

City of Biddeford
Historic Preservation Commission
April 29, 2020 4:00 PM Apr 29, 2020 04:00 PM Eastern Time (US and Canada)
Topic: Historic Preservation Commission

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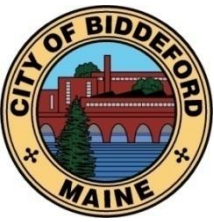
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253 215 8782 or +1 301 715 8592**

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- 1. Adjustments to the Agenda**
- 2. Unfinished Business**
- 3. New Business**
 - 3.1. Approval of March 11, 2020 Minutes.
[HPC Minutes 031120.pdf](#)
 - 3.2. 2020.11HPC Chad Conley to remove an existing shed and replace it with a cooler/freezer unit located at 18 Franklin Street (Tax Map 38, lot 369) in the MSRD-1 zone.
[18 Franklin Street Full Application packet.pdf](#)
[2020.11 HPC 18 Franklin St SR Palace Diner packet.pdf](#)
[2020.27 HPC 18 Franklin St Palace Diner FOF packet.pdf](#)
[site plan Palace Diner packet.pdf](#)
- 4. Other Business**
- 5. Adjourn**



CITY OF BIDDEFORD

Planning & Development Department

HISTORIC PRESERVATION COMMISSION MINUTES

Date: March 11, 2020
Time: 4:00 PM
Location: 2nd Floor Council Chambers, City Hall

Meeting Called to order 4:01 PM by Chair Aurelie Wallach.

Members Present: Aurelie Wallach, Chair
Jeff Cabral, Vice Chair
Leah Schaffer
Carina Walter
Catherine Glynn (non-voting member)

Members Absent: Stephen Burr

1. Adjustments to the Agenda
2. Unfinished Business
3. New Business
 - A. Approval of February 12, 2020 Minutes.
 - Approved: Motion/Second/Vote: Schaffer/Walter/Unanimous.
 - B. 2020HPC.05 Alex Fabish to install exterior lighting at 148 Main Street (Tax Map 38, Lot 377) in the MSRD-1 zone.
 - Discussion between the Commission and Applicant.

MOTION:

Cabral – Motion: to approve the Certificate of Appropriateness for Praetorium, LLC at 148 Main Street based on the material submitted and conditioned on the following:

1. All permits must be obtained from Code Enforcement prior to beginning any work.
2. A more appropriate shield is installed over the light fixture (suggested aged bronzed as the color).

Schaffer- Second.

Chair Wallach- Call for Vote – Unanimous (3-0) all in favor.

- C. 2020HPC.07 Thomas Byrne to install a new door at 110 Main Street (Tax Map 38, Lot 382) in the MSRD-1 zone.

- Discussion between Commission and Applicant.

MOTION:

Schaffer – Motion: to approve the Certificate of Appropriateness for Thomas Byrne at 110 Main Street based on the materials submitted and conditioned on the following:

1. All permits must be obtained from Code Enforcement prior to beginning any work.
2. Width of new door must match the width of existing doors.

4. Other Business

- Discussion amongst the Commission.

5. Adjourn

MOTION:

Chair Wallach – Motion: to Adjourn.

Cabral – Seond.

Chair Wallach – Call for Vote – Unanimous (3-0) all in favor.

Historic Preservation Commission Chair

Date



**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: Chad Conley, Franklin Estates, LLC
Applicant's Address: 18 Franklin Street
Applicant's Phone(s): 207.749.2456
Applicant's E-mail: chad@palacedinnerme.com

Applicant's Legal Interest in the Property:

☒ Owner ☐ Purchase and Sale ☐ Lease/Rental Agreement

Owner's Name: See above
Owner's Address: _____
Owner's Phone(s): _____
Owner's E-mail: _____

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

Agent's Name: Leslie Benson, Leslie Benson Designs, LLC
Agent's Address: 131 Spring Street, Portland, ME 04101
Agent's Phone(s): 217.553.0672
Agent's E-mail: lesliebdesigns@gmail.com

Attach separate pages where multiple representatives are involved.

Project Information:

Project Address: 18 Franklin Street
Project Zone: MSRD1 Existing Use of Property: diner
Project Tax Map(s): 30 Project Lot Number(s): 369

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 – *removal of exist. attached sheds*
- ☐ Other: _____

Additions and New Construction

new attached walk-in cooler

- ☒ 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:

Lillian Benson

Date: 3-18-20

Signature of property owner:

[Signature]

Date: 3-18-20

PALACE DINER RENOVATIONS – 18 Franklin Street

Description of Proposed Activity

The scope of work for this project involves the removal of two existing shed storage structures that are currently attached to the backside of the building. These storage sheds will be replaced with a combination walk-in cooler/freezer unit that will be accessed from inside of the existing kitchen only. A new small shed will be added above the existing propane tanks to house relocated existing mechanical equipment. At the interior of the building work will be done to improve interior finishes as well as upgrades to the plumbing, electrical and mechanical systems. The new walk-in unit will be roughly the same size/volume as the existing sheds and will only be visible on the narrow end that faces Franklin Street. No other exterior features of the building or front façade will be changed.

Photographs



PHOTO 1



PHOTO 2



Photo 3



Photo 4



Photo 5



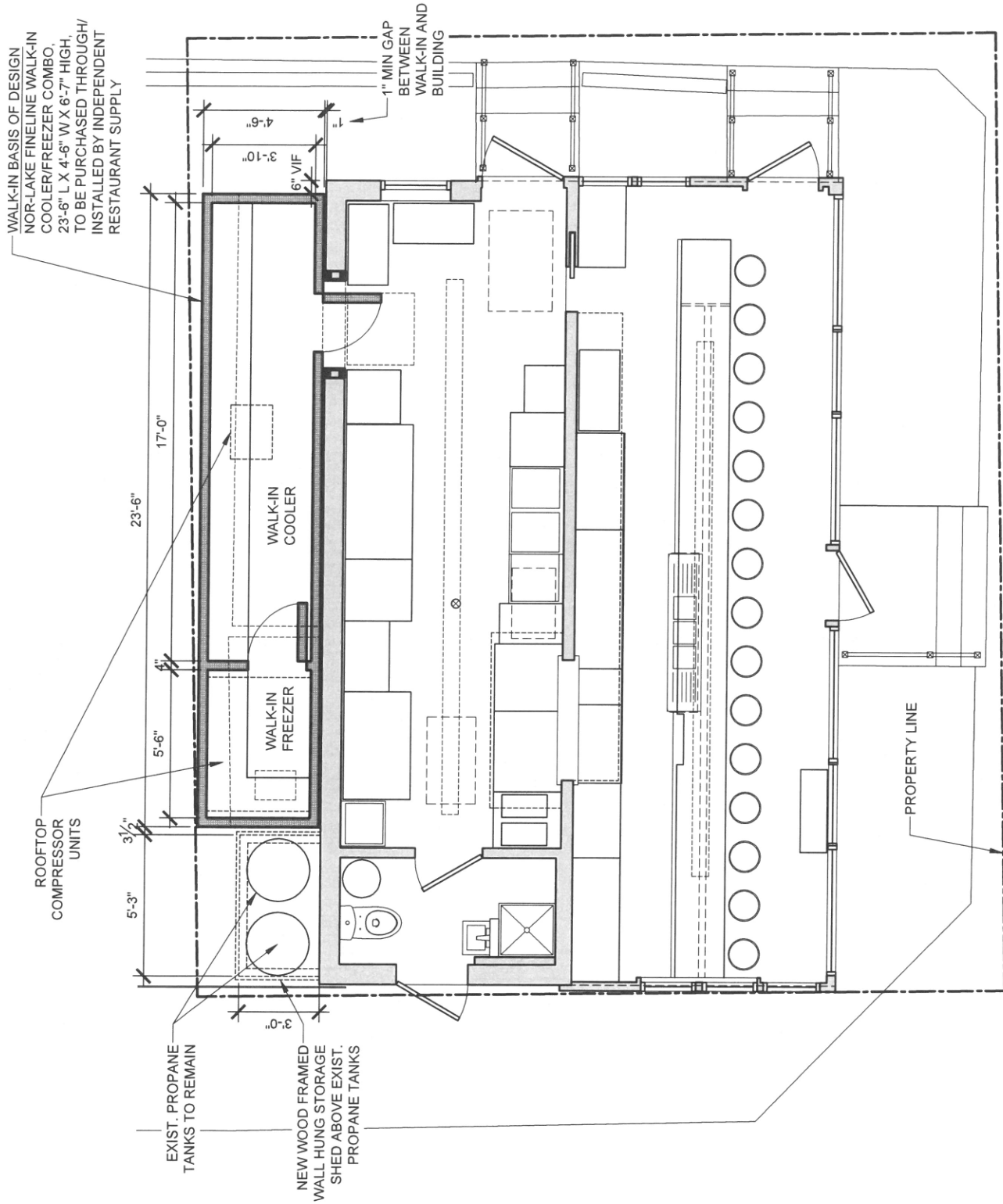
Photo 6



Photo 7

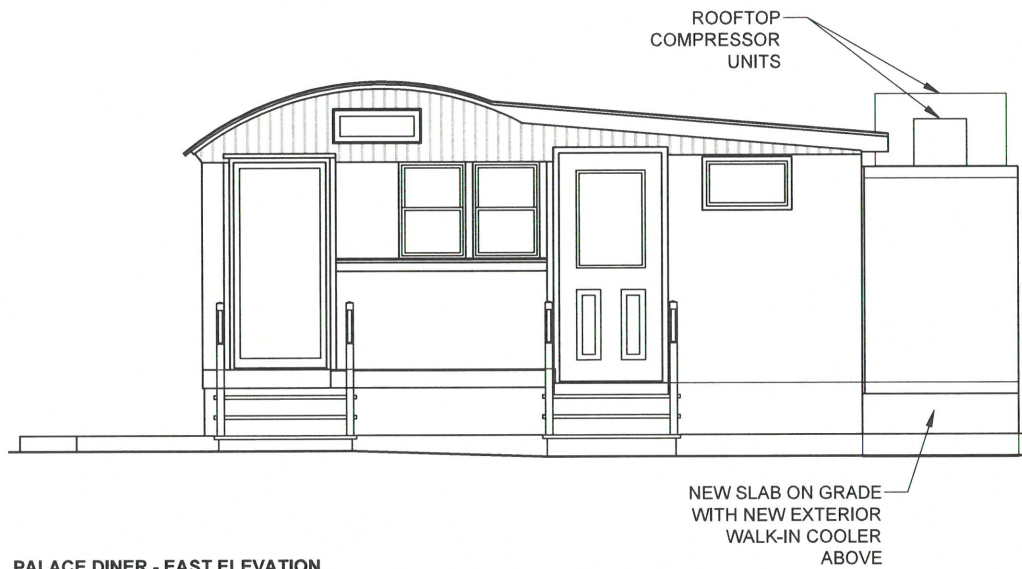
Proposed Plan

FRANKLIN STREET

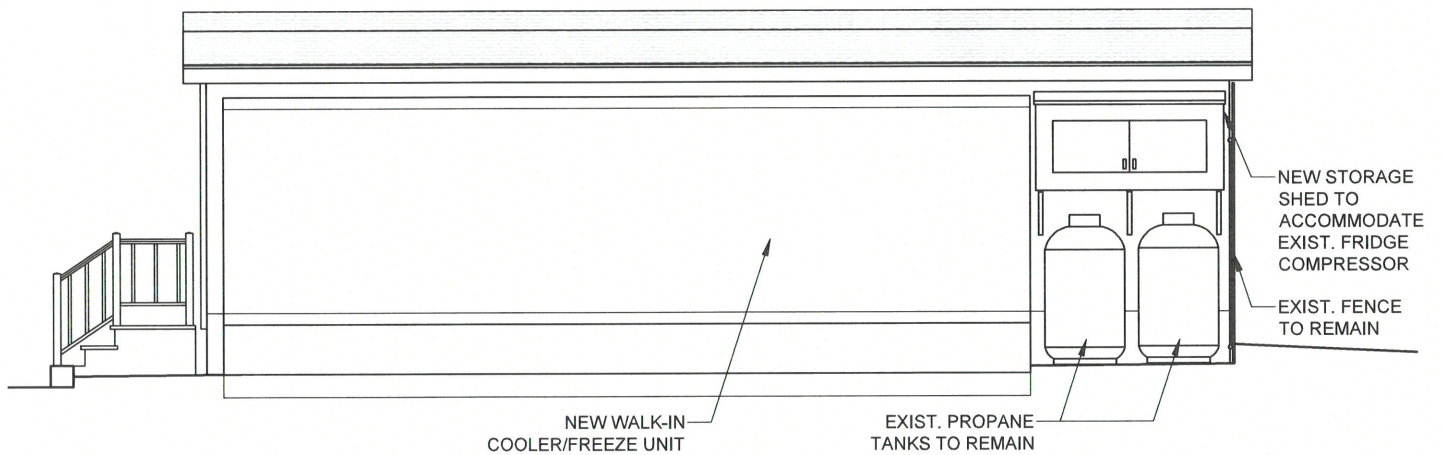


PALACE DINER - PROPOSED PLAN
SCALE: 3/16"=1'-0"

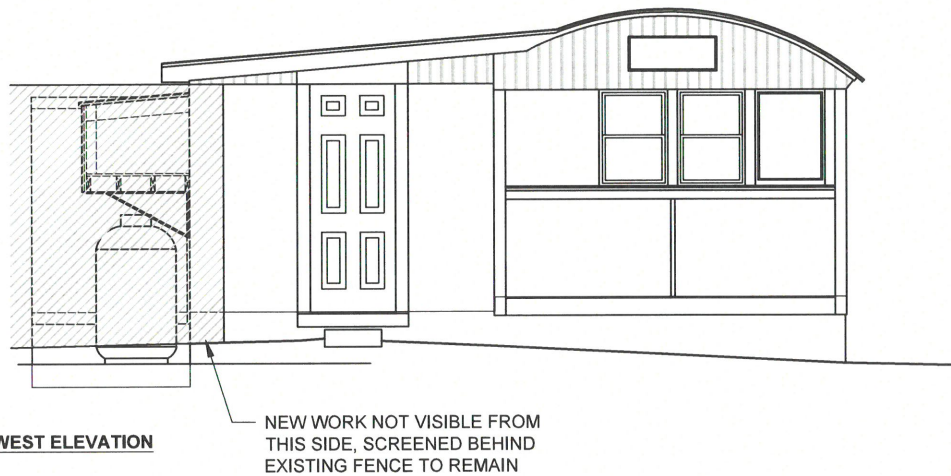
Proposed Elevations



PALACE DINER - EAST ELEVATION
SCALE: 3/16"=1'-0"



PALACE DINER - NORTH ELEVATION
SCALE: 3/16"=1'-0"



PALACE DINER - WEST ELEVATION
SCALE: 3/16"=1'-0"

Materials

Below is an image of a similar Nor-Lake walk-in unit. The exterior will be galvanized steel as shown.



Photo 8



CITY OF BIDDEFORD PLANNING DEPARTMENT

2020.11 HPC

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: Aurelie Wallach, Chair & Members of the Biddeford Historic Preservation Commission

FROM: Brad Favreau, Economic Development Coordinator

DATE: April 10, 2020

RE: ITEM #B: 2020.11 HPC - TPD Construction Co. for exterior alterations including porch replacement, window replacement and new roofing at 47 Summer Street (Tax Map 39, Lot 36) in the MSRD-2 zone.

MEETING DATE/TIME: April 29, 2020 @ 4:00 PM (virtual public meeting)

1. **INTRODUCTION**

The applicant proposes to remove two existing shed storage structures at the rear of the building (between it and 145 Main Street), and install a combination walk-in cooler/freezer unit. This stainless steel unit is 23 feet, 6 inches long and 4 feet 6 inches deep. Access to this unit is from inside the kitchen only. A new small shed structure at the northwest corner of the rear of the building will provide shelter for both the existing propane tanks and existing refrigerator compressor. This new cooler unit will improve sight lines from Franklin Street over existing conditions.

2. PROJECT DATA/INFORMATION

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Franklin Estates LLC Chad Conley 18 Franklin Street Biddeford, ME 04005
2.	Owner of Property:	Franklin Estates LLC Chad Conley 18 Franklin Street Biddeford, ME 04005
3.	Agent:	Leslie Benson Designs LLC 131 Spring St Portland ME 04101
4.	Engineer/Architect/Contractor:	Leslie Benson Designs, LLC
5.	Project Location:	18 Franklin Street
6.	Project Tax Map #/Lot #:	Tax Map 39, Lot 369
7.	Contributing Structure?	Yes
8.	Existing Zoning:	MSRD-1
9.	Overlay Zoning:	None
10.	Existing Use:	Restaurant
11.	Proposed Use:	No Change
12.	Uses in the Vicinity:	Commercial, Residential, Institutional
13.	Parcel Size:	871 SF
14.	Front Setback Required:	None
15.	Side Setbacks Required:	None
16.	Rear Setback Requires:	None
17.	Height Requirements:	Minimum 2 stories; maximum 60 feet
18.	LDR Attachment A: Fess Paid:	Paid
19.	Historic Preservation Commission Review History: Abutter Notices mailed April 15	April 29, 2020 Virtual Meeting Date.

3. EXISTING CONDITIONS:

Palace Diner, constructed in 1920, is a contributing structure per the Russell Wright survey. It is located on Franklin Street directly behind 145 Main Street. At the rear of the diner, an unsightly existing shed structure houses trash receptacles. It and a refrigerator unit face the alley between it and 145 Main Street.



Source: "18 Franklin Street, Biddeford, Maine." 43°29'35.10" N 70°27'17.25" W. Google Earth Street View. Imagery Date: 6/2019. Accessed Date: 04/13/2020.



Source: "18 Franklin Street, Biddeford, Maine." 43°29'35.10" N 70°27'17.25" W. Google Earth Street View. Imagery Date: 6/2019. Accessed Date: 04/13/2020.

4. PROJECT PROPOSAL

The owner proposes to demolish the shed structure at the rear of the main building and install a new cooler/freezer unit. The cooler unit will be installed on a new concrete slab on grade. Compressor units on the rooftop of the cooler will be visible. The new stainless steel cooler will present a more finished and cleaner appearance to the building as viewed from Franklin Street.

The shed to be demolished is not original to the contributing building and not "...important portion[s] and feature[s] thereof..." as described in the City Code of Ordinances, Article XV, Section 12 (B).

5. PUBLIC COMMENT

The notice was posted on city website on April 17, 2019. Mailing notices were also sent out to all abutters within 100' on April 15, 2020 – 6 notices were sent out.

As of the time of this report the following Public Comments have been received regarding the proposed project:

- No Public Comments had been received.

6. STAFF REVIEW:

- a. ZONING: It is an existing use in the MSRD-1 Zone.
- b. REVIEW STANDARDS: Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness) and Section 12 (Demolition).
- c. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:
 1. None.

7. STAFF RECOMMENDATION:

If the information provided is sufficient, recommend the Commission consider the submitted application for approval, approval with conditions, or denial.

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.**
- b. **Other** _____.

8. SAMPLE MOTIONS

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

- a. _____
- b. _____
- c. _____

B. *Motion to approve the Certificate of Appropriateness for Palace Diner at 18 Franklin Street (Tax Map 39, Lot 369) for removal of existing shed structure and installation of new cooler/freezer unit at the rear of the building.*

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

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

CITY OF BIDDEFORD – 18 Franklin 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 Franklin Estates, LLC to perform exterior alterations at 18 Franklin 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:	Franklin Estates LLC Chad Conley 18 Franklin Street Biddeford, ME 04005
2.	Owner of Property:	Franklin Estates LLC Chad Conley 18 Franklin Street Biddeford, ME 04005
3.	Agent:	Leslie Benson Designs LLC 131 Spring St Portland ME 04101
4.	Engineer/Architect/Contractor:	Leslie Benson Designs, LLC
5.	Project Location:	18 Franklin Street
6.	Project Tax Map #/Lot #:	Tax Map 39, Lot 369
7.	Contributing Structure?	Yes
8.	Existing Zoning:	MSRD-1
9.	Overlay Zoning:	None
10.	Existing Use:	Restaurant
11.	Proposed Use:	No Change
12.	Uses in the Vicinity:	Commercial, Residential, Institutional
13.	Parcel Size:	871 SF
14.	Front Setback Required:	None
15.	Side Setbacks Required:	None
16.	Rear Setback Requires:	None
17.	Height Requirements:	Minimum 2 stories; maximum 60 feet
18.	LDR Attachment A: Fess Paid:	Paid

19.	Historic Preservation Commission Review History:	April 22, 2020 Virtual Meeting Date.
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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).

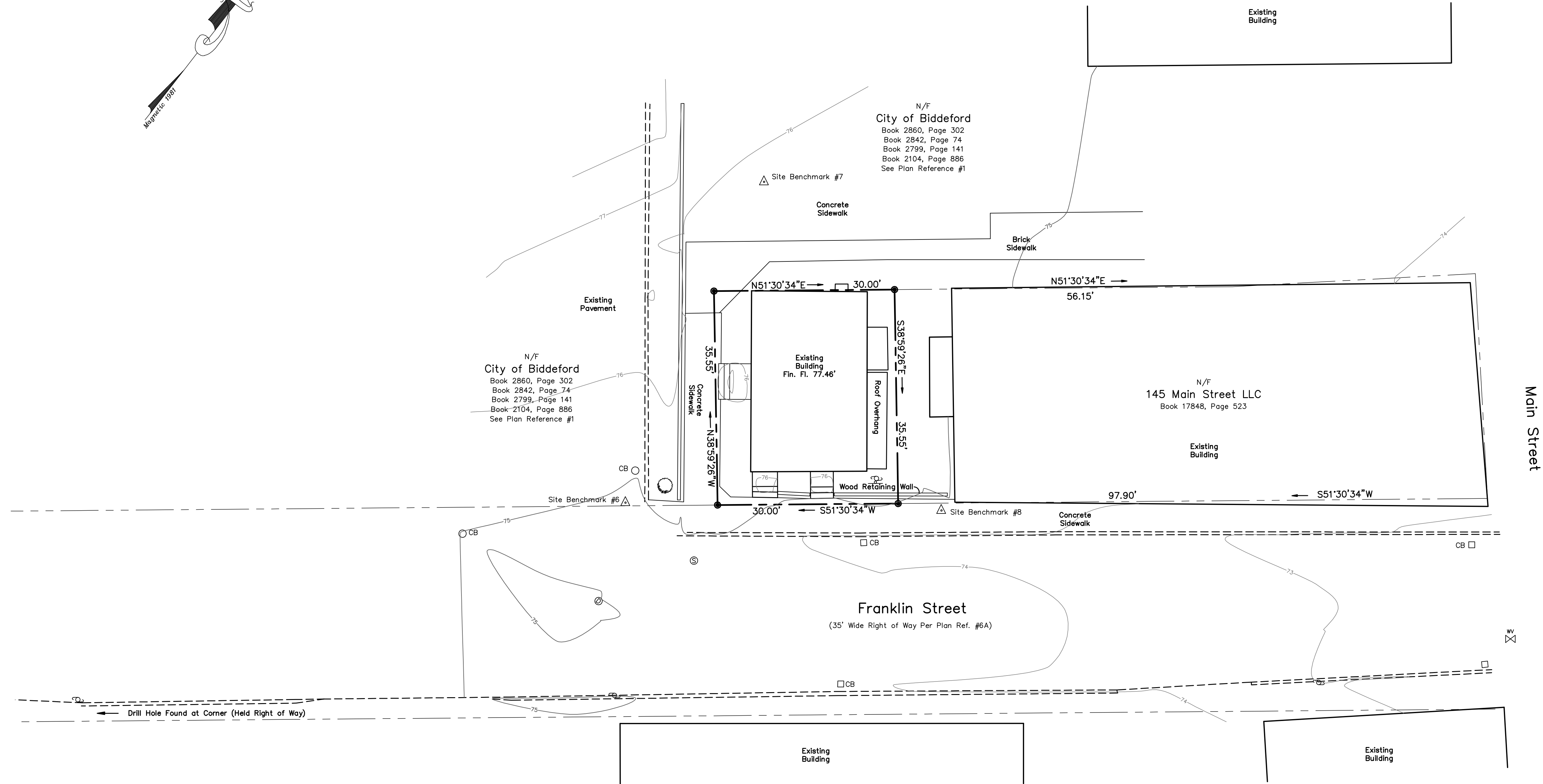
Approval Granted:

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 18 Franklin 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



Scale: 1" = 10'



A horizontal graphic scale bar with alternating black and white segments. It is marked with '10'' at the left end, '0' in the middle, '5'' to the right of 0, '10'' further right, and '20'' at the right end.

ROBERT C. LIBBY JR. PLS #2190

SHEET

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 **BHZM**

Berry, Huff, McDonald, Muffigan Inc.
Engineers, Surveyors

28 State Street
Gorham, Maine 04038

Tel. (207) 839-3771
Fax (207) 839-8250

Greg Mitchell
18 Franklin Street
Biddeford, Maine 04005

**EXISTING CONDITIONS
PLAN**

**LAND OF
FRANKLIN ESTATES, LLC**
18 FRANKLIN STREET
BIDDEFORD, MAINE

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