



CITY OF BIDDEFORD

Planning and Development Department

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HPC MEETING April 7, 2021

In attendance: Jeff Cabral, Catherine Glynn, Leah Schaffer, Erin Ware

Absent: Carina Walter, Priscilla McGuire, Julie Larry

1. Declaration of Quorum/Voting Members
2. Adjustment to the Agenda
3. Consent Agenda
 - 3.1 Approval of Historic Preservation Committee Minutes from December January 13, 2021.

Motions:

Shaffer-MOTION: To approve Minutes from January 13, 2021

Glynn-SECOND

Unanimous Approval (Schaffer, Glynn, Ware)

4. Unfinished Business
5. New Business
 - 5.1 2021 HPC.09 Committee Review
 - Southern Maine Affordable Housing-41 Birch Street, Tax Map 38 Lot 296-3, New Windows
 - Guy Gagnon, Executive Director & President of Southern Maine Affordable Housing, introduced the project.
 - Brad Favreau, Economic Development Coordinator, asked Guy to speak specifically about the windows he plans to replace.
 - Mr. Gagnon told the commission that the existing windows are poor quality aluminum sliding windows.
 - Ms. Schaffer asked Mr. Gagnon how the existing windows ever met egress.
 - Mr. Gagnon answered they are sliders and kind of big, but some of the ones in this case have to be egress and casements in some of the bedrooms. Other than that, the windows are large so they will be double hung.
 - Mr. Favreau asked if the new construction would be vinyl.
 - Mr. Gagnon answered that they are new construction vinyl windows.

- Ms. Shaffer mentioned that she knows the new windows are to match the windows in the original building. She asked if there is any reason he wants to go with the four over four as opposed to the six over six. In looking at the quote, they appear to be horizontal proportion whereas six over six would be more in line with the character of the building, which would be more important than the number of panes. Looking at line item three.
- Mr. Gagnon said they will be similar in scale and talked about what they did in the main building and the existing windows.
- Ms. Schaffer said they look very squat in that proportion.
- Mr. Gagnon said they could look at that.
- Mr. Favreau confirmed the existing windows are indeed four over four now.
- Ms. Schaffer said the proportion is more important.
- Ms. Glynn supports Ms. Schaffer's comments and thinks it is very noble to look at the original structure and she assumes they are reproduction windows
- Mr. Gagnon answered that it is composite material not wood.
- Ms. Glynn asked if they copied the 1920 building.
- Mr. Gagnon said they tried but did not have good pictures.
- Ms. Glynn commented that it may or may not have been a good replication of how it works. She told him he is not tied to the main building, as any addition on a historic addition should not match the historic building. The addition should be very bland and let the historic building stand-alone.
- Ms. Schaffer said that because the window sizes are not very common that even if he just went to one over one that may be fine. She does not think horizontal sashes ever look good.
- Mr. Gagnon prefers not to have this be a requirement and have him deal with it himself.
- Ms. Glynn asked if he would at least look into it and asked Ms. Schaffer if this was a deal breaker.
- Ms. Schaffer answered no she personally thinks six over six would look better.
- Mr. Gagnon will ask if they make them in that size, it's hard to say.
- Ms. Schaffer reminded him it is just for the four-foot windows.
- Chair Cabral asked if the board is heading towards tabling it or making this a condition of approval and bringing him back next week.
- Mr. Gagnon does not want to come back. He is hoping the Commission will trust what he does will be ok and attractive enough.

Motions:

Schaffer-MOTION: To approve the Certificate of Appropriateness for Southern Maine Affordable Housing to install new windows at 41 Birch

Street in the MSRD-2 zone based on materials presented and conditioned on the following:

- a) The window types that are four feet in width be replaced with windows that are six over six or
- b) All windows in the structure be changed to one over one and be distinguished from the historic portion.

- Mr. Gagnon wanted clarification on which windows the commission is talking about.
- Ms. Schaffer answered she is looking at the quote any of the windows that are four feet wide, it looks like they are horizontal or someone sat on them.
- Mr. Favreau said she is proposing a vertical grid rather than horizontal.
- Ms. Schaffer said yes and she would be fine with one over one with no muntins or to keep all the windows in a vertical proportion. It looks like it would match better.
- Chair Cabral mentioned that there is a motion on the floor and they have jumped into the discussion without a second.
- Mr. Gagnon said he had hoped it wouldn't be tied down that much.
- Ms. Schaffer said it is pretty flexible.
- Ms. Ware-SECOND
- Chair Cabral told the Commission they can now go into the discussion portion and told Mr. Gagnon that includes him. Chair Cabral then asked Ms. Ware if she had anything to add to the discussion, as they have not heard from her yet.
- Ms. Ware responded she agrees with Ms. Schaffer and said one over one is fine and for Mr. Gagnon not to feel obligated to mimic historic as it is not historic.
- Chair Cabral said the Commission should give him more clarity as it sounds like they are saying do this but also they are giving a bit of latitude and that is not always the most helpful.
- Mr. Gagnon asked to back up a bit he thinks the determination could be this building is not historic because of when it was built and he is not obligated to follow historic requirements so he feels he should have more latitude.
- Ms. Schaffer said the building is in the historic district, the addition part is not contributing as opposed to the existing school building. The building is in the historic district so they provide regulations and they are trying to be as flexible as possible. She does not feel four over four looks particularly good in that window size.
- Mr. Gagnon replied that it sounds like it is a personal preference of the Commission as opposed to what should be reviewed.
- Ms. Schaffer replied that historically panes are never used.
- Chair Cabral told the Commission it feels like they have to stipulate what is required versus what is hoped for
- Ms. Schaffer said she gave two options but the applicant just wants what he originally submitted.

- Mr. Gagnon replied that if he changes his mind he doesn't want to have to appear before the Commission again for a change, he is trying to streamline his project.
- Ms. Schaffer told him as long as he keeps vertical proportion panes he will be historically accurate and that is what is important no matter which building he is on.
- Mr. Gagnon said he is trying to be sensitive, he could have asked for vinyl siding.
- Ms. Ware said that they didn't say he had to come back. The Commission is trusting him to hold up his end of the deal.
- Mr. Favreau asked if the original windows were sliders with no panes does it make sense to use double hung windows that are one over one.
- Ms. Schaffer said yes that is what she suggested but that it seems the applicant wants the option to change his mind in the future.
- Mr. Gagnon said you have what's presented and he takes more measurements and decides something else looks better; he doesn't want to have to come back.
- Ms. Schaffer said that is why they gave him options.
- Ms. Schaffer restated her motion.
- Mr. Gagnon confirmed which windows Ms. Schaffer means. He said you could make a case for keeping the four over four.
- Chair Cabral asked Mr. Gagnon if he has the clarity he needs.
- Mr. Favreau asked the scribe to read back the motion.
- The motion was reread.
- Ms. Schaffer repeated her motion saying she doesn't know how to make it any clearer without drawing the lines on the plans.
- Mr. Gagnon said he understands the motion but if it does not look proportioned, he doesn't want to come back.
- Chair Cabral stated that historically speaking it would be helpful if they start being clear in motions between what they are stipulating and what they are advising. Sometimes they offer up opinions and it muddies the waters.
- Ms. Schaffer answered that she offered up a stipulation but the applicant wanted leniency so that is why she is trying to give him other options. Yes, that is her opinion, which is also historically accurate.
- Ms. Glynn said this is a stipulation, and it should not be too hard to find the right windows.
- Chair Cabral asked if there was anyone in the public, no one from the public asked to speak so the item went back to the Commission.
- Vote: Motion passed unanimously (Glynn, Ware, Schaffer)
- Ms. Schaffer recused herself from the next item.

2021 HPC.08 Commission Review

Praetorium, LLC-45 Foss Street-Tax Map 39, Lot 61-add dormers to existing dwelling.

- Alex Fabish represented the item and introduced the project.
- Ms. Glynn asked when the structure was built and when the existing dormer was added.
- Ms. Ware said the records show 1900 but she does not believe that is correct based on the style.
- Mr. Favreau told the Commission the year is based on what the tax record has for a year.
- Ms. Glynn commented that what Mr. Fabish is proposing is a big alteration to the existing structure.
- Ms. Ware asked if he had considered other options.
- Mr. Fabish said they have looked at other options but had to go with this option, as it would be best for adding a bathroom.
- Ms. Glynn asked again about other options as it significantly alters the house and they need to keep the integrity of the house and neighborhood.
- Mr. Favreau said he echoes what Ms. Glynn said. The Russell Wright survey shows the style of house is Greek revival, which he feels is a bit loose, but dormers are not uncommon on Greek revival homes.
- Ms. Ware said usually those dormers are gable.
- Ms. Glynn feels the alteration is too much for the house, it changes the whole outline of the house and it already has one shed dormer, which does not match the style of the house. She understands what Mr. Fabish wants to do but they are there to uphold the historic ordinance.
- Ms. Ware agrees with Ms. Glynn especially where the building is so small in stature. This will be changing the roofline and it will be an extreme change.
- Ms. Glynn asked if Mr. Fabish got a historic preservationist to come up with the plan.
- Mr. Fabish said no he had Leah Schaffer
- Ms. Glynn said it is not their place to give ideas for applicant's projects but she hates to set a precedent in this neighborhood to change a structure so drastically.

MOTIONS:

Glynn: MOTION-To deny Certificate of Appropriateness due to the extreme alterations to the house and the relationship to the aesthetics of the whole neighborhood.

- Mr. Fabish asked which houses they have in mind when they speak of the whole neighborhood.
- Chair Cabral said that we are not at the discussion phase, there is a motion on the table with no second.

Ware: SECOND

- Chair Cabral said they now could go into the discussion phase.
- Ms. Glynn said the entire neighborhood is historical, some people have made some poor decisions when altering their structures and that is why the Historical

Preservation Commission was formed. All of the structures play off each other with similar massing, size, and outlines and we do not want to alter that outline. This house already has a funky shed dormer probably from the 1930's or 50's, which is counter to what we are trying to preserve. It's too bad you couldn't use that in some way. Ms. Glynn told Mr. Fabish that they are trying to uphold the ordinance.

- Mr. Fabish replied that a nebulous answer like that doesn't really help him. What he needs is an answer he can work with. What addresses are they referring to that this addition deviates from. This will make the house aesthetically better as it adds to the symmetry of the building.
- Mr. Favreau told him it is not just this piece of property; the ordinance speaks to the character of the original intent of the architecture of the neighborhood. It is not just the neighboring buildings. He gave an example of an extreme alteration that happened years ago and stated that it does not mean it would be allowed now.
- Mr. Fabish said the building looks a certain way now. Other dormers did not do what it needed to do from a practical standpoint. This might be slightly different but it will vastly improve the overall look. He feels the way the building looks now reduces the overall historic fabric of the neighborhood.
- Ms. Glynn begs to differ.
- Ms. Ware said it does change the style of the house. The dormer added was not correct and just because things were done in the past does not mean it should be carried on.
- Chair Cabral told the applicant they are in a tough spot they are bound by the regulations and ordinance. They do want to help as much as they can but not sure what they are allowed to do after the meeting. They still have a motion that has not been voted on.
- Ms. Glynn read from the ordinance to clarify their thought process, which they are sworn to uphold. She asked if it was an apartment already.
- Mr. Fabish said it is no longer in use; it was bedrooms for another apartment. He asked if there were any style of dormers that would fly.
- Ms. Glynn suggested he get a contractor who does historic restoration.
- Mr. Fabish asked what the boundaries of the neighborhood are.
- Mr. Favreau told him the MSRD 1, 2, 3 are the zones subject to review. Ms. Glynn is referencing the adjacent streets and houses.
- Ms. Glynn suggested he inquire at the National Park Service.
- Mr. Favreau said they would like to help but must stick to the ordinance and regulations.
- Mr. Fabish replied "ok, so no one can tell me another building, what the neighborhood is. All I get is I have to use Historic Preservation. Is that what I am getting from this?"
- Mr. Favreau told Mr. Fabish that they cannot help him design his house.
- Mr. Fabish asked what other houses he can use to get the historical essence.
- Ms. Ware told him about a Greek revival house on Hill Street.
- Chair Cabral suggested they get a reference list of addresses to give to the applicant.

- Mr. Fabish voiced his frustration, if no alteration of the roofline is allowed but he needs to alter the roofline. If altering the roofline is off limits than that's their answer.
- Ms. Ware told him they can't make a blanket statement like that. Ms. Ware told him that he can make changes but less dramatic.
- Mr. Favreau reminded the Commission that there is a motion and second on the floor.
- Chair Cabral reiterated to the applicant they are in a tight spot, they are not allowed by law to tell him that if he does x it would be approved. He is trying to find a way to help, possibly by providing addresses for him to look at.
- Mr. Favreau referred the applicant back to his designer. It is not the purview of this commission to give out addresses of other properties.
- Ms. Glynn said unless you are really into historic preservation it is very difficult. She will withdraw her motion to table this until more research is done.
- Mr. Fabish asked what the quickest way is to get back to the HPC.
- Chair Cabral asked if they denied this motion is there a burden for the applicant to pay another set of fees.
- Mr. Favreau said yes he would have to reapply.
- Ms. Glynn asked to WITHDRAW her motion.
- Ms. Ware WITHDREW her second.

MOTIONS:

Glynn-MOTION: to table this item until further back ground research of the aesthetics of the neighborhood and other brick buildings can be reviewed.

Ware: SECOND

Chair Cabral wanted to clarify that another set of plans would be needed.

Mr. Fabish asked where to send the plans and how to get on the next agenda.

Mr. Favreau said to send everything to him, he cannot guarantee the May meeting but as soon as they can.

Mr. Fabish said he dropped another packet off today and that one takes precedence to this one.

Vote: Motion passed unanimously (Glynn, Ware, and Cabral)

6. Other Business

- Mr. Favreau brought up the fact that here is another item coming down the road that is appalling to historic significance but has been done in the neighborhood in the past so he wanted to give them a heads up.
- He will be looking into Roberts Rules for the difference between table and postpone for projects before the HPC.
- July Larry has agreed to make a presentation to the HPC to help strengthen the Commission's historical knowledge.
- Chair Cabral mentioned that he recently attended the budget meeting to present the HPC budget.

- **Mr. Favreau asked if the Commission still wants to be members of the Maine Preservation Commission, Maine Historical Society and the Maine Downtown Center. The subscriptions are coming due and he wants to know whether to renew them or not.**

MOTIONS

Glynn-MOTION: to renew all subscriptions for the HPC

Ware-SECOND

Vote: Motion passed unanimously (Glynn, Ware, and Cabral)

7. Adjourn Meeting adjourned at 5:14 PM

Chair: Historic Preservation Commission

Date

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