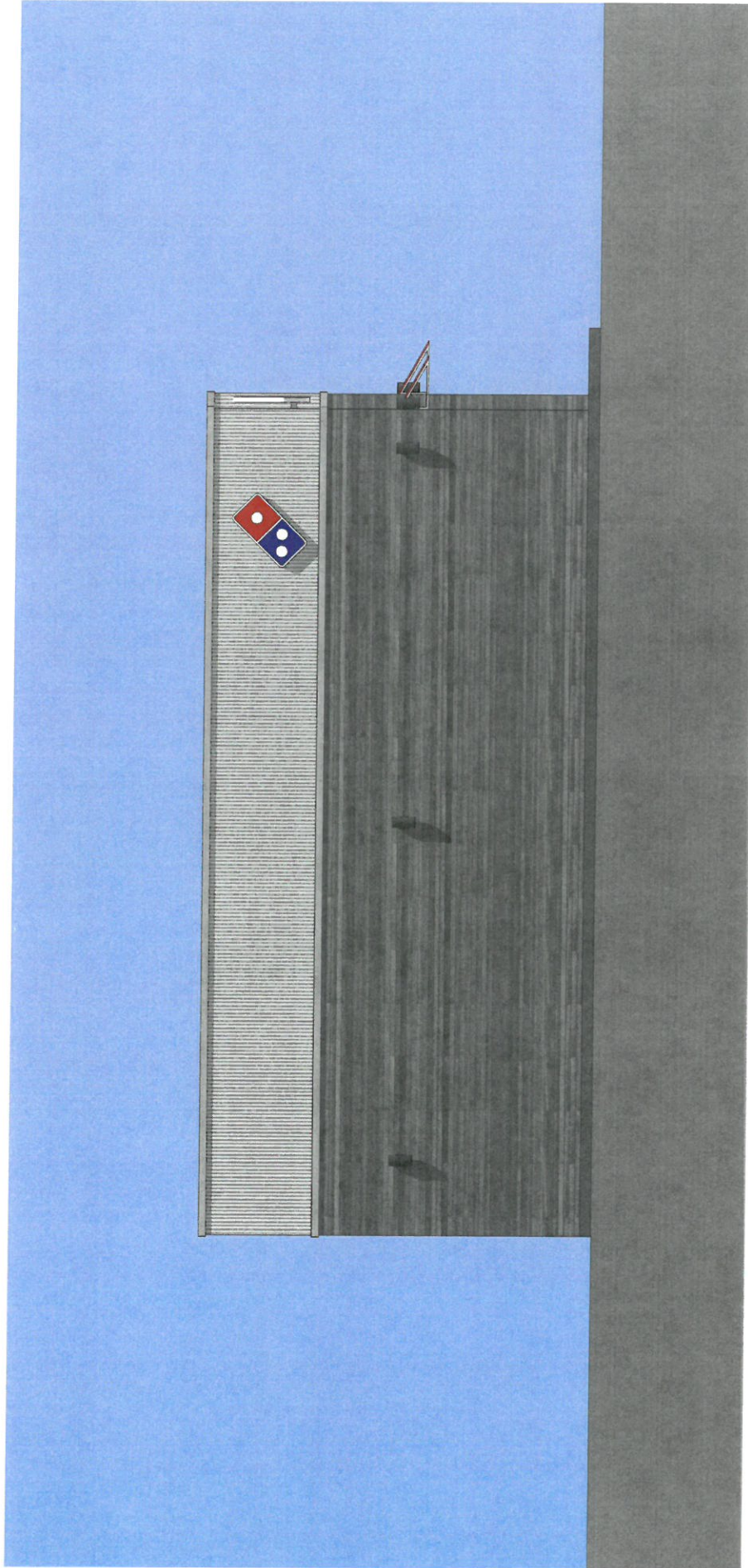


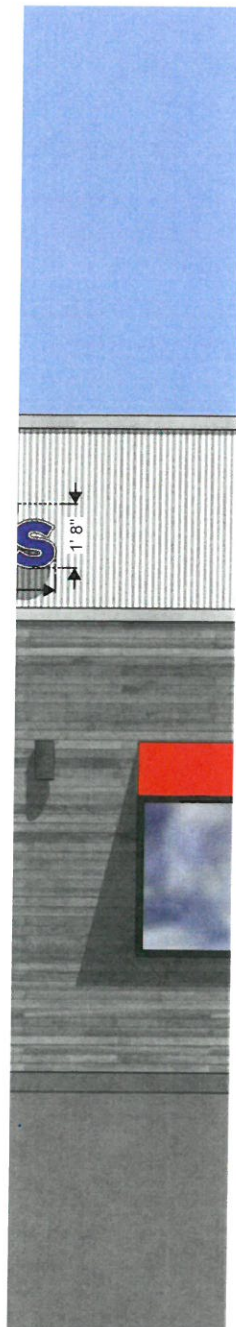


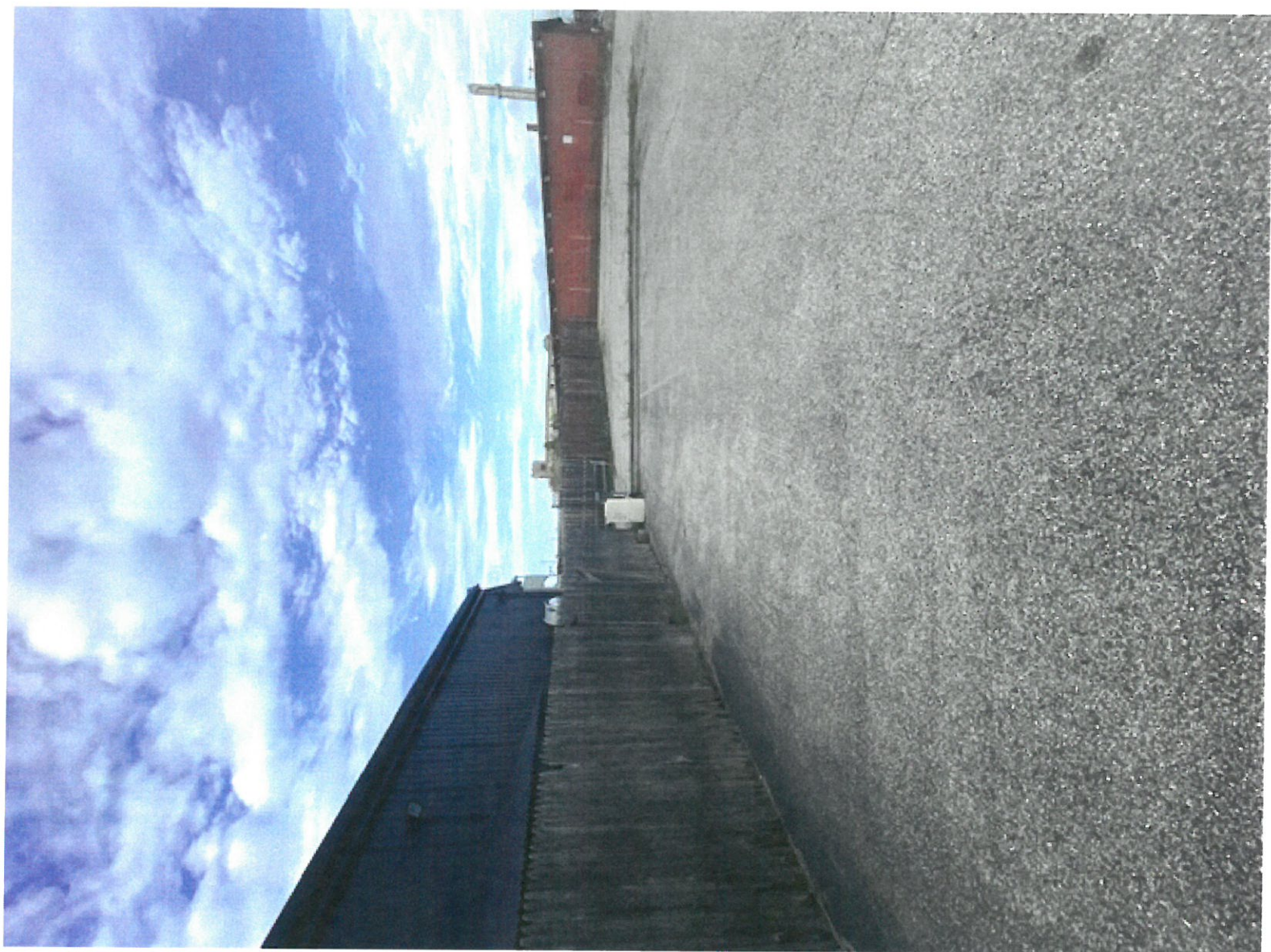


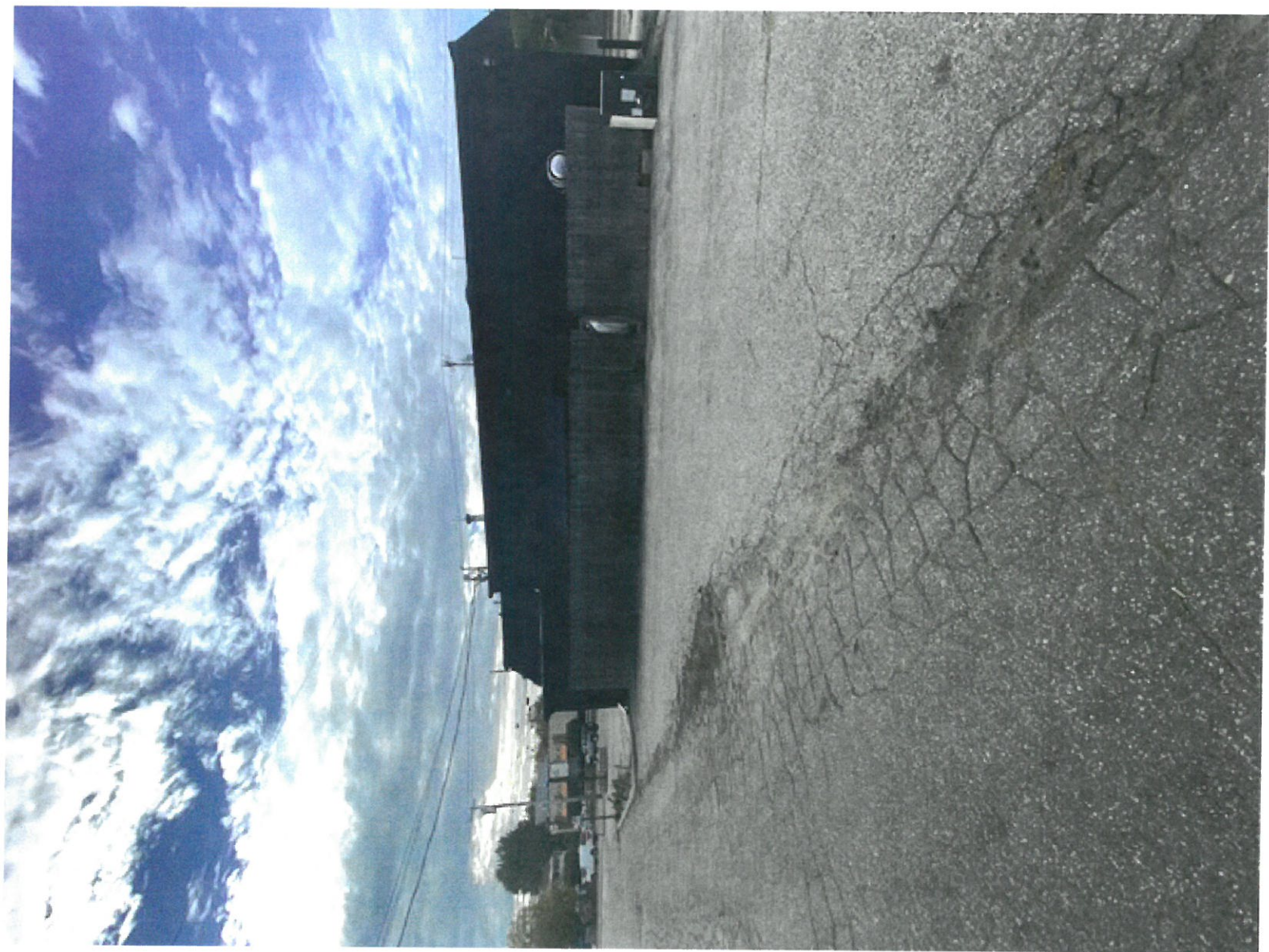




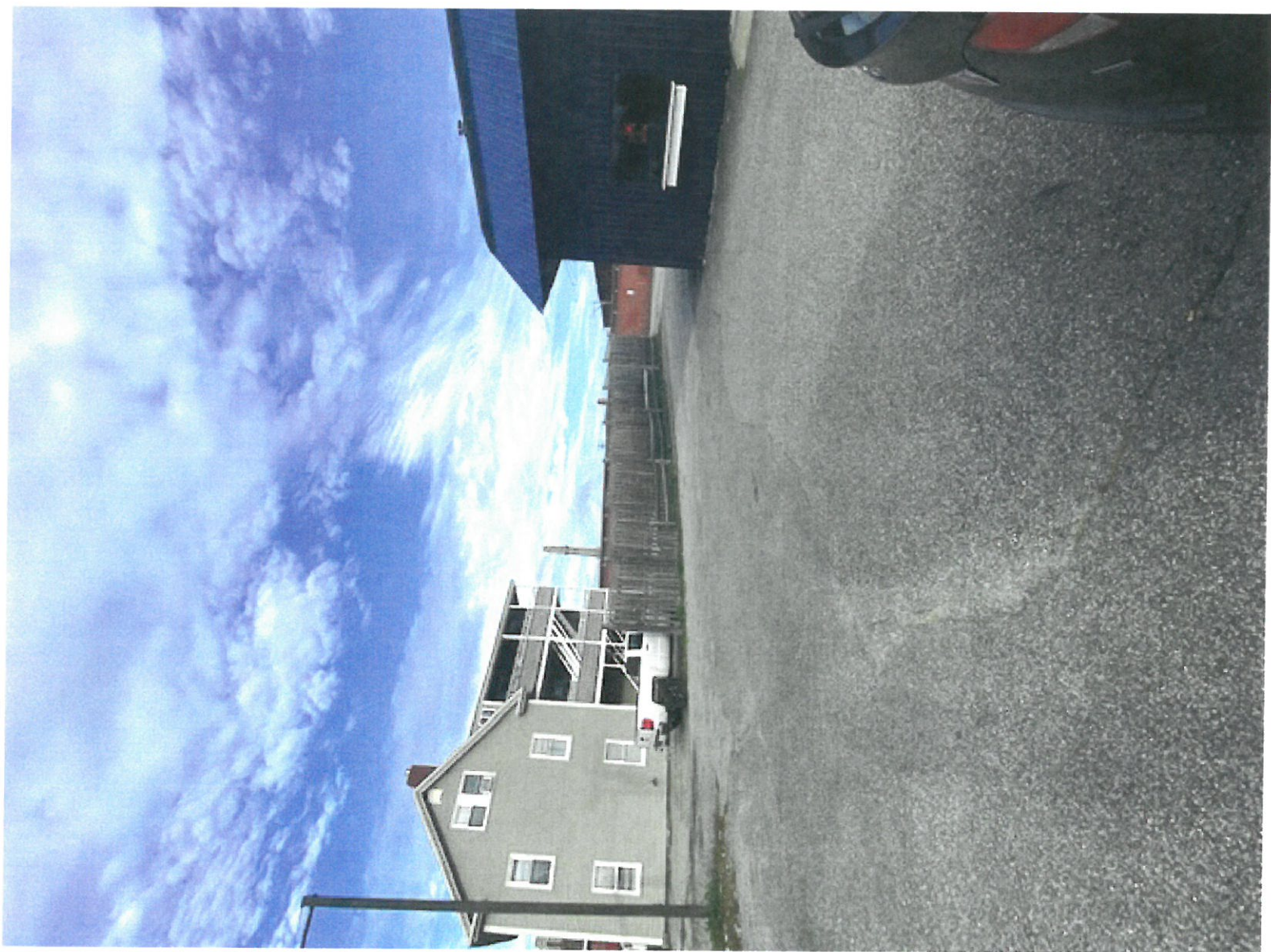












**CERTIFICATE OF APPROPRIATENESS
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

CITY OF BIDDEFORD – 111 Elm 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 Biddodom, LLC. to perform exterior alterations at 111 Elm 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:	Biddedom LLC 10 Aspen Lane Kennebunk, ME 04043 tiffani.ruszenas@gmail.com (207) 641-3133
2.	Owner of Property:	Tiffani Ruszenas 10 Aspen Lane Kennebunk, ME 04043 tiffani.ruszenas@gmail.com (207) 641-3133
3.	Agent:	None
4.	Engineer/Architect/Contractor:	Mike Osgood and Son, Inc. P.O. Box 1015 Goshen NH 03252 (603) 938-0092 chris@mikeosgoodandson.com
5.	Project Location:	111 Elm Street
6.	Project Tax Map #/Lot #:	Tax Map 40, Lot 69
7.	Contributing Structure?	No
8.	Existing Zoning:	MSRD-1
9.	Overlay Zoning:	None
10.	Existing Use:	Commercial
11.	Proposed Use:	Commercial
12.	Uses in the Vicinity:	Mixed Use
13.	Parcel Size:	0.24 acres
14.	Front Setback Required:	None
15.	Side Setbacks Required:	None
16.	Rear Setback Requires:	None
17.	Height Requirements:	Min. 2 Stories or 26'. Max. 60'
18.	LDR Attachment A: Fess Paid:	Paid

19.	Historic Preservation Commission Review History:	October 14, 2020 Meeting Date. Posted on city website Oct. 1, 2020; Mail Notices to all abutters within 100' sent October 6, 2020 - 10 notices sent.
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Conclusions of Law:

1. 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 summarized above and evidenced in the file located at 111 Elm Street in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

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

Historic Preservation Commission Chairperson

Date



CITY OF BIDDEFORD PLANNING DEPARTMENT

2020.31

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 REPORT

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

FROM: Brad Favreau, Economic Development Coordinator

DATE: October 5, 2020

RE: ITEM #D: 2020.31 HPC – Public Hearing – Biddodm LLC and Mike Osgood and Son to perform exterior alterations at 111 Elm Street (Tax Map 38, Lot 468) in the MSRD-2 zone.

MEETING DATE/TIME: October 14, 2020 @ 4:00 PM via Zoom

1. INTRODUCTION

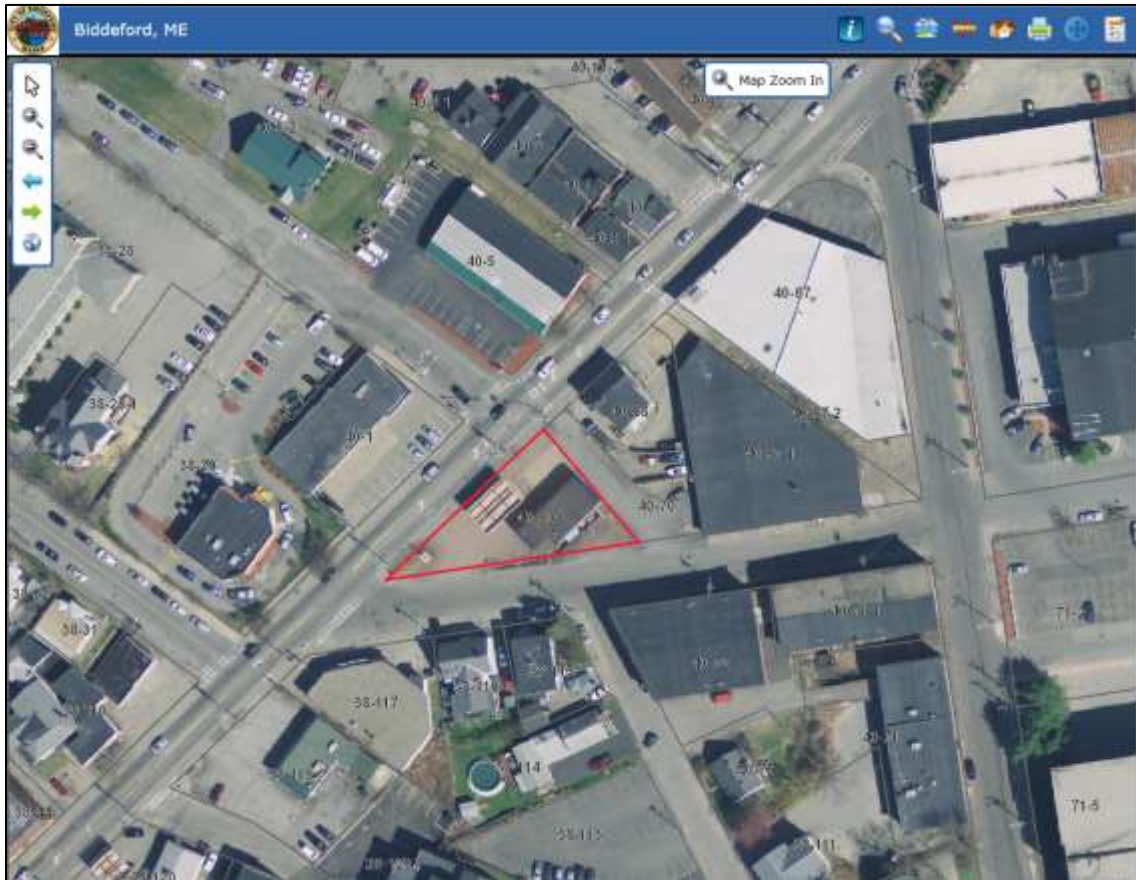
The applicant proposes renovation of the building at 111 Elm Street in preparation of opening Dominos Pizza at this location.

2. PROJECT DATA/INFORMATION

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Biddedom LLC 10 Aspen Lane Kennebunk, ME 04043 tiffani.ruszenas@gmail.com (207) 641-3133
2.	Owner of Property:	Tiffani Ruszenas 10 Aspen Lane Kennebunk, ME 04043 tiffani.ruszenas@gmail.com (207) 641-3133
3.	Agent:	None
4.	Engineer/Architect/Contractor:	Mike Osgood and Son, Inc. P.O. Box 1015 Goshen NH 03252 (603) 938-0092 chris@mikeosgoodandson.com
5.	Project Location:	111 Elm Street
6.	Project Tax Map #/Lot #:	Tax Map 40, Lot 69
7.	Contributing Structure?	No
8.	Existing Zoning:	MSRD-1
9.	Overlay Zoning:	None
10.	Existing Use:	Commercial
11.	Proposed Use:	Commercial
12.	Uses in the Vicinity:	Mixed Use
13.	Parcel Size:	0.24 acres
14.	Front Setback Required:	None
15.	Side Setbacks Required:	None
16.	Rear Setback Requires:	None
17.	Height Requirements:	Min. 2 Stories or 26'. Max. 60'
18.	LDR Attachment A: Fess Paid:	Paid
19.	Historic Preservation Commission Review History:	October 14, 2020 Meeting Date. Posted on city website Oct. 1, 2020; Mail Notices to all abutters within 100' sent October 6, 2020 - 10 notices sent.

3. EXISTING CONDITIONS:

The project property is a commercial structure that served originally as a gas station in 1979. Since that time it has housed several businesses, most recently Rover Bagel.



Source: "111 Elm Street". <http://gis.vgsi.com/BiddefordMEMap/index.html?pid=4911>. Accessed Date: 10/05/2020.



Source: "111 Elm Street, Biddeford, Maine." 43°29'43.78"N 70°27'27.32"W.
Google Earth Street View. Imagery Date: 07/2018. Accessed Date: 10/05/2020.

4. PROJECT PROPOSAL

Proposed renovations will change the appearance in minor ways. In keeping with corporate design, this franchise location will:

- Remove the upper overhang at the roof;
- Reside in a combination of SmartSide Oriented Strand Board siding; with a 5-7/8" exposure on the lower two thirds of the façade and corrugated galvanized steel siding on the upper one-third;
- Install awnings at existing windows and doors;
- Install illuminated Dominos logo sign at three locations on building;
- Install free-standing illuminated Dominos logo sign.

5. PUBLIC COMMENT

As of the time of this report, no public comments had been received, although abutter notices went out one day after this report was completed.

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.

b. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. None.

7. STAFF RECOMMENDATION:

- Recommend that the Historic Preservation Commission review the revised submitted application materials and consider the 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 60 Birch Street for alterations based on the materials submitted 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. _____