

City of Biddeford
Historic Preservation Commission
February 12, 2020 4:00 PM City Hall
2nd Floor Conference Room

- 1. Adjustments to the Agenda**
- 2. Unfinished Business**
- 3. New Business**
 - 3.1. Approval of December 11, 2019 Minutes.
[HPC Minutes 121119.doc](#)
 - 3.2. 2020.01 HPC – Public Hearing - Neil Casavant to remove and rebuild rooftop deck and install new privacy fence at 72 Hill Street (Tax Map 39, Lot 55) in the MSRD2 zone.
[2020.01 HPC Casavant 72 Hill St SR.docx](#)
 - 3.3. 2020.03 HPC – Public Hearing – Jonathan Denton to replace windows at 128 Main Street (Tax Map 38, lot 379) in the MSRD1 zone.
[2020.03 HPC Denton 128 Main St SR.docx](#)
- 4. Other Business**
- 5. Adjourn**



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 REGULAR AGENDA

Date: December 11, 2019
Time: 4:00 PM
Location: 2nd Floor Conference Room, City Hall

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

Members present: Aurelie Wallach, Chair
Jeff Cabral, Vice Chair
Leah Schaffer
Priscilla McGuire
Stephen Burr

Members Absent: Jeffrey Dobson
Carina Walter

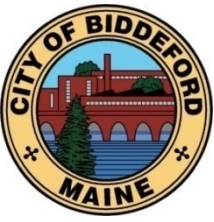
1. Adjustments to the Agenda
2. Unfinished Business
3. New Business
 - A. Approval of Minutes – November 13, 2019
 - Approved: Motion/Second/Vote: Burr/Cabral/Unanimous.
 - B. 2019.41 HPC – Public Hearing – Shad Hall to replace windows located at 170 Elm Street (Tax Map 38, Lot 57) in the MSRD1 zone.
 - Note that it was a non-contributing.
 - Shad Hall discussed the recent purchase of a new furnace, the conditions of the windows and how he is working hard to improve energy efficiency.
 - Leah and Stephen discussed - need for some creativity with the neighborhood. Jeff noted to go back to original. Commission was concerned with moving away from original design.
 - Owner did some changes before discovering the need for permit.

- Commission debated number of payers; owner used inconsistency in his building, neighborhood.
 - Group noted a need to establish procedures to address the inconsistency issue.
 - Approved: Motion/Second/Vote – Cabral/McGuire/Unanimous as permitted with the following conditions:
 - o All permits must be obtained from Code Enforcement prior to beginning any work.
- C. 2019.42 HPC- Public Hearing – Pool Street Apartments, LLC to replace windows located at 31 Pool Street (Tax Map 39, Lot 52) in the MSRD-2 zone.
- Michele Laverriere gave a presentation.
 - Approved: Motion/Second/Vote: Schaffer/Burr/Unanimous as permitted with the following conditions:
 - o All permits must be obtained from Code Enforcement prior to beginning any work.
- D. 2019.43 HPC- Public Hearing – Triglione Construction for the install of new siding and some exterior repairs located at 1 Summer Street (Tax Map 38, Lot 420) in the MSRD-1 zone.
- Contributing property was recommended for intent to replicate how it was, but with hardy plank and special trim material. Except railings proposed as azek; however, they can replicate existing but Leah notice not original. That is ok.
 - Will Stay consistent with 4” side and replicate as close as possible in terms of trim. Concerned with azek replication.
 - Leah reviewed need for saphit and cap details to be maintained.
 - Commission was interested advisory that color of siding and trim would be consistent.
 - Approved: Motion/Second/Vote: Schaffer/Cabral/Schaffer, Cabral, McGuire and Wallach in favor with Burr opposed. Motion passed with the following conditions:
 - o Siding profile be 4”
 - o All permits must be obtained from Code Enforcement prior to beginning any work.
- E. 2019.44 HPC – Public Hearing – Biddeford Riverwalk Community 1, LLC – for the new construction of the parking garage located at 3 Lincoln Street (Tax Map 71, Lot 2) in the MSRD-3 zone.
- Mat provided a general description of the public parking venture and went over the materials in the packet.

- Approved: Motion/Second/Vote: Cabral/Schaffer/Unanimous as submitted
 - o All permits must be obtained from Code Enforcement prior to beginning any work.
- 4. Other Business
- 5. Adjourn
- Approved: Motion/Second/ Vote: Schaffer/Burr/Unanimous

Historic Preservation Commission Chair

Date



CITY OF BIDDEFORD PLANNING DEPARTMENT

2020.01

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: February 6, 2020

RE: ITEM #B – HPC 2020.01 HPC - Public Hearing – 72 Hill Street

MEETING DATE/TIME: February 12, 2020 @ 4:00 PM

1. INTRODUCTION

The applicant, Neil Casavant, proposes replacing the rooftop deck and surrounding privacy fence at the rear of a building at 72 Hill Street (Tax Map 39, Lot 55) in the MSRD-2 zone. The Biddeford Code enforcement Officer ordered the previous privacy fence removed for reasons of safety.

2. PROJECT DATA/INFORMATION

	SUBJECT	DATA/INFORMATION
1.	Applicant:	Neil Casavant 24 Paquin Avenue Biddeford ME 04005
2.	Owner of Property:	John Conroy 1 Eighth Street Biddeford ME 04005
3.	Agent:	Neil Casavant 24 Paquin Avenue Biddeford ME 04005
4.	Engineer/Architect/Contractor:	Unknown
5.	Project Location:	72 Hill Street
6.	Project Tax Map #/Lot #:	Tax Map 39, Lot 55
7.	Contributing Structure?	No
8.	Existing Zoning:	MSRD-2

9.	Overlay Zoning:	N/A
10.	Existing Use:	Multi-family residential
11.	Proposed Use:	No change
12.	Uses in the Vicinity:	Residential (Primarily), Commercial,
13.	Parcel Size:	.18 Acres
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:	Paid
19.	Historic Preservation Commission Review History:	February 12, 2020 Meeting Date.

3. EXISTING CONDITIONS:

The project property at 72 Hill Street is located on the north corner of Pool Street and Hill Street, a high-traffic intersection. The building is a part of the Russell Wright survey and is classified as non-contributing. The neighborhood is primarily residential in nature, with some commercial uses interspersed throughout. An existing rear parking lot allows clear sight lines to the rear of the building from Pool Street.



Source: "72 Hill Street".

<http://gis.vgsi.com/BiddefordMEMap/index.html?pid=4521>.

Accessed Date: 2/6/2020



Source: "72 Hill Street, Biddeford, Maine." 43°29'25.02" N 70°27'09.16" W.
Google Earth Street View. Imagery Date: 06/2019. Accessed Date: 2/06/2020.



Source: "72 Hill Street, Biddeford, Maine." 43°29'25.02" N 70°27'09.16" W.
Google Earth Street View. Imagery Date: 06/2019. Accessed Date: 2/06/2020

4. PROJECT PROPOSAL

The applicant proposes to replace rooftop deck and surrounding privacy fence over a portion of the rear of the building. Proposed work is above the second story that extends along the rear of the building and is highly visible from the northwest approach on Pool Street. A previously existing deck and fence was removed. Previous deck and privacy fence extended the full width of the rear flat roof area. Applicant proposes to install new deck and privacy fence only at either end of the flat roof, leaving the center portion (approximately 1/3) of the roof exposed. Where an alternating board wood fence, approximately six feet in height, was used for privacy in the past, applicant proposes the use of vinyl privacy fence 5' in height.

5. PUBLIC COMMENT

As of the time of this report no public comments had been received, although abutter notices had not been mailed at the time of the completion of this report.

6. STAFF REVIEW:

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

NOTE: Since this building is not considered to be a historic landmark or a contributing structure Section 12 (Demolition) does not apply. Instead the following section of the Ordinance (Article XV (Historic Preservation Ordinance), Section 11 (Evaluation standards for certificate of appropriateness), applies:

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 submitted application materials and considered 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.

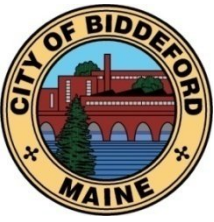
9. SAMPLE MOTIONS

A. *Motion to approve the Certificate of Appropriateness for 72 Hill Street for new roof deck and privacy fence 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

2020.03

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: February 6, 2020

RE: ITEM #C – HPC 2020.01 HPC - Public Hearing – 128 Main Street

MEETING DATE/TIME: February 12, 2020 @ 4:00 PM

1. INTRODUCTION

The applicant, Jonathan Denton, proposes replacing upper story windows at 128 Main Street (Tax Map 38, Lot 379) in the MSRD-1 zone.

2. PROJECT DATA/INFORMATION

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Jonathan Denton 99 W. Cutts St #2 Biddeford Maine 04005
2.	Owner of Property:	Jonathan Denton 99 W. Cutts St #2 Biddeford Maine 04005
3.	Agent:	None
4.	Engineer/Architect/Contractor:	None
5.	Project Location:	128 Main Street
6.	Project Tax Map #/Lot #:	Tax Map 38, Lot 379
7.	Contributing Structure?	Yes
8.	Existing Zoning:	MSRD-1
9.	Overlay Zoning:	None
10.	Existing Use:	Existing mixed use building
11.	Proposed Use:	No Change
12.	Uses in the Vicinity:	Commercial, residential

13.	Parcel Size:	.10 Acre
14.	Front Setback Required:	None
15.	Side Setbacks Required:	None
16.	Rear Setback Requires:	None
17.	Height Requirements:	Min. 2 stories; max. 60 ft.
18.	LDR Attachment A: Fess Paid:	Paid
19.	Historic Preservation Commission Review History:	February 12, 2020 Meeting Date. Posted in City Hall February 5, 2020; Mail Notices to all abutters within 100' sent February 5, 2020.

3. EXISTING CONDITIONS:

The project property at 128 Main Street is located in the downtown core of Biddeford. The Russell Wright survey classifies this structure as a historically contributing building. The survey describes this building as 20th Century Revival. The downtown neighborhood core is mixed-use in nature, with residential units in stories above retail storefronts. This building has two residential units on the second floor, one of which will be affected.



Source: "128 Main Street". <http://gis.vgsi.com/BiddefordMEMap/index.html?pid=4383>.
 Accessed Date: 2/6/2020



Source: "128 Main Street, Biddeford, Maine." 43°29'34.20"N 70°27'13.96" W.
Google Earth Street View. Imagery Date: 06/2019. Accessed Date: 2/06/2020.

4. PROJECT PROPOSAL

The applicant proposes to replace windows on the upper story of the front elevation of this building. Existing wood windows and jambs are in poor condition, with the wood showing some signs of rot. The applicant proposes to replace wood units with aluminum-clad windows to match the size, type and configuration of existing fenestration.

5. PUBLIC COMMENT

As of the time of this report no public comments had been received, although abutter notices had not been mailed at the time of the completion of this report.

6. STAFF REVIEW:

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

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

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 submitted application materials and considered 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 72 Hill Street for new roof deck and privacy fence 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. _____