

CITY OF PORTLAND, MAINE

HISTORIC PRESERVATION BOARD



Julia Sheridan, Chair
Robert O'Brien, Vice Chair
Ian Jacob
Joy Naifeh
Penny Pollard
Julia Tate
John Turk

AGENDA

HISTORIC PRESERVATION BOARD MEETING

The Historic Preservation Board will hold a remote meeting on Wednesday, September 2, 2020, 5:00 p.m. This meeting will take place using Zoom.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403-A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience.

For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be un-muted by the host when it is time for public comment.

ZOOM MEETING INSTRUCTIONS

You are invited to a Zoom webinar.

When: Sep 2, 2020 05:00 PM Eastern Time (US and Canada)

Topic: Historic Preservation Board Workshop and Public Hearing 09/02/2020

Please click the link to join the webinar: <https://us02web.zoom.us/j/89255484975>

Or iPhone one-tap: US: +13017158592,,89255484975# or +13126266799,,89255484975#

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

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 892 5548 4975

International numbers available: <https://us02web.zoom.us/u/kqSsGgeRP>

For more information on how to use Zoom, please go to: <https://www.portlandmaine.gov/remotepud>

Public comments will be taken for each item on the agenda and written comments should be submitted to hp@portlandmaine.gov

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **REPORTS OF DECISIONS AT THE MEETING HELD ON AUGUST 19, 2020**
 - i. Certificate of Appropriateness for Site Alteration; 62 Neal Street; Erik Bergman, Applicant.
The Board voted 6-0 (Turk absent) to approve the application subject to conditions.
3. **COMMUNICATION AND REPORTS**
4. **ELECTION OF OFFICERS - 5:00 PM**
5. **PUBLIC HEARING**

- i. Certificate of Appropriateness for Amendment to Previously-Approved Plans; 153 State Street; Dan St. Peter, Applicant.
- ii. Certificate of Appropriateness for Public Art Installation; Deering Oaks Park; Portland Public Art Committee, Applicant.

6. WORKSHOP

- i. Preliminary Review of Proposed Exterior Alterations; 446 Fore Street/53 Wharf Street; Orange Crush, LLC., Applicant.

7. CONSENT AGENDA

**HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE**

**PUBLIC HEARING
153 STATE STREET**

TO: Members of the Historic Preservation Board
FROM: Rob Wiener, Preservation Compliance Coordinator
DATE: August 28, 2020
RE: September 2, 2020 **PUBLIC HEARING – Amendment to Previous
Approved Alterations: Three Additional Skylights**

Address: 153 State Street

Applicant: Daniel St. Peter

Introduction

Owner Dan St. Peter is requesting an amendment to plans that were approved by the Board on January 15, 2020 for alterations to The “Deanery” at 153 State Street. Inspired by interior alterations, Mr. St. Peter proposes three skylights on the north roof, which faces toward the State Street Church. Plans approved last January included three skylights to replace one existing near the middle of the south roof. The new proposal for the north side would place the contiguous skylights beginning about 10’ back from the front edge of the roof, where they would be visible from State Street and from the sidewalk.

Since meeting with the Board last January for a public hearing on various alterations to his property, the owner has continued work on the inside while he prepared building permit applications which are currently under review by the City. The permits under review include adding a porch to the south side, adding windows to the north and south sides, replacing existing windows, adding skylights on the south roof, demolishing a rear addition of undetermined age, and extending the original block of the house and roof by approximately five feet, replacing a lower shed roof.

The proposed additional skylights merit consideration as an amendment to the previous Board review of extensive exterior alterations, particularly because their proposed location will be visible from State Street as one passes the State Street Church. Mr. St. Peter has submitted a roof plan and elevations showing the proposed skylights, and staff has added photographs of existing conditions to illustrate the potential visibility of the new openings.

Subject Property

Mr. St. Peter bought the property, formerly known as The Deanery, from the Episcopal Diocese in 2016. The 1836 house is the last remaining wood-framed Greek Revival structure on State Street. It sits between St. Luke's Episcopal Cathedral and the Diocese's Offices at Loring House on the south side, and State Street Church to the north.

With the exception of the removal of the south porch – which matched the extant porch on the north front corner, the State Street appearance of this significant building – sometimes called “The Deanery” - has changed little over the years. The ordered and still mostly symmetrical façade presents a full pedimented gable to the street, with very regular fenestration. Siding on the front is smooth, flush matched boards, and painted wood clapboards on the other faces. On the north side, the rear part of the entry porch is enclosed by a vestibule.

High in the middle of the south main roof plane there is a single skylight, with a domed sash, that is visible from State Street. In the plans approved by the Board last January Mr. St. Peter proposed to replace the single bubble-topped skylight with a larger, low profile unit, and add two more next to it toward the rear of the roof. The owner plans to maintain the existing slate roof. No objections were raised to low-profile skylights as proposed.

Proposal for 9-2-2020 Public Hearing

Mr. St. Peter proposes three skylights next to each other, about 1' apart and 2' downslope from the ridge of the north roof, with the edge nearest State Street approximately eleven feet from the front edge of the roof. In the supplied roof plan all six of the skylights (south and north) are shown as 21" wide by 54-3/4" tall. (In last January's drawing, the drawing had accidentally transposed numbers; the south skylights were shown as 45-3/4", but was intended to say 54-3/4" tall.) Staff adds that all of the proposed and already approved skylights are operable, Velux units, with a projection off the roof of approximately 6".

The location of the north skylights is apparently motivated by a desire for natural light in an open interior space in the front half of the building, and also by the desire for a view of the spire of the State Street Church from the interior. Mr. St. Peter's latest north elevation shows that the location is over the interior stairs, and just forward of an interior wall. (Stairs are shown on the north elevation drawing, but they are not proposed exterior stairs – they are existing interior stairs.)

Staff Comments

Last January staff's comments opened as follows:

Mr. St. Peter's work to remediate years of deferred maintenance while adapting the building for compatible, sustainable use into the future has the support of staff and the Board. In November the Board repeatedly emphasized the importance of the

building and its strong expression of the Greek Revival style. It comes as no surprise that Board members want plans that work with the character-defining patterns, proportions, and relationships that communicate the style's principles of order, balance, simplicity, and proportion. To maintain the building's historic integrity, alterations that might make subtle departures from the rigid norms in place need to be away from the most visible face of the property, and need to utilize a similar design vocabulary to be in harmony with existing original characteristics.

The existence of an older, domed skylight on the south roof provided a starting point for a replacement unit, and two more arrayed next to it, moving toward the rear. In the case of the currently proposed units on the north roof, the roof has no existing skylights. The proposed north units are located in the front half of the roof, with the closest one to the street being about 11' from the front rake. As can be seen in the supplied staff photo, the north skylights would be visible from State Street and the sidewalk, until one is close enough to the subject property for them to be obscured by the roof and the upwardly angled line of sight.

Because of the significance of the subject property and the proposed location facing a notable historic church, staff believes it would be preferable to locate the skylights on the rear half of the roof, but the location of an interior wall limits how far toward the rear the units can be located. Staff was concerned about the likely visibility of the north skylights from State Street, and did not view this proposed amendment as a de minimus change to approved plans.

In conversations with staff, Mr. St. Peter has indicated the possibility of some flexibility in his proposal for north and south skylights, but clearly would like to add as much light and view of the church on the north as possible. Thus the applicant favors having all three of the north units, particularly the one closest to the front. Skylights have been approved on historic roofs many times, but locations that minimize the visibility, particularly those distanced from sensitive, prominent faces, have usually been heavily favored.

Applicable Review Standards

- (1) Every reasonable effort shall be made to provide a compatible use for the property which requires minimal alteration to the character-defining features of the structure, object or site and its environment or to use a property for its originally intended purpose.
- (2) *The distinguishing original qualities or character of a structure, object or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*

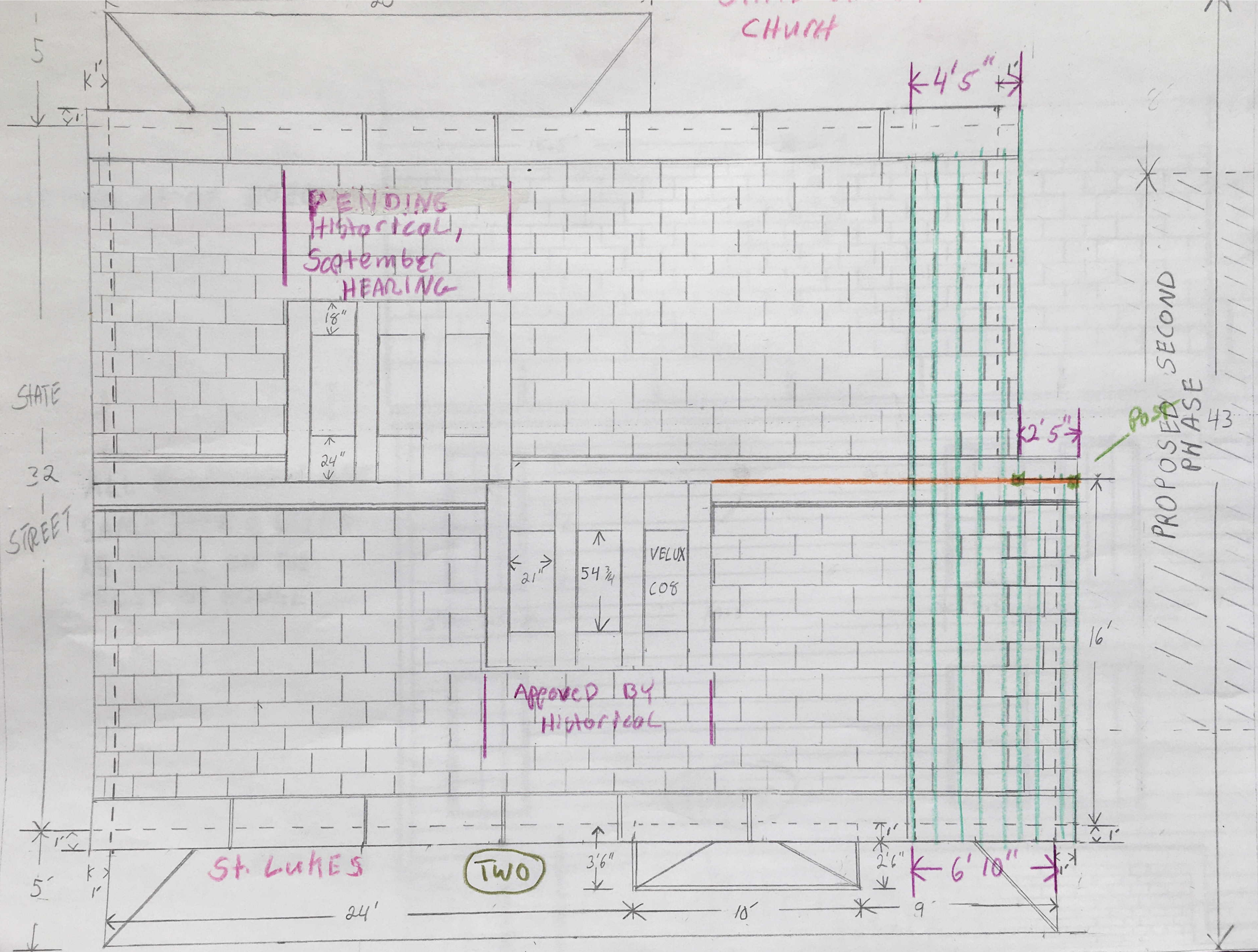
- (3) *All sites, structures and objects shall be recognized as products of their own time, place and use. Alterations that have no historical basis or create a false sense of historical development such as adding conjectural features or elements from other properties shall be discouraged.*
- (4) *Changes which may have taken place in the course of time are evidence of the history and development of a structure, object or site and its environment. Changes that have acquired significance in their own right, shall not be destroyed.*
- (5) *Distinctive features, finishes, and construction techniques or examples of skilled craftsmanship which characterize a structure, object or site shall be treated with sensitivity.*
- (6) *Deteriorated historic features shall be repaired rather than replaced wherever feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the feature being replaced in composition, design, texture and other visual qualities and, where possible, materials. Repair or replacement of missing historic features should be based on accurate duplications of features, substantiated by documentary, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects.*
- (9) *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
- (10) *Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.*

Motion for Consideration

On the basis of plans and specifications submitted by the applicant for the September 2, 2020 public hearing and information included in the accompanying staff report, the Board finds that the **proposed alterations and additions at 153 State Street meet (fail to meet)** the historic preservation ordinance review standards for review of alterations (subject to the following conditions.....)

Attachments:

1. Attachment 1 – Applicant’s drawings and staff photos



CHURCH

4'5"

PENDING
Historical,
September
HEARING

STATE
32
STREET

PROPOSED SECOND
PHASE

43

21"
54 3/4
VELUX
CO8

APPROVED BY
HISTORICAL

St. Lukes

TWO

6'10"

24'

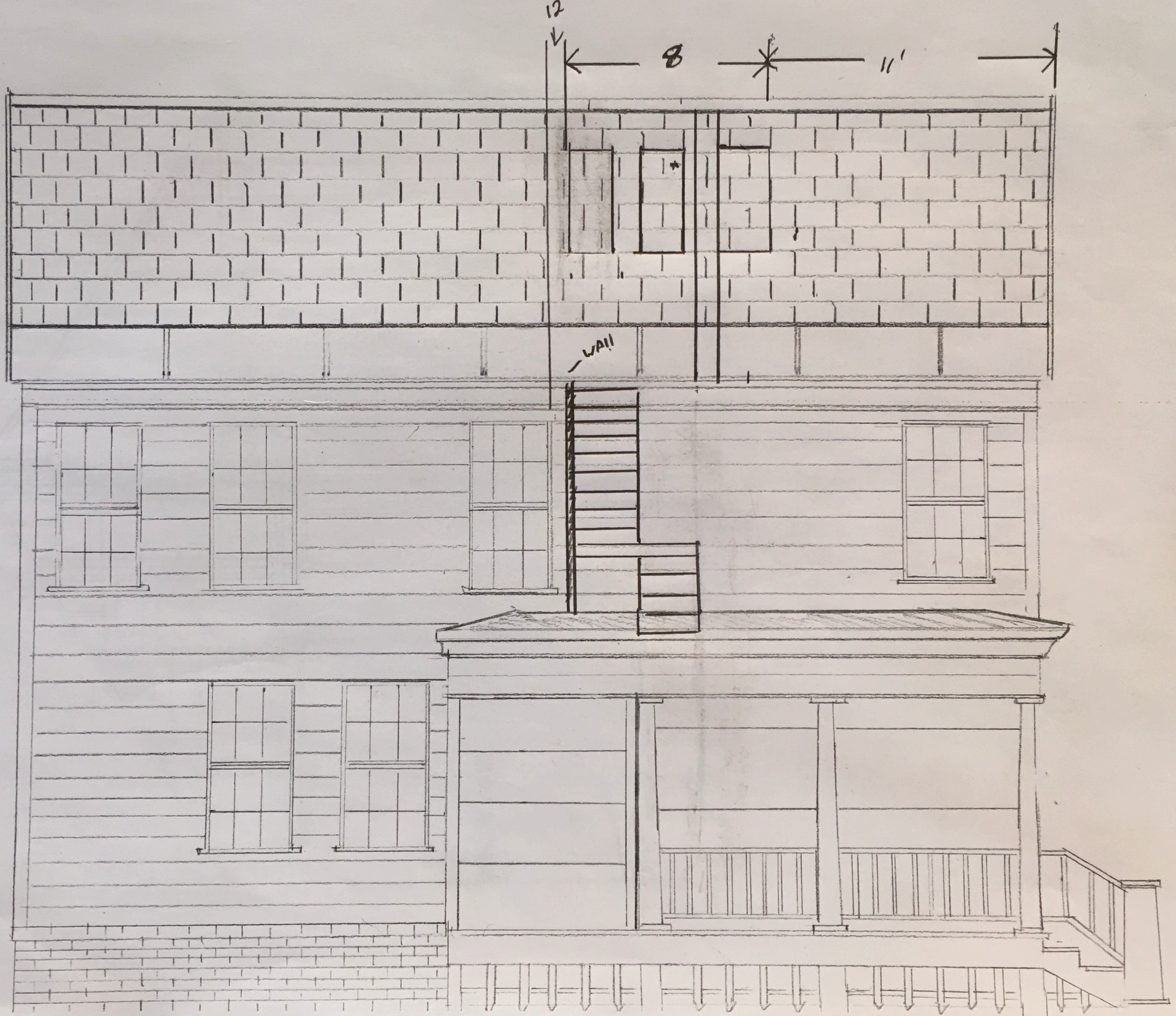
10'

9'

16'

3'6"

2'6"







153

The Colonial House
in East
Amherst
Mass.

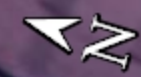
NO PARKING
ACCESSIBLE
RAMP
ENTRANCE



153 State Street, Google Earth

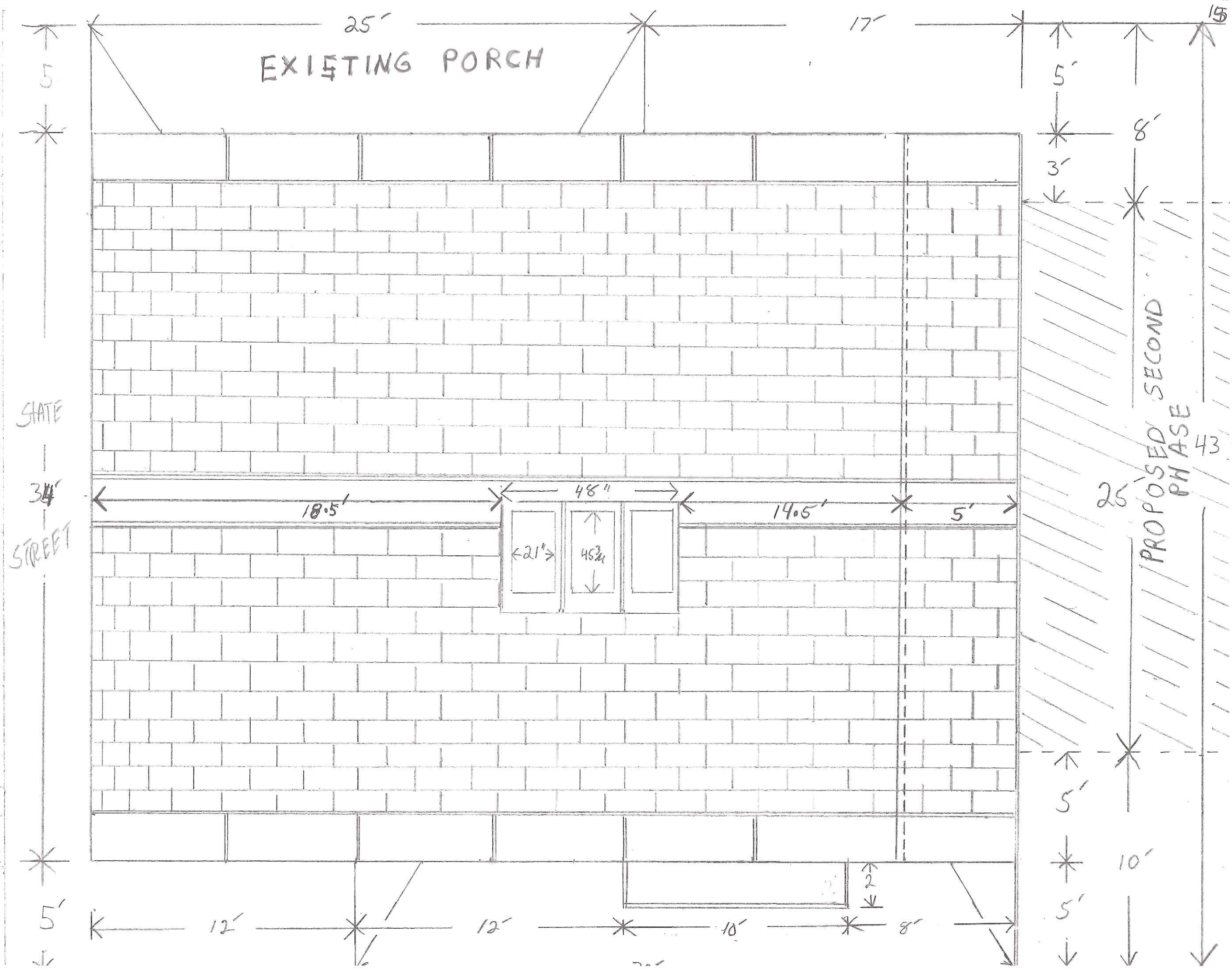
Write a description for your map.

153 State St



70 ft

PROPOSED



ST. LUKE SIDE



HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE

PUBLIC HEARING
DEERING OAKS HISTORIC LANDSCAPE DISTRICT

TO: Members of the Historic Preservation Board
FROM: Deb Andrews, Historic Preservation Program Manager
DATE: August 24, 2020
RE: September 2, 2020 **PUBLIC HEARING**

Application for: **Certificate of Appropriateness for Public Art Installation**

Address: Deering Oaks Historic Landscape District
(vicinity of ravine)

Applicant: TEMPOart and Public Art Committee

Artist: Patrick Plourde

Introduction

TEMPOart and the Public Art Committee are requesting approval to install a permanent piece of public art within Deering Oaks, in the general vicinity of the Oaks' Ravine/wading pool where two other pieces of public art are located.

The request is prompted by TEMPOart's proposed gift to the City of Portland of a sculpture in honor of Portland resident Alice Spencer, who has been a champion for public art in the city for more than 25 years. The 8' piece, entitled "Pinecone", was created by local artist Patrick Plourde—see ATTACHMENT 1 for photos.

In preparation for receipt of the gift, the Public Art Committee was asked to identify an appropriate site for the piece. While other sites were considered, Deering Oaks was selected because it offers a landscape setting appropriate to the nature of the piece (the specific site within the park features a grouping of tall conifers) and because of Alice Spencer's strong connection to another piece of public art in the immediate vicinity, "The Circle of Life"—see photos in ATTACHMENT 3.

Enclosed for the Board's review is background information about Alice Spencer's leadership in the area of public art in Portland, a description of the piece itself and information about the Public Art Committee's choice of location. Also enclosed are several photographs of the piece, which is currently on display in June LaCombe's outdoor sculpture gallery in Pownal—see ATTACHMENT 1. Photos of the two existing pieces in the general vicinity of the proposed installation are enclosed as ATTACHMENT 3. A letter of support from Anne Pringle, representing Friends of Deering Oaks, is attached as well.

Subject Sculpture

The project narrative provided by TEMPOart includes a description of the proposed sculpture as well as photographs of the piece in its current outdoor gallery setting. As noted above, the piece, entitled "Pinecone", is the work of Maine artist Patrick Plourde. It is made up of salvaged, weathered shovel blades and is eight feet in length. (The height of the piece is not provided.)

Deering Oaks Master Plan's Guidance as Regards Memorials and Public Art

Enclosed for the Board's reference is a chapter from the *Deering Oaks Master Plan* that addresses the landscape character and historic design intent of Deering Oaks. It is this chapter that discusses the subject of sculpture and monumentation and provides recommendations for handling future requests or gifts of sculpture. Following a discussion of the park's design intent and a description of existing memorials within the park, the *Plan* makes the following recommendation: "Do not accept any donated sculpture or other permanent art pieces for the park. Temporary installations may be installed after review and approval by the Public Arts Committee and the Friends of the Parks Commission."

While historic landscape master plans are critically important documents in terms of describing the original design intent of the landscape, identifying those characteristics that contribute to the landscape's identifiable character and making recommendations based on the goal of retaining these characteristics, a master plan cannot anticipate every potential circumstance that might warrant a deviation from a particular recommendation. Clearly, applicable recommendations should be carefully considered when planning or reviewing any new project or improvement and if there is a deviation there should be unique circumstances or mitigating factors that justify the exception.

Deering Oaks today features two permanent pieces of public art which were installed after adoption of the *Deering Oaks Master Plan*. Both of these pieces were reviewed and approved by the Historic Preservation Board. The first, “Circle of Life”, consists of a naturalistic design that is carved into the surface of stones that surround a reflecting pool at the east end of the Deering Oaks Ravine. Completed in 2000 and designed by Carole Hanson, the piece was planned as an integral element of the overall Ravine rehabilitation project and is a commemorative piece to honor the life of Kay Wagenknecht-Harte, Urban Designer for the City of Portland.

The second piece of public art is the Great Black Hawk sculpture, which was completed earlier this year. As the Board reviewed this proposal within the recent past and is familiar with the circumstances that prompted the request, there is no need to repeat the information here.

Staff Comments

As with the existing two sculptures introduced within Deering Oaks since the adoption of the Deering Oaks Master Plan, the subject matter of the proposed sculpture--a large-scale pine cone—is not incongruous with the designated landscape’s historic character, which is that of a naturalistic landscape. (And while one might think it odd at first to propose a pine cone for the *Oaks*, the specific site for the piece is surrounded by group of tall conifers.) Obviously the recommendation of the 2000 *Master Plan* should be given careful consideration, but in staff’s view the introduction of this piece will meet the ordinance standards in terms of its design compatibility with the overall character of the designated resource.

TEMPOart and the Public Art Committee note that the site also offers the advantage of creating a small group of sculptures in the subzone of the larger park and that the pieces relate to and reinforce each other.

Should the Board support the installation of the proposed piece within this section of Deering Oaks, staff suggests that Board members articulate in their decision how and why a deviation from the Master Plans’ general recommendation is acceptable in this instance. It would also be appropriate for the Board to reaffirm the general policy as regards these types of installations to guide future Boards if or when additional requests of this type are made.

Applicable Review Standards

The following Standards for Review of Alterations apply:

- (9) *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, color, material and character of the property, neighborhood or environment.*

- (10) *Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.*

Motion for Consideration

On the basis of plans and specifications submitted by the applicant for the September 2, 2020 public hearing and information included in the accompanying staff report, the Board finds that the proposed public art installation in the Deering Oaks Historic Landscape District meets (fails to meet) the historic preservation ordinance's Standards for Review of Alterations (subject to the following conditions.....)

Attachments

1. Project description and photos of existing sculpture
2. Letter of support from Friends of Deering Oaks
3. Photographs of existing sculptures in the vicinity
4. Excerpt from Deering Oaks Master Plan

Proposed Gift of Patrick Plourde Sculpture by TEMPOart to the City of Portland

Proposal:

TEMPOart offers the City of Portland a sculpture by Patrick Plourde: “*Pinecone*” in honor of resident Alice Spencer and her 25 years of work supporting public art in Portland. The 8’ sculpture is made of salvaged steel shovels. Installation costs are included in the gift.

Status and Placement:

The Public Art Committee has reviewed the proposal and has selected a preferred site for consideration. (see photos) The Deering Oaks site is near the base of tall coniferous trees and adjacent to the head of the basin (wading pool). Not only is this placement a delightful juxtaposition of sculpture and site, it carries meaning as the nearby wading pool is named after Alice’s longtime friend, public art colleague and former city planner, Kay Harte.

Securing the Sculpture:

Artist Patrick Plourde visited the proposed site and has recommended an installation method that will both protect the sculpture and the root systems of the trees. He proposes to create a small, rectangular (approximately 3’ x 2’) 6” cement pad upon which *Pinecone* would be bolted with steel rods. These rods will not penetrate the surface under the pad. The bolts will be secured with epoxy, and will be hidden under the sculpture.

Alice Spencer and Public Art in Portland:

In 1994 Alice Spencer was appointed to the first Portland Public Art Committee and served for 15 years. She chaired the committee for 12 of those years. During her tenure the committee:

- wrote guidelines for public art, including guidelines for funding community-initiated projects
- inventoried and documented Portland’s public art collection
- created a maintenance and conservation policy
- initiated conservation treatment for a number of works, including *Our Lady of Victories* in Monument Square and *The Little Water Girl* which was moved and reinstalled inside the new public library

- `Congress St Bus Shelter, “*JewelBox*”, *John Ford* at Center and Danforth, and *Art Under Foot* in Longfellow Square

Alice has also worked with the City to write guidelines and a review process for college students to install temporary public art projects in public space. In 2011, she chaired the committee to write guidelines for temporary public art and still serves on the review committee.

In 2014 Alice founded TEMPOart a 501C3 nonprofit dedicated to championing and commissioning public art in the City of Portland.

Projects to date include:

American Dream, Lincoln Park, 2016

Three projects in response to *American Dream*, 2017

Mother’s Garden, Kennedy Field, 2019

Gathering Stones, Fish Point, 2020

Artist Patrick Plourde:

Patrick Plourde lives in New Gloucester, Maine and is a graduate of The Portland School of Art (now Maine College of Art, or MECA) and Washington University. His work has appeared in Architectural Digest, Log Home Designs, Fine Homebuilding and Maine Home and Design. His work can be found in the collections of the Portland Museum of Art, the Payson Art Gallery, Robert De Niro, Ralph Lauren among others. His latest works involve seeds, flowers and natural forms expressed with the use of vintage steel and recycled elements. More information can be found at www.patplourde.com.

About TEMPOart:

Founded in 2014 by Alice Spencer TEMPOart’s Mission is to champion and commission public art in Portland, Maine. Each year new projects commissioned and produced by TEMPOart enliven Portland’s public spaces. The non-profit’s vision is to foster a public art city through projects and events that:

- Instigate conversations and energize our collective imagination
- Connect communities in Portland and beyond
- Are a catalyst for social, racial, environmental and economic justice

Tempoart partners with other educational and cultural institutions, building upon each project to offer inspiring learning opportunities for people of all ages and backgrounds.



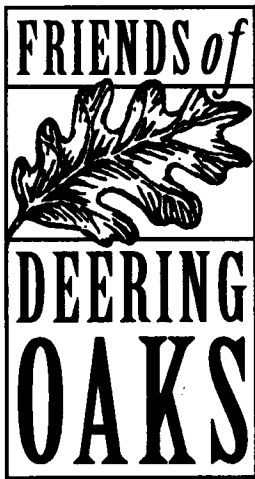












MISSION STATEMENT

The Friends of Deering Oaks is a non-profit citizen organization committed to preserving, protecting and enhancing the physical condition of Portland's historic Deering Oaks Park and promoting its use by residents and visitors. The 1994 Deering Oaks Master Plan will guide the activities of the Friends of Deering Oaks.

Friends of Deering Oaks
P.O. Box 10416
Portland, Maine 04104
(207) 774-0437

August 19, 2020

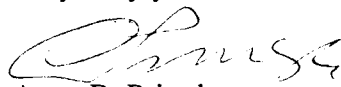
Historic Preservation Board
City of Portland
389 Congress Street
Portland, ME 04101

Dear Members of the Board:

I am writing to express the support of the Friends of Deering Oaks for the proposed gift of Pat Plourde's "Pinecone" sculpture, to be placed in the park near the head of the Ravine. The location would complement two other pieces of site-specific "organic sculpture" in the vicinity: Carole Hanson's "Circle of Life" carving (with a theme of oak leaves) around the reflecting pool in the Ravine, dedicated to Kay Wagenecht Harte, and the recently installed Great Black Hawk sculpture, sited near trees in which the hawk was frequently seen.

I would note that I chaired the Deering Oaks Master Plan Committee and Kay Harte staffed it. As Urban Designer, Kay was adamant that no new art should intrude on the natural character of the landscape. While she is unfortunately not here to speak for herself, I am quite confident that Kay would approve of the three pieces (including that proposed), unobtrusively clustered in the landscape and to be "discovered" by park users.

Very truly yours,


Anne B. Pringle
President



gettyimages

25 YEARS

Portland Press Herald





3. Landscape Character and Historic Design Intent

The analysis of landscape character builds on the original intent of the park's design and the guiding principles for the master plan in evaluating the current conditions of the park.

As stated in the master plan's guiding principles, the "primary founding and enduring purpose of Deering Oaks is to provide a pastoral refuge from the stresses of urban life, a place that is 'necessary for the comfort and enjoyment of our citizens' " (1893 Address of Mayor Baxter). The park was designed in the naturalistic style popular in the nineteenth century, responding to the site's landforms and features, and was intended to provide a contrast to the geometric urban grid by using a curvilinear design for the circulation system, an irregular pond edge of bays and headlands, and edge planting to screen the city from the park. A formal element of the park's design—the alignment of Marginal Way punctuated by a circle and fountain marking the entrance into the park from the north—was never constructed.

A number of park elements and spatial relationships have been identified in the guiding principles as character-defining elements of Deering Oaks:

- Vegetation, particularly the mature oaks but also other understory and entrance plantings that have been lost over time;

- The pond, a central organizing and focal feature;

- The separation between the active and passive park areas;

- The relationship of open spaces and wooded areas;

- The relationship of the park itself to the surrounding city;

- The curvilinear circulation design;

- The formal and arboretum-like character of the rose garden area, as contrast to the main park section.

Park Edges and Entrances

Originally, the main entrances into the park were at Deering Avenue (the northern entrance with the stone gates) and Forest Avenue (through gates that no longer exist, and across what is now the rose circle lot). These connected to the main thoroughfare through the park, the northern road now termed Tennis Court Road.

Deering Avenue was once a major trolley line. A boulevard was intended to connect Deering Oaks from Deering Avenue to the Western Promenade. This was not implemented, and a changing context over time has made the main Deering Avenue entrance less important than it was originally. Today, the monumental gateway into the park is confusing and appears overbuilt. The parkland inside of this entrance lacks a sense of arrival and clear destination.

The companion northeast entrance into the park from Forest Avenue was eliminated when Forest Avenue was re-aligned from its original right-angle turn into Deering Oaks to the current intersection with Marginal Way and State Street. At present, entrance into Deering Oaks from the northeast is experienced as a maze of busy roads, traffic signals and signs. The Parks and Public Works maintenance yard is inappropriately located at the park entrance and greets the park visitor with a cluttered and intrusive materials storage area. The area in front of the Castle building, perceived as the secondary park entrance from the northeast, is dominated by asphalt and fast-moving traffic that cuts the building off from the pond and creates an unfriendly pedestrian environment.

None of the park entrances is marked by ornamental treatment to announce entry into a special place. Historic documentation shows that this was done in the early years of the park. The Deering Avenue gates are the best example of formal announcement of entry into the park, but here too there is little supportive planting to match the scale of the gates. The entry into the park at the Castle is marked by a series of signs referring to the Castle in the Park, including an unattractive highway-type fluorescent sign.

The dominating presence of the automobile in Deering Oaks is exacerbated by the lack of separation from the surrounding streets. Where there were once estates and farmland, there are now multi-family dwellings and busy thoroughfares, including the very-intrusive Interstate 295 to the north. Because of the elevation of the road above the park, an evergreen planting along the park's northern edge is insufficient to screen the highway. Lack of any formal edge created by plantings or fencing has permitted views and noise of the surrounding city to invade the park. This has had a very detrimental effect on the ability of Deering Oaks to function as an oasis and relief from the stresses of urban life.

Visual Zones

There are a number of distinct visual zones in Deering Oaks:

Rose Garden: visually rich micro-environment, with impressive display of roses. Area has an arboretum character, reflective of the pastoral English parkland landscape of trees over lawn. Space is separated and isolated from rest of park.

Pond: The primary focal element of the park. An inviting space, animated by the central fountain. The presence of two focal elements in the pond—the fountain and the duckhouse—is visually competitive, and lessens the impact of each.

The pond edges follow the pre-park landform. The layout of headlands and bays gives the illusion of greater size of the pond. The proximity of the pond to the road, however, undermines its integrity as a pastoral destination point.

Goodwin proposed natural, soft edges as appropriate to the naturalistic park design. However, the retaining wall built around the easterly side of the pond was continued over time along the north and south sides of the pond, in response to increased use and erosion. Today, the pond edge consists of a combination of formal walled edging, stacked granite block edging, slope curbing, small boulders, and lawn. The mix of edge treatments needs to look as if it has been deliberately done. The concrete ramp at the south pond edge, constructed to access the pond by maintenance vehicles, is overbuilt and out of character with the landscape.

The upper pond, the ravine, has been lost, and now appears as a dry ditch with remains of a concrete dam that once allowed water to pond in the ravine. A planting plan for this area dated 1935 shows an elaborate ornamental scheme for the area and indicates the ornamental importance of this park area. At present, the area appears abandoned and its function confusing.

Two bridges cross the pond at its westerly edge, a small wooden bridge and a larger concrete bridge. The presence of two bridges appears visually conflicting, and without water in this area both bridges seem to lack a purpose.

Oak Grove. The grove of oaks in Deering Oaks is a majestic legacy of the site's history, some of which are 200 years old. They are the dominant visual element in the park, located primarily in the central section but also westward along the Deering Avenue edge and northward to the embankment above the ballfields. This beautifully extends the grandeur and maturity of the landscape to have a positive impact on the open, flat landscape of active recreation to the north.

Active Recreation Area. The northern segment of the park is a large, flat, exposed area devoted to active recreation—ballfields, courts and a playground—and separated from the rest of the park by a grade change. The northern edge is exposed to the railroad tracks and Interstate 295. A

major asset of the park, visually and functionally, is the separation of active and passive use areas.

Edge Zones. The park area along Deering Avenue is separated from the street by a grade change along part of its length. The edge along Park Avenue is very permeable, and exposed to the street. There is a concentration of ornamental trees here, which provides an element of horticultural surprise and diversity to the predominant oak tree population in the park. The eastern park edge is indistinct, with edges along the pond at State Street, along the rose garden at High Street, and along the Edwards lot at Forest Avenue. In general, this park edge is dominated by busy roads, with the northeastern space dominated by the clutter of the maintenance yard.

Bowling Green. The bowling green, once a well-used space for lawn bowling, now appears as an artificial-looking pad of grass undefined by plantings and with no apparent purpose.

Landscape Details

The loss of character in Deering Oaks has occurred incrementally, through the confused or inappropriate visual signals conveyed by site details.

Lights. Site lighting is of several types: highway-type lighting along the pond and on State and High Streets, and Colonial-type fixtures within the park. Neither is appropriate for Deering Oaks, with its period of significance in the last quarter of the nineteenth century and the early twentieth century. In particular, the cobra-head fixtures are very intrusive in the landscape and reinforce a highway rather than a parkway character for State and High Streets.

Signage. Signage is inconsistent throughout the park, and for the most part regulatory in nature. The only identification signage is for Castle in the Park, giving the first-time visitor the sense that this is the name of the park. Lack of signage creates confusion and a feeling of unwelcome at park entrances.

Site Furniture. There are very few benches in Deering Oaks, and the ones that exist are out of character with the period of significance of the park, which is turn-of-the-century. The existing wooden and concrete benches were introduced into the park in the 1930s. Trash receptacles are currently of two styles. It is not necessary that they be of an historic design, but a simple, practical receptacle of one style would be preferable. The wooden bollards controlling parking along Tennis Court Road are out of character with the park, and more in keeping with the landscapes of state or national parklands. The gates

controlling circulation on the Interior Park Road are also out of character. They were installed as a temporary trial closing of the road and need to be of a permanent, improved design reflective of and contributing to the park's character.

Path Surfacing and Alignment. All of the park's paths are surfaced with bituminous concrete, which makes them appear more as extensions of the roadway network and less as pedestrian ways. Originally laid out to conform with the topography and diverge from the road alignments, there are some park areas that have only the roadway as the defined traveling way, or have a path alignment that parallels the road. The well-traveled pedestrian route connecting the northern Deering Avenue entrance to the entrance opposite Mellen Street is in a straight alignment, not the gracious alignment originally designed into the circulation system.

Proposed changes in path alignments need to restore the original intent of the circulation system to reflect topographic variations and separate the pedestrian from the automobile as much as possible. At the same time, they cannot be so indirect that they are not followed, and worn paths or desire lines are created instead.

Architectural Elements

There are few buildings in Deering Oaks. The major one, the Castle building, has been expanded from its original size to over twice that size. The new development is not in keeping with the original structure. A major visual problem with the building is the signage covering the facade, which masks the building and is an intrusion into the park landscape.

The original park bandstand was a circular wooden gazebo-like structure, set back against the oak grove in the center area of the park. The current bandstand is larger and of a very different design than the original, and located between the Interior Park Road and the pond, within clear sight of both. It was donated to the city in 1984. The design was contracted and coordinated by the donor. The building is enjoyed by the public for special programs.

At the time, the park was not on the National Register of Historic Places, the city had not passed the Historic Preservation Ordinance, and the Historic Preservation Committee had not been created. All of these structures and safeguards would have guided the process of acceptance and design review of the building in order to ensure that its scale, character and location were in keeping with the historic character and original design intent of the park. The

quality and character of gifts to the city need to be overseen in order to have adequate control over their appropriateness for public spaces and uses.

A small structure in the park, one which is inappropriate in design for Deering Oaks, is the temporary storage locker near the softball field.

Sculpture and Monumentation

There are two pieces of sculpture in Deering Oaks. There is a Spanish War Veterans monument in the rose circle area, and a granite shaft in the Edwards lot with a bronze memorial plaque in honor of the site's namesake, World War I Major General Clarence R. Edwards. There are also nine memorial trees or groves in the main park section with plaques identifying the individual or group to whom the tree is dedicated. At one time there was a small-scale model of city hall mounted on top of a column from the old city hall, which was removed from the park at some point in its history.

Deering Oaks began as a reservation with a simple naturalistic design. As tastes changed, the landscape became more embellished. However, formal spaces appropriate for sculpture were never built into the park's structure. The rose circle is an area that would be appropriate for temporary installations of sculpture, if they were carefully reviewed for design, scale and location within that park area. The only place that could accommodate a permanent installation of sculpture would be at the proposed pedestrian plaza in front of the Castle building, where a sculptural piece at the western edge of the plaza could serve as a focal element that also helps to define and separate the area from nearby park traffic.

Landscape Character and Historic Design Intent Recommendations and Guidelines

A. Park Edges and Entrances:

1. Embellish all park entrances with plantings of trees, shrubs and groundcovers to announce the park and welcome the visitor.

A combination of plant materials used in composition will strengthen the park's entrances and mark more clearly the passage from the city into the park. Underplanting trees with shrubs and groundcovers will also create a community of plants which will be easier to maintain and better able to withstand the rigors of life in a urban environment by lessening the possibility of compaction and helping to retain soil moisture.

2. Introduce plantings of trees, shrubs and groundcovers along the park perimeter with breaks to allow periodic views in, and with variable heights

of vegetation to allow views over, in order to enhance the park landscape and to screen the city from the park.

A ratio of 2/3 closed, or planted edge to 1/3 open, or unplanted edge should be developed in implementing edge planting of the park that will achieve the goals of better separating the park from the city while offering views into the park from without and ensuring the safety of park visitors.

3. Investigate the potential to screen Interstate 295 from the park with planting along the highway right-of-way.
4. Establish entrance gates on State Street south of the railroad tracks, at the perceived entrance into the park.

Entrance gates on the north end of State Street will be a dramatic announcement of entry into this special place, such as the existing gates were when there was two-way circulation on this road. They will also serve to announce entry into the city itself from I-295, in a place where there is currently a maze of busy roads and a yard of stored maintenance materials.

4. Design small-scale entrance gateways for narrowed park entrances.

Pedestrian entrances at the east and west ends of Bowling Green Road and at the Castle need some architectural definition to give them character and to prevent vehicular access. Design for these entrance gateways should reflect the character of nearby vehicular gateways. The Deering Avenue park edge has a more rustic and woodsy character, expressed by the Deering Avenue entrance gates and the proximity of the major oak grove. The State Street edge is more urban and formal architecturally, expressed by the State Street gates and the proximity of the rose circle area.

B. Landscape Details:

1. Introduce a family of details for the park that are coordinated and reflect and reinforce the period of significance of the park, which is turn-of-the-century. (Illustrations of proposed details follow.)
 - Lights: Replace the existing Colonial-style pedestrian lights with lights of a design consistent with the period of significance of the park, and similar in design to the lights that were historically on the concrete bridge. Restore the lights on the concrete bridge. Replace the cobra-head fixtures on State and High Streets with lights of a design consistent with the period of significance of the park. Use pedestrian-type rather than roadway-type lights by the pond.

- Signs: Design a coordinated sign system for the historic open spaces of the city, and apply the design to a system for Deering Oaks.
 - Benches: Replace the wooden and concrete park benches with wooden and metal benches of a design consistent with the period of significance of the park. Phase in the new benches, placing them in the high visibility areas of the pond and pedestrian plaza first, the Bowling Green road next, and the playground last.
 - Access Control Gates: Replace existing gates with gates that are similar in design to the Deering Avenue entrance gates, stone pillars with double metal swing gates.
 - Trash Receptacles: Use one design for the park trash receptacles, the simple barrel design used in the city. Make the park barrels distinctive by painting them dark green and adding a logo coordinated with the sign design.
2. Restore the original lights on the State Street gates.
3. Establish a hierarchy of path surfacing relative to distinct areas of visual character; level and type of use; and relationship to other areas:
- brick paving at the pedestrian plazas by the Castle building, to extend from the rear plaza to the parking lot and the path north of Tennis Court Road, and from the main plaza east down State Street, and west along the Interior Park Road, along the north pond edge, and over the bridge to the park entrance opposite Mellen Street. These are high-use areas in need of hard surfacing, and will appear and serve as extensions of and connections to the plaza areas.
 - brick paving in the rose circle area, to reflect the more formal character of that park zone.
 - brick paving on the sidewalk north of Tennis Court Road, to accommodate with a hard surface the high level of use and times of the year when the ground is wet. A high visibility pathway.
 - brick paving on the Deering Avenue sidewalk to tie in with the city brick sidewalk on Park Avenue.
 - bituminous concrete paving on all closed and narrowed roads, to accommodate a range of alternative uses (bicycling, roller skating, etc.)
 - bituminous concrete paving on the ramp to Quinn Field, the steep path to the playground from Tennis Court Road, and the path by the baseball

field bleachers, a practical hard-surface solution to steep grades in areas that do not warrant special brick treatment.

- bituminous concrete paving on the path/maintenance access way from Tennis Court Road to the playground, a hard-surface treatment in response to the slope as well as the use of the road for maintenance vehicles. Development of a hammerhead turn-around area at the playground for maintenance vehicles.

- stone dust paving for the access path along the athletic facilities, beyond the limit of vehicle access west toward Quinn Field, where there is no need for a hard-surface pathway.

- stone dust paving along the paths south of the pond to reflect a more rustic character.

- stone dust paving on proposed new paths within the passive park area: to connect to the proposed relocated bandstand, and to pass through the oak grove connecting the Deering Avenue entrance to the brick path that crosses the bridge, where there is currently a desire line indicating the need for a defined path.

The handling of drainage on stone dust paths is a critical factor. Drainage should not be concentrated, but rather designed as sheet drainage with crowns on the paths.

C. Visual Zones:

1. Preserve the distinctiveness of the various visual zones throughout the park, in particular: the arboretum character of the rose circle with its award-winning display of roses; the majestic stand of red and white oaks; the separation of active and passive recreational areas; and the bowling green. Improve the visual definition of the bowling green with edge tree plantings.

D. Pond Landscape Treatment:

1. Increase planting around pond edge with trees, shrubs and groundcovers to enhance pond edge composition, control public use of the edge to minimize erosion, and reduce maintenance.
2. Conduct feasibility study to determine potential and costs of recreating the upper pond in the ravine. Plant along the ravine as a first phase treatment of the area.

3. Eliminate the wooden bridge at the pond, maintaining the one original concrete bridge. Restore the original lights on the concrete bridge.
4. Reset, on a foundation, the granite curb edge around the pond, in order for the edge to have a consistent level. Discontinue the sloped curb edge, using only the stacked curb detail for areas not bounded by the mortared wall. Continue the edge up to the concrete bridge, reserving the ravine area for more naturalistic treatment.
5. Convert the paddle boats to be like the original swan boats.

D. Park Structures:

1. Scale down the ramp at the pond, redesigning the structure with cobble drainage swales on either side.
2. When major repairs to the existing bandstand are needed in the future, replace structure with a new one in the location of the original bandstand, in a design and of a scale sympathetic with the original (to be determined during design development). Consider the use of temporary staging in front of the bandstand to accommodate concerts needing more space than the building can provide.
3. Redesign the storage locker near Quinn Field more sympathetic to the character of the park.

E. Sculpture and Memorials:

1. Remove the memorial tree plaques in the park, and place those names on a plaque to be placed in the proposed visitor center. Honor all who contribute to memorial park trees in this manner.
2. Do not accept any donated sculpture or other permanent art pieces for the park. Temporary installations may be installed after review and approval by the Public Arts Committee and the Friends of the Parks Commission.
3. Design and install wire arches at the entrances to the rose circle as structures to support climbing roses, in order to make the rose display more visible from the surrounding roads.

HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE

WORKSHOP
446 FORE STREET – 53 WHARF STREET

TO: Members of the Historic Preservation Board
FROM: Rob Wiener, Preservation Compliance Coordinator
DATE: August 28, 2020
RE: September 2, 2020 **Workshop** – Exterior Alterations, Wharf Street Level

Address: 446 Fore Street (53 Wharf Street)
Applicants: Orange Crush, LLC
Project Architect: Jake Keeler, Jake Keeler Design Build

Introduction

On behalf of the new owner of 446 Fore Street, Orange Crush, LLC, Architect Jake Keeler has requested a Certificate of Appropriateness for façade alterations to the 53 Wharf Street façade, and the adjacent Union Street face. In 2019 the Board approved a comprehensive exterior renovation program for the upper floors of the building, which did not include the commercial space on the ground floor facing Fore Street or the basement level facing Wharf Street. Since that review took place the building was sold, and the new owner is continuing the renovations based on the 2019 plans, with Jake Keeler Design Build managing the project.

After years of deferred maintenance, repairs and updating were sorely needed, and the exterior work coincides with interior renovations of the second through fifth floors, where the residential use will continue. The program approved in 2019 proposed new windows including restoration of some bricked-in openings, roof, gutter, and cornice repair and replacement, and new mechanicals on the roof with screening.

The owner now plans to separate the commercial spaces on the first floor and the basement level (formerly united as a bar and nightclub.) Mr. Keeler proposes to activate the Wharf Street and Union Street façades by reopening several window openings. Also proposed is the elimination of the door that led to stairs up to the Fore Street level (one of two doors facing Wharf Street.) The center door is proposed to be changed to a window, and the right hand door will be reconstructed as the basement entrance.

Mr. Keeler has provided a summary description of the project, and a package of drawings

and photos showing the proposed alterations and the existing conditions. Staff has provided the 1924 tax photo.

Subject Property

The Rufus Dunham Block was built for commercial use, and until recently housed a bar / nightclub on the first floor and Wharf Street level, and offices on the second floor. Upper floors were residential. The Second Empire property was built in 1876, and sits prominently at the corners of Fore, Union, and Wharf Streets. The low building immediately east of the subject property leaves much of the eastern face visible, in addition to the other three sides.

Despite a number of modifications, the building looks much like it did in 1924 – except for the ground floor Fore Street storefront, and the fact that in 1924 the first four floors of the east side were mostly covered by the neighboring building. That building to the east, 442 Fore Street, is now only one story, revealing some past changes to window openings. Among the other changes that have taken place:

- Windows are mostly late 20th Century, 1/1 aluminum units scheduled to be replaced with aluminum windows matching the historic windows much more closely.
- The granite lintel above the storefront on Fore Street is completely covered by wood sign boards.
- Granite lintels over the windows were replaced by brick soldier courses, on most openings.
- Facing Fore Street, a large garage or warehouse door occupied the second and third bays from the left in 1924; now those bays contain storefront windows with brick bulkheads, as does the fifth bay at the western end.
- Double Victorian doors on Fore Street are now single doors with updated surrounds.
- The usual clutter of wiring, gutter down pipes, and obsolete hardware has accumulated on the facades over the years; the intention is to clean up obsolete attachments and hide what can be hidden.
- On the Wharf Street face, a number of changes have happened over the years:
 - On the first floor level, the center window was replaced long ago by a slightly lower warehouse freight door, currently paneled in painted wood, with the original arched opening still visible in the masonry above.
 - Below the center freight opening a modern flush door currently provides access to the basement level.
 - On the right (east) side of the basement level a door opening in the brick appears to have been widened with splayed sides, leading to stairs coming down from the first floor.
 - On the left (west) side a window has been infilled with CMU, and perhaps moved slightly.
 - Facing Union Street, all of the basement window openings are closed: the lowest two by wood panels, and the third from the rear with brick, and the upper ones with wood infill.

- Note that in the 1924 tax photo, the two Union Street windows closest to Wharf Street appear to be shuttered. The ones closer to Fore Street are larger, as if they handled freight.

Currently Proposed Alterations to Basement Level (Wharf and Union Street Faces)

Please see Mr. Keeler's description of the project for an explanation of the work. In brief:

- Three re-activated windows proposed on the Union Street face, matching the style of the new windows slated to be installed on upper floors. Two new gooseneck lights are also shown.
- Three new Storefront windows on the Wharf Street face, one in a previous opening on the west side of the façade, and the other two in the center, replacing the existing door and the freight opening, with a painted panel between the floors.
- The center openings are proposed in the same outline as the current door and freight panel, though the awkwardly wide trim surrounding them might be narrowed.
- The door on the east side of the basement is proposed to be reconfigured as a non-flared opening, with a full-light door and one sidelight, with a sign panel and gooseneck lights above.

Staff Comments

Staff notes that the scope of this review is only the proposed basement level alterations outlined in Mr. Keeler's letter. The reactivation of the basement level facing Wharf Street promises a big improvement for the building and for Wharf Street – a very positive follow-up to the recently approved rehab of other floors. As with other properties on Wharf Street, this is a challenging design project because of a long history of successive interventions, and scant documentation. Some of review issues to be considered include:

- Compatibility with the existing property
- Compatibility with the context
- Preservation of any character-defining features or evidence of historic evolution that has acquired significance
- Avoidance of historicism, or creating a false sense of history

There exist several possible approaches to the center openings on Wharf Street, and staff notes a number of questions and considerations:

- The height of the freight opening is somewhat awkward, but clearly was desired low to the first floor level.
- An earlier draft proposal showed the original center window being replaced, matching the other two, and erasing the freight opening. The Board might consider whether the evidence of the commercial evolution –the freight opening – has acquired significance, and should be preserved. Alternatively, the original window could be recreated in the center of the first floor.

- If the freight opening is found to be significant and worthy of being retained, is the large storefront window an appropriate treatment, or should the existing painted diagonal paneling be retained?
- The existing center door is not set back in the masonry opening, creating an awkward relationship with the freight door panel above it. A final set of detailed plans will have to show the relationships of doors and windows to the face of the masonry.
- The basement floor level is approximately 4'-10" below Wharf Street, causing the bottom of the proposed windows to be very close to grade. Would adding stone sills, or otherwise raising the windows slightly improve the relationship?
- The large storefront panels proposed facing Wharf Street are clearly differentiated as contemporary interventions, but perhaps would be less discordant if a vertical division were used to alter the proportions.
- Staff recommends that Board members walk the Wharf Street context, comparing window treatments. There is a great deal of variety, and some are more successful than others.

At the western window opening facing Wharf Street, the photos show that it has been altered so the CMU infill no longer lines up with the still present granite lintel. The elevations do not make clear exactly how the restored opening will be recreated, except that it appears to be centered under the windows above. Staff suggests that if the granite lintel is evidence of the original building or a significant acquired detail, it should be retained and reused.

In recent years, the trend in lighting on Wharf Street has been gooseneck, hooded fixtures similar to those proposed by Mr. Keeler. Unfortunately, despite attempts by HP staff to keep walls clean, electricians have installed some lamps on other buildings using exposed conduit, excusing the practice by asserting that interior spaces are finished, limiting access to exterior walls, or stating that the number of holes in the brick wall is being kept to a minimum. Staff has also at times questioned the number of fixtures deployed, encouraging only the lighting of doors and signs, and not the street or building façade. Mr. Keeler has assured staff that new fixtures at the basement level of 446 Fore can be fed from inside, and exposed wiring or conduit will not be seen on the exterior walls.

Applicable Review Standards

Standards for Review of Alterations

- (1) *Every reasonable effort shall be made to provide a compatible use for the property which requires minimal alteration to the character-defining features of the structure, object or site and its environment or to use a property for its originally intended purpose.*
- (2) *The distinguishing original qualities or character of a structure, object or site and*

- its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
- (3) *All sites, structures and objects shall be recognized as products of their own time, place and use. Alterations that have no historical basis or create a false sense of historical development such as adding conjectural features or elements from other properties shall be discouraged.*
 - (4) *Changes which may have taken place in the course of time are evidence of the history and development of a structure, object or site and its environment. Changes that have acquired significance in their own right, shall not be destroyed.*
 - (5) *Distinctive features, finishes, and construction techniques or examples of skilled craftsmanship which characterize a structure, object or site shall be treated with sensitivity.*
 - (6) *Deteriorated historic features shall be repaired rather than replaced wherever feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the feature being replaced in composition, design, texture and other visual qualities and, where possible, materials. Repair or replacement of missing historic features should be based on accurate duplications of features, substantiated by documentary, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects.*
 - (7) *The surface cleaning of structures and objects, if appropriate, shall be undertaken with the gentlest means possible. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be undertaken.*
 - (9) *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
 - (10) *Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.*

Attachments:

1. Architect's cover letter
2. Architect's photos of existing conditions
3. Plans and elevations
4. 1924 tax photo

Subject: Historic Preservation Board Review – Small Project**To: Rob Wiener, Preservation Compliance Coordinator**

Dear Rob,

The owner of 446 Fore Street, Orange Crush, LLC, has engaged Jake Keeler Design Build for various aspects of the building's improvement. Of concern to this letter are improvements at street level to the building along the Union Street and Wharf Street facades. These changes are of increased scope to the Historic Preservation Board Review of 5.1.19 and in consultation with your office, these proposed changes are submitted here as a new application for review. These changes are in addition to the changes approved on 5.1.19 and this application does not supplant that scope of work or approval.

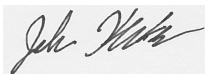
The building currently has commercial space at the Fore Street and Wharf Street levels, and due to the grade change along Union Street, Fore Street is at grade of the 1st floor and the basement is accessible via Wharf Street. Currently the 1st floor and basement are connected, but the owner is seeking to separate the 1st floor and basement into (2) separate commercial spaces. This follows the pattern of similar adjacent spaces along Wharf Street that have undergone similar renovations of previously vacant or underused spaces along Wharf Street into active retail spaces.

At the core of creating a separate commercial space in the basement level is work to activate the Union and Wharf Street facades. This is done by:

1. Removing infilled masonry along Union Street and installing windows in previously active window openings. Existing lintels and headers show the size and location of these likely original window openings.
2. Installing new signage and exterior lights along the Union Street and Wharf Street facades. The proposed fixtures are the same black gooseneck fixtures as approved and installed recently on nearby buildings on Wharf Street.
3. Removing the canvas awning on Wharf Street
4. Removing the entrance from Wharf Street to the 1st floor level. Like most buildings on the same block and other blocks nearby downtown, the 1st floor will be accessed from Fore Street and the basement will be accessed by Wharf Street alone.
5. Installing (2) new windows on Wharf Street for light and street presence for the new basement commercial space. One of these windows is in a previous window opening and the adjacent is in place of the current door into the basement space.
6. Modifying the existing center warehouse style opening (currently a door and boarded up above) into a window as mentioned in point #5 with an additional window for the 1st floor stacked above. The space between at floor level must be solid for fire separation and feasibility reasons, and a framed opening between the windows spans this space.

These changes reactivate the Union Street and Wharf Street facades and are necessary to separate the 1st floor and basement into two separate, viable commercial spaces with visibility from the street, transparency into the spaces, and separation for circulation and life safety considerations. Thank you for your consideration of this application. Please see the addition materials for additional information.

Sincerely,



Jake Keeler, Principal

446 Fore Street Accompanying Photographs



Area of work

Summer 2020

446 Fore Street

View of Union and Wharf Street Facades



Summer 2020	446 Fore Street	Union Street and Fore Street Facades
-------------	-----------------	--------------------------------------



Summer 2020	446 Fore Street	Fore Street Facade
-------------	-----------------	--------------------



Summer 2020	446 Fore Street	Union Street Facade
-------------	-----------------	---------------------



Summer 2020	446 Fore Street	View of Union Street and Wharf Street corners
-------------	-----------------	---



Summer 2020	446 Fore Street	Wharf Street view
-------------	-----------------	-------------------



Existing window openings to be reactivated with new windows in existing presumed original masonry openings.

Summer 2020	446 Fore Street	Existing window openings to be reactivated on Union Street Facade
-------------	-----------------	---



Existing masonry opening to be reactivated with new window into basement space. height of window low due to 1st floor structure. Bottom of 1st floor joists at 5'8" above Wharf Street sidewalk

Existing door to 1st floor to be entrance to basement space

Existing entrance to basement and likely former warehouse district style opening into building to be remade into (2) windows, (1) into basement and (1) into 1st floor space.

Summer 2020	446 Fore Street	Wharf Street facade
-------------	-----------------	---------------------



Existing 1/1 20th century aluminum windows, typ

Example proposed windows as shown in test window on Fore Street facade



Existing former warehouse style door opening above Wharf Street windows

Example door and entry to sunken basement space. Situation is similar to 446 Fore Street

Summer 2020	55 Wharf Street	Example Adjacent Wharf Street storefront with low ceiling height at entry and sunken basement floor below Wharf Street sidewalk height
-------------	-----------------	--



Summer 2020	51 Wharf Street	Example Adjacent Wharf Street storefront with low ceilings. Ceilings are high enough, however, to allow full height doors and interior floor height on same level as Wharf Street sidewalk. Situation is unlike 446 Fore Street basement.
-------------	-----------------	---



Existing floor joists 5'8" above Wharf Street sidewalk

Area in front of door raised for head height, results in bump up in floor above

Summer 2020	446 Fore Street Basement	Existing interior of basement door
-------------	--------------------------	------------------------------------



Summer 2020	446 Fore Street	Existing door on right from Wharf Street to 1st floor. To be remade into door to basement and ceiling built above
-------------	-----------------	---



- Existing brick infill of original window opening above warehouse opening
- Existing plywood in center opening
- Existing wood header from center warehouse opening modification
- Existing side brick jambs of original 1st floor window opening

Summer 2020	446 Fore Street	Existing top of center opening at 1st floor level. Old, though not original, wood header shown when warehouse style opening was cut into facade
-------------	-----------------	---

Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

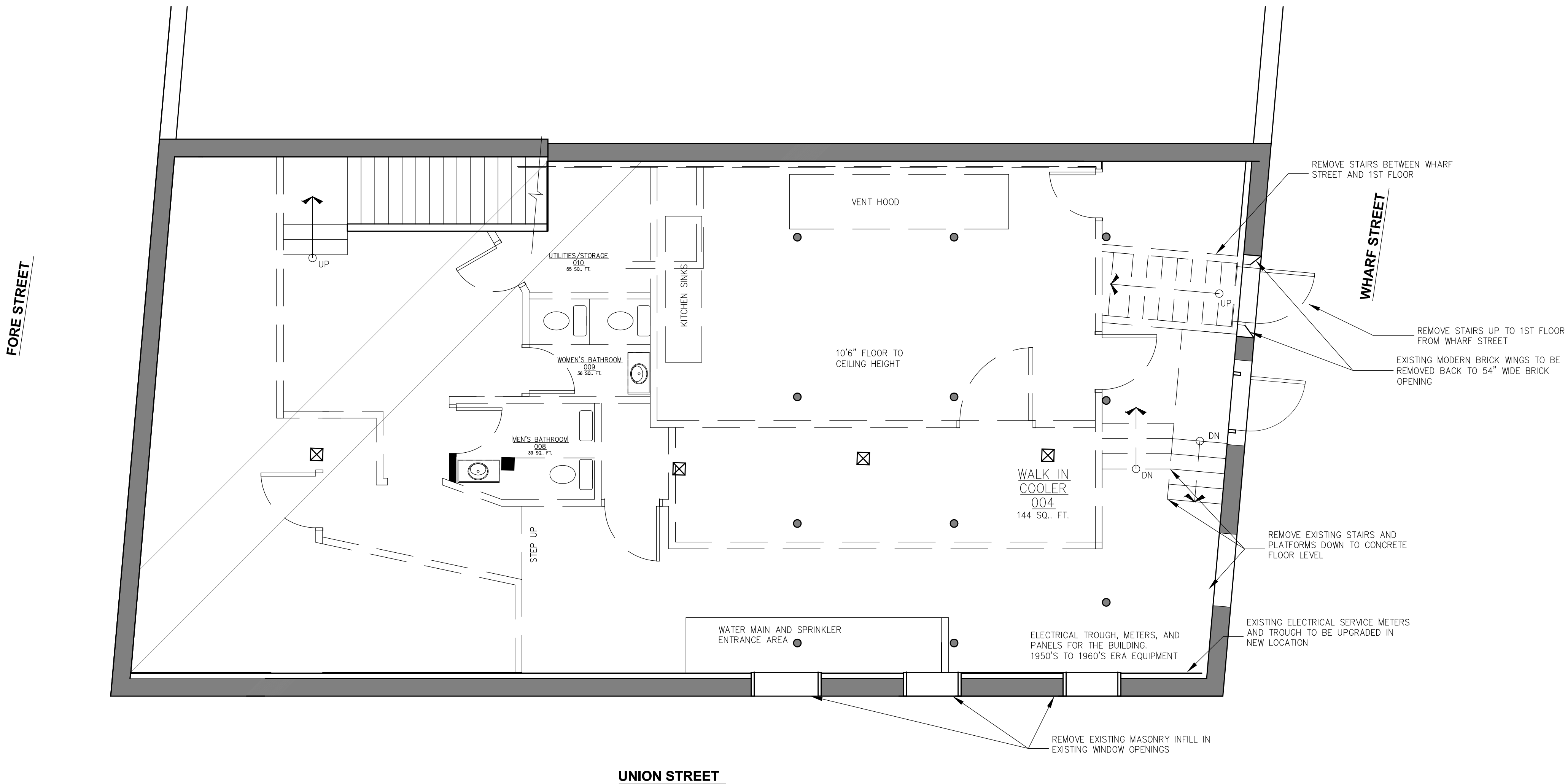
APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
BASEMENT EXISTING/
DEMOLITION PLAN

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
D1.0



Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

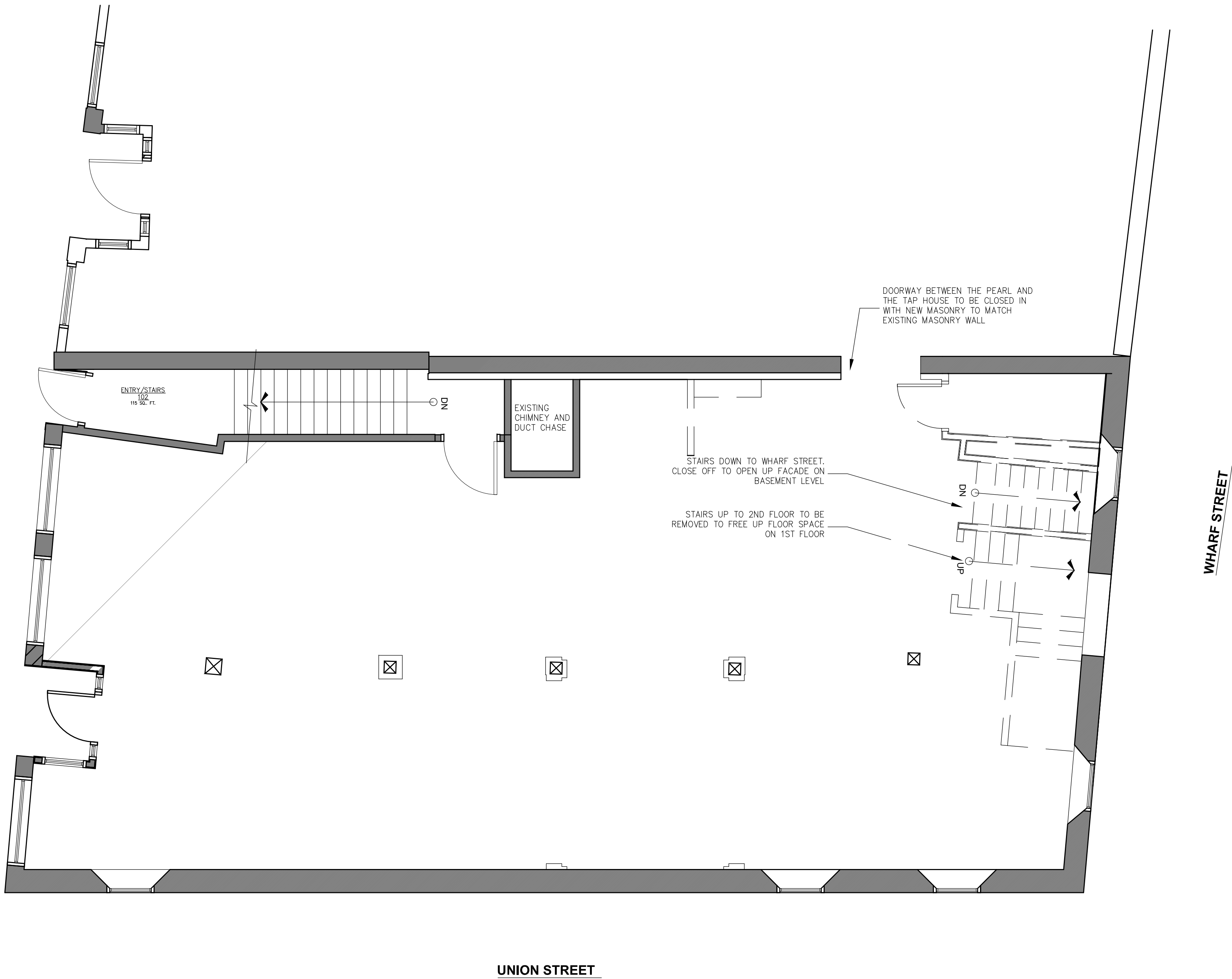
APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
1ST FLOOR
DEMOLITION PLAN

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
D1.1



Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

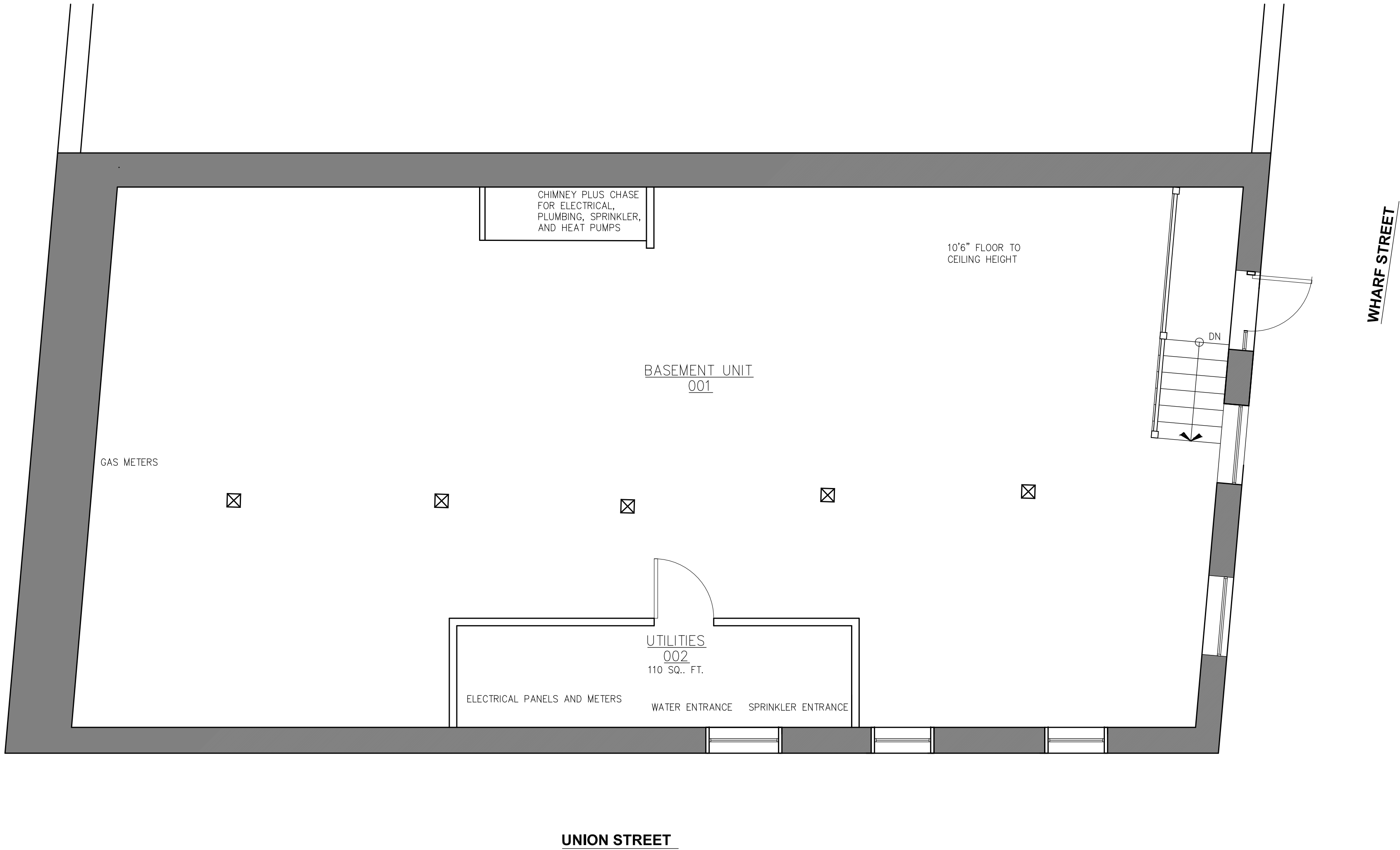
APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
BASEMENT FLOOR
PLAN

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
A1.0



Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

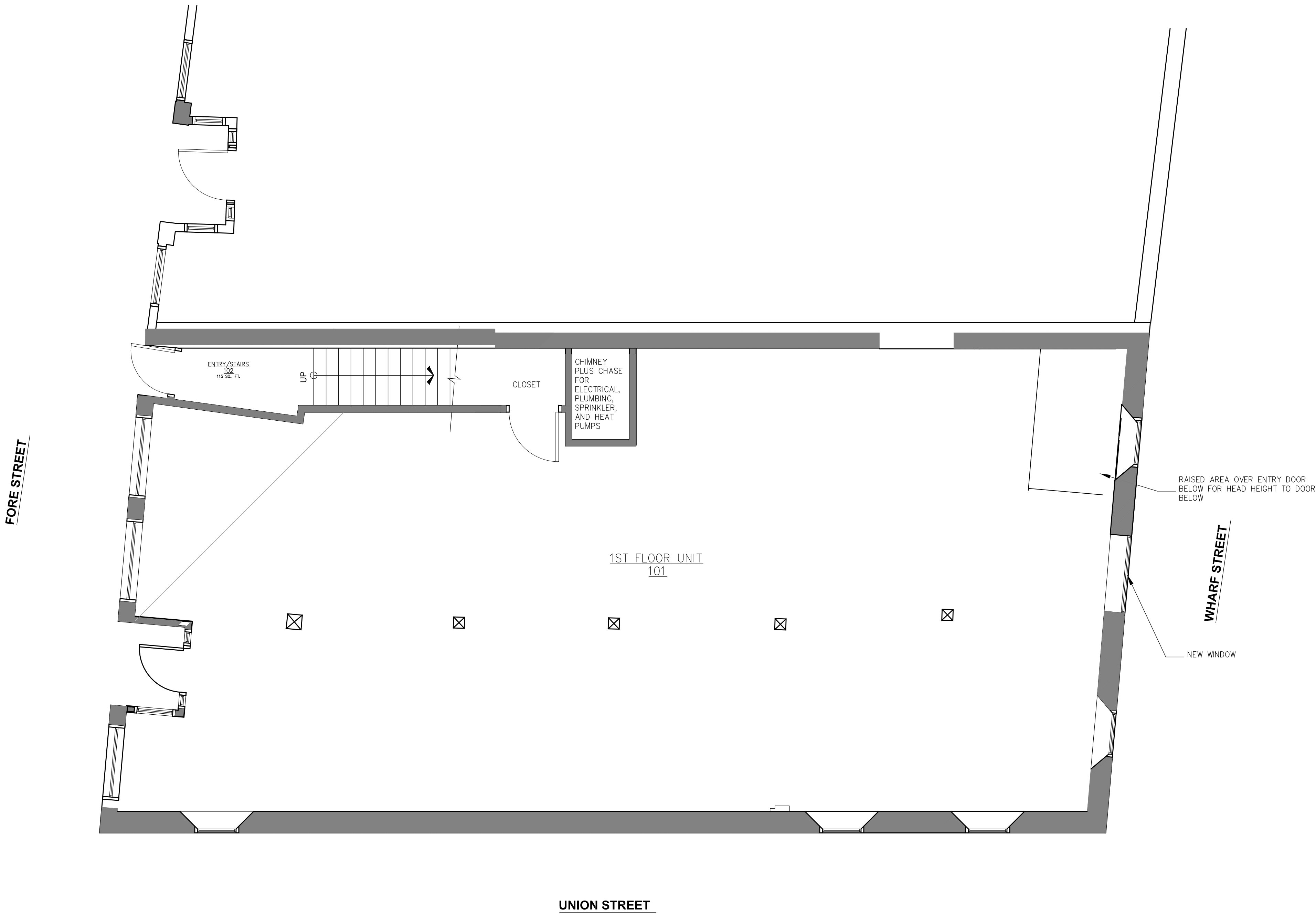
APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
1ST FLOOR PLAN

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
A1.1



Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
ELEVATIONS

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
A2.0



1 Fore Street Exterior Elevation
SCALE = 1/4" = 1' - 0"

Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

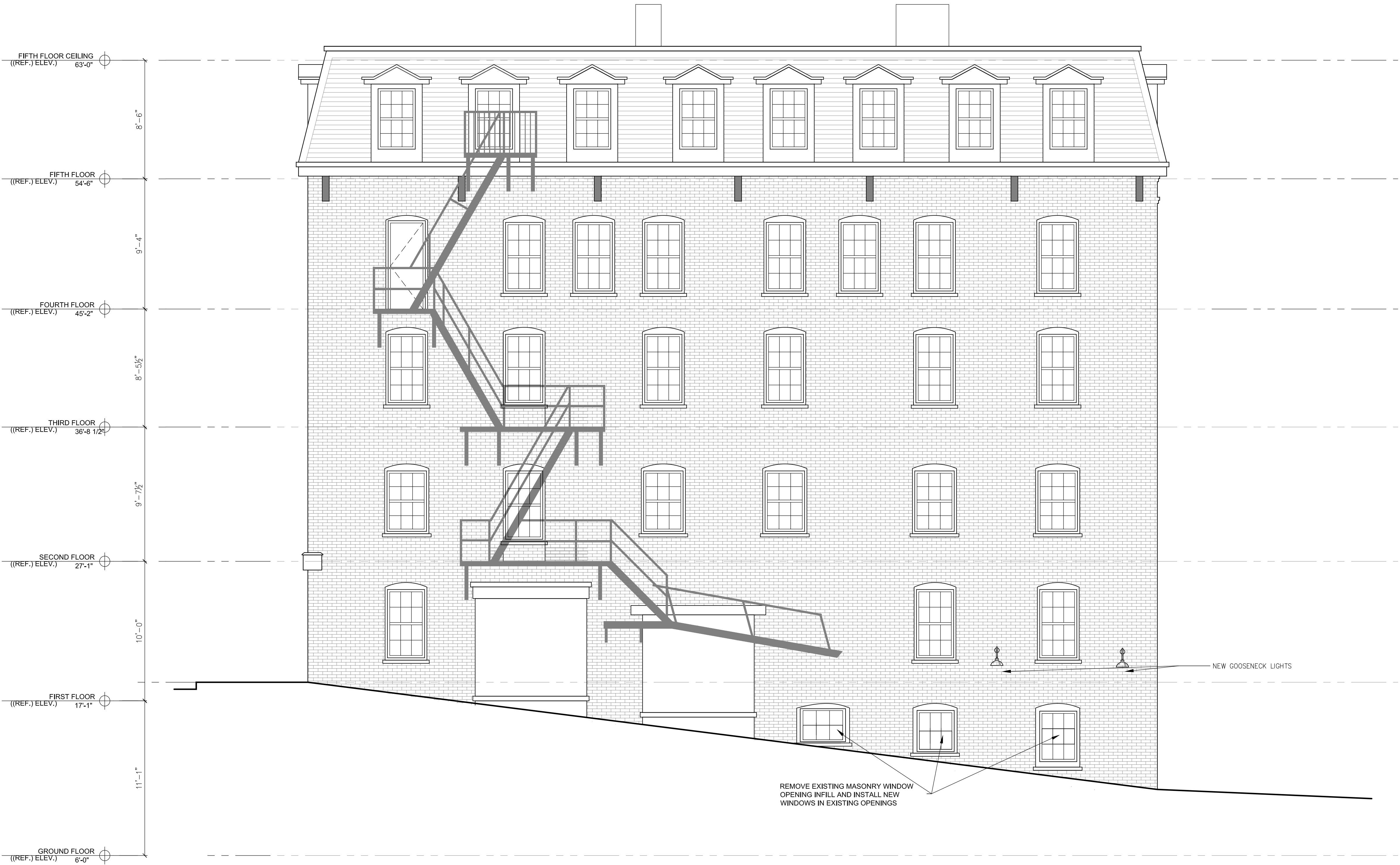
APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
ELEVATIONS

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
A2.1



1 Union Street Exterior Elevation
SCALE = 1/4" = 1' - 0"

Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
WHARF STREET
ELEVATION –
EXISTING

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
A2.2



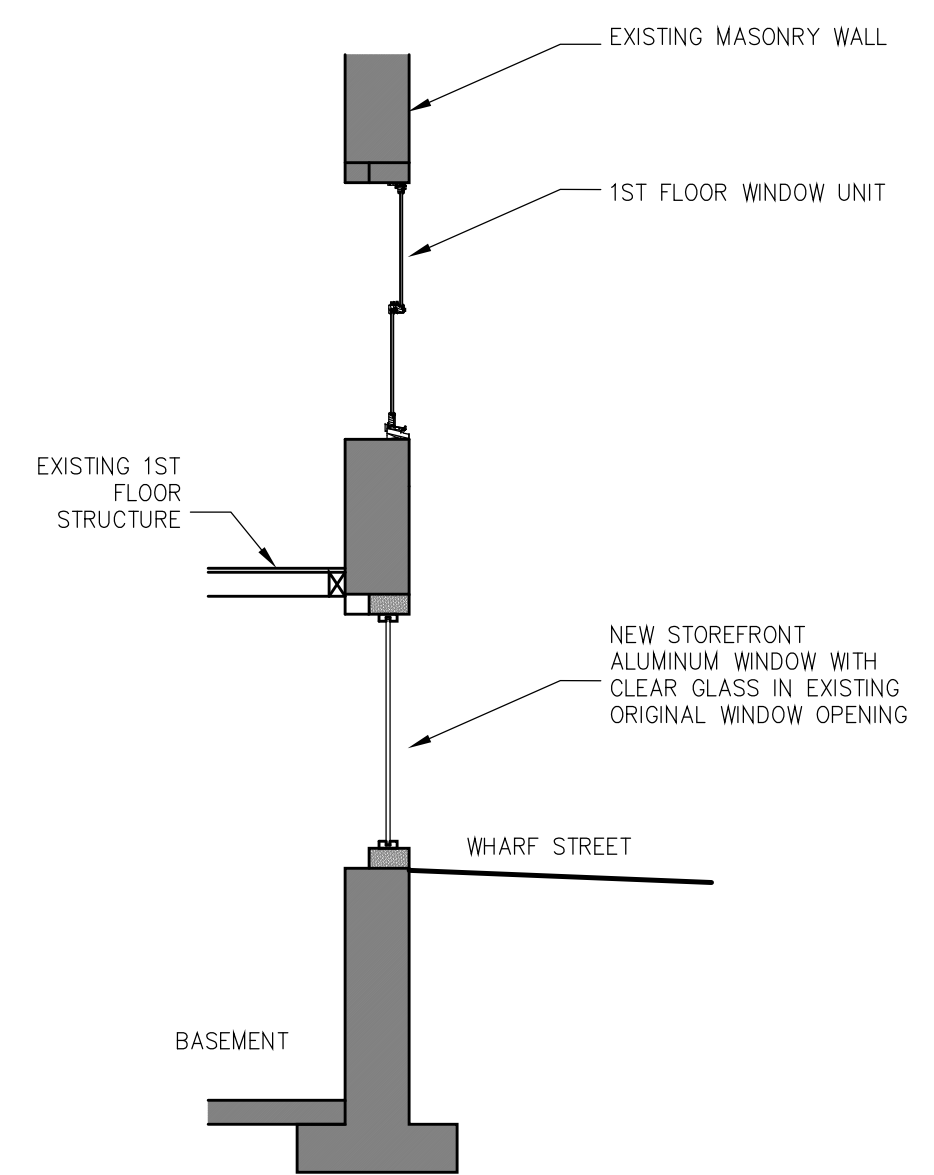
1 Wharf Street Exterior Elevation – Existing
SCALE = 1/4" = 1' - 0"



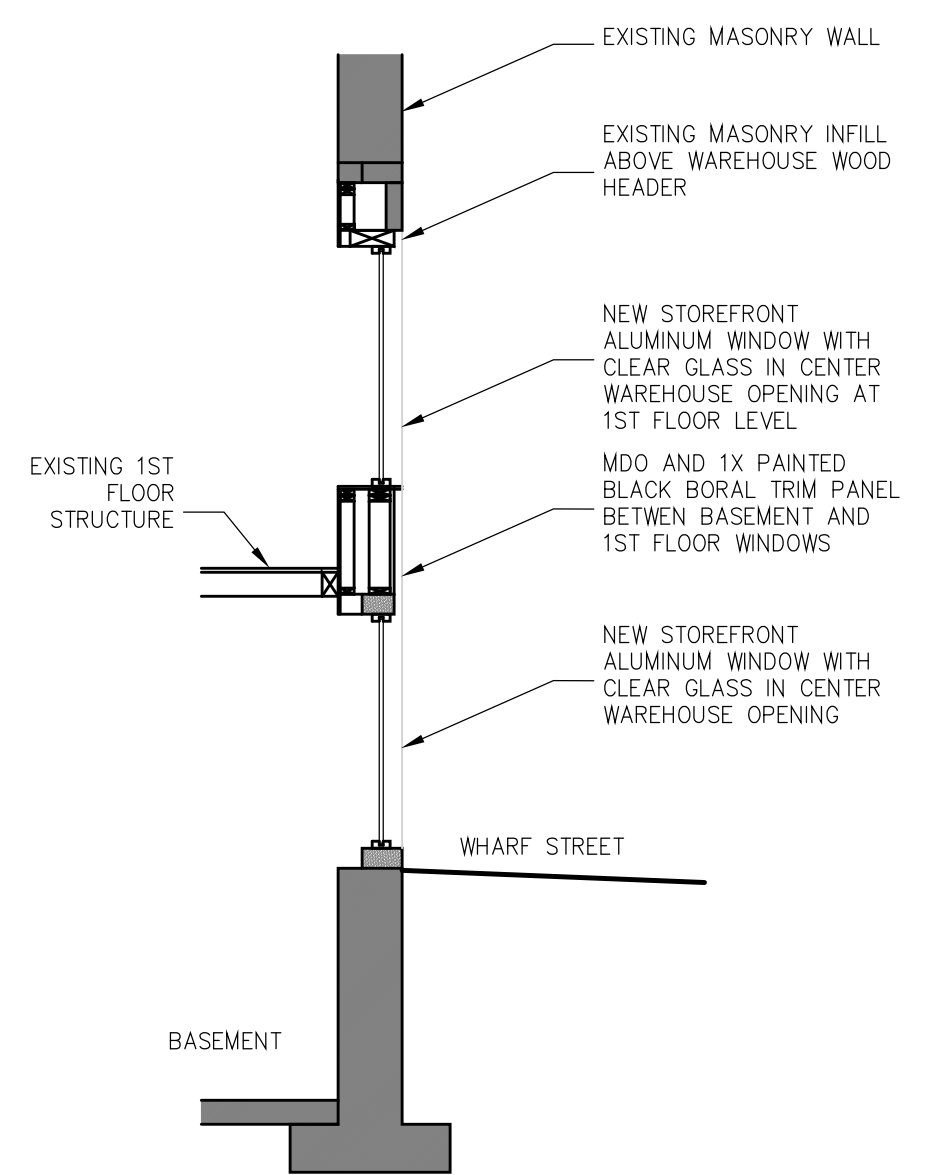
1 Wharf Street Exterior Elevation - Proposed
SCALE = 1/4" = 1' - 0"



4 Gooseneck Lights - Proposed
NTS



2 Wharf Street Window Wall Section
SCALE = 1/4" = 1' - 0"



3 Wharf Street Center Window Wall Section
SCALE = 1/4" = 1' - 0"

Jake Keeler
Design Build

43 Hardy Road
Falmouth, ME 04105
603-828-5100

NOT FOR CONSTRUCTION

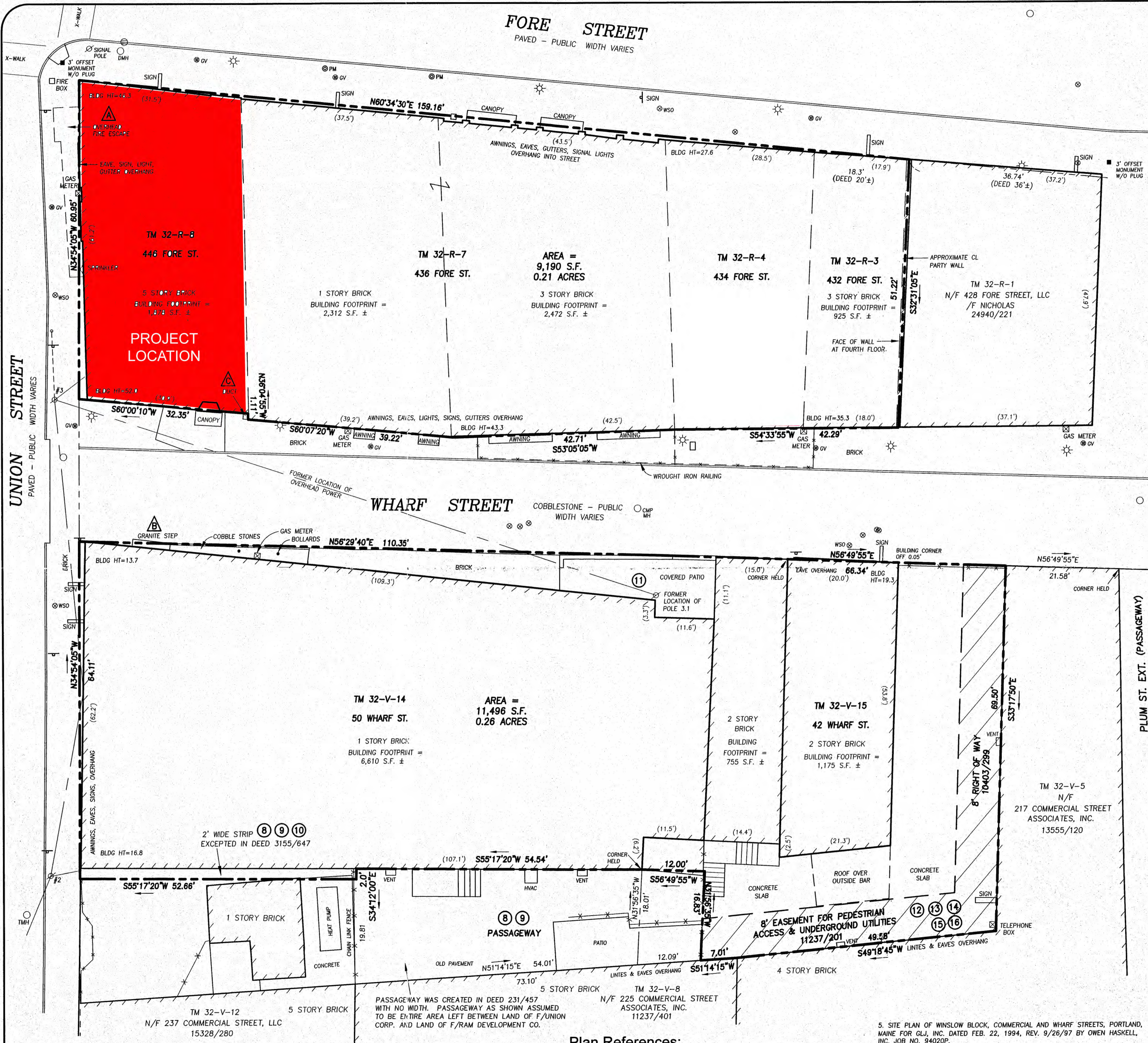
APARTMENT RENOVATIONS
446 FORE STREET
PORTLAND, ME

TITLE:
WHARF STREET
ELEVATION -
PROPOSED

DATE:
8/26/2020

ISSUED FOR:
HISTORIC REVIEW
BOARD APPLICATION

DRAWING NO:
A2.3



Notes

- OWNER OF RECORD: N/F BACM 2007-3 WHARF STREET, LLC; CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 28880 PAGE 18.
- LOCUS IS SHOWN AS LOTS 3, 4, 7 AND 8 IN BLOCK 2 AND LOTS 14 AND 15 IN BLOCK V ON PORTLAND PROPERTY MAP 32.
- BEARINGS ARE BASED ON MAINE STATE COORDINATE SYSTEM WEST ZONE.
- ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY-PANEL NUMBER 230051 0013 B WITH AN EFFECTIVE DATE OF JULY 17, 1986, PANEL 13 OF 17, THE SUBJECT PROPERTY LIES IN ZONE C, AN AREA OF MINIMAL FLOODING.
- UTILITIES, (WATER, GAS, ELECTRIC, TELEPHONE AND SEWER) ARE AVAILABLE THROUGH ADJOINING PUBLIC STREETS OR THROUGH APPURTENANT EASEMENTS WHICH ARE SHOWN ON THE SURVEY.
- NO EVIDENCE WAS OBSERVED OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS, RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OR EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL. NO PROPOSED CHANGES IN STREET LINES ARE KNOWN BY THIS SURVEYOR.
- THERE ARE NO ON SITE PARKING SPACES.
- ALL BUILDINGS HAVE PEDESTRIAN ACCESS FROM PUBLIC STREETS.

Schedule B Section 2 Exceptions:

- FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE COMMITMENT NO. NCS-547961-SNANT EFFECTIVE DATE: NOVEMBER 25, 2013
- NON SURVEY ITEMS.
- INTENTIONALLY DELETED.
- RIGHTS AND EASEMENTS OVER A RIGHT OF WAY OR PASSAGEWAY IN DEED DATED MARCH 6, 1935 RECORDED IN BOOK 1468 PAGE 125, AS AFFECTED BY RELEASE RECORDED IN BOOK 3155 PAGE 647 - AS SHOWN ON SURVEY.
- RIGHTS AND EASEMENTS AS SET FORTH AND REFERENCED IN DEED DATED APRIL 7, 1944 RECORDED IN BOOK 1749 PAGE 112, AS AFFECTED BY INSTRUMENT RECORDED IN BOOK 3155 PAGE 647 - AS SHOWN ON SURVEY.
- RIGHTS AND EASEMENTS GRANTED TO HARBOR REALTY COMPANY, UNION CORP. AND LENJANE REALTY CORP. BY INSTRUMENT DATED JULY 18, 1952 RECORDED IN BOOK 2088 PAGE 227; AND TO CARR BROTHERS COMPANY BY INSTRUMENT DATED JULY 18, 1952 RECORDED IN BOOK 2097 PAGE 267, AS AFFECTED BY INSTRUMENT RECORDED IN BOOK 3155 PAGE 647 - AS SHOWN ON SURVEY.
- RIGHTS AND EASEMENTS GRANTED TO CENTRAL MAINE POWER COMPANY AND NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY BY INSTRUMENT DATED MARCH 13, 1953 RECORDED IN BOOK 2124 PAGE 341 - AS SHOWN ON PLAN.
- RIGHTS AND EASEMENTS GRANTED TO LAWRENCE ADLERSTEIN SET FORTH IN DEEDS DATED NOVEMBER 18, 1992 RECORDED IN BOOK 10403 PAGE 299 AND BOOK 10403 PAGE 314 - AS SHOWN ON SURVEY.
- RIGHTS AND EASEMENTS SET FORTH IN DEED TO THOMAS E. CARR, SR. AND THOMAS E. CARR, II DATED JANUARY 14, 1994 RECORDED IN BOOK 11237 PAGE 196 - AS SHOWN ON SURVEY.
- RIGHTS AND EASEMENTS SET FORTH IN DEED TO GLI, INC. DATED JANUARY 14, 1994 RECORDED IN BOOK 11237 PAGE 201 - AS SHOWN ON SURVEY.
- RIGHTS AND EASEMENTS SET FORTH IN EASEMENT DEED TO THOMAS E. CARR, SR. AND THOMAS E. CARR, II AND GLI, INC. DATED JANUARY 14, 1994 RECORDED IN BOOK 11237 PAGE 209 - AS SHOWN ON SURVEY.
- RIGHTS AND EASEMENTS SET FORTH IN DEEDS TO JOSEPH L. SOLEY DATED MARCH 19, 1994 RECORDED IN BOOK 11349 PAGE 235 AND DATED MARCH 22, 1994 RECORDED IN BOOK 11349 PAGE 239 - AS SHOWN ON SURVEY.
- NON SURVEY ITEM.
- SURVEY PREPARED BY OWEN HASKELL, INC. DATED APRIL 30, 2007, AS REVISED, RECORDED IN PLAN BOOK 207 PAGE 265, DISCLOSES THE FOLLOWING MATTERS: ENCROACHMENTS OF OVERHEAD FIRE ESCAPE, CONCRETE BUTTRESS INTO UNION STREET; AND DUCK WORK, OVERHEAD ACU, AND BUILDING CORNER INTO WHARF STREET - ALL AS SHOWN ON THIS SURVEY.
- NON SURVEY ITEMS.

Zoning Information:

ZONING PER ZONING REPORT PREPARED BY ZONING-INFO, INC. FOR SITE #28514 DATED DECEMBER 19, 2013

ZONE: B-3 DOWNTOWN DISTRICT ZONE WITH HISTORIC OVERLAY AND PEDESTRIAN ACTIVITY DISTRICT (PAD) OVERLAY, WITHIN A DOWNTOWN ENTERTAINMENT OVERLAY ZONE

MINIMUM LOT SIZE: NONE REQUIRED

MINIMUM LOT FRONTAGE: 15 FEET

MAXIMUM DENSITY: MINIMUM 75% OF THE STREET LEVEL. FRONTAGE OF A BUILDING LOCATED WITHIN THE PAD MUST BE UTILIZED WITH RETAIL, PERSONAL SERVICE USES, OR DRINKING ESTABLISHMENTS WITH A MINIMUM FLOOR AREA OF 75% MULTIPLIED BY A 20 FOOT DEPTH ALONG WHARF AND FORE STREETS

15 FEET MAXIMUM LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG A PUBLIC STREET OR PUBLICLY ACCESSIBLE PEDESTRIAN WAY WITHIN THE PAD OVERLAY; 30 FEET IN ALL OTHER AREAS 100% LOT COVERAGE

MAXIMUM HEIGHT: MINIMUM 35 FEET WITHIN 50 FEET OF ANY STREET FRONTAGE FOR ANY NEW CONSTRUCTION; 65 FEET MAXIMUM BUILDING HEIGHT

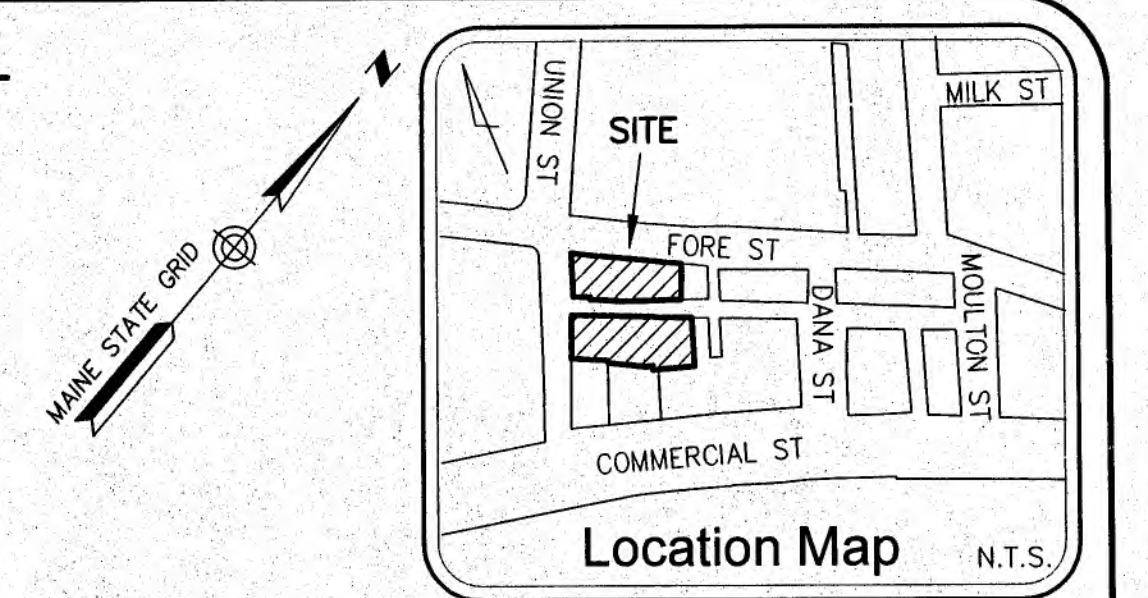
SETBACKS:

- FRONT/STREET: MAXIMUM 5 FEET
- SIDE: NONE REQUIRED
- REAR: NON REQUIRED

MINIMUM PARKING REQUIRED:

- RESIDENTIAL: 2 PARKING SPACES PER SWELLING UNIT
- RETAIL: 1 PARKING SPACE PER 200 SQUARE FEET OF FIRST FLOOR AREA IN EXCESS OF 2,000 SQUARE FEET NOT USED FOR BULK STORAGE, PLUS 1 PARKING SPACE PER 700 SQUARE FEET FOR EACH FLOOR ABOVE THE FIRST FLOOR NOT USED FOR BULK STORAGE
- RESTAURANT: 1 PARKING SPACE PER 150 SQUARE FEET NOT USED FOR BULK STORAGE OR FOOD PREPARATION AREA
- OFFICES: 1 PARKING SPACE PER 400 SQUARE FEET NOT USED FOR BULK STORAGE
- TOTAL PARKING SPACES REQUIRED: 194 TOTAL PARKING SPACES, 5 OF WHICH MUST BE DESIGNATED HANDICAP PER ADA REQUIREMENTS

SCALE: 1" = 10'



Legal Description

LOT 1

A CERTAIN LOT OR PARCEL OF LAND WITH THE BUILDINGS THEREON, SITUATED ON THE SOUTHERLY SIDE OF FORE STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTHERLY SIDE OF FORE STREET AT ITS INTERSECTION WITH THE EASTERLY SIDE OF UNION STREET;
THENCE, N 60° 34' 30" E ALONG SAID FORE STREET, 159.16 FEET TO LAND NOW OR FORMERLY OF 428 FORE STREET, LLC;
THENCE, S 32° 31' 05" E ALONG SAID LAND OF 428 FORE STREET, LLC 51.22 FEET TO THE NORTHERLY SIDELINE OF WHARF STREET;
THENCE, ALONG SAID WHARF STREET THE FOLLOWING COURSES AND DISTANCES:
S 54° 33' 55" W A DISTANCE OF 42.29 FEET;
S 53° 05' 05" W A DISTANCE OF 42.71 FEET;
S 60° 07' 20" W A DISTANCE OF 39.22 FEET;
N 36° 04' 55" W A DISTANCE OF 1.11 FEET;
S 60° 00' 10" W A DISTANCE OF 32.35 FEET TO SAID UNION STREET;
THENCE N 34° 54' 05" W ALONG SAID UNION STREET, 60.95 FEET TO THE POINT OF BEGINNING, CONTAINING 9,190 SQUARE FEET.

LOT 2

A CERTAIN LOT OR PARCEL OF LAND WITH THE BUILDINGS THEREON, SITUATED ON THE SOUTHERLY SIDE OF WHARF STREET IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND, AND STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTHERLY SIDE OF WHARF STREET AT ITS INTERSECTION WITH THE EASTERLY SIDE OF UNION STREET;
THENCE, ALONG SAID WHARF STREET, THE FOLLOWING COURSES AND DISTANCES:
N 56° 29' 40" E A DISTANCE OF 110.35 FEET;
N 56° 49' 55" E A DISTANCE OF 66.34 FEET TO LAND NOW OR FORMERLY OF 217 COMMERCIAL STREET ASSOCIATES, INC.;
THENCE, S 33° 17' 50" E ALONG SAID 217 COMMERCIAL STREET ASSOCIATES, INC. LAND 69.50 FEET;
THENCE S 49° 18' 45" W ALONG SAID 217 COMMERCIAL STREET ASSOCIATES, INC. 49.58 FEET;
THENCE, S 51° 14' 15" W ALONG 225 COMMERCIAL STREET ASSOCIATES 7.01 FEET;
THENCE, N 31° 56' 35" W ALONG A PASSAGEWAY LEADING TO UNION STREET, 16.83 FEET;
THENCE, S 56° 49' 55" W ALONG SAID PASSAGEWAY 12.00 FEET;
THENCE, S 55° 17' 20" W ALONG SAID PASSAGEWAY 54.54 FEET;
THENCE, S 34° 12' 00" E ALONG SAID PASSAGEWAY 2.00 FEET;
THENCE, S 55° 17' 20" W ALONG LAND NOW OR FORMERLY OF SAID 237 COMMERCIAL STREET, LLC 52.66 FEET TO SAID UNION STREET;
THENCE N 34° 54' 05" E ALONG SAID UNION STREET 64.11 FEET TO THE POINT OF BEGINNING, CONTAINING 11,496 SQUARE FEET.

TOGETHER WITH THE ALL RIGHT, TITLE AND INTEREST IN AND TO THE PASSAGEWAY DESCRIBED AS BEING ADJACENT TO LOT 2 ABOVE AND APPURTENANT RIGHTS IN THE 2' STRIP OF LAND WHICH WERE WAS EXCEPTED AND RESERVED IN DEED FROM UNION CORP. TO AUGUSTUS BARBER DATED NOVEMBER 3, 1970 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 3155, PAGE 647.

ALTA/ACSM Land Title Survey

Wharf Street
Portland, Cumberland County, Maine
Made for Record Owner
Dream Port 3, LLC
75 Woodland Park Drive, Tenafly, NJ 07670

Surveyor's Certification

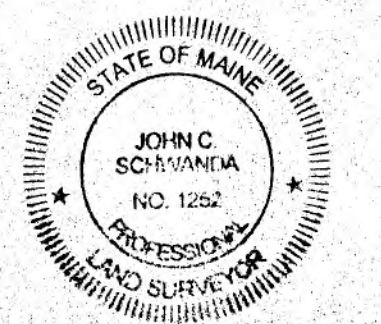
TO: U.S. REAL ESTATE ADVISORS, FIRST AMERICAN TITLE INSURANCE COMPANY, STARWOOD MORTGAGE CAPITAL LLC, ITS SUCCESSORS AND ASSIGNS

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6, 7(c), 7(b), 7(c), 8, 9, 10, 11(b), 13, 14, 15, 16, 17 AND 18 OF TABLE A THEROF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 27, 2012 AND FIELD INSPECTION ON DECEMBER 5, 2013.

JOHN W. SWAN
PROFESSIONAL LAND SURVEYOR NO. 1038
IN THE STATE OF MAINE

DATE OF PLAN: DECEMBER 23, 2013
REVISION DATE:

OHI JOB NO. 2013-221P



OWEN HASKELL, INC.

PROFESSIONAL LAND SURVEYORS
390 U.S. Route One, Unit #10
Falmouth, Maine 04105
Tel. (207)774-0424 Fax (207)774-0511
www.owenhaskell.com



Att. 4

442
Fore