

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

On Wednesday, July 21, 2021, the Portland Historic Preservation Board will hold a remote meeting to review the following items. Public comment will be taken for each item on the agenda and written comments should be submitted to hp@portlandmaine.gov.

Please note that the placement of items on this agenda are subject to change – please check the Agenda & Minutes Center prior to the meeting for the item approximate start time.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M>R>S> 403A, 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 moderator when it is time for public comment.

ZOOM MEETING INSTRUCTIONS

You are invited to a Zoom webinar.

When: Jul 21, 2021 05:00 PM Eastern Time (US and Canada)

Topic: Historic Preservation Workshop July 21, 2021

Please click the link to join the webinar: <https://us02web.zoom.us/j/82099511853>

Or One tap mobile : US: +13017158592,,82099511853# or +13126266799,,82099511853#

Or Telephone: Dial(for higher quality, dial a number based on your current location): US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 820 9951 1853

International numbers available: <https://us02web.zoom.us/j/82099511853>

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

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

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **REPORTS OF DECISIONS AT THE MEETING HELD ON JULY 7, 2021**
 - i. Certificate of Appropriateness for Building Addition; 60 Garrison Street; Lucas Hathaway, Applicant. The Board voted 6-0 (O'Brien absent) to approve the application, subject to conditions.
3. **COMMUNICATION AND REPORTS**

4. WORKSHOP - 5:00 PM

- i. Preliminary Review of Proposed Exterior Alterations, Dormer Additions; 5 Eastern Promenade, Casco Chataqua Development, Applicant.

5. OTHER BUSINESS

- i. Discuss and vote on the hybrid policy for the Historic Preservation Board meetings starting August 1, 2021

6. CONSENT AGENDA

HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE

WORKSHOP
5 EASTERN PROMENADE

TO: Chair Pollard and Members of the Historic Preservation Board
FROM: Deb Andrews, Historic Preservation Program Manager
DATE: July 16, 2021
RE: July 21, 2021 **WORKSHOP (2nd) – Preliminary Review of Proposed Exterior Rehabilitation, including Alterations & Additions**

Address: 5 Eastern Promenade

Applicant/Building Owner: Roger Trettel, Casco Chataqua Development

Architect: Andy Hyland and Mark Chaloupecky, Port City Architecture

Introduction

Following an introductory workshop on July 7th, applicant Roger Trettel and project architect Andy Hyland have requested a follow-up session to present a revised proposal for exterior alterations and additions at 5 Eastern Promenade. This workshop will focus on the key concerns raised by the Board at the initial workshop. The applicant and architect are hoping to resolve these outstanding issues before finalizing their plans and returning for a public hearing on August 11th.

The enclosed revised elevations respond to the following outstanding issues:

- the proposed introduction of a roof deck
Most Board members indicated they could not support the addition of a roof deck, which would be visible from various vantage points. Board members concluded that the deck would materially impact the building's roofline, which was identified as an important character-defining feature of the building.
- the proposed fenestration on the rear elevation, particularly at the second-floor level
Board members found the number of interventions and added windows to be excessive. They also noted that the proposed treatment removed much of the exterior shingling, resulting in a significant change in the window-to-wall ratio. Recognizing that additional windows were desired for water views, Board members

asked for further restraint in the design solution. Note that the inverted dormers proposed for the roof were found to be generally acceptable.

- the proposed addition of a second roof dormer on the west elevation to provide additional light in the front bedroom
Because this alteration was introduced at the meeting and was not shown in the submitted drawings, Board members were not able to give advance consideration to this change. There appeared to be little support for simply replicating the existing dormer (as shown at the meeting) and there was general agreement that introducing a distinct but compatible additional dormer would be challenging.
- the treatment of the porch on the west elevation
The proposal to alter the glassed-in porch on the west elevation was introduced at the meeting and was based on the architects' discovery of a 1901 photograph showing that the porch was originally an open porch. Board members supported the return to an open porch, with the understanding additional details would need to be provided.

At the first workshop, Board members requested additional information or details on other aspects of the plan as well, including details on the proposed retaining wall and parking area on the west side of the house, further clarification about the program of window repair/replacement, etc. While these aspects of the project are not addressed in this submission, the applicant is aware that they will need to be addressed in the final proposal.

Enclosed are revised elevations, a section view showing the second-floor deck and dormer and a historic photo showing the original open porch on the west elevation. For ease of reference, staff suggested that the architect also provide a set of drawings comparing the original and revised proposal for each elevation—see ATTACHMENT 5. As this workshop has a more limited focus, staff has not included all of the materials provided for the initial review.

Background

One of the most architecturally notable residences on the Hill, the former single-family home at 5 Eastern Promenade was built in 1898 and designed by John Calvin and John Howard Stevens. The building is an eclectic dwelling with elements of the Queen Anne, Colonial Revival and Shingle styles, all of which were popular at the turn of the twentieth century.

The building has accommodated three apartments for many years. The new owner intends to maintain the three units (as condos), but reorganize the interior so that each floor level—including attic—accommodates a single unit.

As described by the project architect, much of the proposed scope of work can be characterized as repair/restoration. While remarkably unaltered (except for the infilling of

the porch on the west elevation, replacement of the east side entry porch and some window replacement), the building has suffered from years of deferred maintenance and most of its exterior architectural features need some level of repair or replacement-in-kind. Fortunately, the original JC Stevens drawings are available for consultation and have guided the design of the few missing elements. The project does call for a number of building alterations and additions, however. Virtually all of the exterior changes are proposed for the rear elevation of the building. The rear of the building is visible from the Eastern Promenade Trail, which is a public way. Available views are from a considerable distance.

Summary of Design Revisions:

Staff suggests that Board members review ATTACHMENT 5 for a comparison of the original and revised proposal for each elevation. As you will note, the following design modifications have been made in response to Board comments:

- The rooftop deck has been eliminated
- On the rear elevation, the following design revisions have been made at the second-floor level (third floor as viewed from the rear):
 - In the center projecting gabled section, the two added windows are now separated from the existing pair of mulled windows, providing a bit more wall area in between. The new windows are also slightly narrower than the existing.
 - The treatment on either side of this center section has been simplified to feature a pair of full-lite doors leading to a deck. The doors are centered under the doors of the new inverted dormers above. Also, shingles are now proposed at the base of the second-floor decks, instead of a panel treatment.
- On the west-facing roof plane, an added small shed dormer with mulled divided lite windows is now proposed. The previous proposal called for a second dormer that matched the original.
- Also on the west elevation, the glassed-in side porch is now shown as an open porch. Board members will recall that this change is in response to the discovery of a historic photo confirming that the porch was originally open. (Staff notes that the paneled railing system shown in the architect's proposed elevation is not consistent with the balustered railings seen in the historic photo. Staff suggests that the documented appearance be replicated.)

In addition to providing input on the design revisions listed above, Board members are encouraged to identify any other outstanding concerns or elements of the proposal that warrant further clarification. As noted above, the applicant is hoping to return to the Board for final review and approval at its next meeting.

Applicable Ordinance Review Standards (from Standards for Review of Alterations)

- (1) *Every reasonable effort shall be made to provide a compatible use for the property which requires minimal alteration to the character-defining features of the structure, object or site and its environment or to use a property for its originally intended purpose.*
- (2) *The distinguishing original qualities or character of a structure, object or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
- (5) *Distinctive features, finishes, and construction techniques or examples of skilled craftsmanship which characterize a structure, object or site shall be treated with sensitivity.*
- (6) *Deteriorated historic features shall be repaired rather than replaced wherever feasible. Where the severity of deterioration requires replacement of a distinctive feature, the new feature should match the feature being replaced in composition, design, texture and other visual qualities and, where possible, materials. Repair or replacement of missing historic features should be based on accurate duplications of features, substantiated by documentary, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects.*
- (9) *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
- (10) *Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.*

Attachments:

1. 1901 photo of 5 Eastern Prom
2. Photographs of existing conditions
3. Revised elevations
4. Deck and dormer section
5. Comparison elevations (original and revised)



Historic Photo – News Article 1901

Historic Preservation Board – Workshop

July 7, 2021

5 Eastern Promenade, Portland, Maine 04101

Photos



View from Eastern Promenade



View from Eastern Promenade



View from up the hill on Munjoy St.



View from up the hill on Atlantic St.



View from the Eastern Promenade Trail



View from the Eastern Promenade Trail



View from the Eastern Promenade Trail



Close-Up View from the Eastern Promenade Trail



Side Elevation (driveway)



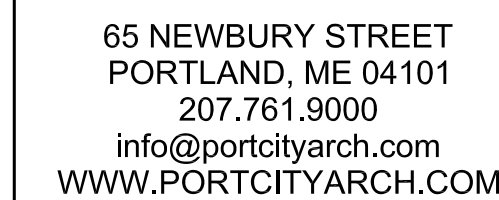
Side (driveway) and Rear Elevation



Rear Elevation



Side Elevation (parking)



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- 12 PROVIDE STAINED CONCRETE RETAINING WALL AT PARKING AREA (SEE SITE PLAN).

- A** RESTORE EXISTING SALVAGED WINDOW AND REINSTALL AS REQUIRED. PAINT WINDOW TO MATCH TRIM COLOR. PROVIDE AND INSTALL STORM WINDOW TO PROTECT SALVAGED WINDOW (SEE SPEC NOTES BELOW).
- B** REPLACE REMOVED VINYL WINDOW WITH NEW WOOD WINDOW (SEE SPEC NOTES BELOW). PAINT WINDOW TO MATCH TRIM COLOR.
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- D** PROVIDE AND INSTALL NEW WOOD WINDOW (SEE SPEC NOTES BELOW) IN NEW OPENING IN BRICK MASONRY.

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5 Eastern Prom Portland, Maine

NORTH
ELEVATION

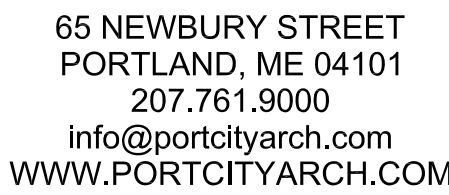
Project Number	21100
Date	July 14, 2021
Drawn by	MC
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1 NORTH ELEVATION - PROPOSED



- REPAIR AND REPLACE IN-KIND EXISTING WOOD EXTERIOR WALL SHINGLES AS REQUIRED. PAINT ENTIRETY OF WALL SHINGLES BY #C-161 'AMHERST GREY' OR OTHER HISTORIC COLOR AS SELECTED BY OWNER.
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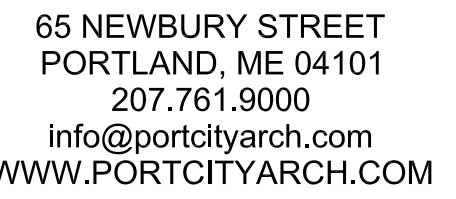
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5 Eastern Prom Portland, Maine

**SOUTH
ELEVATION**

Project Number	21100
Date	July 14, 2021
Drawn by	MC
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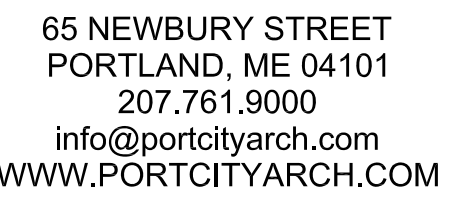
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5 Eastern Prom Portland, Maine

**EAST
ELEVATION**

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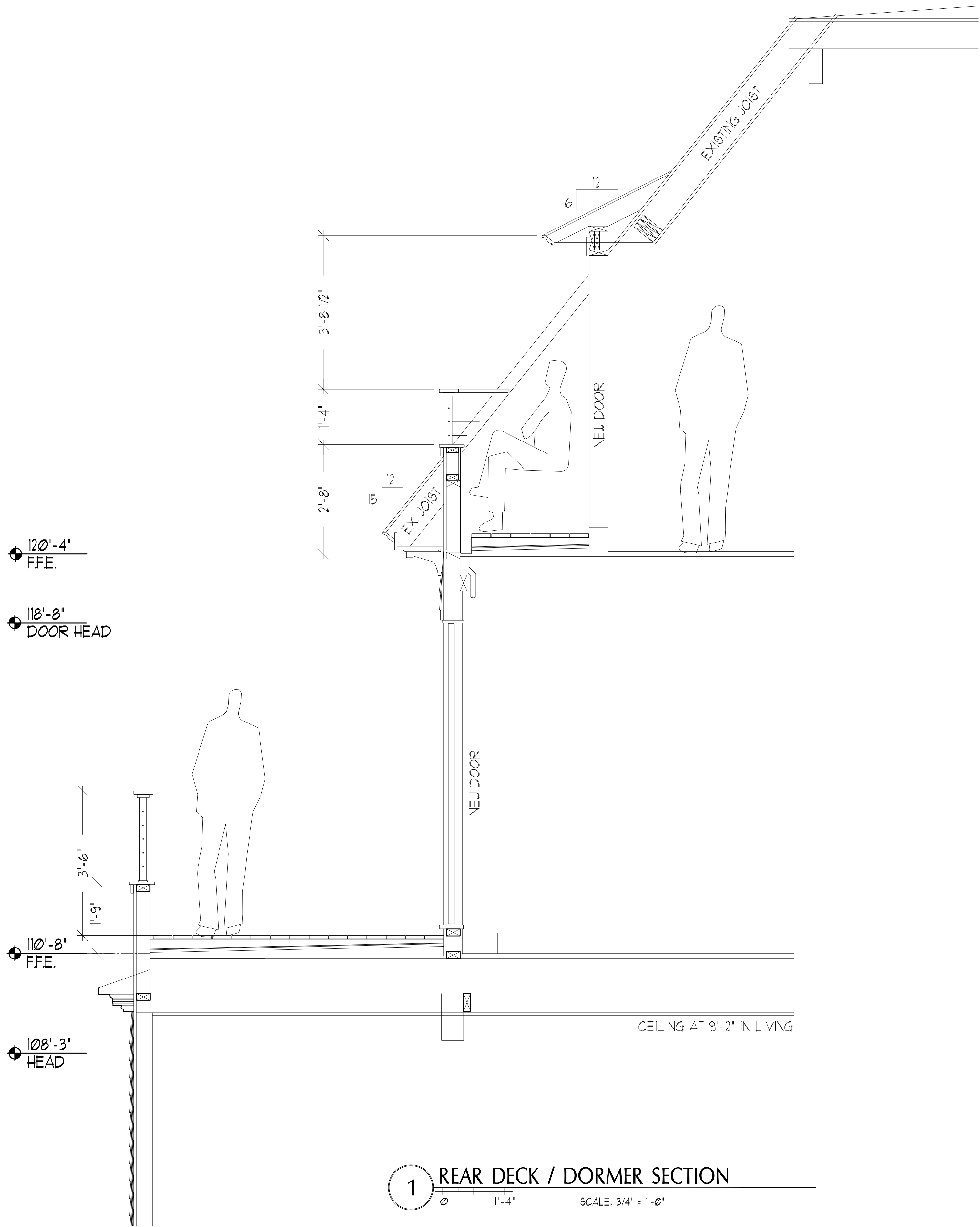
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5 Eastern Prom Portland, Maine

WEST
ELEVATION

Project Number	21100
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1 REAR DECK / DORMER SECTION



PORT CITY
ARCHITECTURE

65 NEWBURY STREET
PORTLAND, ME 04101
207.761.9000
info@portcityarch.com
WWW.PORTCITYARCH.COM



REVISIONS		
No.	Description	Date
1	Historic Preservation - Workshop	6/23/2021
2	Historic Preservation - Workshop	7/14/2021

NOT FOR CONSTRUCTION

5 Eastern Prom
Portland, Maine

SECTION

Project Number	21100
Date	July 14, 2021
Drawn by	MC
Checked by	

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Front Elevation – 1st Submission



Front Elevation – 2nd Submission



Rear Elevation – 1st Submission



Rear Elevation – 2nd Submission



East Elevation – 1st Submission



East Elevation – 2nd Submission



West Elevation – 1st Submission



West Elevation – 2nd Submission

Memorandum
Department of Planning and Development
Historic Preservation Program



To: Chair Pollard and Members of the Historic Preservation Board
From: Deb Andrews, Historic Preservation Program Manager
Date: July 15, 2021
Re: Remote Participation in Historic Preservation Board Meetings

Starting in August, Maine communities will no longer be allowed to have fully remote meetings. The legislature did pass a law that allows some remote participation in a hybrid manner but public boards, including the Historic Preservation Board, will have to adopt a policy on this first. (The City will also have to figure out the logistics of holding hybrid meetings before they begin in August.)

Attached is a memo describing the conditions under which remote participation in a public meeting will be allowed. Note that the memo addresses participation by board members and by the public. Also attached is the policy statement itself. At Wednesday's meeting, the Board will be asked to vote on the policy. Board members will also be asked to forward an electronic signature after the meeting that can be added to the end of the document.

REMOTE PARTICIPATION POLICY

HISTORIC PRESERVATION BOARD CITY OF PORTLAND, MAINE

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the City of Portland Zoning Board of Appeals (hereinafter, "body").

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public, City staff, and applicants will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods or when remote methods are available at a given body meeting. If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Date: July 21, 2021

Chair

Vice Chair

Remote Board Meetings Now OK'd Permanently

The Legislature has made remote participation in public board meetings permissible on a permanent basis, but only under limited circumstances. PL 2021, c. 290, was enacted as an emergency measure and took effect on June 21, 2021, with the Governor's signature. It adds a new provision (§ 403-B) to Maine's Freedom of Access Act or FOAA (1 M.R.S. §§ 400-414).

Meanwhile, FOAA's temporary provision (§ 403-A) authorizing remote participation in public board meetings during the COVID-19 pandemic remains in effect until July 30, 2021.

Under the new law board members are expected to be physically present for meetings, but may attend board meetings via remote methods of participation in the case of an emergency or urgent issue that requires the board itself to meet remotely, or an illness or temporary absence that causes a board member significant difficulties in traveling to a meeting.

The public must have a meaningful opportunity to attend via remote methods when board members participate via remote methods. If public input is allowed or required at a meeting, an effective means of communication between the board and the public must also be provided. A board must provide a location where members of the public may attend in person. A board may not limit public attendance to remote methods only except in case of an emergency that requires the board itself to meet remotely.

Remote methods include telephonic or video technology allowing simultaneous reception of information and also permits other means necessary to accommodate disabled persons. But remote participation cannot be by text-only means such as e-mail, text messages, or chat functions

To enable remote participation, a board must first, after public notice and hearing, adopt a written policy governing remote participation by board members and the public that contains the limitations noted above.

Notice of all board meetings is required as usual (see § 406). When the public may attend via remote methods, notice must include the means by which the public may access the meeting remotely, and a location for the public to attend in person (except in case of an emergency).

A board must make all documents and materials to be considered by the board available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the board.

All votes during a board meeting using remote methods must be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other board members and the public. A board member who participates remotely is considered present for purposes of a quorum and voting.

Remote participation is not permitted for town meetings or regional school unit budget meetings.

As we noted above, FOAA's temporary provision authorizing remote board meetings, which does not require adoption of a local policy, remains in effect until July 30, 2021 (see § 403-A). After that date, boards are not authorized to permit remote participation without first adopting a written policy in compliance with the new law (see § 403-B). For a sample remote participation policy, see this link: _____ (*By R.P.F.*)