

CITY OF PORTLAND, MAINE

HISTORIC PRESERVATION BOARD



Penny Pollard, Chair
Robert O'Brien, Vice Chair
Hilary Bassett
Joy Naifeh
Julia Tate
John Turk
Rob Whitten

AGENDA

HISTORIC PRESERVATION BOARD MEETING

The Historic Preservation Board will hold a remote meeting on Wednesday, May 5, 2021, 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 unmuted by the host when it is time for public comment.

ZOOM MEETING INSTRUCTIONS

You are invited to a Zoom webinar.

When: May 5, 2021 05:00 PM Eastern Time (US and Canada)

Topic: Historic Preservation Board Public Hearing and Workshop 05/05/2021

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86446007306>

Or One tap mobile :

US: +13126266799,,86446007306# or +19292056099,,86446007306#

Or Telephone:

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

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

Webinar ID: 864 4600 7306

International numbers available: <https://us02web.zoom.us/j/86446007306>

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

Public comment 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. COMMUNICATION AND REPORTS

3. REPORTS OF DECISIONS AT THE MEETING HELD ON 4-21-2021

- i. Certificate of Appropriateness for New Family Housing Construction; 148 (144) STATE STREET (Winter Street frontage); Community Housing of Maine and Portland Housing Authority, Applicant. The Board voted unanimously to approve the project, subject to conditions.
- ii. Certificate of Appropriateness for New Mixed-Use Construction; 200 FEDERAL STREET; Redfern Properties, Applicant. The Board voted unanimously to approve the project, subject to conditions.

4. PUBLIC HEARING

- i. Recommendation to City Council regarding Individual Landmark Designation; 99 CAPISIC STREET; Vana Carmona, nominator.
- ii. Request to Amend Previously-Approved Plans; 58 FORE STREET (Building 12); Portland Foreside Development Company, Applicant

5. WORKSHOP

- i. Preliminary Review of Proposed New Construction (Review pursuant to Munjoy Hill Neighborhood Conservation District demolition requirements); 43 HOWARD STREET; Ryan Walker and Alissa Parker, Applicant.

6. CONSENT AGENDA

HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE

PUBLIC HEARING
99 CAPISIC STREET

TO: Chair Pollard and Members of the Historic Preservation Board
FROM: Rob Wiener, Preservation Compliance Coordinator
DATE: April 30, 2021
RE: May 5, 2021 PUBLIC HEARING – Nomination for Local Landmark
Designation Application HPBR-001585-2020

Address: 99 Capisic Street
Nominated By: Vana Carmona, Current Owner of 99 Capisic Street
Project Architect: Margaret Innes

A legal advertisement ran in the April 27, 2021 edition of the Portland Press Herald. Notices were sent to 37 property owners within 100' of the subject property. Signs were posted at the subject property on April 26, 2021.

Introduction

In a letter to the Historic Preservation Board dated February 9, 2021, owner Vana Carmona initiated the nomination of her historic property at 99 Capisic Street for designation as a local landmark subject to the provisions of Portland's historic preservation ordinance. The letter was communicated to the Board at its meeting on March 17, 2021.

On Wednesday May 5, the Board will hold a public hearing and deliberate on the nomination. Given the thorough documentation provided by the applicant and the fact that the questions for consideration are straightforward, staff elected to proceed directly to a public hearing and final deliberations. The Board has the option of tabling a final decision if more information is desired.

Following her acquisition of 99 Capisic Street in February, 2020 (it was sold by the City of Portland with taxes unpaid,) Ms. Carmona immediately began the renovation work, which has continued for the past year. She had retained the services of architect Margaret Innes to help design and plan the renovation of the neglected building and document the architectural history and existing features and condition. Knowing that the goal was an individual designation, both owner and architect have worked closely with HP staff for guidance on appropriate rehabilitation choices.

Ms. Carmona invested substantial amounts of time in researching the history of the property and its significance in the neighborhood, in order to support her nominated building's eligibility for landmark status. She named the property the "Marguerite Emerson House," after the longest-dwelling occupant, who spent her entire life in the house where she was born and died. Although the house is not eligible for listing on the National Register of Historic Places because the interior had been completely gutted by a previous owner, many original features still exist on the exterior, including a great deal of the clapboard siding and trim, as well as its classic form.

Ms. Carmona's nomination of 99 Capisic Street was presented to the Board at the March 17, 2021 meeting, along with her supporting documentation. The owner made a brief presentation but no Board deliberation took place and no additional information was requested by Board members. Staff has reviewed the report prepared by Ms. Carmona and determined that the nomination is "complete" for purposes of conducting formal deliberations.

Under the provisions of Portland's ordinance, initiation of a nomination may be made by the building owner in the case of an individual landmark—see *Sec. 17.5.2. Initiation of Nomination*. Obviously, the petition letter itself is not sufficient for the Board to formally consider the merits of landmark designation. The ordinance requires that a "complete nomination" be prepared that provides an architectural description of the subject structure, object or site together with sufficient documentation to assess whether the nominated resource meets the minimum criteria for designation. (See *Sec. 17.4.1 Minimum Criteria for Designation*.) The minimum criteria pertain to the resource's historic, architectural and/or cultural significance. The Board must also have the necessary information to determine whether the nominated historic resource exhibits sufficient *integrity* to make it worthy of preservation or restoration. Integrity, for purposes of landmark designation, is defined as "integrity of location, design, condition, materials and workmanship"-- see *Sec. 17.4.2 Integrity of Landmarks and Historic Districts*.

In support of her nomination, Ms. Carmona has submitted a number of photographs as well as a detailed history of the property and surrounding area to assist the Board in evaluating the merits of landmark designation. Also provided are drawings prepared by architect Margaret Innes which document the rehabilitation work that is currently underway at 99 Capisic. For the Board's reference staff is including relevant excerpts from the historic preservation ordinance regarding nomination and designation of landmark structures, and a letter from Julie Larry of Greater Portland Landmarks, submitted as public comment for the March 17, 2021 communication to the Board.

Role of the Historic Preservation Board

In the case of a nominated landmark, the Historic Preservation Board's role is to make a recommendation to the City Council as to whether the nominated landmark meets the criteria for designation as described above. (See *Sec. 17.4.1 and 17.4.2*) Note that the nomination process for individual landmarks is different from that of nominated districts, which require a

recommendation to the Planning Board. The ordinance requires that at least four (4) members of the Historic Preservation Board approve the recommendation.

Note also that the recommendation to the Council must be accompanied by a report containing the following information:

- (a) Explanation of the significance or lack of significance of the nominated landmark as it relates to the criteria for designation.
- (b) Explanation of the integrity or lack of integrity of a nominated landmark.
- (c) Proposed design guidelines for review of alterations or construction. *Note: this is an option; specific design guidelines need not be written if the existing ordinance review standards are sufficient and appropriate for the nature of the nominated resource.*
- (d) Relationship of the nominated landmark to the ongoing effort by the Board to identify and nominate all potential areas, sites, structures and objects that meet the criteria for designation.
- (e) A map showing the location of the nominated landmark.

Following the Board's deliberations and vote, staff will prepare the report to the Council and provide a copy for the Board's consent at its upcoming meeting.

Staff Comments

Staff fully supports the designation of 99 Capisic Street as a local landmark and commends the property owner's initiative to nominate the building for recognition under Portland's historic preservation ordinance. By designating the historic residence, not only will the building be protected from demolition, but also the ordinance's review standards will ensure that changes to the building over time are carefully assessed and managed. In addition to the merits of the building itself, its contribution to the neighborhood as a surviving example of its historic, rural past make it a significant property worthy of designation.

As some members of the Board will recall, there are a number of buildings included among the list of Portland's individual landmarks that are noteworthy for their particular character and context and worthy of protection, but which may not meet one's conventional, exalted notion of "landmark" – on the order of City Hall or First Parish Church. In recent years the Board has recommended a number of properties on Munjoy Hill and along Forest Avenue for designation as individual local landmarks.

Staff has had several discussions with Ms. Carmona and Ms. Innes regarding the rehabilitation at the property; the applicant sought consultations with staff from the start of the project to be sure the renovation choices would conform to the standards by which a designation application would be evaluated.

As is evident from the photos and drawings in the attached appendices, the essential form and character of the original house are clearly visible, despite the loss of the backhouse ell and the barn, and the original windows. In addition to siding and exterior trim details, surviving features include:

- Several possibly original exterior doors that were found on site and restored, along with the original configuration of sidelights at the main entrance.
- Though nearly all windows were found to have replacement sashes, one set of old windows found at the site were restored for the second-floor dormer.

All other windows in the house (which were not original at time of the applicant's purchase) have now been replaced with new painted wood windows in the same configurations as the original ones. A small one-story addition on the rear of the house has been replaced with a similar ell, using compatible design and materials.

With interim protections in effect from the date of the nomination, a number of features will probably need to be reviewed as work proceeds, such as:

- Porch stair and railing details
- Exterior lighting
- Site changes such as walkway hardscapes, driveway, any fences or retaining walls
- Masonry - pointing or rebuilding / repair of foundation and chimneys - staff typically checks in with the mason to review brick and mortar samples to assure compatibility with old masonry.
- Any new venting or mechanical systems that affect the exterior

Staff believes that many remaining details of the renovation that require review can be delegated by the Board to staff, but the purpose of the public hearing on May 5 is for the Board to consider the nomination of the house for designation.

In conclusion, staff supports a recommendation by the Board in favor of designating 99 Capisic Street as a local landmark, based on criteria listed in Section 17.4.1 – specifically A.1, A.4, and A.6, by virtue of its architectural integrity and exemplification of the Greek Revival Style, and its significance as part of a once rural neighborhood of Portland.

Motion for Consideration

Pursuant to the nomination submitted by property owner Vana Carmona and on the basis of documentation provided in a report prepared by the owner, the Board finds that the Marguerite Emerson House at 99 Capisic Street meets the historic preservation ordinance's minimum criteria for designation, specifically Criteria A.1, A.4, and A.6 under Sec. 17.4.1. The Board also finds that the Freeman House exhibits integrity of location, design, condition, materials and workmanship as required under Sec. 17.4.2. Based on these findings, the Board recommends designation of the Marguerite Emerson House at 99 Capisic Street as a local landmark, subject to the provisions of Article 17 of the Land Use Code.

Attachments

1. Letter of nomination from owner Vana Carmona, dated 2/9/21
2. Description and historical narrative, with drawings and photos in support of nomination
3. Applicable excerpts from historic preservation ordinance (Article 17 of the Land Use Code)
4. Public Comment: Julie Larry, Greater Portland Landmarks

February 9, 2021

Deb Andrews
Historic Preservation Program Manager
City of Portland
389 Congress St.
Portland, ME 04101
dga@portlandmaine.gov

Re: Nomination of 99 Capisic St.

Dear Historic Preservation Board,

I would like to formally nominate the property located at 99 Capisic St in Portland be designated as a local individual historic landmark.

It is a unique building not found in many locations in the City. Built circa 1848, it is a Greek Revival farmhouse, complete with the closed pediment, entablature, and the double porches on either side.

I, along with my architect, Margaret Innes of Studio E Architects, have done substantial research on the house and strongly believe that it complies with the standards of the Portland historic registry. We have named the house the Marguerite Emerson House, after the woman who was born in the house in 1877, and lived there her entire life until her death in 1963.

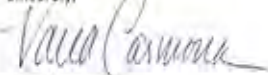
Attached please find various supporting documents:

1. History of the House
2. History of the Capisic neighborhood
3. History of Ownership
4. History of the Emerson family,
5. Post-Emerson period
6. List of the deeds dating back to the early 1800's
7. Photos, drawings and other supporting documents

Please consider my application. I am available to answer any questions.

Thank you.

Sincerely,



Vana Carmona
207-420-6962

MARGUERITE EMERSON HOUSE APPLICATION FOR CITY OF PORTLAND HISTORIC REGISTER



Marguerite Weymouth Emerson standing at 99 Capisic Street

THE OLD HOME

The little house so long beloved stands on a hill,
A gentle hill that rises terraced from the road,
With grassy slope and lilac hedge, while at the side
A gray ledge shoulders through the sod, from solid rock
That lies beneath the little house and forms its sure
Foundation as in blessed parable of old.

With dignity and grace it crowns the gentle hill,
Accepting storm and sunshine as the seasons pass;
Broad maple, towering elm, and pointed cedar stand
Nearby like faithful friends to share a common lot,
And lend their strength and beauty as to one they love
And gladly serve, each as he can in his own way.

Within the little house are precious memories:
The rarely blended spirit of a home of love
Where happiness and sorrow both have visited.
Life's great events — birth, marriage, death, were present here,
Sweet childhood, youth, old age, within these sheltering walls.
A quiet benediction rests upon them now.

Poem by Marguerite Weymouth Emerson

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History of the House

The exact date of the construction of the farmhouse now located at 99 Capisic is unclear. The current tax records give the date as 1848 which would indeed make sense given the style of its architecture. Yet, such a house was mostly likely not built in a single year. It was built in several stages. Ultimately, it is an excellent example of the Greek Revival style.

In the chapter “New Settlements: 1750-1850,” in the book, “Deering: A Social and Architectural History,” by William David Barry and Patricia McGraw Anderson includes 99 Capisic as an example of Greek Revival architectural in the Portland area. They write,

“The temple facade rises high above the street, a pediment and wide entablature supported by square, paneled posts and two-bay section. Either side elevation shows a porch supported by two posts. The main gable is intersected by a gabled ell of equal size with the same deep window openings, corner boards and entablature.”¹

Another notable example of the Greek Revival style is the Charles Quincy Clapp House at 97 Spring St. Built in 1832, this also sports the dual porches on the front. The Clapp house differs in that it is a formal building typical of an urban environment. Please see Appendix “D” for photos of Clapp House. The Capisic house is a much simpler adaptation, compatible with the rural life that existed in that part of what is now our City in the 19th century.

As was typical at the time, this house was a classic “Big House/Little House/Back House/Barn.” Sadly, the back house and the barn are now gone. They were taken down about 2012. The little house is the rear add-on of the still-standing building that once connected the house to the back section. The Greek Revival front and middle sections are the “Big House,” which are still standing. Please see Appendix “F” for a photo of the Big House configuration.

Back houses traditionally housed the privy and was used for chores and a summer kitchen. Indeed, from accounts given to us by the descendants of the former owners, this was very much the case. They remember chopping wood in the “summer kitchen” and the outhouse located there. Adjacent to that section, there was an enclosed corridor that led to the barn.

From what can be determined, the front part of the house was added last. It has a full basement, as opposed to the back part of the Big House which has only a crawl space. Yet, since this section is the part that is clearly Greek Revival, it still would have had to have been constructed fairly early as this style went out of fashion before the year when we know for sure there was a building at that location.

In 1954, then-owner, Marguerite Emerson, wrote a letter to her nieces and nephews so that there would be a written record of the house of its history. Marguerite tells of a “trap door” near the top of the back stairs. “From a ceiling trap door at the head of the back stairs you can look down in upon a small one story section which may have been the original house.” That opening is most likely the one still extant in the rear of the house that does indeed look into what would have been the eaves of the back annex. Please see photo in the Appendix “B”.

In the 1954 letter, Marguerite also listed many of the improvements to the property during her lifetime.

¹ Barry et al, page 62

- In 1928, with the help of her brother Ralph, plumbing was extended to the cellar of the house. A year later, Marguerite arranged for the water to be brought as far as the kitchen sink. (The kitchen was moved to a different location by more recent owners, but we have moved it back to its original location in the back of the house.)

Eugene paid both notes in the amount of \$1350. That summer of 1928 my brother Ralph paid to have Sebago water brought into the house as far as the cellar. The following^{year} I had it piped to the kitchen sink and finally in 1946 I had a bathroom put in. Because the house rests upon rock mother had always been afraid of trying to put water in because of blasting. As it turned out none was required. Both brothers had always helped mother and been kind to

- In 1932, her brothers painted the exterior and paid for it. They also discharged any debts.

-3-

In the summer of 1932 my brother Eugene's wife Mary with Ashton and Patricia came to Portland, and with a neighbor Everett Berry painted the outside of the house. Eugene paid all expense for this. My two brothers

- In 1946, Marguerite had a toilet installed with a septic tank close to the house. Until then, she had always used the privy in the back house just as had all the former occupants.
- In 1952, the extended family once again painted the house. This was the same year that the City extended the sewer system along the street in front of the house. The family paid these fees.

Within the last two years (this is written in 1954) I have had the house and barn painted. George, my nephew, gave me \$500 toward this big bill, and Patricia, \$100. Some years ago George paid nearly all of the expense of having electric lights put in the house. There has been an

- In 1953, Marguerite put in an oil-burning furnace that heated the first floor. No mention was made of heat on the second floor so we can only assume there was none. We do know that there were 4 wood-burning stoves in the house at the time of Marguerite's death in 1963. At least 3 of those were on the first floor. (Note: one is still functioning in the grand niece's home.)

I have had a furnace put in the cellar this past year, oil-burning. When this is completed with duct work it should heat the down stairs rooms. It is nearly done and all paid for. These improvements, water, lights, bathroom and central heating should increase the value of the house greatly. The bathroom is taken care of by a septic tank set beyond the driveway due east of the bathroom window. There was no city sewer at that time, and it still does not come near enough to enter.

- Marguerite mentions that electricity was connected to the house "some years ago" but does not specify a year.

Other than those basic improvements, we know from Marguerite's grand nieces and nephews, as well as written accounts from neighbors, that she maintained the house as she had known it all her life.

History of the Capisic Neighborhood

In the 19th century, Capisic was always a rural district on the outskirts of Portland. Initially, the area was part of Westbrook. In 1871, it split off into its own autonomous town called Deering. Later in 1899, it officially became part of Portland itself. It should also be noted that at one time, the street was called Church St. and also that for many years, the address was 47 Capisic. Its current address number of 99 came more recently.

According to old sources, in 1804, the original road went from James Deering's house near Back Cove, past Capisic Pond, and all the way to what we know as Cumberland Mills. Frost St., which intersects with Capisic very close to the house, was established in 1833.

Initially homes were few and far between. Researcher David Barker found that, in 1804, that there were only 5 houses in the area, with 99 Capisic being one of them. The others were the homes of Levi Starbird (c 1810), Peleg Michell (c. 1808), John Haskell (c. 1836) and William Thorn (c 1845).

Yet, there were developing industries during these decades. In the book *Deering: A Social and Architectural History*, local historian William Barry describes an old sawmill that was central to life in the area, along with several slaughterhouses, and some shops². By the late 1860's, A.S. Pierce had opened his inn. With growing interest in Capisic with its pond and waterways, larger more elegant houses began to spring up. Notably, T. W. O'Brien's constructed his villa, named Fairmont, just off Stevens Ave. Between 1866 and 1868, Leonard Bond Chapman built his Victorian residence (90 Capisic), just across the street from 99 Capisic. With its asymmetry, Mansard roof and carriage house, the latter is now on the National Historic Registry. Chapman had made his fortunes in the nursery/greenhouse business and later became the publisher and editor of *Deering News*.

Capisic was also the original location of the Congregational church. Here, Caleb Bradley passed his career performing hundreds of weddings and thousands of funerals for the local community. He retired in 1829, creating a schism in his congregation. A number of people broke away and formed the Universalist Society. They built their own chapel at Stevens and Brighton Ave. Bradley's loyal supporters stayed on Capisic and eventually replaced the old church with a new meetinghouse in 1935. This was aptly named Parson Bradley's Congregational Meeting House. By the end of the 19th century, the building, along with a nearby school had ceased operations. In 1902, they were deeded to the adjacent Mary Brown Home. This facility was described as a place "where Self-supporting women could be cared for at a nominal price when by reason of overwork or illness they require rest and nursing which would not be secured elsewhere."

In 1903, the meeting house was demolished and replaced with a new building designed by Frederick Thompson. The old school hence became the chapel. It is still extant today on Capisic.

Thus the house at 99 Capisic has played a significant part and borne witness to the history and development of this area for over 170 years.

² Barry et al. pp 67-68

History of Ownership (See also List of Deeds)

From records, we have traced the property as far back as we can to a man named Joseph Storer. Very little information is available on him, but he was probably a member of the well-known Storer family of Portland. (Note: the Storer house once on Storer St. on the West End) In 1807, he sold the property to Peleg Mitchell. At the time, 99 Capisic was part of a much larger parcel totaling 30 acres.

A year later, in 1808, Mitchell sold 4 acres of his land to Jack Wright, an African American man who was the son of Boston Wright, aka Bosson Wright, of the Portland area, and possibly a former enslaved man from the surrounding region. We know that Boston was in Portland throughout the Revolution. Accounts claim he helped build the “two forts” here, even though he strongly believed that they were not in the most advantageous locations. Interestingly, when President Monroe visited Maine several years later, he agreed with Boston.

Boston also was friends with another African American man named Mayberry, and often related how his friend had stopped a British soldier from burning our First Parish Church during the October 1755 attack by Capt. Mowatt. Boston became a tax payer for 50 years before passing away around the age of 80. His wife was Betsey Johnson, also of Portland. Jack was born September 17, 1804.

Sadly, after Jack purchased the property, we have no more records of him. There is mention of his land being separated from Peleg Mitchell’s original parcel in all future deeds up until 1845. After that, his piece of Maine seems to have “disappeared” and been “incorporated” into Samuel J. Johnson’s property although no records have been found to explain this.

The remaining 26 acres stayed intact for a number of years even though it changed hands a number of times.

In 1810, Mitchell sold off the remaining 26 acres to Joshua Richardson. Seventeen years later, Richardson sold to Nathaniel Cobb.

The property was sold again in 1836 to Asa Cummings.

Cummings had the parcel for only four years before selling to Mary Cooke of North Yarmouth. The deed mentioned a house and barn, but no information was included about the actual location.

In 1845, the same 26 acre parcel transferred to Samuel J. Jordan. Please note that there was another Samuel Jordan in the same area at this time which has caused a great deal of confusion for previous researchers. The Capisic one is usually referred to with the middle initial “J.”

Both Jordans were direct descendants of Dominicus Jordan (1658-1703), one of the earliest European settlers to Cape Elizabeth/Scarborough.

Over the course of the following 10 years, Jordan subdivided the property, selling it to several local buyers.

Those included:

- Six acres to Charles Lobdell 12/13/1849
- Three acres to George Libby, 9/1/1851
- Six acres with another house to Ellen Dow (Widow of Moses G. Dow), 1856)

During this time, in 1854, Jordan separated off a parcel of seven and a quarter acres and sold it to his sister and brother-in-law, John and Eliza Prout.

Prout was a descendant of Timothy Prout (born Massachusetts 1679, died 1768 in Scarborough), who settled on Prout's Neck in the early 18th century. The Neck was named for this family.

The Capisic house occupies the hill on these 7+ acres. In fact, that parcel stayed in its entirety until 1965 when it was purchased by a realty company, Cheney Realty that began the second round of subdivisions. Eventually the property in question was reduced to the approximately .88 acre that it is today.

Following the sale to Prouty or Prout, the house once again experienced a succession of occupants with no one staying more than a few years.

In 1860, Prouty sold to a local Portland carpenter, Samuel Dean who had the property for five years. He lived there with his wife and children according to the Census of 1860.

In 1865, Charles Hartshorn, who worked on the railroad, purchased it. He was a friend of Dean's who had lived next door to him on Munjoy Hill.

But he kept it only for a mere two years before selling it to Eliza Woodman.

Although the property stayed with the Woodmans for 13 years, records show that it was not a particularly peaceful time. Originally, Eliza's family lived next door. Her husband, Charles, was a jack-of-all-trades. He started his adult life following in his father's footsteps as a successful coppersmith. But the elder Woodman experienced a "brain disease" in 1859 and remained hospitalized in the Augusta State Hospital for the rest of his life. The son turned to being a "trader," according to the Census. But later, at the age of 50, he was listed as a "horse jockey," which is an unusual profession to begin for someone of his age.

By 1880, the family was in financial straits and Lorenzo Drown took over the mortgage and foreclosed.

Finally, the Capisic house's luck changed in 1885. In January of that year, Samuel B. Washburn took over the mortgage and sold to the Caroline Emerson and family.

Samuel was from the well-known Washburn family of Livermore, Maine. His brother was Israel, a member of the US House of Representatives and Governor of Maine. Another brother, Cadwallader, was founder of the Washburn-Crosby flour mills that later became Gold Medal and then General Mills. Brother Elihu, was US Secretary of State and Minister of France.

Samuel, however, had been shot in the hip during the Civil War. He had a limp for the rest of his life. Future owner, Marguerite Emerson, recalled to her nieces and nephews that her mother spoke of his disability whenever she mentioned the former owner. With the house now with the Emerson family, its real life began.

History of the Emerson Family

In 1885, James and Caroline Emerson moved in with their 2 sons, Eugene, age 14 and Ralph, age 12, and their daughter, Blanche, age 9. On October 7, 1887, Caroline gave birth to her second daughter Marguerite, who was born in the house itself. Three years later, in April 1890, she had one more son born there, Edwin Weymouth Emerson. He unfortunately died of diphtheria a year later. In April 1892, the father, James, died, leaving Caroline a single mother with four children.

The older children grew up and left Maine to establish families of their own. But Marguerite had a different fate. Her role as the youngest and, in addition, a daughter, she was expected to look after her mother.

Clearly, she was an unusually intelligent and talented young woman. She was known throughout her life for her musical ability with both the piano and the violin. She wrote poetry. In fact, she wrote two small volumes that are in the Brown Library at Maine Historical Society. Her poem about her Capisic home is at the opening of this application.

In 1905, after graduating from Deering High School, Marguerite was accepted to Wellesley in Massachusetts which was quite an achievement for a woman of her era. But it was not to be. Within a week of moving into her new living quarters, there was an "illness." It is not clear if she had gotten sick herself, or experienced too much stress being away from home, or if her mother had taken ill. In any case, she left college, never to return.

Once back in Maine, she fulfilled her role of the dutiful daughter and stayed with her mother until Caroline died suddenly on June 26, 1928 (coincidentally, on son Ralph's birthday). By then, Marguerite had established herself in the Portland area with a series of jobs, none of which appeared to be very well-paying.

At nineteen, Marguerite went to work in the office of a local grocery store. Later she found employment at Eastman Bros. & Bancroft, which she described as a "fine department store." She remained there for 15 years. Her final employer was John Roberts, a roofing and sheeting contractor where, after 17 years, she was still working in 1954 at the time of her 1954 letter. But with the help of her brothers and, after they passed, their children, and her own income, she lived in the house until her death in 1963.

During the Second World War, Marguerite answered the City's call for Victory Gardens in the area. Because the property was still the 7+ acres that Prout had purchased in 1854, she was able to loan her field on the Bancroft St. side for the cause and there were up to 22 plots there. She noted that there was no financial incentive, but that "it is good for the land to be used and is a help to other people."

-4-

~~print of this.~~ For a number of years beginning with Victory Gardens in war time (1941) the City asked owners of land to let it be used for gardens by people who had no land. The City plows and supervises the care and cleaning up of these gardens. There have been as many as twenty two of these gardens in our field in a summer. There is no pay for this of course but it is good for the land to be used and is a help to other people. The gardens are made at the very back of the field and entered from Bancroft Street. For any other purpose our property has no entrance from Bancroft

Although Marguerite had no family of her own, she did get involved in the community. She was a member of the First Parish Church, where she established the “Marguerite Emerson Club.” This was apparently a local women’s group. Also during this time, she wrote her two little volumes of poetry, one of which was to raise money for a Church project.

In 1954, and well into her 60’s, Marguerite wrote a letter to her nieces and nephews in order to pass on her personal information in the event of her illness or demise. She had never married. By 1946, her mother and all her siblings had died (Blanche in Summer 1925, Eugene in December 1939, and Ralph in December 1946). She was now dependent upon their heirs. The letter reveals much about her own life, as well as that of the house and neighborhood.

In 1963, Marguerite died in the Capisic house where she had spent her entire life. She is buried in Evergreen Cemetery in a family plot. Unfortunately for her heirs, in the 36 years following her mother’s death, Marguerite never took legal possession of the house. Following her mother’s death in 1928, she asked her brothers to settle the estate but they “delayed.” She lived “rent free” but did take care of all the taxes and insurance.

One can only surmise that the extended family did not find it necessary to settle Caroline’s estate since Marguerite was living there as she always had. This “delayed maintenance” of the legalities resulted in a long period for settling her complicated estate with her siblings’ offspring.

Post-Emerson Owners

With the paperwork finally finalized in 1965, Cheney Realty purchased the property. Quickly, it was subdivided and reduced to the .88 acre site that it is today.

Ten years later, in 1975, Vincent Devlin purchased the house. From several accounts, his plan was to return it to its former glory but had very little luck with that. Divorces and remarriages appear to have interrupted his intentions. An attempt circa 2000 resulted in the original plaster and lathing being torn out, ceilings lowered, and original windows and doors being changed with not-particularly accurate historic replacements.

From what we have been able to determine, during the 2000's, the house was substantially neglected. In 2006, Devlin himself relocated to the property he had owned in Florida for many years, and the house was effectively abandoned by 2012 at the latest. This was also the time that the current owner, Vana Carmona, remembers seeing the barn demolished. Devlin passed away in 2016 and the house continued to decline. Vandals had already taken over by then, and destroyed much of any modern updates he had made to the interior of the house.

In June 2019, Vana Carmona discovered that the house was up for sale. Following the death of Devlin in 2016, the City had taken over the property for back taxes and was putting it out to bid. Carmona submitted an offer and in July, learned that it had been accepted. After several months of settling title issues, she closed on the house in February of last year. Work started the same day.

Fortunately for our purposes, the exterior of the house is still very much as it was intended in the 19th century. The clapboards and trim are original to the house. The porch columns were repaired at some point but maintain their authentic design.

List of Deeds

Area is considered Westbrook until 1871

Earliest found:	Joseph Storer (wife: Charlotte)
1807 (10/10/1807)	Peleg Mitchell (wife: Nancy) 30 acres
1810	Joshua Richardson Same parcel minus 4 acres previously sold to Jack Wright in 1808 Now 26 acres; \$3000 ?
1827 (4/18/1827)	Nathaniel Cobb; Same parcel, again minus the 4 acres of Jack Wright
1836 (10/21/1836)	George Cobb, mortgage mentions Jack Wright land, 4 acres
1836 (10/24/1836)	Asa Cummings (wife: Phebe); Same parcel, again minus the 4 acres of Jack Wright (mentioned in deed)
1840 (4/1/1845)	Mary Cooke (of North Yarmouth) Same parcel, 26 acres; With House and barn but no mentions of location on the property
1845	Samuel J. Jordan 1818-1861;(Not to be confused with another Samuel Jordan in the area at the same time) Wife: Jane Pearson; Bought "with buildings" but do not know exactly where they were 26 acres with house, mentions Jack Wright's property
Jordan proceeded to subdivide the property:	Sold off 6 acres to Charles Lobdell 12/13/1849 Sold off 3 acres to George Libby, 9/1/1851; Sold off 7.25 acres to John Prout, see below (Now 99 Capisic)Sold off 6 houses with another house to Ellen Dow (Widow of Moses G. Dow), 1856)
1854 (10/12/1854)	John W. Prout (brother in law to Samuel Jordan. Eliza Jordan Prout was the wife/sister) Building is clearly evident on a 1857 Map in files (Stroudwater Capisic Map); Property is 7.25 acres of Jordan's original purchase No mention of a house or buildings; \$1,200
1860 (6/6/1860)	Samuel Dean (carpenter), 1811-1887; \$3500
1865 (11/10/1865)	Charles Hartshorn (a RR man, was living with Samuel Dean in 1858 according to the City Directory at 33 Sumner); \$3,500
1867 (6/18/1867)	Eliza Woodman, Eliza Jane York b. 1829 in Cape Elizabeth, married Charles Woodman in 1854); \$3,300

Area becomes Deering until 1899

1875 (5/3/1875)	George P. Whitney (mortgage same day to Eliza Jane York Woodman (b. 1829, in Cape Elizabeth)
1880 (3/5/1880)	Lorenzo Drown took over the mortgage
1881 (5/21/1881)	Foreclosed 5/21/1881; Lorenzo Drown took over the mortgage Wife was Mary
1885 (1/30/1885)	Samuel B. Washburn, wife: Maud (Addie Brown Reade, 2nd wife); 7.25 acres with buildings. (Mortgage for Caroline Emerson), \$1.00; Property was called 47 Church St in Town of Deering at that time (Marguerite's letter)
1885 (1/31/1885)	Caroline M. Emerson (in her name even though she was married) \$4000, mortgage of \$1500 (discharged 1/28/1891)

Area becomes Portland in 1899

1963 - 1965	Heirs of Marguerite Emerson
1965 - 1975	Cheney Realty Co. (Charlotte Cheney) Transferred to herself personally a short time later
1975 - 2012	Vincent Devlin. Including several years with his first wife and including several years (approximately 1997-2001) with second wife Tracy Davis

Current Rehabilitation

Please see the following annotated architectural drawings for illustration and description of the rehabilitation efforts today:

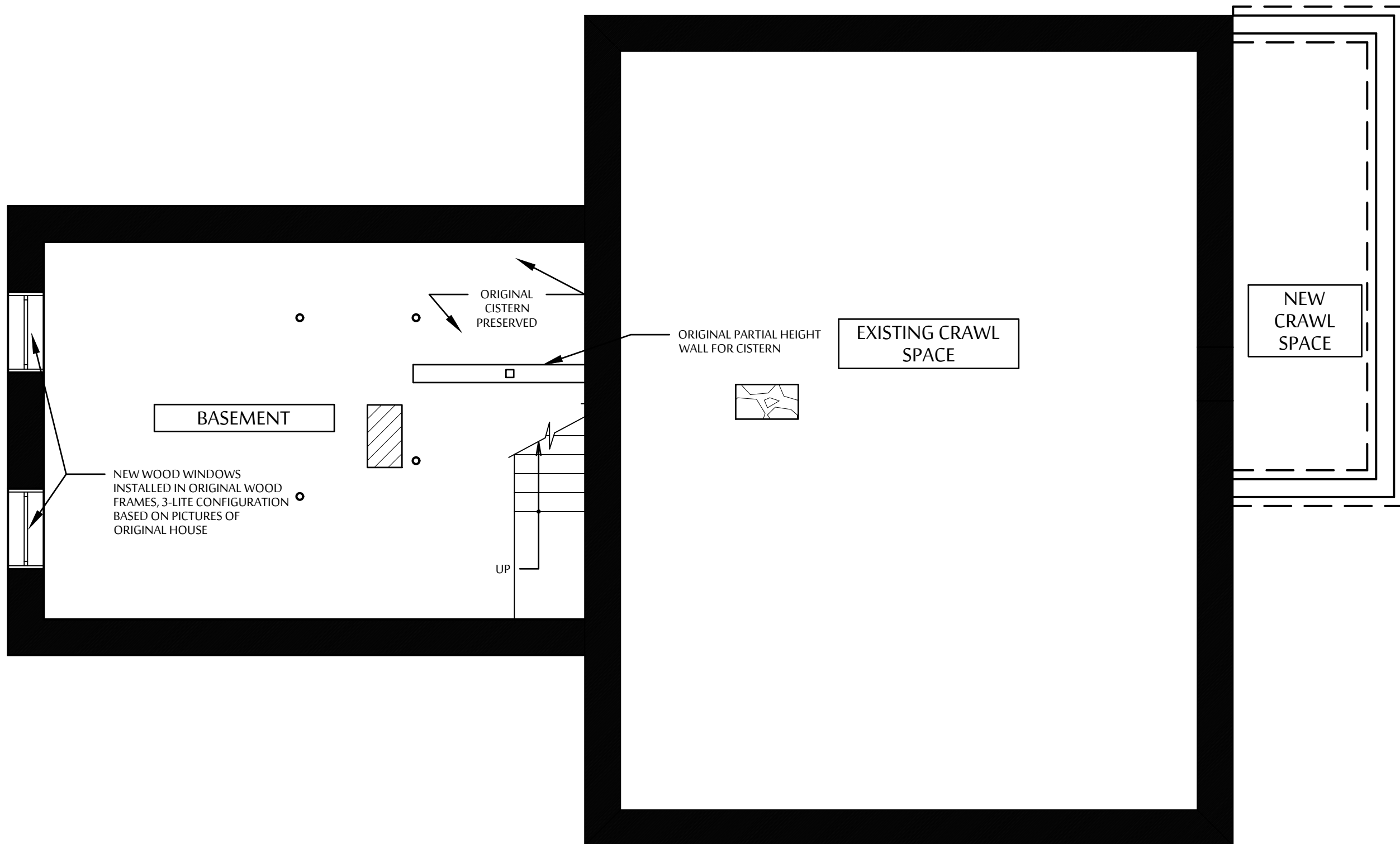
Foundation Plan

First Floor Plan

Second Floor Plan

East Elevation

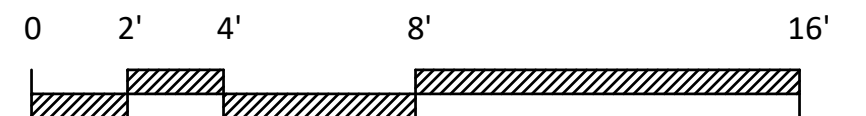
West and South Elevations

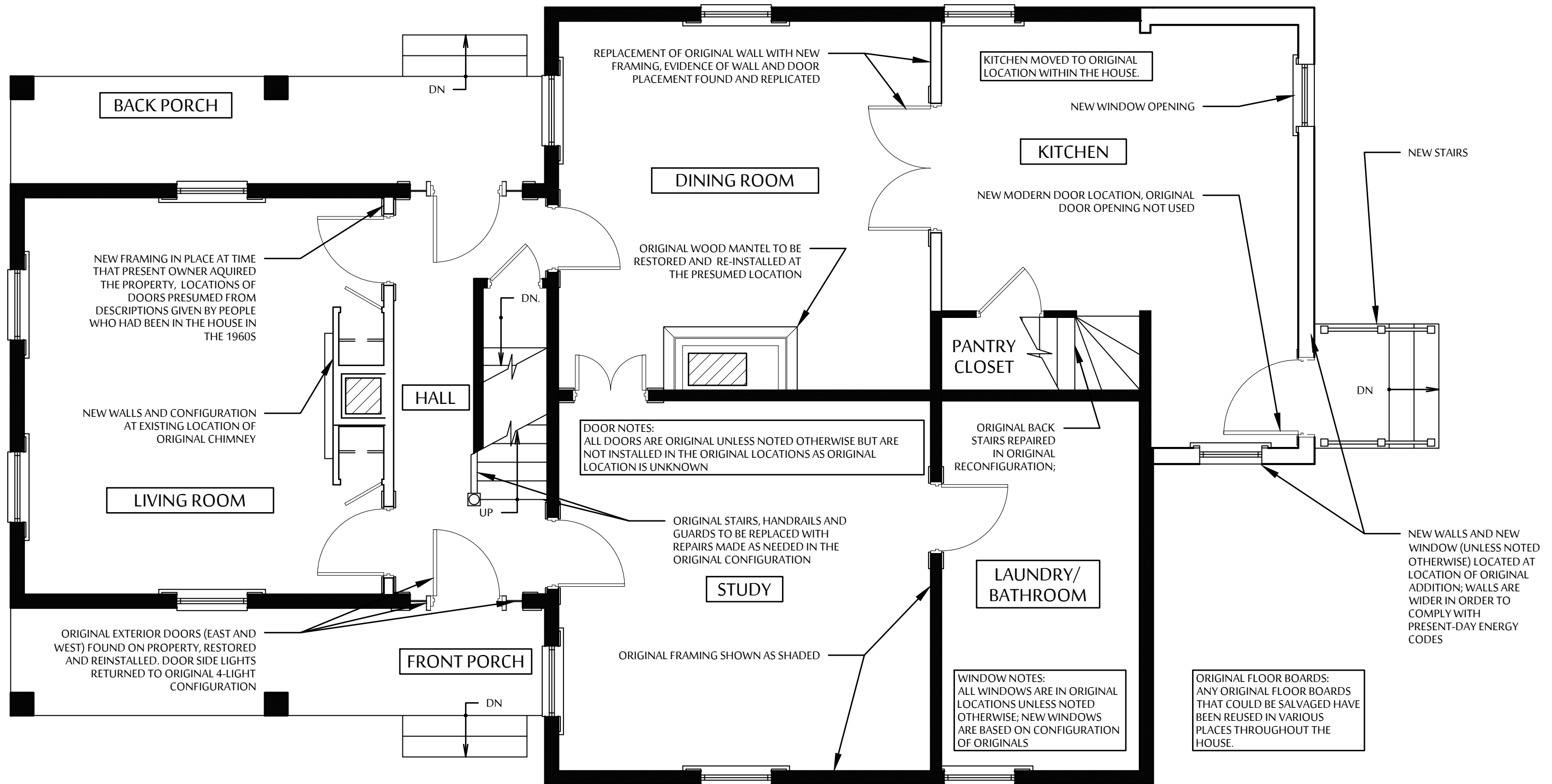


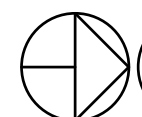
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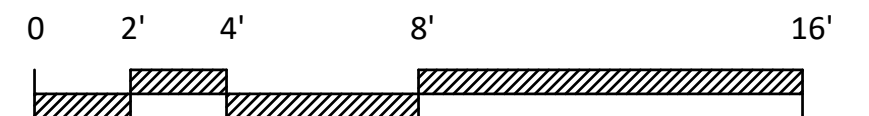
FOUNDATION PLAN

$\frac{1}{4}" = 1'-0"$



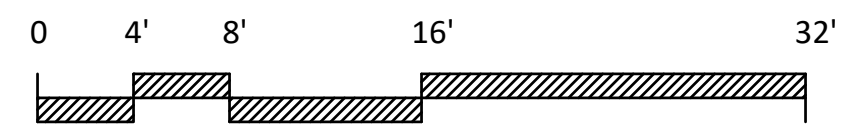


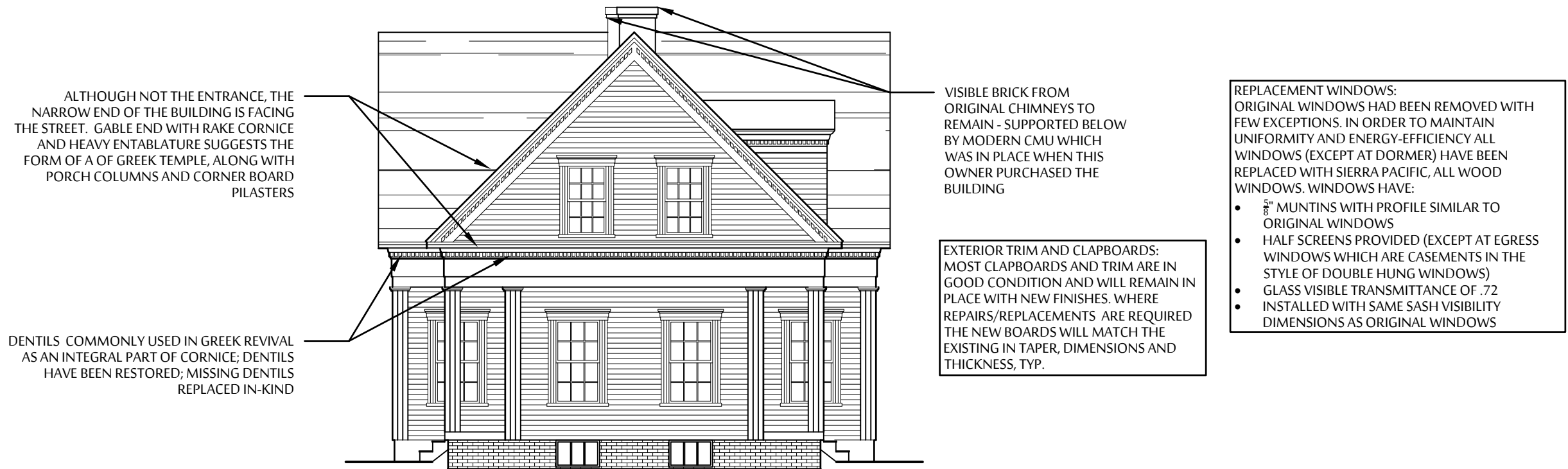

1 FIRST FLOOR PLAN
 $\frac{1}{4}" = 1'-0"$
 PROJECT NORTH





1 EAST ELEVATION - FRONT
 $\frac{1}{8}" = 1'-0"$

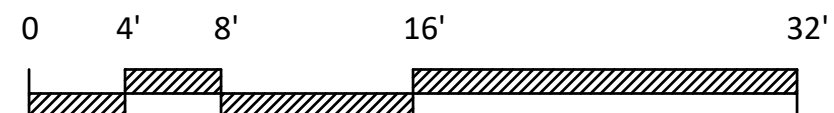




2 SOUTH ELEVATION
 $\frac{1}{8}" = 1'-0"$



1 WEST ELEVATION
 $\frac{1}{8}" = 1'-0"$



Appendices

Appendix “A” – Front Door Side Lights; Dormer Windows

Appendix “B” – Greek Revival Details: posts, trim, windows. Original details: mantel, exterior window trim, corner boards; New Roof; Interior “Trap Door”

Appendix “C” – Greek Revival Details Corner boards, entablature return; Photos: Condition of house at purchase time

Appendix “D” – Clapp House photos

Appendix “E” – Family Photos

Appendix “F” – Big House, Little House, Back House Barn Photo



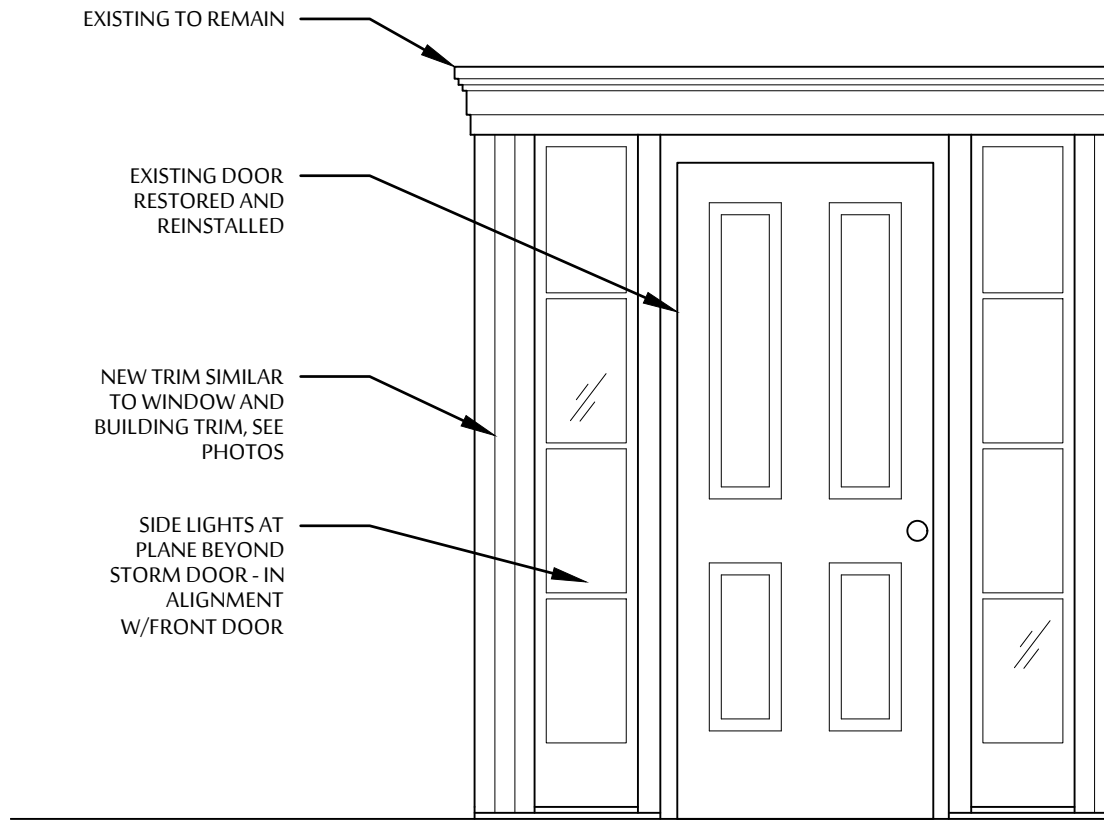
④ PRESENT DAY FRONT
DOOR & DORMER



③ RESTORED DORMER WINDOWS

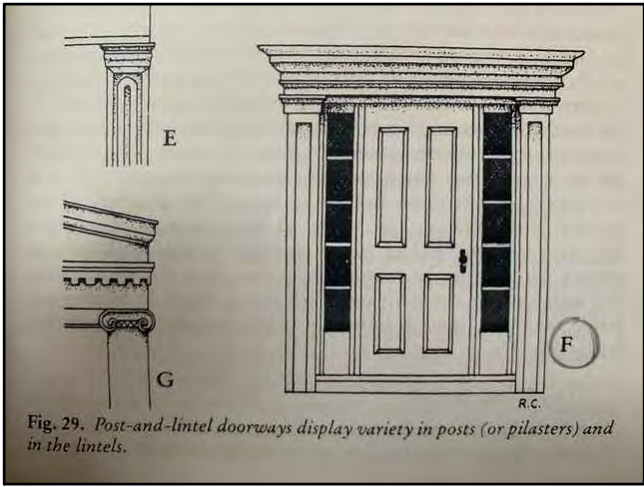


② ORIGINAL SIDE LIGHTS AT FRONT
DOORS

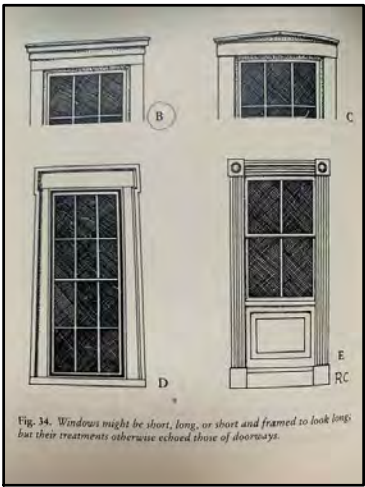


- FRONT DOOR SIDE LIGHT NOTES:
- GLASS: SHALL HAVE V.T. OF .7 OR MORE
 - MUNTINS: $\frac{3}{4}$ " WITH PROFILE
 - NORTH SIDE TRIM IS NOT THE SAME WIDTH AS SOUTH
 - SEE HISTORIC PHOTOS ATTACHED FOR FURTHER EXPLANATION

① RESTORED FRONT DOOR SKETCH
 $\frac{1}{2}$ " = 1'-0"



From: "A Home for Everyman: The Greek Revival and Maine Domestic Architecture" by Joyce K. Bibber; pg. 95



From: "A Home for Everyman: The Greek Revival and Maine Domestic Architecture" by Joyce K. Bibber; pg. 112



5 ORIGINAL MANTEL



4 ORIGINAL EXTERIOR TRIM WITH PRIOR OWNER'S SASH INSERTED



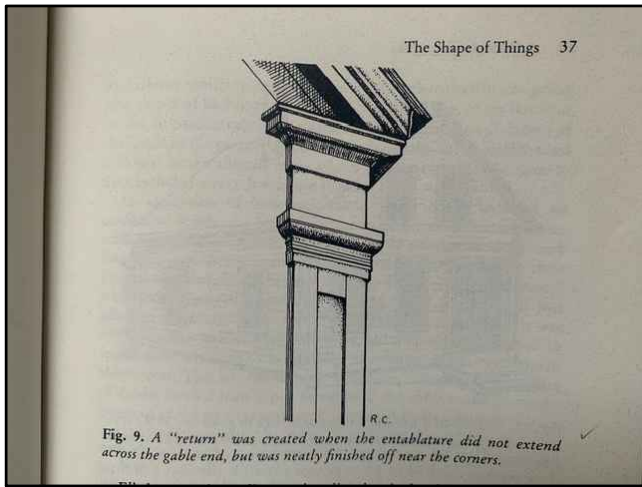
3 ORIGINAL CORNER BOARD TRIM AND SIMILAR WINDOW TRIM CONFIGURATION



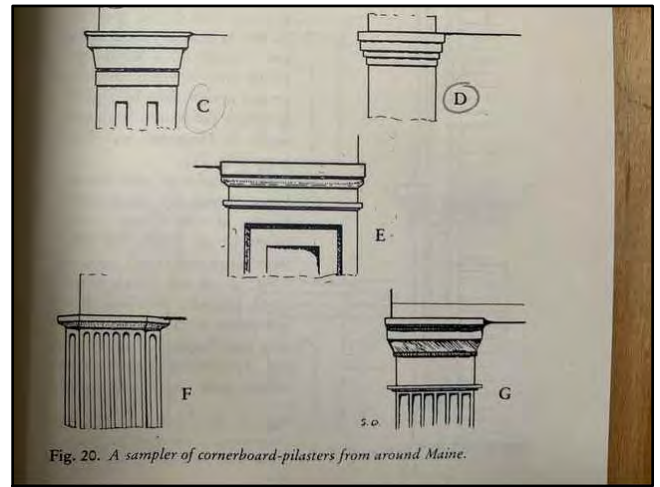
2 TRAP DOOR - MENTIONED IN MARGUERITE EMERSON LETTER OF 1952



1 NEW ROOF



From: "A Home for Everyman: The Greek Revival and Maine Domestic Architecture" by Joyce K. Bibber; pg. 37



From: "A Home for Everyman: The Greek Revival and Maine Domestic Architecture" by Joyce K. Bibber; pg. 65



④ ORIGINAL CORNER BOARD TRIM AND SIMILAR WINDOW TRIM CONFIGURATION



③ CONDITION OF HOME AT PURCHASE



② BACK PORCH WITH STACK OF INTERIOR TRIM THAT WILL BE USED AS TEMPLATES FOR REHABILITATION



① STREET FRONT GABLE WITH ENTABLATURE



③ CLAPP HOUSE TODAY (Photo by Vana Carmona)

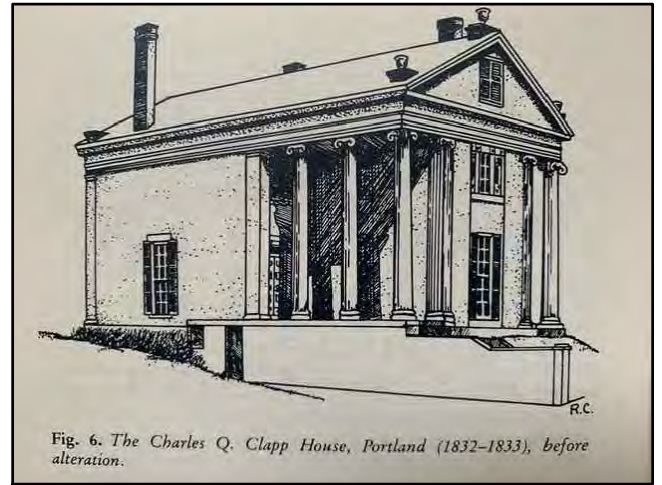


Fig. 6. *The Charles Q. Clapp House, Portland (1832-1833), before alteration.*
From: "A Home for Everyman: The Greek Revival and Maine Domestic Architecture" by Joyce K. Bibber; pg. 32



① CLAPP HOUSE TODAY (Photo by Vana Carmona)



② CLAPP HOUSE TODAY (Photo by Vana Carmona)



Samuel Washburn (1864) deeded the 99 Capisic home to Mary Emerson



Marguerite Emerson at home as a child



The Emerson Family (from the left): Carrie, Ralph, Mary, Blanche and Marguerite in front



Marguerite Emerson and friend in front of 99 Capisic Street Home



Mary Caroline Weymouth Emerson - Marguerite's mother. Her name was on the house deed in 1885.



Emerson House Photo, circa 1962



Emerson House Photo, circa 1924



Big House, Little House, Back House, Barn Photo circa 1962

Applicable Sections – Portland Historic Preservation Ordinance

17.2 DEFINITIONS

Landmark. Any property, site, structure, or object of particular historic, architectural, or archaeological significance to Portland, the State of Maine and/or the United States relating to its cultural, social, economic, political, or architectural heritage, or which is associated with historic persons, important events or themes in local, state, or national history.

17.4 CATEGORIES AND CRITERIA FOR DESIGNATION

17.4.1 Minimum criteria for designation

A. The Historic Preservation Board shall limit its consideration to the following criteria in making a determination on a proposed nomination of an area, site, structure, or object for designation by ordinance as a landmark or district:

1. Its value as a significant example of the cultural, historic, architectural, archaeological, or related aspect of the heritage of the City of Portland, State of Maine, New England region, or the United States.
2. Its location as a site of a significant historic or prehistoric event or activity which may have taken place within or which involved the use of any existing structure on the property.
3. Its identification with a person or persons who significantly contributed to the cultural, historic, architectural, archaeological, or related aspect of the development of the City of Portland, State of Maine, New England region, or the United States.
4. Its exemplification of a significant architectural type, style, or design distinguished by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.
5. Its identification as the work of an architect, designer, engineer, or builder whose individual work is significant in the history or development of the City of Portland, the State of Maine, the New England region, or the United States.
6. Its representation of a significant cultural, historic, architectural, archaeological, or related theme expressed through distinctive areas, sites, structures, or objects that may or may not be contiguous.

17.4.2 Integrity of landmarks and historic districts

Any area, structure, or object that meets the criteria in Section 17.4.1 must also have sufficient integrity of location, design, condition, materials, and workmanship to make it worthy of preservation or restoration.



16 March 2021

Chair Pollard & Members of the Historic Preservation Board,

Greater Portland Landmarks supports the nomination of 99 Capisic Street as an individual city landmark. It is a fine example of Greek Revival architecture in the city, but is particularly significant for its temple-like form, an unusual form for Greek Revival dwellings in the once rural settings off Portland's peninsula. Along with the Leonard Bond Chapman House (NRHP, 1980) at 90 Capisic Street, the dwelling is symbolic of the neighborhood's rural past.

We are delighted that the current owner, Vana Carmona, is intent on rehabilitating the building using those original materials that remain and replacing, to the extent possible, those features of the building that can be determined through investigation of the building and through historic photographs. We support her desire to protect her property through historic designation and we urge you to consider the nomination at the earliest possible date.

Thank you for considering our views.

Sincerely
Julie Ann Larry
Director of Advocacy

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

**PUBLIC HEARING
58 FORE STREET (BUILDING 12, former Portland Company Complex)**

TO: Chair Pollard and Members of the Historic Preservation Board
FROM: Deb Andrews, Historic Preservation Program Manager
DATE: April 28, 2021
RE: May 5, 2021 **PUBLIC HEARING**

Application for: Request to Amend Previously-Approved Plans for Reconstruction of Building 12, including Exterior Alterations, Additions and Site Alterations

Address: 58 Fore Street
Building 12, Portland Company Historic District

Applicant: Portland Foreside Development Company
Represented by David Senus, Project Manager

Project Architect: Henry Moss, Principal, Bruner/Cott Architects

Landscape Architect: Michael Boucher, MBLA Landscape Architects

Introduction

Representatives of Portland Foreside Development Company have requested review and approval of a series of amendments to previously-approved plans for the reconstruction of Building 12 within the Portland Company Historic District at 58 Fore Street. The reconstruction and adaptive reuse project was originally approved on September 18, 2019, following two preliminary workshops. The project was approved subject to several outstanding conditions, most of which were addressed and approved by the Board on March 4, 2020.

The proposed modifications have been driven by several factors, including confirmation of the southern property line after the original plans were approved, finalization of mechanical requirements for the project, and other, mostly functional, considerations. Enclosed for the Board's review is a list of the proposed changes provided by the applicant as well as a site plan identifying their location. Accompanying these summary documents are drawings of each of the proposed revisions. For ease of reference, the original approved design is shown alongside the revised design. The submission also includes a letter and site plan provided by the project's landscape architect, Michael Boucher. Mr. Boucher was asked to revisit the treatment of the area west of Building 12 where one

approaches the building from Thames Street and determine whether modifications were in order given the proposed changes to the mechanical/trash receptacle structure in front of it.

Staff notes that the reconstruction of Building 12 is underway and is due to be completed in December.

Proposed Design Revisions

The applicant has provided an itemized list of the proposed design revisions. For ease of reference, the information is repeated below:

- 1) Revised the planned modern, frameless exterior door on the east elevation storefront to a modern framed door;
- 2) Modified the planned replica window on the west elevation to an egress door; egress door shifted from the south elevation to west elevation (per item 3 below) due to property line and exterior egress constraints;
- 3) Modified the planned egress door on south elevation to a historic replica window due to property line and exterior egress constraints;
- 4) Aligned the edge of the patio canopy on the west elevation with the property line, increasing the canopy depth by 6 inches;
- 5) Enlarged the trash/mechanical enclosure structure adjacent to the west elevation to accommodate final mechanical equipment sizes and equipment clear zone specifications;
- 6) Simplified the modern windows proposed on the north elevation to curtainwall system which results in no aesthetic change; and
- 7) Finalized selection of the exterior fireplace on the south elevation and removed interior fireplace, resulting in removal of the second flue from the south elevation.

Although the cover letter does not describe in detail the need or rationale behind each of the proposed changes, staff understands that the applicant and Mr. Moss are prepared to provide that information at the meeting.

Staff Comments

A number of the proposed design modifications represent minor changes to the original approved plans and would likely have been approved at the staff level. These include:

- Change to exterior door on the east elevation from a frameless door to a framed door
- Increase in depth of patio canopy
- Simplification of contemporary windows on north elevation (no visual change)
- Removal of second exterior fireplace flue off south elevation

In staff's view, other aspects of the applicant's request warrant closer consideration by the Board in light of the significant amount of discussion these elements prompted during the original review. These include:

- Proposal to swap the location of the single egress door at the western end of the south elevation to the west elevation. This change also requires shifting the position of the screened mechanicals at the southwest corner to avoid the door.
- Proposal to enlarge and shift the position of the trash/mechanical enclosure structure west of Building 12.

In the approved plans, the only elevation of Building 12 that was to be left in its original (reconstructed) condition was the west elevation. One of the strongest character-defining features of the west elevation is its simplicity—not only in form, but also in its consistent pattern of fenestration. This elevation is also the most prominent, at least as viewed from Thames Street. The proposed swap in door location from the south elevation to the west elevation results in the alteration of this key elevation. (That said, with the swap the original first floor window on the south elevation will be retained.) The Board will need to assess the relative impact of this alteration on the character of the historic structure and whether ordinance Standards #2 and #5 have been met.



Regarding the door itself, the submission does not include a door specification. From the elevation, it appears to be a full-lite door, which would communicate the fact it is a new feature.

The request to enlarge and reposition the mechanical equipment/trash enclosure west of Building 12 represents the most significant of all changes being proposed. The original footprint was 10' x 15'10" or @160 square feet. As proposed, the structure is both wider and longer. The new footprint is 13'4" x 23' 2" or @299 square feet. The original height was 11' 6" tall. As modified, the new structure is about two feet taller or 13' 8". The building has also been shifted to the north by about 4 feet.

The revised plans call for a more substantial structure in front of Building 12 as one approaches the Portland Company complex from the west. The new position of the structure also puts it in a more centered position in front of Building 12. The Board will need to assess whether the revised proposal for the enclosure materially obscures or impacts views of Building 12. Staff notes that while the potential for obscuring Building 12's most significant and least altered façade is increased, it also true that the enlargement of the mechanical enclosure gives it a stronger architectural presence than in the previous

proposal. As originally approved, the trash/mechanical structure read as just that: a functional necessity for the adjacent building. Perhaps the larger structure is an improvement in that regard. That said, its visual impact on historic Building 12 should be carefully considered. Staff notes that the renderings of the original approved structure and those of the enlarged structure are taken from different vantage points as viewed from the entrance drive to the complex. This makes it difficult to do an “apples-to-apples” comparison on their relationship to and impact on Building 12.

As noted above, Mr. Boucher has submitted a letter and site plan the addresses the treatment around the modified mechanical/trash enclosure.

If mechanical/trash structure will to be expanded, the Board might wish to inquire whether it would be possible to relocate the additional mechanicals shown at the southwest corner of Building 12 to this new enclosure. This would eliminate one extraneous element from Building 12’s context and simplify the overall treatment.

Although not a requested amendment to the previously-approved plans, the enclosed site plan shows that the gas regulators for Building 12 are to be located in front of the west elevation, at the northwest corner.

Applicable Ordinance Review Standards

From Standards for Review of Alterations:

- (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.*
- (5) *Distinctive features, finishes, and construction techniques or examples of skilled craftsmanship which characterize a structure, object or site shall be treated with sensitivity.*
- (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 May 5, 2021 public hearing and information included in the accompanying staff report, the Board finds that the proposed amendments to previously-approved plans for the reconstruction of Building 12 within the Portland Company Historic District **meet (fail to meet)** the historic preservation ordinance's Standards for Review of Alterations **(subject to the following conditions.....)**

Attachments:

1. Applicant submission, including cover letter from applicant itemizing proposed amendments, site plan with key to proposed modifications, and original and proposed plans, elevations and details for features proposed to be modified
2. Letter and site plan provided by landscape architect

April 5, 2021

Deb Andrews
Program Manager
Historic Preservation Office
City of Portland
389 Congress Street
Portland, ME 04101

RE: Building 12 Update | 58 Fore Street

Dear Deb:

I am writing on behalf of Portland Foreside Development Company (PFDC) to request a review of several proposed modifications to the approved Building 12 design, a historic building reconstruction project underway at the former Portland Company site located at 58 Fore Street in Portland. On September 18, 2019, the Portland Historic Preservation Board voted to grant a Certificate of Appropriateness for the proposed reconstruction of Building 12 following a Public Hearing on the project. A follow-up meeting was held with the Board on March 4, 2020 to review final plans and details associated with Building 12 addressing several conditions of approval set forth in the initial Certificate of Appropriateness finding. As discussed during our site visit on March 16, 2021 to review masonry mockups, several minor modifications have been proposed to the plans to address architectural selections, building mechanical system unit specifications, and property/site constraints. These proposed modifications can be summarized as follows:

- 1) Revised the planned modern, frameless exterior door on the east elevation storefront to a modern framed door;
- 2) Modified the planned replica window on the west elevation to an egress door; egress door shifted from the south elevation to west elevation (per item 3 below) due to property line and exterior egress constraints;
- 3) Modified the planned egress door on south elevation to a historic replica window due to property line and exterior egress constraints;
- 4) Aligned the edge of the patio canopy on the west elevation with the property line, increasing the canopy depth by 6 inches;
- 5) Enlarged the trash/mechanical enclosure structure adjacent to the west elevation to accommodate final mechanical equipment sizes and equipment clear zone specifications;
- 6) Simplified the modern windows proposed on the north elevation to curtainwall system which results in no aesthetic change; and
- 7) Finalized selection of the exterior fireplace on the south elevation and removed interior fireplace, resulting in removal of the second flue from the south elevation.

Included in this package is a drawing set that presents the original, permitted design compared alongside these proposed modifications. We have also developed a brief presentation showing renderings of the original, permitted design alongside these proposed modifications.

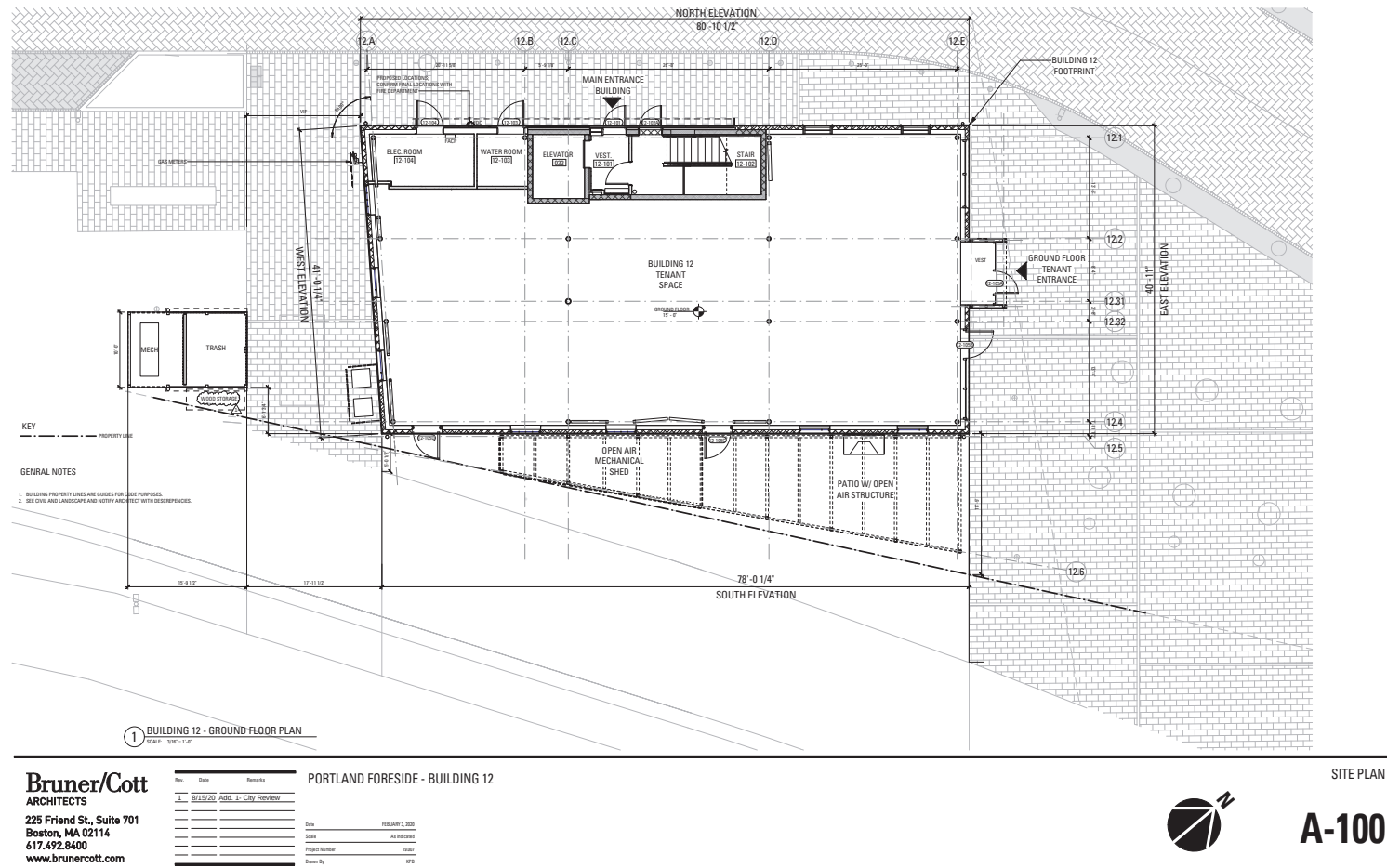
We request that these items be considered as a consent agenda item or be added as a COA amendment hearing with the Historic Preservation Board in the near future, as construction work is ongoing at this time. Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "D. L. S.", is written over a horizontal line.

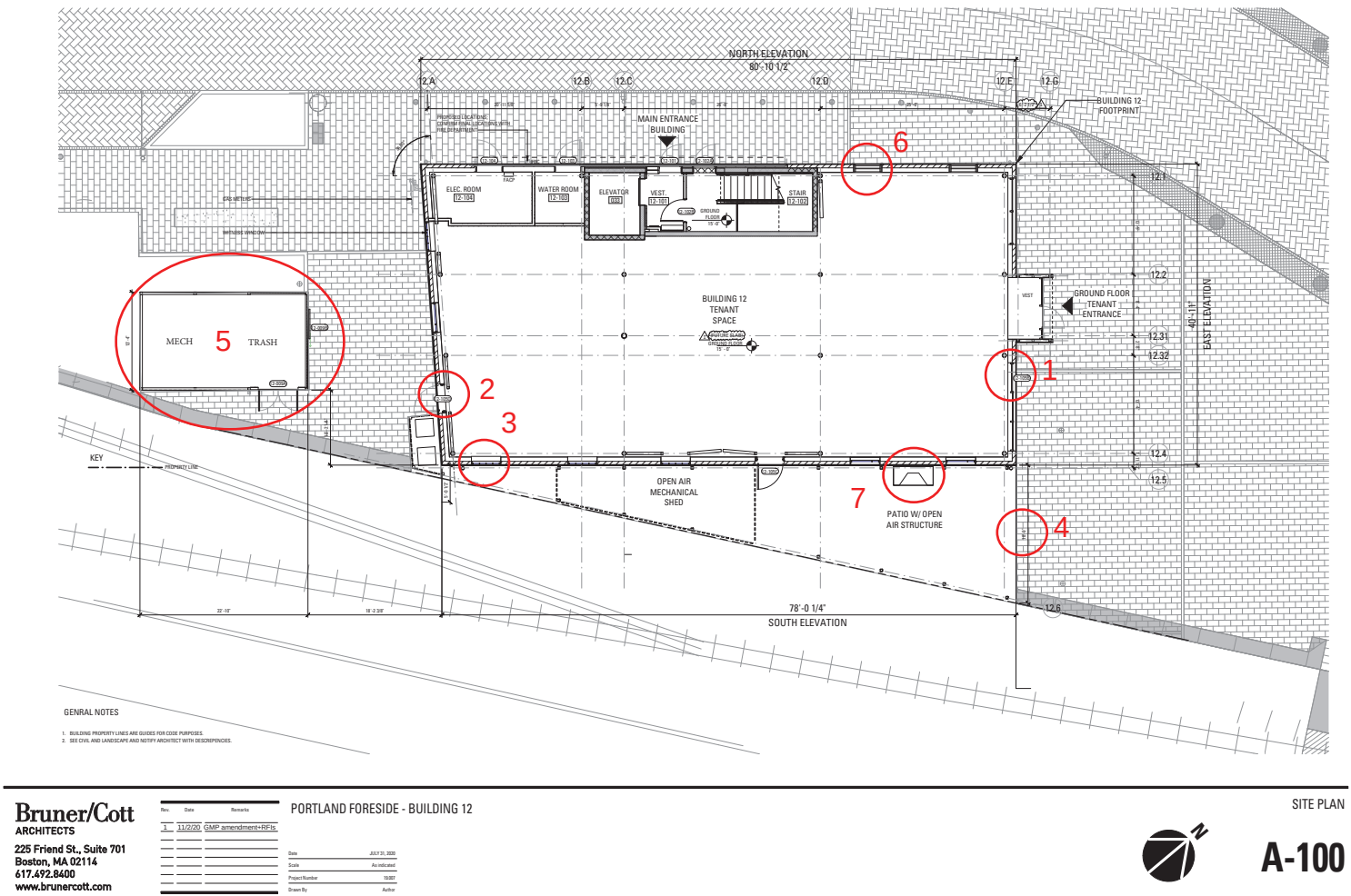
Attachments

- Design Change Summary prepared by Bruner Cott, dated April 5, 2021
- Design Change Renderings

PERMIT



DESIGN CHANGES

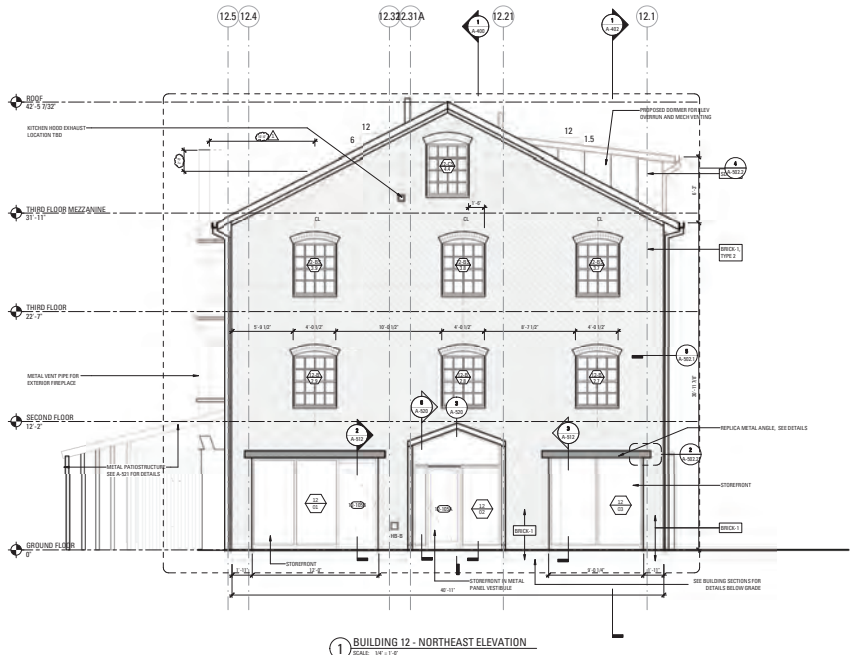


DESIGN CHANGE SUMMARY:

- 1. REVISED EXISTING EXTERIOR DOOR @ STOREFRONT TO HAVE TRADITIONAL FRAME
- 2. MOVED WINDOW AND REPLACED WITH EXTERIOR DOOR
- 3. MOVED EXTERIOR DOOR AND REPLACED WITH HISTORIC REPLICA WINDOW
- 4. ALIGNED EDGE OF PATIO CANOPY WITH PROPERTY LINE- INCREASING WEST END BY 6"
- 5. ENLARGED TRASH ENCLOSURE TO ACCOMIDATE FINAL MECHANICAL EQUIPMENT
- 6. SIMPLIFIED MODERN WINDOW TO CURTAINWALL SYSTEM WITHOUT WINDOW UNIT
- 7. FINALIZED EXTERIOR FIREPLACE AND DELETED FLUE TO TENANT INTERIOR FIREPLACE.

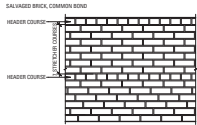
PERMIT

DESIGN CHANGE -1

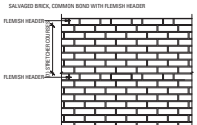


ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT
BRICK 1	COMMON BRICK	100	SQ
BRICK 2	COMMON BRICK	100	SQ
BRICK 3	COMMON BRICK	100	SQ
BRICK 4	COMMON BRICK	100	SQ
BRICK 5	COMMON BRICK	100	SQ
BRICK 6	COMMON BRICK	100	SQ
BRICK 7	COMMON BRICK	100	SQ
BRICK 8	COMMON BRICK	100	SQ
BRICK 9	COMMON BRICK	100	SQ
BRICK 10	COMMON BRICK	100	SQ
BRICK 11	COMMON BRICK	100	SQ
BRICK 12	COMMON BRICK	100	SQ
BRICK 13	COMMON BRICK	100	SQ
BRICK 14	COMMON BRICK	100	SQ
BRICK 15	COMMON BRICK	100	SQ
BRICK 16	COMMON BRICK	100	SQ
BRICK 17	COMMON BRICK	100	SQ
BRICK 18	COMMON BRICK	100	SQ
BRICK 19	COMMON BRICK	100	SQ
BRICK 20	COMMON BRICK	100	SQ

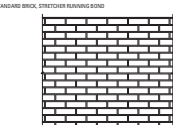
BRICK 1, TYPE 1



BRICK 1, TYPE 2

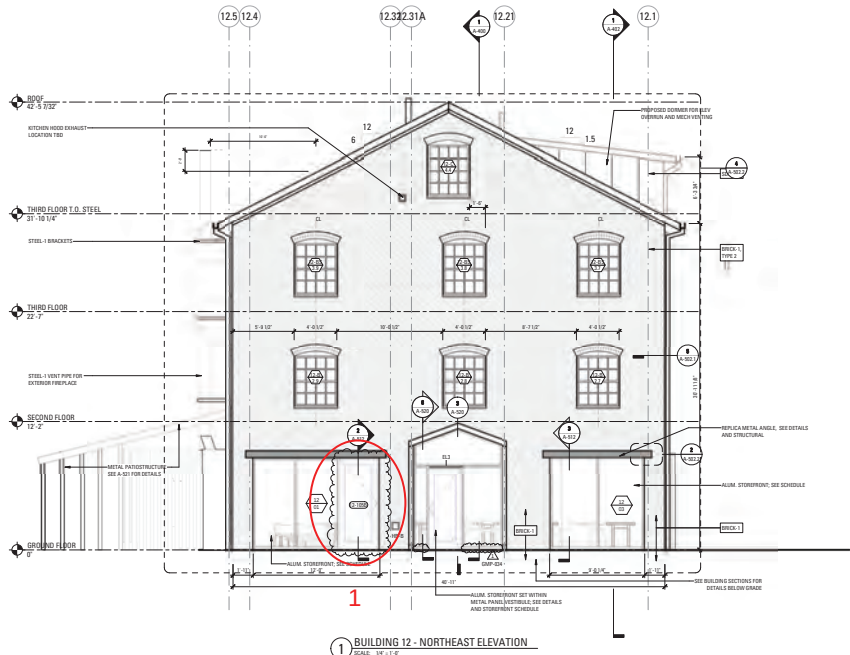


BRICK 2



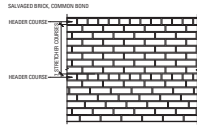
ELEVATION NOTES

- REFER TO SHEET A-512 FOR MASONRY DETAILING, INCLUDING VERTICAL CORNER, OVERLAP OF MASONRY, OPENING, BOND COURSE PATTERN, AND CORNER ANCHORAGE.
- REFER TO SHEET A-512 FOR MASONRY DETAILING, INCLUDING VERTICAL CORNER, OVERLAP OF MASONRY, OPENING, BOND COURSE PATTERN, AND CORNER ANCHORAGE.
- SEE A-512 FOR MASONRY DETAILING, INCLUDING VERTICAL CORNER, OVERLAP OF MASONRY, OPENING, BOND COURSE PATTERN, AND CORNER ANCHORAGE.

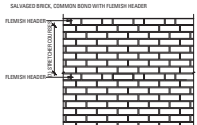


1 BUILDING 12 - NORTHEAST ELEVATION

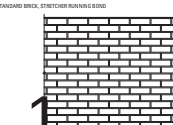
BRICK 1, TYPE 1



BRICK 1, TYPE 2



BRICK 2



ELEVATION NOTES

- REFER TO SHEET A-512 FOR MASONRY DETAILING, INCLUDING VERTICAL CORNER, OVERLAP OF MASONRY, OPENING, BOND COURSE PATTERN, AND CORNER ANCHORAGE.
- REFER TO SHEET A-512 FOR MASONRY DETAILING, INCLUDING VERTICAL CORNER, OVERLAP OF MASONRY, OPENING, BOND COURSE PATTERN, AND CORNER ANCHORAGE.
- SEE A-512 FOR MASONRY DETAILING, INCLUDING VERTICAL CORNER, OVERLAP OF MASONRY, OPENING, BOND COURSE PATTERN, AND CORNER ANCHORAGE.

Bruner/Cott ARCHITECTS
225 Friend St., Suite 701
Boston, MA 02114
617.492.8400
www.brunercott.com

Rev.	Date	Remarks
1	01/20/20	ADD 1 City Review

PORTLAND FORESIDE - BUILDING 12

Date:	01/20/20
Drawn By:	Author

EAST ELEVATION

A-302

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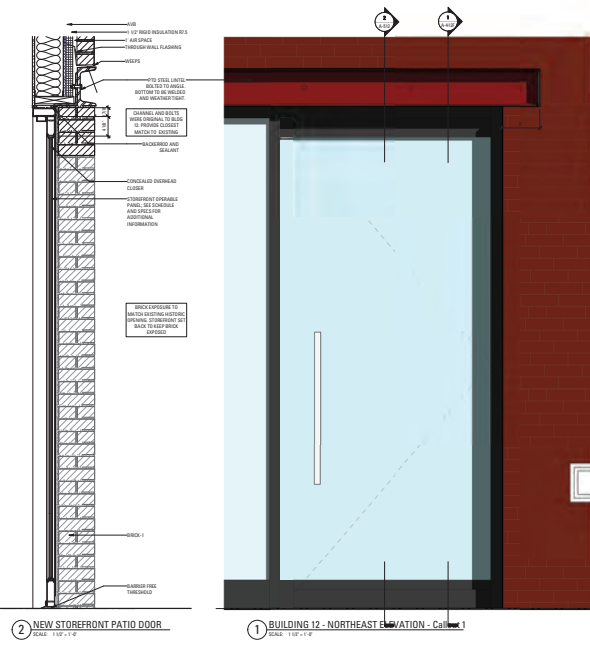
Rev.	Date	Remarks
1	11/20/20	GMP amendment-RFS
2	01/20/21	Second City Comments

PORTLAND FORESIDE - BUILDING 12

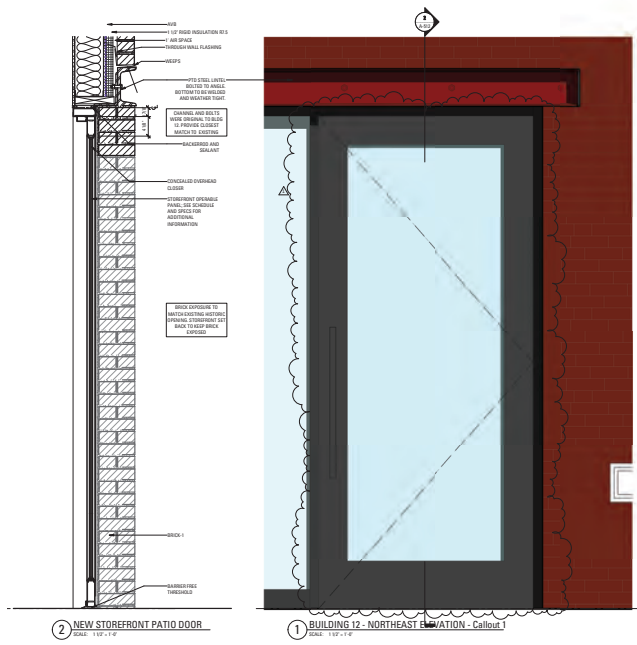
Date:	01/20/20
Drawn By:	Author

EAST ELEVATION

A-302



PERMIT - SHEET A-512

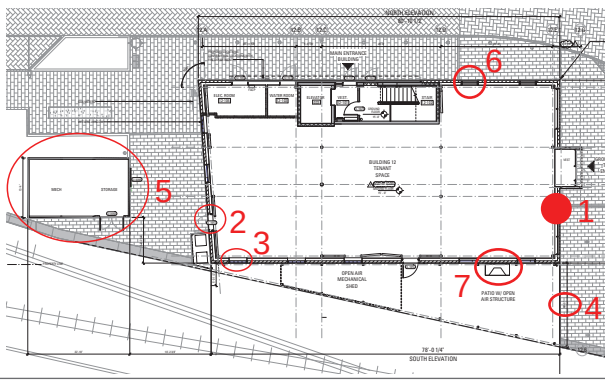


REVISION - SHEET A-512

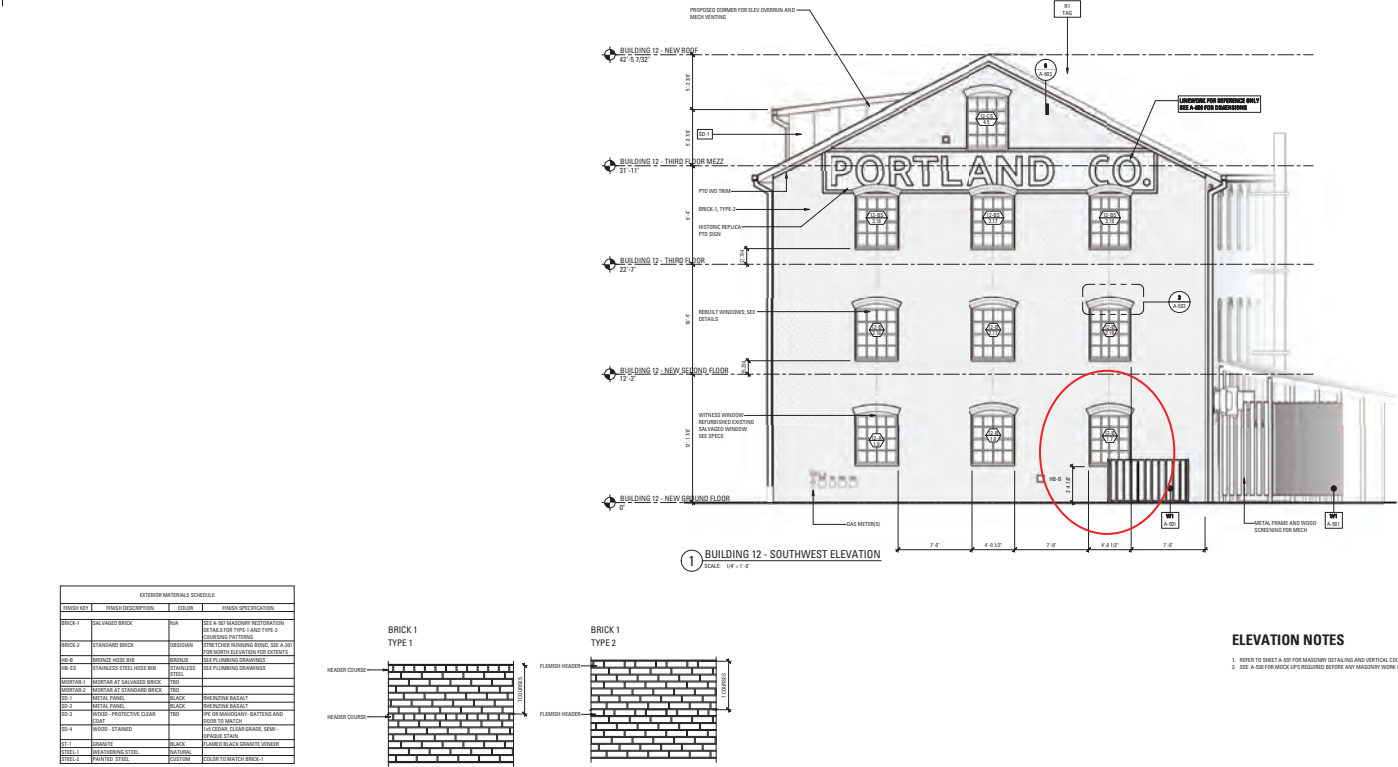
DESIGN CHANGE SUMMARY:

-REVISED EXISTING EXTERIOR DOOR WITHIN STOREFRONT SYSTEM TO HAVE TRADITIONAL FRAME

PLAN KEY



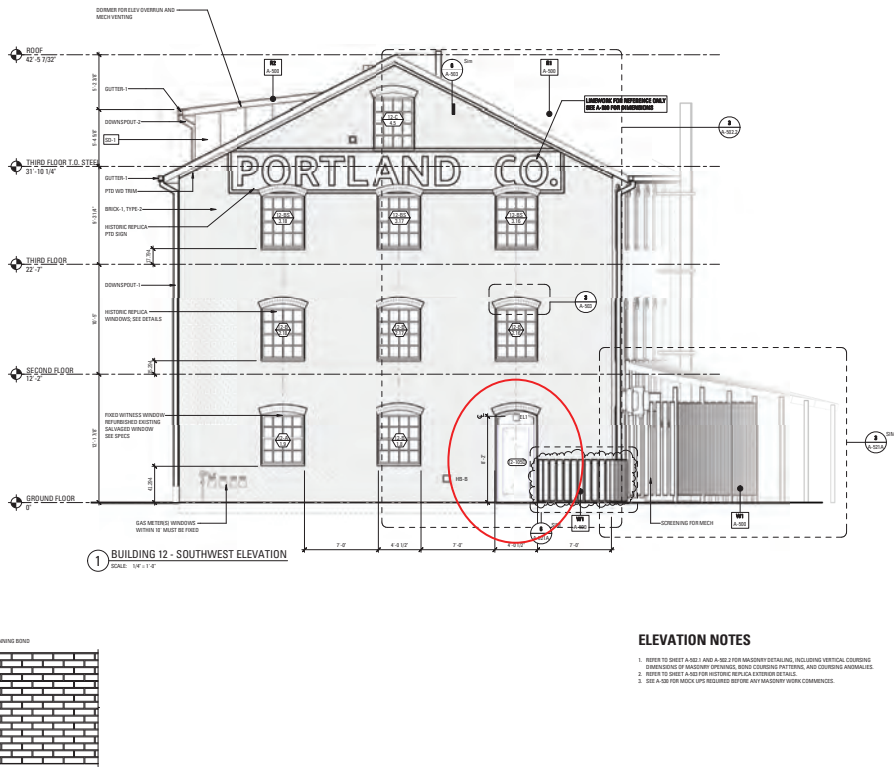
PERMIT



ELEVATION NOTES

- 1. REFER TO SHEET A-307 FOR MASONRY DETAILING AND VERTICAL COORDINATE DIMENSIONS.
- 2. USE A-308 FOR MASONRY DETAILING AND VERTICAL COORDINATE DIMENSIONS.

DESIGN CHANGE- 2



ELEVATION NOTES

- 1. REFER TO SHEET A-307 FOR MASONRY DETAILING AND VERTICAL COORDINATE DIMENSIONS.
- 2. REFER TO SHEET A-308 FOR MASONRY DETAILING AND VERTICAL COORDINATE DIMENSIONS.
- 3. USE A-309 FOR MASONRY DETAILING AND VERTICAL COORDINATE DIMENSIONS.

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Rev.	Date	Remarks

PORTLAND FORESIDE - BUILDING 12

Date: 08/07/2020
Drawn By: Author

WEST ELEVATION

A-304

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Rev.	Date	Remarks
1	11/20/20	CMR amendment-PPS

PORTLAND FORESIDE - BUILDING 12

Date: 08/07/2020
Drawn By: Author

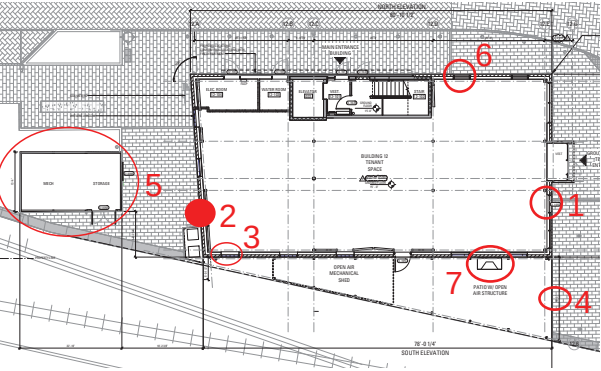
WEST ELEVATION

A-304

DESIGN CHANGE SUMMARY:

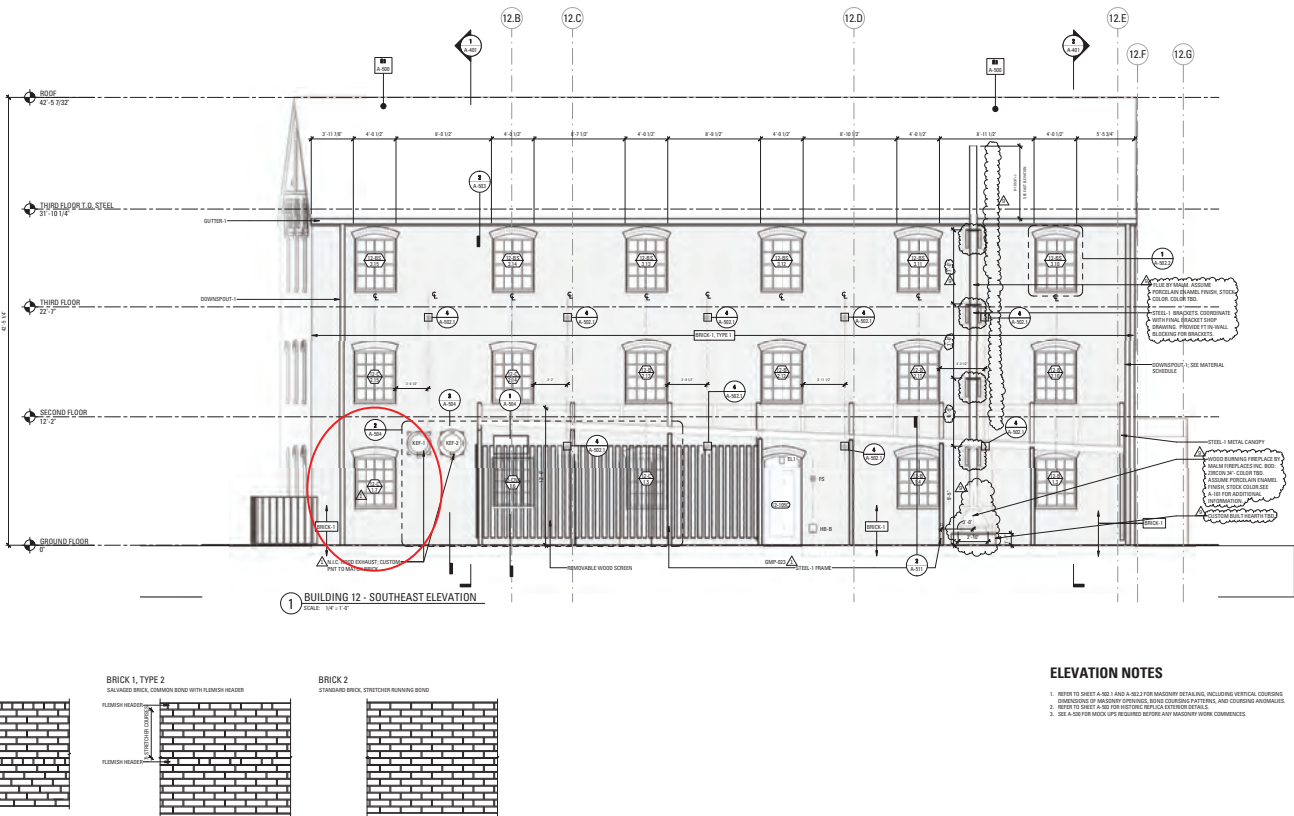
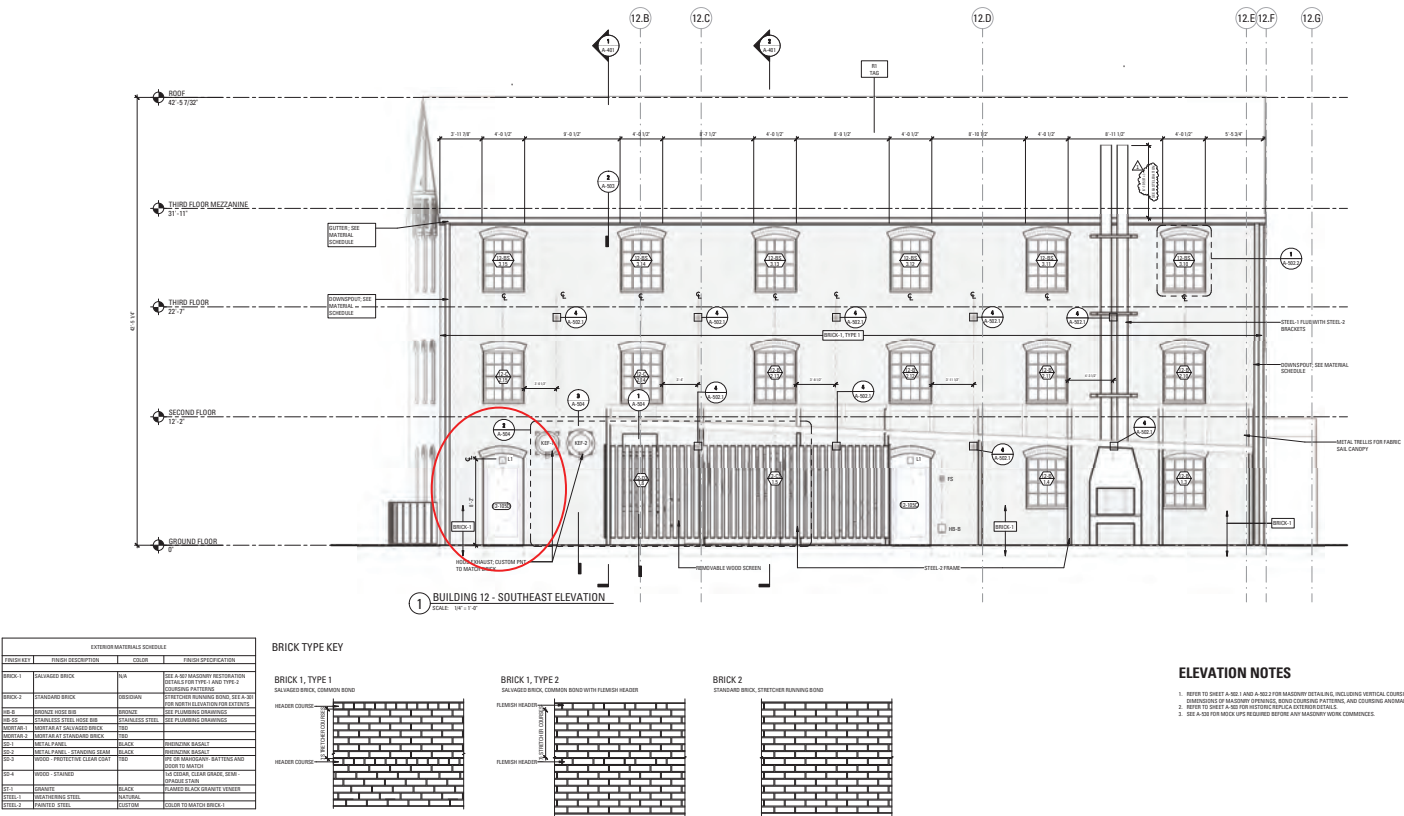
-MOVED WINDOW AND REPLACED WITH EXTERIOR DOOR

PLAN KEY



PERMIT

DESIGN CHANGE 3



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PORTLAND FORESIDE - BUILDING 12

Date	Author	Reviewer
11/15/20	ADD 1	Clay Review

Date: 11/15/20
Author: ASH/ADD
Project Number: 1000
Drawn By: Author

SOUTH ELEVATION

A-303

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ARCHITECTS
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Boston, MA 02114
617.492.8400
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PORTLAND FORESIDE - BUILDING 12

Date	Author	Reviewer
11/15/20	ADD 1	Clay Review

Date: 11/15/20
Author: ASH/ADD
Project Number: 1000
Drawn By: Author

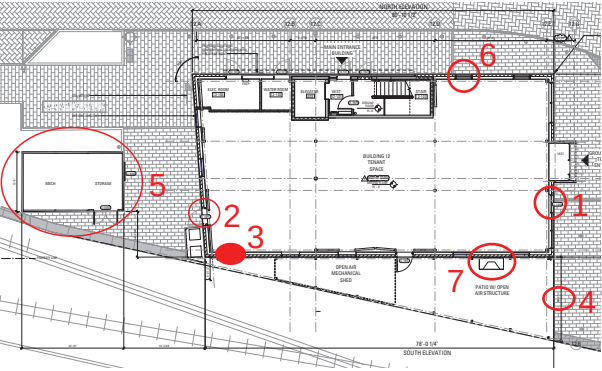
SOUTH ELEVATION

A-303

DESIGN CHANGE SUMMARY:

-MOVED EXTERIOR DOOR AND RE-PLACED WITH HISTORIC WINDOW

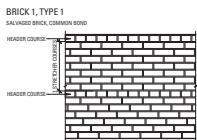
PLAN KEY



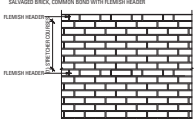
1001

[illegible]

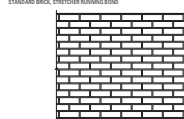
PORTLAND FORESIDE - BUILDING 12



BRICK 1, TYPE 2



BRICK 2

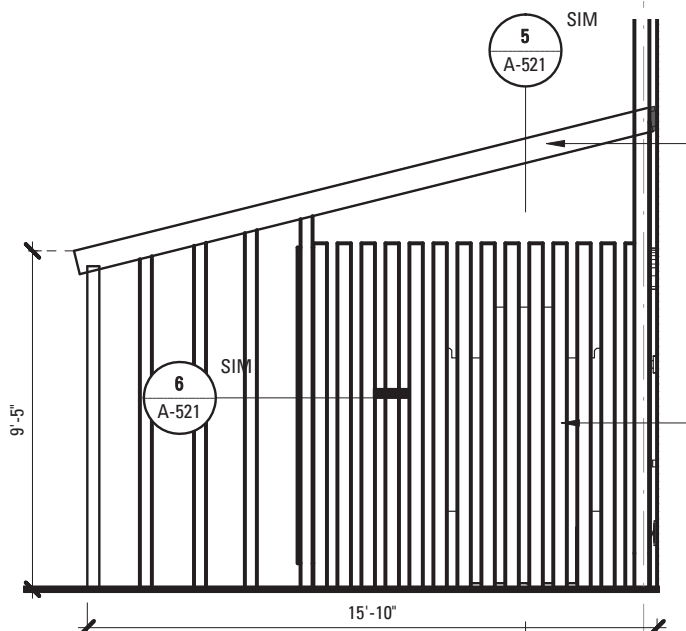


ELEVATION NOTES

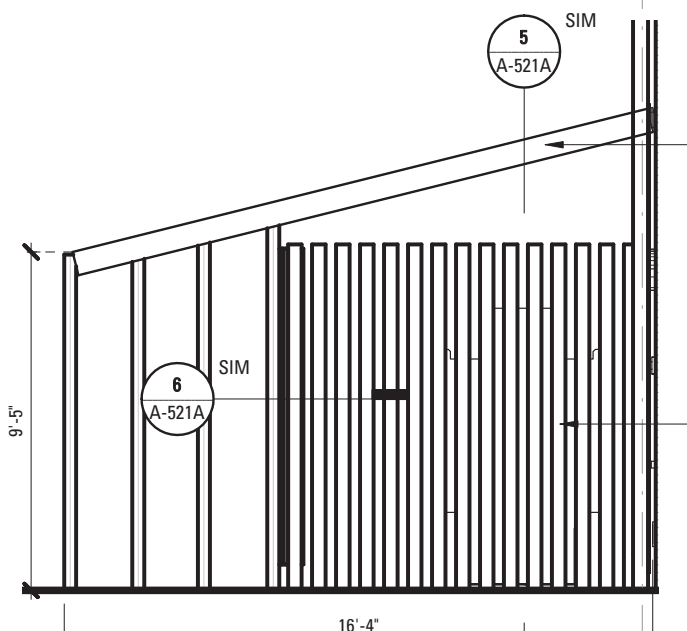
1. REFER TO SHEET A-502.1 AND A-502.2 FOR MASONRY DETAILS, INCLUDING VERTICAL COURSING DIMENSIONS OF MASONRY OPENINGS, BOND COURSING PATTERNS, AND COURSING ANOMALIES.
2. REFER TO SHEET A-503 FOR HISTORIC REPLICA EXTERIOR DETAILS.
3. SEE A-520 FOR MOCK UPS REQUIRED BEFORE ANY MASONRY WORK COMMENCES.

EAST ELEVATION

A_202



PORTLAND FORESIDE - BUILDING 12



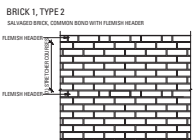
Page 47

1001



Rev.	Date	Remarks
1	11/2/20	GMP amendment+RFIs
2	9/22/20	Second City Comments

PORTLAND FORESIDE - BUILDING 12



BRICK 2



ELEVATION NOTES

1. REFER TO SHEET A-502.1 AND A-502.2 FOR MASONRY DETAILING, INCLUDING VERTICAL COURSING DIMENSIONS OF MASONRY OPENINGS, BOND COURSING PATTERNS, AND COLORING ANOMALIES.
2. REFER TO SHEET A-503 FOR HISTORIC REPLICA EXTERIOR DETAILS.
3. SEE A-530 FOR MIXC UPS REQUIRED BEFORE ANY MASONRY WORK COMMENCES.

EAST ELEVATION

A-302

-ALIGNED EDGE OF PATIO CANOPY
WITH PROPERTY LINE- INCREASING
WEST END BY 6"

Architectural floor plan of the 10th floor of the World Trade Center. The plan shows the layout of the towers and surrounding areas. Key features include:

- Red Circles and Numbers:** Seven red circles with numbers 1 through 7, indicating the locations of the 9/11 attacks. Circle 1 is on the right tower, circle 2 is on the left tower, circle 3 is on the left tower, circle 4 is on the right tower, circle 5 is on the left tower, circle 6 is on the right tower, and circle 7 is on the right tower.
- Labels:** "BUILDING 5 TOWER", "OVERHEAD MECHANICAL BRID", "AIR STRUCTURE", "10TH FLOOR", "SECTION ELEVATION".
- Scale:** 1/8" = 1'-0"

Date: 04/05/2021

1001

[illegible]

Date	FEBRUARY 3, 2020
Scale	As indicated
Project Number	15067
Drawn By	Author



A-522

100



Rev.	Date	Remarks
1	11.16.20	GMP amendment+
3	11.30.20	Second City Comm
5	12.14.20	Structural changes

Date	JULY 21, 20
Scale	As Indicated
Project Number	18-03
Drawn By	AutoCAD



A-522

Architectural drawing of the south elevation of Building 12. The drawing shows a large rectangular building with a central entrance and several smaller rooms. A large red circle labeled '5' is positioned on the left side of the building. Red circles labeled '1' through '7' are placed around the building, indicating specific areas of interest. The drawing is titled 'BUILDING 12 SOUTH ELEVATION' and '12-314'.

Bruner/Cott Architects

Date: 04/05/2021

[illegible]

The diagram illustrates two types of brickwork patterns. **BRICK TYPE 1** shows a standard running bond pattern with a 'HEADER COURSE' at the top and '1 COURSE' indicated on the right. **BRICK TYPE 2** shows a similar pattern but with 'FLUSH HEADERS' indicated on the left and right sides, and '1 COURSE' at the bottom.

1. REFER TO SHEET A-507 FOR MASONRY DETAILING AND VERTICAL COURSING DIMENSIONS.
2. SEE A-530 FOR MOCK-UPS REQUIRED BEFORE ANY MASONRY WORK COMMENCES.

Date	FEBRUARY 3, 2020
Scale	As indicated
Project Number	10-003
Drawn By	Author

A-301

1. REFER TO SHEET A-502.1 AND A-502.2 FOR MASONRY DETAILING, INCLUDING VERTICAL COURSING DIMENSIONS OF MASONRY OPENINGS, BOND COURSING PATTERNS, AND COURSING ANOMALIES.
2. REFER TO SHEET A-503 FOR HISTORIC REPLICA EXTERIOR DETAILS.
3. SEE A-509 FOR MOCK UPS REQUIRED BEFORE ANY MASONRY WORK COMMENCES.

Date	JULY 31, 2020
Scale	As indicated
Project Number	19-003
Drawn By	Author

A-301

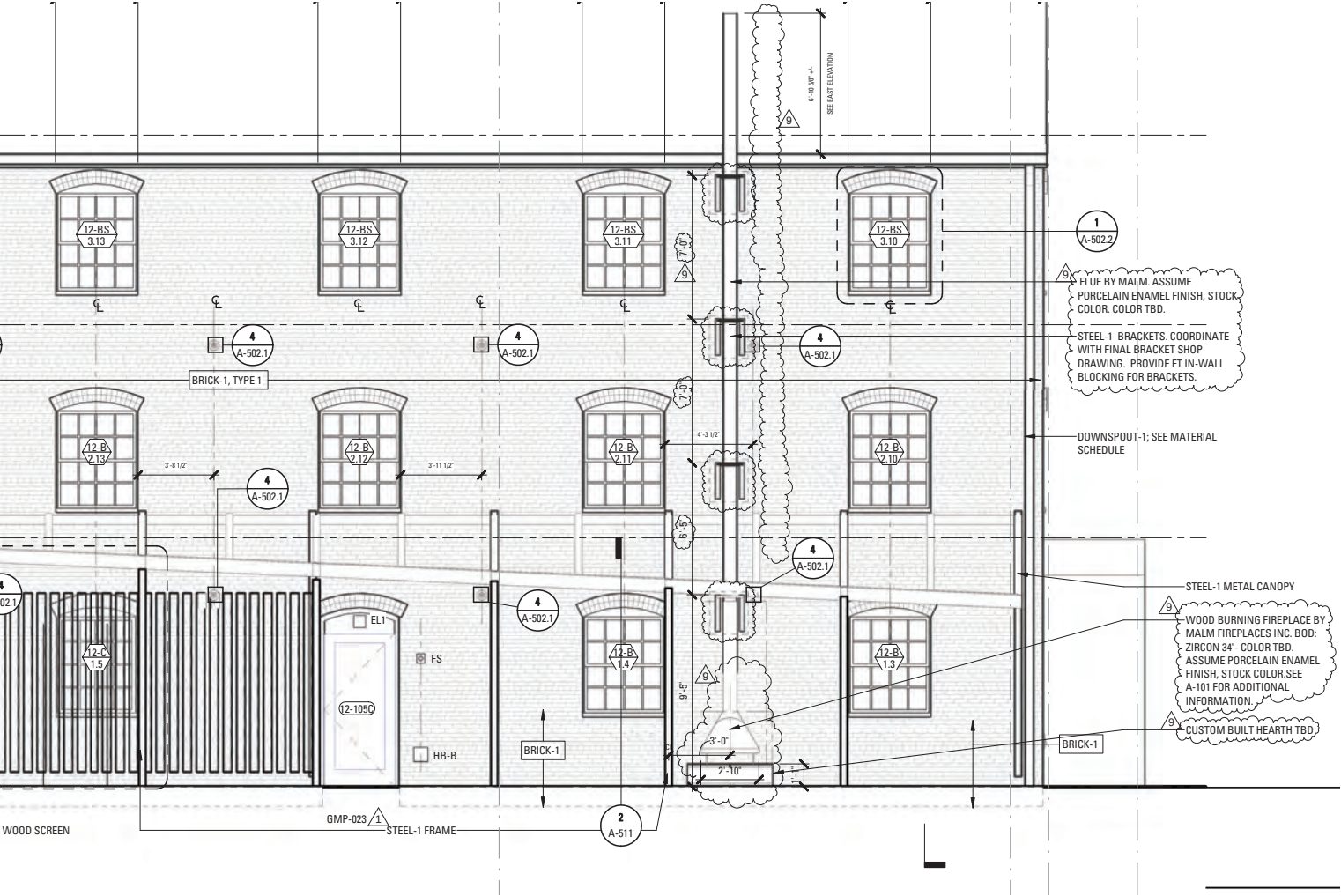
[illegible]

Page 49

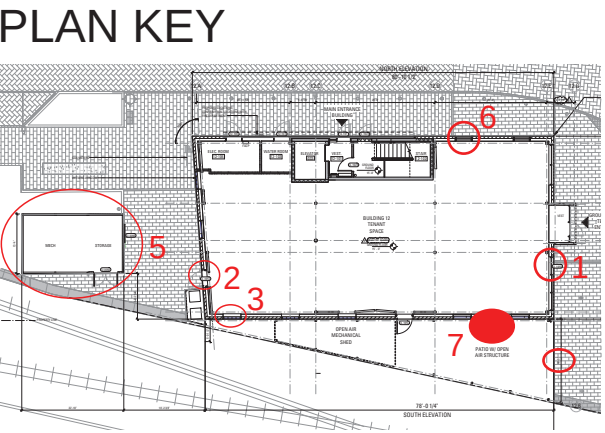
PERMIT



DESIGN CHANGE- 7



- DESIGN CHANGE SUMMARY:**
- FINALIZED THE OUTDOOR FIRE-PLACE. SELECTED A SMALLER NON-CUSTOM PRODUCT.
 - REMOVED (1) FLUE AT THE EXTERIOR/ADJUSTED THE BRACKETS



Building 12 Permitted Design Renderings as Presented at the PHPB Public Hearing on September 18, 2019





Building 12 Modification | April 5, 2021









TO: Deb Andrews, Program Manager, Historic Preservation Office, City of Portland
PROJECT: PFDC Building 12
SUBJECT: Plantings Memorandum
DATE: April 6, 2021

Dear Deb,

Relative to the recent updated Building 12 submittal from PFDC and Bruner Cott, the following statement and Figure 001 on page 2 provide additional information on the plantings near Building 12.

The plant list remains unchanged from the original submittal. The plant locations have been adjusted slightly to accommodate the architectural updates. The plants adjacent to, and surrounding, the accessory building are as follows;

Creeping red fescue, *Festuca rubra* – a lush, fine-leaved grass reaching 2' in height

Sweet pepperbush, *Clethra alnifolia* – a showy shrub with fragrant flowers, spreading 4-6' and growing 3-6' tall at maturity

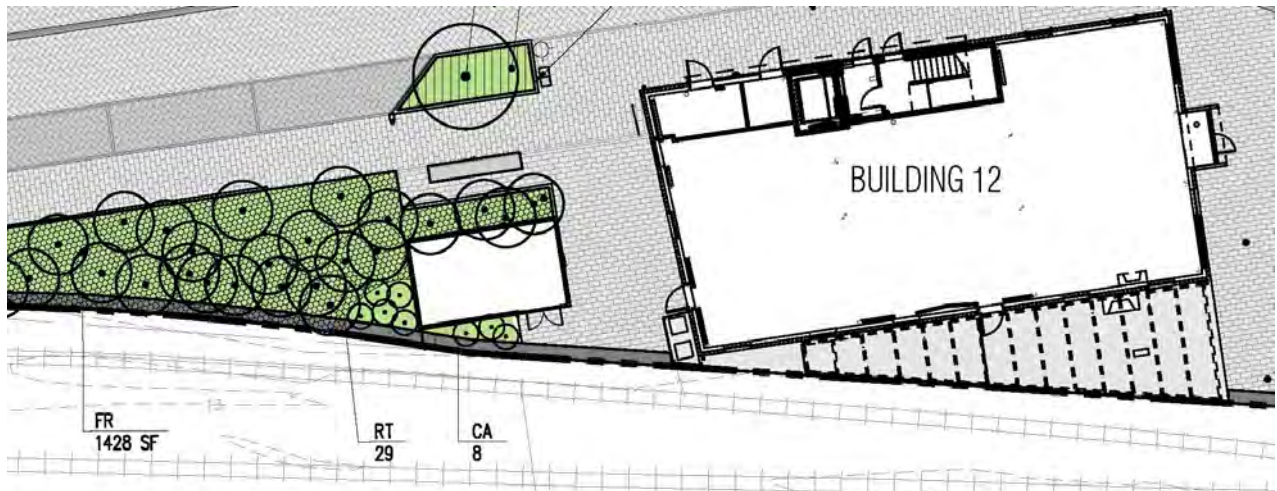
Staghorn sumac, *Rhus typhina* – a shrub blooming in summer with fruit clusters that persist into winter, spreading 20-30' and growing 15-25' tall at maturity

Thank you for your time and consideration.

A handwritten signature in dark ink, appearing to read 'm. boucher', with a stylized, flowing script.

Michael Boucher, FASLA, Principal

Figure 001 – Planting Plan



PLANT LIST

SYM	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	SPACING	COMMENTS
RT	29	RHUS TYPHINA	STAGHORN SUMAC				
CA	29	CLETHRA ALNIFOLIA	SWEET PEPPERBUSH	3 GAL			
	1428 sf	FESTUCA RUBRA	CREeping RED FESCUE	SEED			3-4 LBS/1000 SF

HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE

WORKSHOP
43 HOWARD STREET

TO: Chair Pollard and Members of the Historic Preservation Board
FROM: Deb Andrews, Historic Preservation Program Manager
DATE: April 30, 2021
RE: May 5, 2021 **WORKSHOP – Preliminary Review of Proposed Single-Family Home Construction**
This review is pursuant to the requirements set forth in the Munjoy Hill Neighborhood Conservation District for Demolition Review

Address: 43 Howard Street
Applicant: Ryan Walker and Alissa Parker-Walker
Project Architect: Maria Berman and Bradley Horn, Berman Horn Studio

Introduction

In accordance with the role and responsibilities assigned to the Historic Preservation Board in the Munjoy Hill Neighborhood Conservation District (MHNCD), the Board will be reviewing a design proposal for a single-family home at 43 Howard Street.

This application is before the Historic Preservation Board because the project calls for the demolition of the existing single-family residential structure on the property that the Planning Authority has determined to be a ‘preferably preserved’ building. (See ATTACHMENT 2.) As such, the demolition review process outlined in the overlay district for “preferably preserved” buildings is invoked. Note that the applicants are not appealing the building’s assigned status.



House proposed to be demolished

They are, however, seeking design review of the proposed replacement structure during the demo delay period, as provided for in the MHNCD regulations. Under the applicable demolition provisions, an applicant need not delay demolition of the building for a full twelve months, as otherwise required, if the Historic Preservation Board finds that the design of the replacement structure is consistent with the historic preservation ordinance’s new construction standards.

Enclosed for the Board's reference is a copy of the MHNCD ordinance that apply to this review—see ATTACHMENT 1. (See Sec. 8.7.5 for demolition provisions.) The determination letter regarding the existing building's "preferably preserved" status is enclosed as ATTACHMENT 2. Staff photographs of the project's context are provided in ATTACHMENT 3. The applicant's cover letter and drawings are enclosed as ATTACHMENTS 4.

Background - Role and Responsibilities of the Historic Preservation Board in the MHNCD

The Munjoy Hill Neighborhood Conservation Overlay District was adopted by the City Council in June 2018 following a 6-month moratorium on demolition within Munjoy Hill's R-6 zone. The moratorium was imposed to provide time for Planning Staff to revisit existing zoning and other land use tools applicable within Munjoy Hill's R-6 zone and make recommendations for new or revised measures to more effectively manage development in the neighborhood. The MHNCD, which includes revised zoning, demolition controls and modified design standards, was adopted as a result of this evaluation. (The recently-adopted Munjoy Hill Historic District was also among the suite of tools recommended by Planning staff in June 2018, but given the detailed process required for historic district designation, Council was not in a position to designate the district at that time. Instead, it directed staff to begin the analysis and review process necessary for designation.)

Under the MHNCD regulations, the Historic Preservation Board has been assigned a number of specific responsibilities. They are as follows:

1. Consider any appeals of the Planning Authority's determination of 'preferably preserved' status for a building proposed for demolition;
2. Review infill construction proposals--whether or not they involve a 'preferably preserved' building--under the Alternative Design Review (ADR) option provided for in the R-6 Design Certification Program. The ADR process is available to applicants whose projects cannot meet all of the specific design *standards* applicable in the R6 zone, but who believe their project otherwise meets the R6 zone's design *principles*; and
3. Review infill construction proposals during the required demolition delay period, when requested, to determine whether the proposed new construction meets the historic preservation ordinance's Standards for New Construction. (Note: these types of projects are subject to the same design review process as required for projects within a designated historic district, with the thought that application of the most rigorous standards was appropriate for such requests.) Under this provision, the Planning Authority may lift the demo delay period if the HP Board finds that the new construction standards have been met.

The Historic Preservation Board should bear in mind that these new responsibilities are separate from those associated with the historic preservation ordinance and may differ somewhat in intent. For example, in those instances where the HP Board upholds the Planning Authority's

determination of a building's 'preferably preserved' status, this decision does not prevent the building from being demolished. Rather, it subjects the applicant to the demo delay period during which alternatives to demolition are encouraged and explored.

Where a 'preferably preserved' building is found to be of such architectural and/or historical significance that individual landmark designation is warranted, such designation may be pursued under the process outlined in the historic preservation ordinance.

Project Description

The proposal calls for construction of a 2 ½ story, 3,000 sq. ft. wood frame single-family home oriented with its gable end to the street. The proposed building is 39-feet tall, as measured to the peak of the gable and is to be constructed on the existing building's foundation. The building is high-posted, with its ground floor raised above the street. Access to the front door is from a raised stoop, which is inset within the volume of the house. As proposed, the second and third floors overhang the ground floor on the front elevation and also on the south elevation for the front section of the house. The inset on the side elevation allows room for cars to be parked alongside the house, which was not possible with the existing house. A considerable distance back from the front façade, the building achieves its full width.

The front façade features regular punched window openings; the windows are a bit larger and slightly less vertical in proportion than is typical of the neighborhood. Above the first-floor window, the upper floor overhang appears to be "cut away" to reveal the full height of the window, which is set back on the recessed wall plane. The windows on the side elevations are more typical in proportion, at least on the upper floors.

The exterior material palette includes vertical white cedar siding at the ground floor level above a shallow masonry foundation. This masonry foundation continues around the front portion of the house only; where the building widens at the rear, the masonry foundation is eliminated. (As with the massing of the building, the material treatment for front or "main" portion of the house is distinct from that of the rear portion.) The upper façade of main portion is clad in natural cedar fishscale shakes. It appears that the siding, both the fishscale shakes and vertical boarding, is proposed to be left natural. (The Board will want to confirm this.) A series of three horizontal bands punctuate the upper façade and are used as a scaling device.

A standing seam metal roof is proposed. Three skylights are shown on each roof plane. The pitch of the gable roof is consistent with that of surrounding historic structures; the roof also includes soffit returns.

At the front entrance, a wood post sits on top of the front step; this is described as a "traditional Italianate column". The porch railing is not specified.

The project architect has provided a cover letter that describes the rationale behind some of the architectural devices employed in the design proposal.

Project Context

Staff has provided a number of photographs of the project site's immediate and larger context—see ATTACHMENT 3. The subject property is immediately abutted by two wood frame gable-end-to-the-street residential structures which are typical of the prevailing development pattern on Munjoy Hill. Sheet # G-000 in the applicant's submission shows the front elevation of the proposed structure in relation to its abutments.

While the subject block of Howard Street is somewhat eclectic—contemporary flat-roofed residential buildings are located at each end of the block—much of the surrounding context is consistent with the historic development pattern that characterizes most of Munjoy Hill. The buildings on both sides of the street are typical of the neighborhood in that they are closely spaced and range from one-and-a-half to three stories. The buildings are predominately vernacular interpretations of the Italianate or Second Empire style, with the exception of the newer buildings noted above. Most dwellings are wood-frame construction with clapboard exteriors. Buildings generally have small footprints, with their narrow end facing the street. While the front-end gable is the predominant roof form, examples of mansard and flat roofs are also present. Most houses are two or three bays wide, often with a projecting bay or front porch. Most rest above a raised brick foundation and are generally set at or near the sidewalk. Entrances are generally located on the street façade, although there are examples of primary entrances on the side elevation. Parking, where provided, is accommodated in narrow driveways to the side of the dwelling.

Staff Comments

As noted in the preamble to the chapter on new construction in the *Historic Resources Design Manual* (see below), “the challenge [of placing a new building ... into an existing historic context] is one of designing a building which is both distinct from and compatible with the buildings that surround it”. The emphasis of the design review process under the historic preservation ordinance standards is to achieve a balance of continuity and change. A new building need not follow the pattern set by its neighbors in each and every category of compatibility. It should, however, relate to a number of the stronger, readily discernable development patterns of its surrounding context.

In staff's view, the proposed design solution is quite successful in achieving this balance. The new building conforms to the development pattern established by its neighbors in

- a) scale and form (height, width, proportion of principal facades, roof shape, overall scale);
- b) composition of principal facades (proportion of openings, rhythm of solids to voids in facades, rhythm of entrance porch and other projections, relationship of materials and texture); and
- c) relationship to the street (walls of continuity, rhythm of spacing and structures on streets, directional expression of principal elevations)

While generally supportive of the proposal, staff does feel that a few details warrant discussion and potential revision. In particular, staff finds the front façade's first floor fenestration to be sparse and somewhat severe, particularly as the base of the window is set fairly high above the street and leaving most of the wall facing the street solid. Also, if the proposal is to leave the cedar siding materials natural, staff finds the lack of finish to be incongruous with the neighborhood. Some level of finish, perhaps a solid-body stain, would provide a more compatible relationship with surrounding structures. Although the overhang of the upper floors is unusual, it is interesting to note that a portion of the front façade of the house next to this one (south side) is similarly inset.

Applicable Ordinance Review Standards (Standards for New Construction)

Following is the preamble from the chapter on new construction in the Portland *Historic Resources Design Manual*. The preamble is highlighted below because it characterizes the philosophy behind the preservation ordinance's new construction standards and intended application.

The placement of a new building or building addition into an existing historic context presents design problems often quite different for those for new construction on open sites. The challenge, simply put, is one of designing a building which is both distinct from and compatible with the buildings that surround it.

Striking a balance between continuity and change is especially important within historic districts. On the one hand, a commitment to historic preservation should not stifle dynamic, creative contemporary architecture. On the other hand, ill-conceived new construction can easily diminish the visual qualities which led to an historic district's special designation.

The purpose of the [ordinance's new construction] standards is to provide guidance in 1) identifying the visual qualities of a given site's context and 2) assessing whether or not a proposed design is likely to compliment that context. The replacement of historic fabric with new construction can, especially in the aggregate, alter the appreciation of an area as a historic district. Therefore, new construction in such a setting must be carried out with extreme care and respect for that context.

The challenge is to design a building which is both distinct from and compatible with the buildings that surround it. The purpose of the following standards is to provide guidance in identifying the visual qualities of a given site's context, and to assess whether or not a proposed design is likely to compliment that context.

The central idea behind good design in an historic context is a simple one. The scale, mass, orientation and articulation of an infill building should be compatible with that of the buildings that surround it. Compatibility refers to the recognition of patterns and characteristics which exist in a given setting, and responsiveness in a new design which respects these established patterns and characteristics. Although similarity of design is one way of achieving compatibility in an historic context, a creative and distinctly contemporary design response is both permitted and encouraged with the parameters of the new building's context.

There are a number of building characteristics which can be used to gauge visual compatibility of new construction in an existing context. A new building need not follow the pattern set by its neighbors in each and every category. But it should relate to a number of the easily discernable traits. These characteristics are:

Scale and Form

Height

Width

Proportion of principal facades

Roof shapes

Scale of the structure

Composition of Principal Facades

Proportion of openings

Rhythm of solids to voids in facades

Rhythm of entrance porch and other projections

Relationship of materials, texture and color

Signs, canopies and awnings

Relationship to the street

Walls of continuity

Rhythm of spacing and structures on streets

Directional expression of principal elevations

ATTACHMENTS

1. MHNCD ordinance, including demolition provisions
2. Letter of determination re: “preferably preserved” finding
3. Photos of existing context
4. Applicant submission, inc. cover letter, plans, elevations and renderings

OVERLAY ZONES

(MOU) by and between the MMC, the City of Portland, an identified Community Housing Development Organization and any other community partners that may be identified later establishing a Healthy Neighborhoods program. Such a program shall be designed to fund and execute housing and community improvement and development programs in St. John Valley and the other neighborhoods surrounding MMC's Bramhall Campus.

8.6 ISLAND TRANSFER STATION OVERLAY

8.6.1 Purpose

The purpose of the Island Transfer Station Overlay Zone is to establish a location for a transfer station for municipal solid waste and municipal public works activities. This zone shall be established through a conditional rezoning process in order to ensure the imposition of appropriate conditions for the protection of neighboring properties.

8.6.2 Permitted uses

- A. Municipal solid waste facilities, including compactors and storage bins, provided that the compactor shall be located within a fully enclosed structure.
- B. Recycling facilities, provided that all recycling areas shall be buffered and screened from neighboring properties.
- C. Municipal garages, material storage, and parking for vehicles.
- D. Maintenance of municipal vehicles and equipment.

- E. Minor wind energy systems co-located with public industrial or utility facilities, subject to the standards of Subsection 6.4.18.

8.6.3 Conditions

Requirements for setbacks and any operational limitations shall be established as part of the conditional rezoning process.

8.7 MUNJOY HILL NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

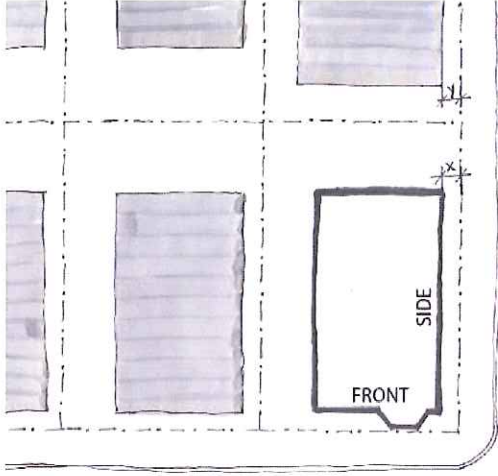
The residential neighborhoods on Munjoy Hill are experiencing specific development pressures related to its location and the nature of the existing building stock, further documented in work by the City's Planning & Urban Development Department in the winter of 2018. In order to address the negative impacts of these pressures and create a positive framework for investment in the area, there shall be a Munjoy Hill Neighborhood Conservation Overlay District (the "District").



FIGURE 8-E: MUNJOY HILL NEIGHBORHOOD CONSERVATION DISTRICT BOUNDARIES

OVERLAY ZONES

TABLE 8-E: MUNJOY HILL NEIGHBORHOOD CONSERVATION DISTRICT DIMENSIONAL REQUIREMENTS

Height (max.)¹	35 ft. 45 ft. for buildings with 3 or more units on lots over 2,000 SF that include at least one workforce housing unit.²
Rear	Buildings up to 35 ft. in height: 10 ft. Buildings over 35 ft. in height: 15 ft. As measured from rear decks, porches, or similar unenclosed space: 7.5 ft. As measured from accessory structures with a ground coverage of 250 SF or less: 5 ft.
Side	Buildings up to 35 ft. in height: As per underlying zone. Buildings over 35 ft. in height: 10 ft. for all side yards, except that a side yard no less than 5 ft. is permitted when used to continue a documented built pattern of the surrounding streetscape, in which case a proportional increase in another side yard must be provided.
Setbacks (min.)	5 ft. or the minimum depth of the immediately abutting street-facing yard, whichever is less. None when demonstrated that reduced setbacks are necessary to facilitate the provision of underground parking.
Side yard on side street	 Min. setback $x = 5'$ or $x = y$ whichever is less
Stepbacks (min.)	None

¹ Rooftop appurtenances other than chimneys shall not exceed permitted heights, except that HVAC equipment is permitted for up to 5 ft. above these maximum heights if (a) out of view from public rights-of-way, screened adequately, and integrated with the building design and (b) set back at least 5 ft. from the building edge. In addition, height limits and placement of alternative energy equipment is permitted as specified in Articles 6 and 7.

² Unit can be for sale or rent, as defined in Article 3. Workforce units shall be no smaller than 50% of the average size of the other units in the development, must meet the definition for such units and only be sold or rented to a household at or below the applicable income levels. These requirements shall be deed restricted for affordability for the longest term possible under state and federal law.

2. *Preferably Preserved Building.* Any building which is determined to be in the public interest to be preserved or rehabilitated rather than demolished based on findings that the building meets the following criteria:
 - a. It was constructed prior to 1930.
 - b. It is representative of a building type and/or architectural style that contributes to the identifiable historic visual character of Munjoy Hill.
 - c. It retains sufficient integrity of design, materials, condition, and craftsmanship that adaptive reuse is a viable option.
 3. *Voluntarily demolished.* Any act(s) done by design or intention, which is proposed, intended, or not accidental, that result in demolition. Results of weather events or natural hazards are not considered voluntary demolition. For the purposes of this subsection, the destruction of a Preferably Preserved Building for failure to properly secure it or by neglect shall be considered voluntary demolition.
- C. Exclusions.** This subsection shall not apply to:
1. Any building either individually designated as a local landmark or located within the boundaries of any designated historic district.
 2. Accessory structures with a ground coverage of 250 square feet or less.
 3. Buildings that the Building Authority has determined are dangerous to life or property due to fire, accidental catastrophic damage, or a natural disaster.
 4. Buildings that have received a previous determination that they are not Preferably Preserved.
- D. Procedure.** When the Building Authority receives a demolition permit application for a building within the District, the Building Authority shall, within three business days, notify the Planning Authority in writing that a demolition permit application has been received.
1. *Initial determination.* The Planning Authority shall make an initial written determination as to whether the building that is the subject of the demolition permit application is a Preferably Preserved Building within 30 days of receiving a copy of the application. In making this determination, the Planning Authority may request additional information from the applicant, including photos of the existing building and the surrounding context or other data that may be relevant to making an initial determination. If the Planning Authority determines that the building is not Preferably Preserved, this determination shall be transmitted to the Building Authority and the applicant of record. The applicant will not be required to take any further steps and the permit may be reviewed by the Building Authority under the standards in Chapter 6 of the City of Portland Code of Ordinances.
 2. If the Planning Authority makes an initial determination that the building is Preferably Preserved, it shall notify the Building Authority and the applicant.
 3. If the Planning Authority fails to act in accordance with this subsection or within

the Historic Preservation Board approves a development for the site as consistent with the Historic Resource Design Standards as applied to a new building prior to the conclusion of the 12-month delay period. Examples of such proposals may include but are not limited to:

- a. Demolition of a portion of the building while maintaining the principal structure and/or most architecturally significant portion of the building.
- b. Demolition of the Preferably Preserved Building but with a replacement proposal that is acceptably contextual in the surrounding neighborhood. In this case, the Board may condition demolition on construction of a project substantively consistent with the approved replacement proposal, and any substantive variation from that plan would be treated as a violation under (G) below.
- c. Notwithstanding the initial determination, demonstration by the applicant, substantiated by the written opinion of a licensed engineer with experience in renovation, restoration or rehabilitation and confirmed by the Building Authority, that the structural condition of the building is so severe as to make it infeasible to rehabilitate.

F. Emergency demolition. Nothing in this subsection shall interfere with the ability of the Building Authority to permit demolition of buildings determined dangerous to life or property due to a condition that pre-dates the effective date of this subsection or is the result

of fire, accidental catastrophic damage, or a natural disaster.

G. Enforcement

1. The Planning Authority and Building Authority are each specifically authorized to institute any and all actions and proceedings, in law or in equity, as they deem necessary and appropriate to obtain compliance with the requirements of this subsection, or to prevent a threatened violation thereof.
2. No building permit shall issue for a new building on any premises where a significant building is voluntarily demolished in violation of this ordinance for a period of two years after the date of demolition.

H. Reporting. A demolition review shall be reported to the City Council annually as a communication.

8.8 PEDESTRIAN ACTIVITIES DISTRICT (PAD) OVERLAY

The following restrictions shall apply in the Pedestrian Activities District (PAD) Overlay Zone, which shall include street frontages as delineated on the PAD Overlay Zone map.

8.8.1 Permitted uses

- A.** At least 75% of the street level frontage of a building on a street located within the PAD Overlay Zone must be occupied, and, at minimum, the floor area to be occupied shall be 75% of the street level frontage multiplied by a 20 foot depth, by:
 1. Retail as permitted in the B-3 zone.
 2. General services.
 3. Hotels.



CITY OF PORTLAND
Planning & Urban Development
Christine Grimando, AICP, Director

November 20, 2020

Allssa Parker-Walker
Ryan Walker
223 Western Promenade, Unit 3
Portland, ME 04102

Project ID: DEM2020-00131

Re: Demolition Review Determination for 43 Howard Street

Dear Ms. Parker-Walker, Mr. Walker:

We have received your application to demolish an existing single-family house at 43 Howard Street. As this building is in the Munjoy Hill Neighborhood Conservation Overlay Zone, it is subject to Demolition Review under Section 14-140.5(e) of the City's Land Use Code. Please note that a new Land Use Code with different section numbers, but with the same policies and procedures is going into effect on December 1, 2020, and this section reference will change to Section 8.7.5. Both the existing and incoming codes are available here: <http://portlandmaine.gov/131/City-Code>

I have made an initial determination that the building is a Preferably Preserved Building under that section. This initial determination is based on the building meeting the following criteria:

- a. *Constructed prior to 1930:* Based on its general form and architectural style, construction dates to circa 1870.
- b. *It is representative of a building type and/or architectural style that contributes to the identifiable historic visual character of Munjoy Hill.* In its form, scale, massing, orientation to the street, architectural style (a vernacular interpretation of the Italianate style) and material palette, 43 Howard Street is consistent with the historic residential structures that make up the majority of Munjoy Hill's building stock and that contribute to the neighborhood's identifiable visual character.
- c. *It retains sufficient integrity of design, materials, condition, and craftsmanship that adaptive reuse is a viable option.* The building retains key architectural features, including its bracketed door hood, roof cornice and cornice returns. Comparing the building's existing appearance with that shown in the 1924 tax photo (attached), aside from superficial changes such as window and siding replacement, the building remains largely unchanged. The building appears structurally sound.

You have the right to appeal this initial determination by filing an appeal to the Historic Preservation Board within 30 days. The process for an appeal is outlined in Section 14-140.5(e)4 (Section 8.7.5.D in the new Land Use Code going into effect on December 1, 2020). Please contact Deb Andrews, Historic Preservation Program Manager, at dga@portlandmaine.gov if you would like to pursue an appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christine Grimando', with a stylized flourish at the end.

Christine Grimando, AICP
Director

ATTACHMENT: 1924 Tax Record

cc. Jessica Hanscombe, Interim Director, Permitting & Inspections

1924 Portland Tax Records: 45 Howard Street, Portland, 1924

Portland, Maine
Assessment 19

Name Welch Myrtilla W Devises ✓
Owner Howard No. 45
Block 14 H Lot 8 V
Use of Bldg. Dwelling Name _____
Tenants and Rooms 1-11
Rentals \$12.50 + OWNERS BOARD
Age 5-6
Condition of Repair Good

Class Bungalow Single House Two family Three family Apartment Store Building Office Factory Storage Stables Garage, private Garage, public Theatre Club House Cottage Foundation Brick Stone Concrete Pile Basement Full Cement Floor Waterproof Construction Frame Brick Tile Blocks Stucco Re-Concrete Mill Steel Frame	Exterior Clapboards Siding Shingles Stucco Paper Tapestry Brick Com. Brick Galv. Iron Stone Terra Cotta Concrete Heating Stove Furnace Hot Water Steam Light Oil Gas Electric Floor Common Hardwood Re-Concrete Concrete Slab Waterproof Ceiling Plaster Metal Panelled Rough	Plumbing Common Individual Open Set tubs Finish Plain Hardwood Halls Wood Terrazzo Marble Roof - Roofing Shingle Slate Gravel Prepared Asbestos Flat Hip Gable Dormers Windows Plain Glass Wire Glass Shutters Miscellaneous Elevator Sprinkler Fire Escape Refrigerator Vacuum Cleaner Safes and Vaults Telephone Equip.
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Ground Area 1034 Height 23'-22"
Cubic Feet. 23419 Unit 18 cts.
Utility Dep. _____
Dep. 55 Per cent.
Sound Value, \$ 1897

Land 3960 Corner _____ Interior _____ Alley _____
Front _____ Depth _____ = _____ ft.
COMPUTATION

Area	Multiplier	Coefficient
3960	92	3643

Year	Unit	Coefficient	Land Value
19	1/2	3643	437

Surveyed by MATHIAS
APR 12 1924
(Remarks on other Side)

Remarks about Buildings

Howard St.

$30.5 \times 22 = 671$
 $12.5 \times 29 = 363$
 $671 \times 23 = 10433$
 $363 \times 22 = 7986$
1034 TOTAL Sq. Ft.
23419 TOTAL Cu. Ft.

Remarks about Land

Howard St.

Remarks about Personal Property

CITY OF PORTLAND, MAINE
ASSESSORS DEPARTMENT

CHART	BLOCK
3 Building Volumes Checked	100
4 Building Values Placed	100
5 Building Values Extended	100
6 Land Only Questionnaire Made	
7 Land Values Placed	
8 Land Values Extended	
9 Compared with 1923	
10 Personal Property Added	

1924 Portland Tax Records: 45 Howard Street, Portland, 1924



Owner: Devisees of Myrtilla W. Welch.
Address: 45 Howard Street, East End, Portland, Maine
Use: Dwelling - Single House
Local Code: Block 14H Lot 8 Book 43 Page 1
MMN item number: 58270



ADDRESS: 1234 Main St. MEETING DATE: May 15, 2024
APPLICATION ID: 123456789
**NOTICE OF
PUBLIC MEETING**
**CITY OF PORTLAND
PLANNING BOARD**
Find agendas at: www.portlandoregon.gov/agendas
For more information, call (503) 874-8734

**NO
TRESPASSING**
Private Property















B E R M A N H O R N S T U D I O L L P
A r c h i t e c t u r e a n d D e s i g n

461 West 153rd Street New York, New York 10031
Phone: 917-664-6013 Fax: 212-281-8385

April 1, 2021

Historic Preservation Board
389 Congress St.
Fourth Floor
Portland, ME 04101

RE: 43 Howard Residence
 43 Howard Street
 Chart, Block, Lot 14-H-8

To the Historic Preservation Board,

On behalf of our clients Ryan Walker and Alyssa Parker-Walker, we are submitting our proposal to you for a new single-family residence located at 43 Howard Street, within the Munjoy Hill Overlay District of Portland, Maine.

In September of 2020 we had applied for permission to demolish the existing structure at 43 Howard Street. We received a response on November 20th, 2020 that the current structure on lot 14 has been designated as Preferably Preserved. As the existing structure will need significant renovation to meet our clients needs, we are proposing a new build within the foundation of the existing structure. Our proposed design seeks to celebrate the existing historical context of the neighborhood, as well as helping to bring it into a more contemporary design conversation.

Munjoy Hill was one of the last neighborhoods to be developed yet has a rich and dense history. While its initial existence began in the early seventeenth century, it had not experienced a residential boom until the early to mid-nineteenth century. Due to the Great Fire of 1866 many of these homes were destroyed. This catastrophe set off a new construction boom in Portland; many of the new homes rebuilt within Munjoy Hill being of the Italianate and Second Empire style, though neither of which is largely seen within 43 Howard. The existing structure built in 1874 has already experienced at least one renovation based on a review by our structural engineer. Although modest in its design, its place in history has designated it as Preferable Preserved by the City of Portland. Most of the surrounding structures within the neighborhood follow a similar style and are two to three stories in height and of mostly equal width. Many have raised porch and are either shingled or have horizontal wood siding and the windows are mostly equal and rectangular in their shape.

Our proposal aims to maintain the rhythm of Howard street by being both sensitive and respectful to the neighborhood's vernacular. We offer a new vocabulary as to how these buildings can be enlarged sensitively to fit within its context, addressing growing family needs, both new and multigenerational within Portland. The new 43 Howard Residence will become a

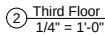
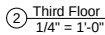
three-thousand square foot, two-story home with attic. Most of its volume gain taking place toward the back and below grade, which is not perceivable at its frontage. Furthermore, by building atop the existing foundation, we maintain the width and separation between the adjacent homes. The shingles on the front façade borrow from the greater surrounding Munjoy area with unique articulation that gives it a sense of having its own identity. The banding across the front gives the illusion of a stouter massing, as to not feel as though it is towering over its neighbors. We plan to maintain the roof line and soffit return, as well as the raised porch seen in many of the surrounding structures. The notch recalls the previous scale of the structure, lifting the old to reveal the new. We have maintained a rectangular punch window throughout most of the structure, only enlarging to allow more light into the home, which ultimately gives our clients a better quality of life. Our goal is to create an example that can be used as a reference of considerate design within the neighborhood, with the result emitting a sense of timelessness from this subtle tension.

We look forward to hearing your thoughts and working with you on the development of this project. Please feel free to contact us with any further questions or concerns you may have.

Sincerely,
Berman Horn Studio

 *Brad Horn*

Maria Berman, RA and Bradley Horn, NCARB
Partners at Berman Horn Studio

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REVISIONS	
INITIAL SET	04/07/21

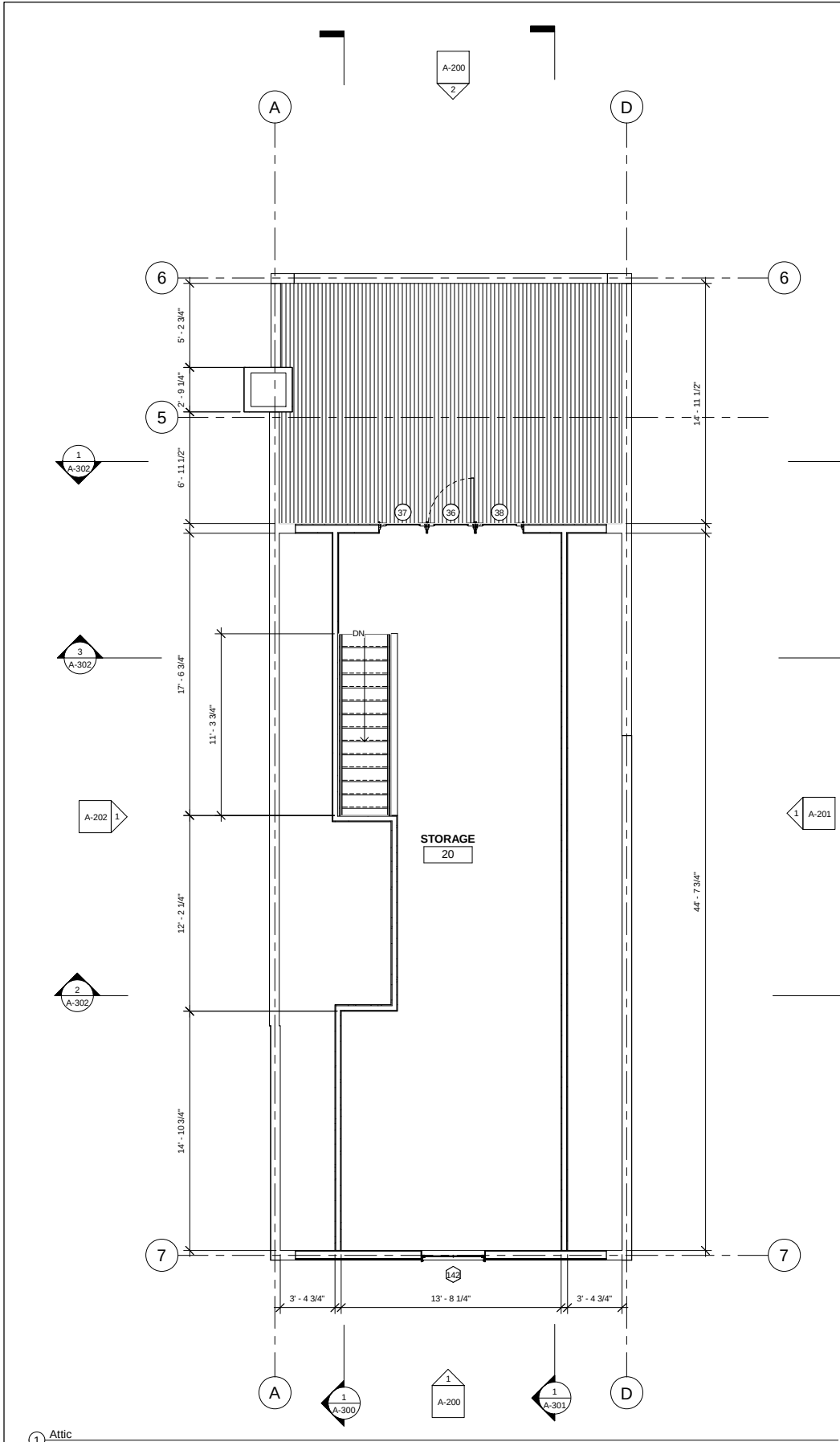
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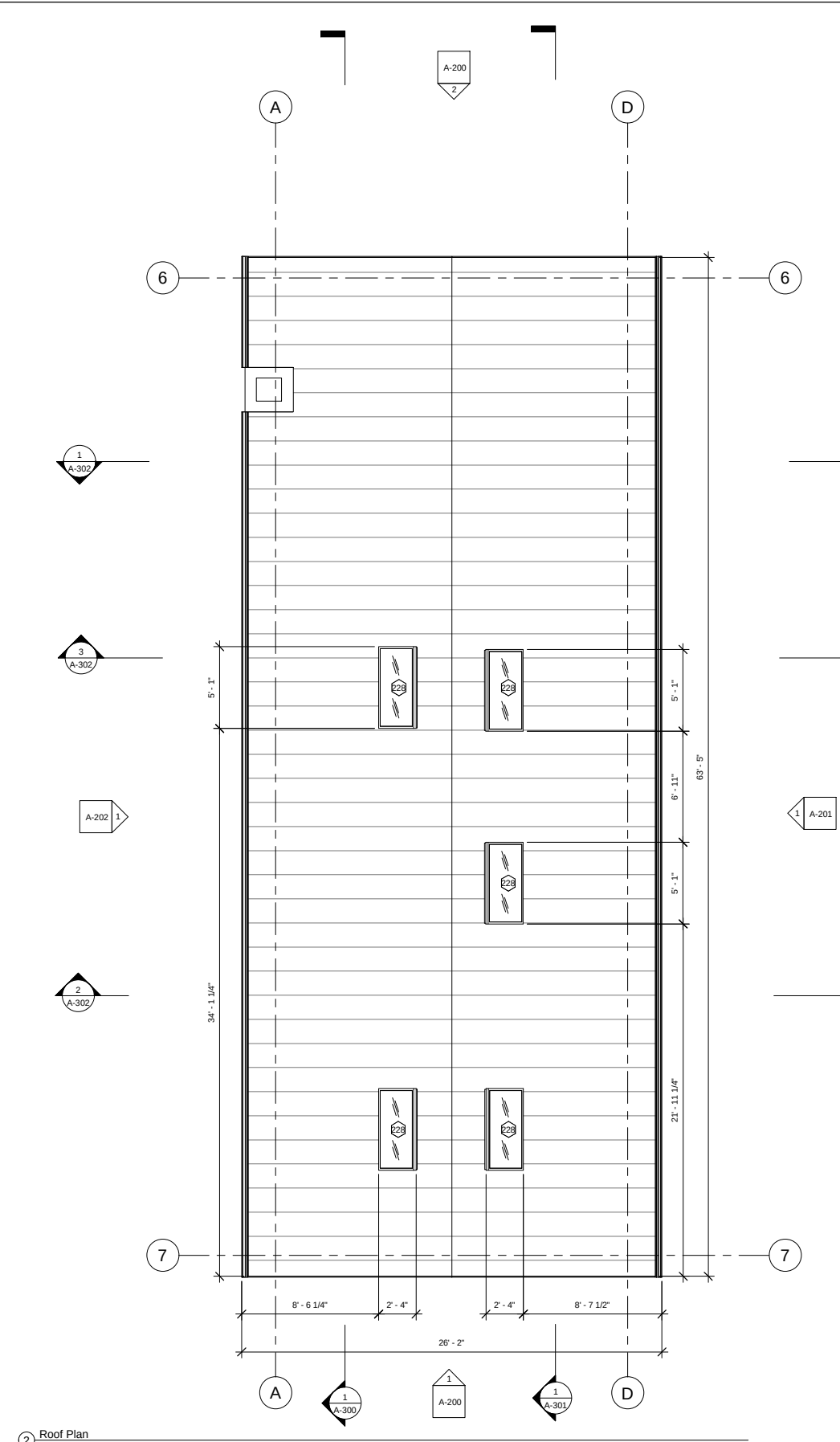
LLP

www.bermanhornstudio.com
info@bermanhornstudio.com

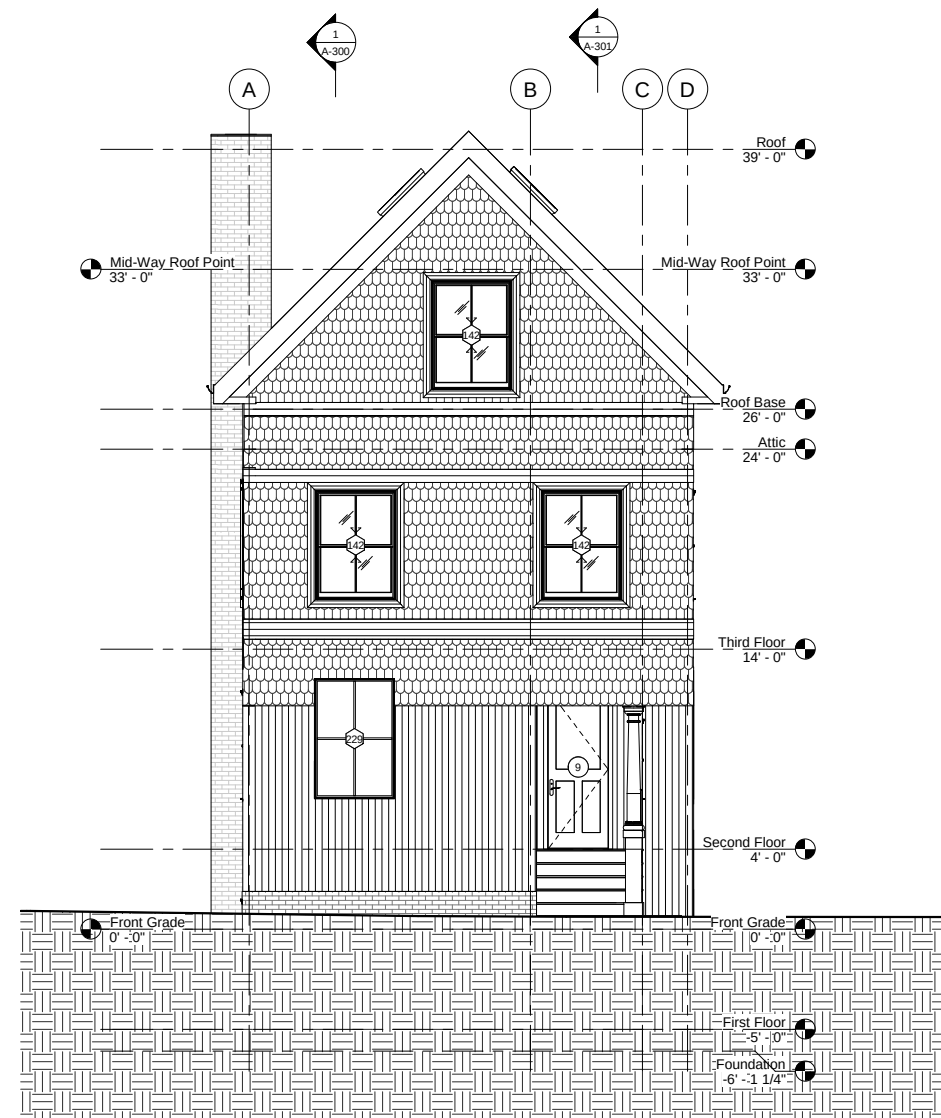
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PROJECT ADDRESS	
43 Howard Street Portland, Maine 04101	
TITLE	
ATTIC AND ROOF PLAN	
SHEET NUMBER	
A-102	
COUNT	
5 OF 8	



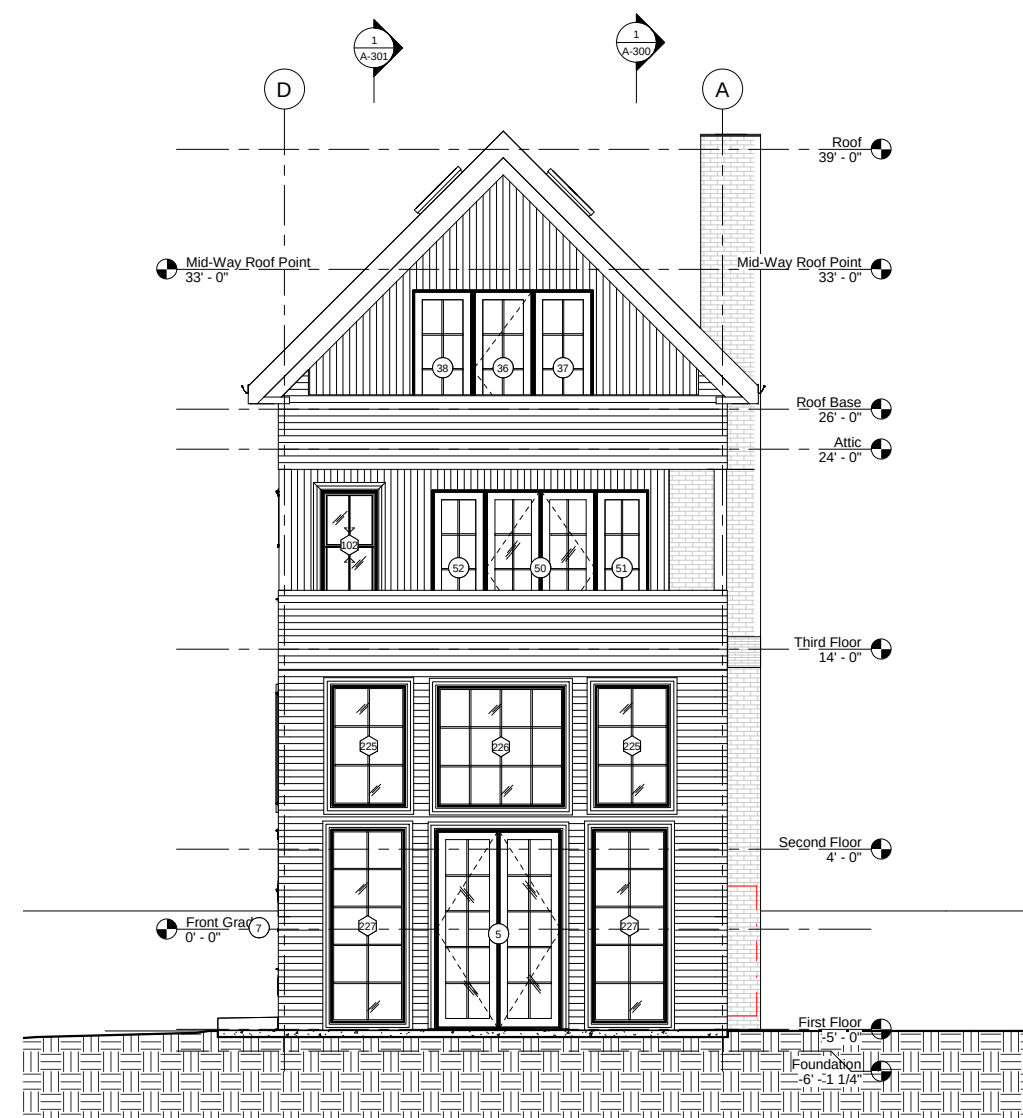
1 Attic
1/4" = 1'-0"



2 Roof Plan
1/4" = 1'-0"



① South
1/4" = 1'-0"



② North
1/4" = 1'-0"

	REVISIONS
--	------------------

[illegible]

P:917-664-6013

www.bermanhornstudio.com
info@bermanhornstudio.com

BERMAN
HORN
STUDIO^{LLP}

ARCHITECT'S SEAL

PROJECT ADDRESS

43 Howard Street
Portland, Maine 04101

TITLE	
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NORTH AND SOUTH ELEVATIONS

SHEET NUMBER

A-200

COUNT

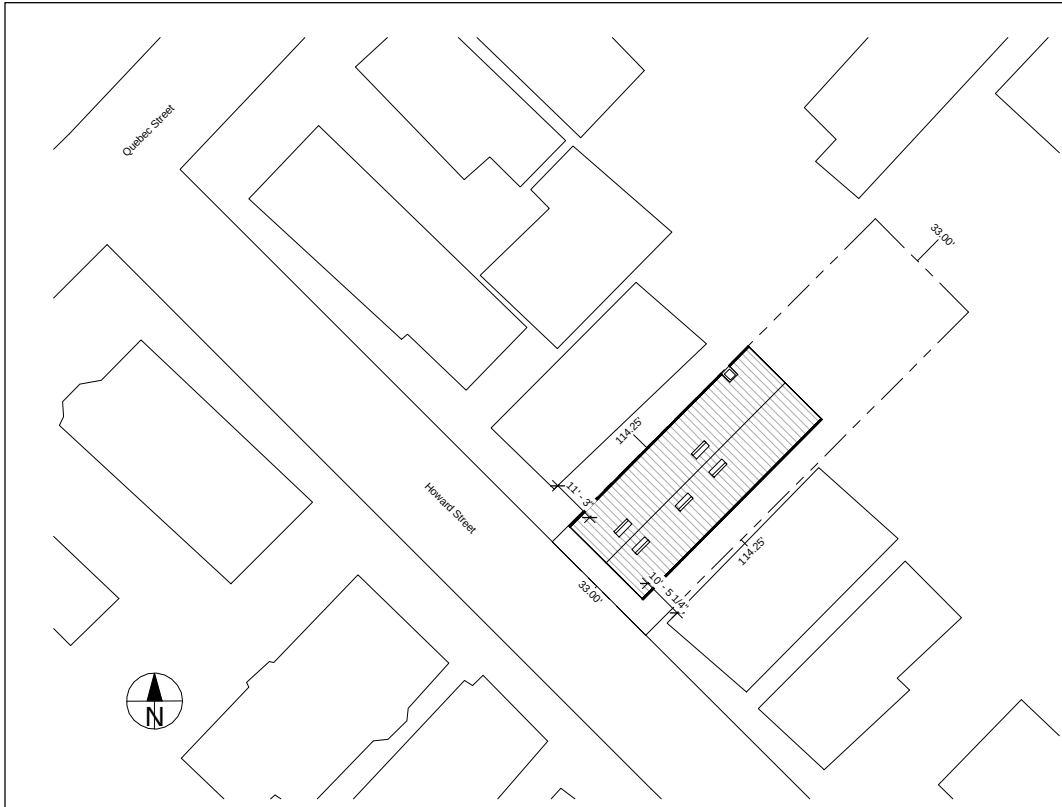
6 OF 8



① East
1/4" = 1'-0"

[illegible]

[illegible]



① Proposed Site Plan
1" = 20'-0"



Opposite Side of Street



View of Street Looking West



43 Howard Existing and Adjacent Home



Home East of 43 Howard

③ Existing Neighborhood Photos
NTS



② Proposed Site Context South Elevation
1/4" = 1'-0"

REVISIONS

INITIAL SET 04/07/21

P:917-664-6013

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info@bermanhornstudio.com

ARCHITECT'S SEAL

PROJECT ADDRESS

43 Howard Street
Portland, Maine 04101

TITLE

SITE AND CONTEXT

SHEET NUMBER

G-000

COUNT

1 OF 8

