

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, September 15, 2021, 5:00 p.m. Due to the existence of an emergency or urgent issue, the Historic Preservation Board will conduct this meeting by remote methods/technology at the Zoom link provided below in accordance with the requirements of 1 M.R.S. section 403-B and the City Council's Remote Participation Policy.

Public comments will be taken for each item on the agenda during the allotted time and written comments should be submitted to hp@portlandmaine.gov or planningboard@portlandmaine.gov. Please note that the placement of this item on the agenda is subject to change. Please check the Agenda & Minutes Center prior to the meeting for the item's approximate start time.

When participating via Zoom, allow your computer to install the free Zoom app to get the best meeting experience. **For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be un-muted by the moderator when it is time for public comment.** For more information on how to use Zoom, please go to: <https://www.portlandmaine.gov/remotepud>

ZOOM MEETING INSTRUCTIONS

You are invited to a Zoom webinar.

When: Sep 15, 2021 05:00 PM Eastern Time (US and Canada)

Topic: Historic Preservation Board Workshop 9/15/2021

Please click the link below to join the webinar: <https://us02web.zoom.us/j/86906883905>

Or One tap mobile : US: +13126266799,,86906883905# or +19292056099,,86906883905#

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: 869 0688 3905

International numbers available: <https://us02web.zoom.us/j/86906883905>

1. ROLL CALL AND DECLARATION OF QUORUM

2. REPORTS OF DECISIONS AT THE MEETING HELD ON SEPTEMBER 1, 2021

- i. Certificate of Appropriateness for Mural Installation; 77 Free Street; Portland Downtown, Applicant. The Board voted 5-1 (Naifeh opposed, Tate absent) to approve the application subject to conditions.
- ii. Certificate of Appropriateness for Rooftop Addition; 42 Lafayette Street; Gary Bahikow, Applicant. The Board voted 5-1 (Naifeh opposed, Tate absent) to approve the application subject to conditions.

3. COMMUNICATION AND REPORTS

4. WORKSHOP - 5:00 PM

- i. Preliminary Review of Proposed Roof Deck; 34 WEST STREET; Maryanne Seredynski and Paul Arthur, Applicants.
- ii. Preliminary Review of Proposed Policy and Guidelines for Mural Installations in Historic Districts.

5. CONSENT AGENDA

HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE

WORKSHOP
34 WEST STREET

TO: Chair Pollard and Members of the Historic Preservation Board
FROM: Rob Wiener, Historic Preservation Compliance Coordinator
DATE: September 10, 2021
RE: September 15, 2021 **WORKSHOP – Preliminary Review of Proposed
Rooftop Deck and Exterior Stairs
HPBR-001777-2021**

Address: 34 West Street

Applicants: Maryanne Seredynski and Paul Arthur

Project Architect: Chelsea Lipham

A sign announcing the Historic Preservation Board's meeting on September 15, 2021 was posted at the property on September 5, 2021. A legal ad was published in the Portland Press Herald on 9/7/21, and 36 notices were sent to neighboring property owners within 100 feet of the subject property.

Introduction

On behalf of applicants Maryanne Seredynski and Paul Arthur, architect Chelsea Lipham has requested a workshop for a preliminary review of plans for an exterior stair and a rooftop deck at 34 West Street. Ms. Seredynski and Mr. Arthur own the third-floor condominium in this three-unit building at the corner of West and Carleton Streets, and hope to create access to outdoor space on the roof of a rear ell. They seek an answer to the threshold question of whether an addition such as the proposed concept could be approved by the HP Board, and whether any plan modifications would make it more compatible with the building and the Standards for Review of Alterations.

The subject property is a typical example of a Second Empire style house which is common in parts of the West End. Many original details remain on the building despite some losses and modifications since its completion in 1882; its status as a contributing building reflects this integrity.

Ms. Lipham approached HP staff several weeks ago with the idea of putting a deck on the roof of the main structure, but structural concerns and staff's cautions about the likely

visibility of a deck on the main roof inspired the approach that will be presented for preliminary review on September 15. If the Board indicates sufficient comfort with the proposed additions, the owners will invest in further design development. Ms Lipham has submitted a package containing plans, elevations, perspective views, and photos. Staff has added to the packet some additional photos of the property, and the 1924 tax photo.

Subject Property

Perched on a high brick foundation at the corner of West and Carleton Streets, the James M. Black House is quite visible from the intersection, though the rear ell is not. Despite having been sided with vinyl, most of the attractive Second Empire details remain, including projecting bracketed window hoods, paneled corner boards, paired brackets in a wide frieze, and ornately pedimented dormers in a patterned slate mansard. It appears that the rear ell was present when the Assessing Office surveyed the property in 1924, but the upper hipped roof of the main house, above the mansard, is notably flatter than it was, and is less visible than in 1924. Last year staff approved a heat pump to serve the third-floor unit, after a struggle to find a suitable location for the outdoor condenser unit. The outdoor unit is taller and more visible than was hoped, in the center of the primary roof.

The rear ell is set back from the west face of the property, and set back from Carleton Street. A small wood porch and stairs lead to a rear entrance and the interior stairs that are the main use for the ell. A one-story ell with a rooftop deck projects on the side of the rear ell, towards 30 West Street. To the south of the building is a small, shaded, gravel parking area separating the property from 17 Carleton, a large housing project that the Board reviewed several years ago.

Proposed Alterations

Ms. Lipham has provided a brief summary of the project; see Attachment 1. Staff notes:

- The proposed stairs would be at the least visible rear corner of the building, but would be visible from West Street. The deck railing would be visible from Carleton.
- At staff's suggestion, Ms. Lipham has set the deck and railing one foot in from the rear and Carleton Street edges of the ell roof.
- Ms. Lipham noted that the drawings show a guardrail height of 36", which she hopes will suffice to meet code since the deck only serves one unit.
- At this early stage of design it is unclear how thick the deck framing or sleepers would be on the rooftop. Ms. Lipham's intention is to use minimal sleepers; if structural reinforcing for the roof is necessary, perhaps it can be internal. The architect notes that a structural engineer has yet to investigate the circumstances and detailed construction requirements.
- Ms. Lipham has provided an alternative rendering showing the stairs and railing in medium grey instead of black, to explore whether the lighter color would attract less attention.
- It is unclear at this time whether the small landing at the top of the stairs is

necessary, or if the stairs could land directly onto the rectangular deck. Ms. Lipham intends to investigate the option.

Staff Comments

Staff believes that if a rooftop deck can be successfully added at 34 West Street with minimal effect on the appearance of this property, the rear ell is the most appropriate location to minimize the intervention. There are other properties in the West End where a deck or stairs have been added to a flat-roofed, rear ell; some have been in place for years, while in recent cases the Board has carefully scrutinized the predicted visibility of the railings and structure. In a number of instances, a degree of visibility has sometimes been tolerated, depending on a location that is very secondary, and there being a non-competitive relationship with the building's primary form.

Staff notes that numerous West End buildings also have metal or wood fire escapes, landings, and sometimes decks because they are necessary for life safety escape routes. Often these seem to serve dual purposes, offering the amenity of outdoor space as well as a safe escape path. In this case the addition is proposed in order to add an amenity for the residents, but in the end the Board's task is to evaluate the effect the alterations would have on the visual qualities of the historic house, and whether the proposal can satisfy the Standards for Alterations. The building is a fine example of the Second Empire Style, though it is not pristine, having been altered in the past. Can it handle this proposed alteration?

In considering this conceptual proposal the Board may want to suggest ways of minimizing the anticipated visual effects of the additions. Two questions staff has already raised for the applicants and the Board to consider are:

- Would a lighter grey be a less prominent color for the stairs and railing than black? Perhaps even lighter than the alternate rendering supplied by Ms. Lipham?
- Is the landing at the top of the stairs necessary, or could the stairs terminate at the edge of the deck? Would the resulting small diminishment of the structure help reduce the prominence?

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

compatible with the size, scale, color, material and character of the property, neighborhood or environment.

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

Attachments:

1. Architect's summary letter
2. Architect's plans, elevations, perspectives, and photos
3. Staff photos of existing conditions
4. 1924 tax photo



Historic Preservation Board
City of Portland, Maine
389 Congress Street, 4th Floor
Portland ME 04101

Subject: 34 West Street

Sept 2, 2021

To Whom it May Concern:

On behalf of the condominium owner at 34 West St #3, I am submitting this letter to detail the proposed project at the property. The proposal would add a minimal exterior stair from the 3rd floor level up to the roof, to access a small roof deck area. The full project scope is as follows:

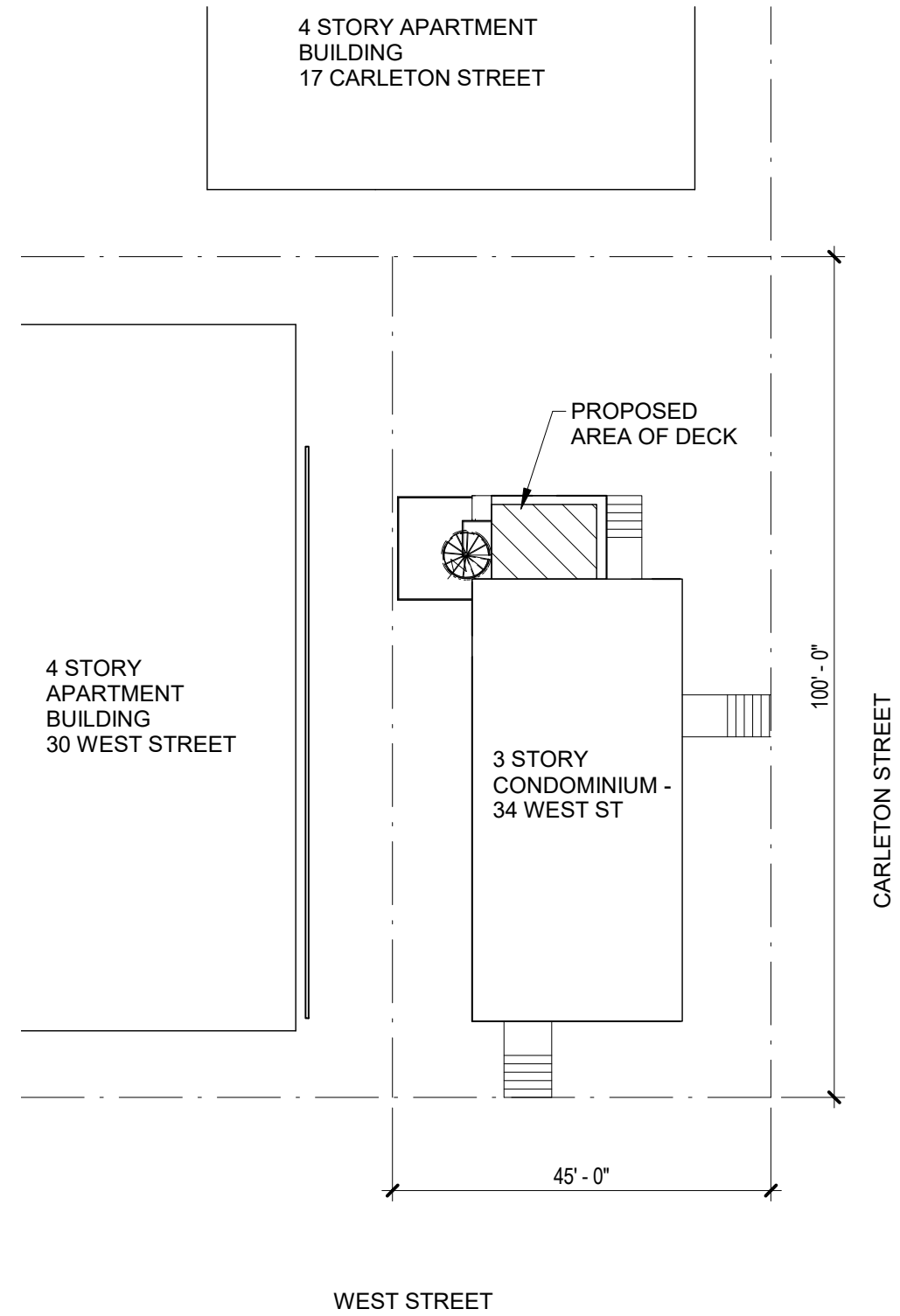
- Install exterior door at 3rd floor level, located on rear / alley side of building
- Add minimal, lightweight, steel stair at rear south side of building, over existing 2nd floor deck
- Add small roof deck area with surrounding light steel railings to match new stair, located on top of existing rear stair tower.

Please reach out with any questions.

Sincerely,

Chelsea Lipham
Maine Licensed Architect

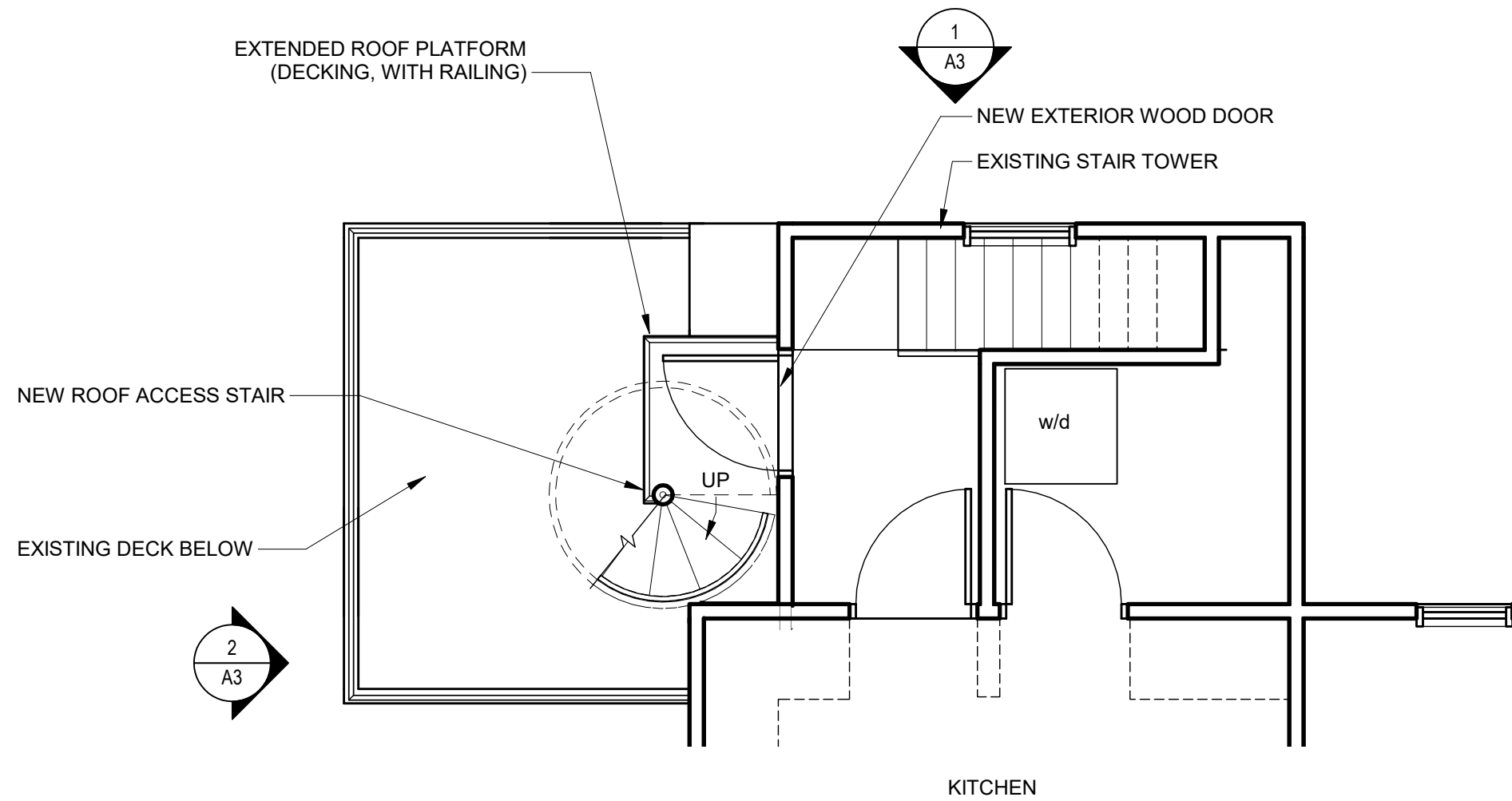
Chelsea Lipham Architecture and Design
741 Stevens Ave, Portland ME 04103



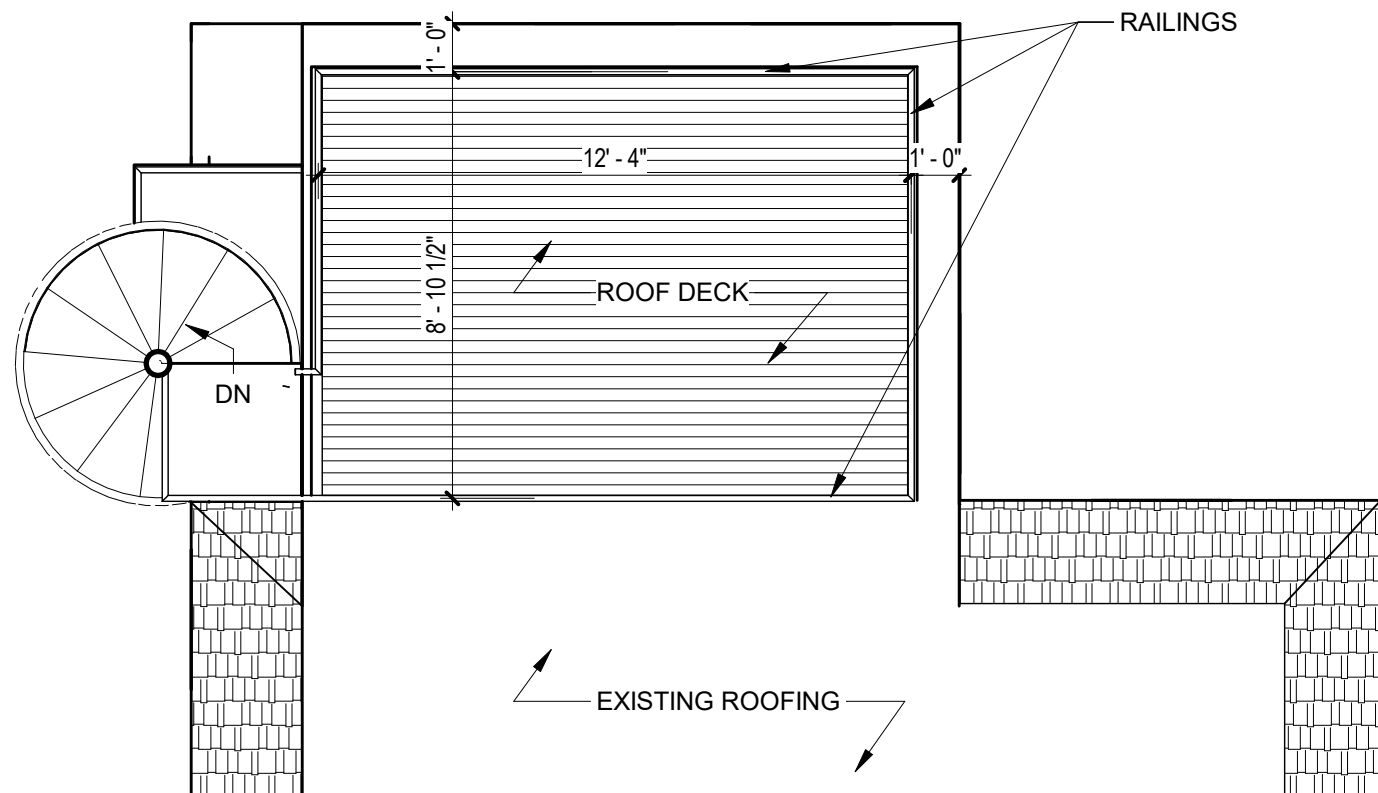
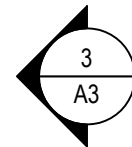
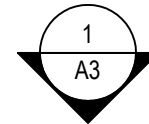
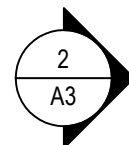
1 Site Plan
1" = 20'-0"

34 WEST STREET, PORTLAND ME

9/7/2021

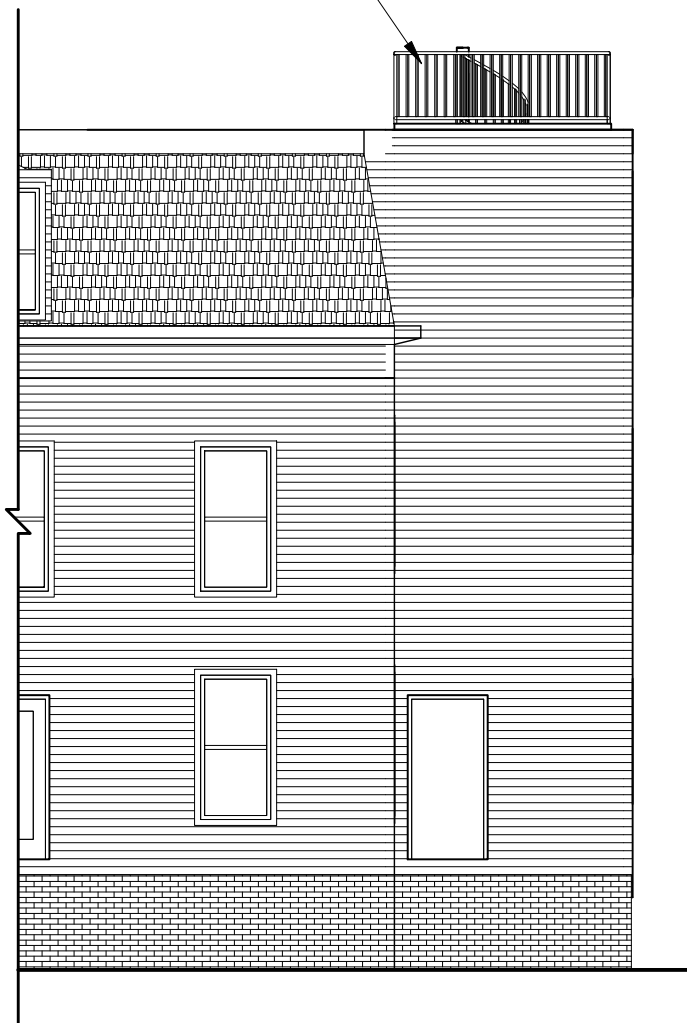


1 LEVEL 3 - NEW WORK
1/4" = 1'-0"



1 ROOF - NEW WORK
1/4" = 1'-0"

PROPOSED RAILING AT
ROOF DECK, BLACK
STEEL FRAME WITH
THIN STEEL INFILL



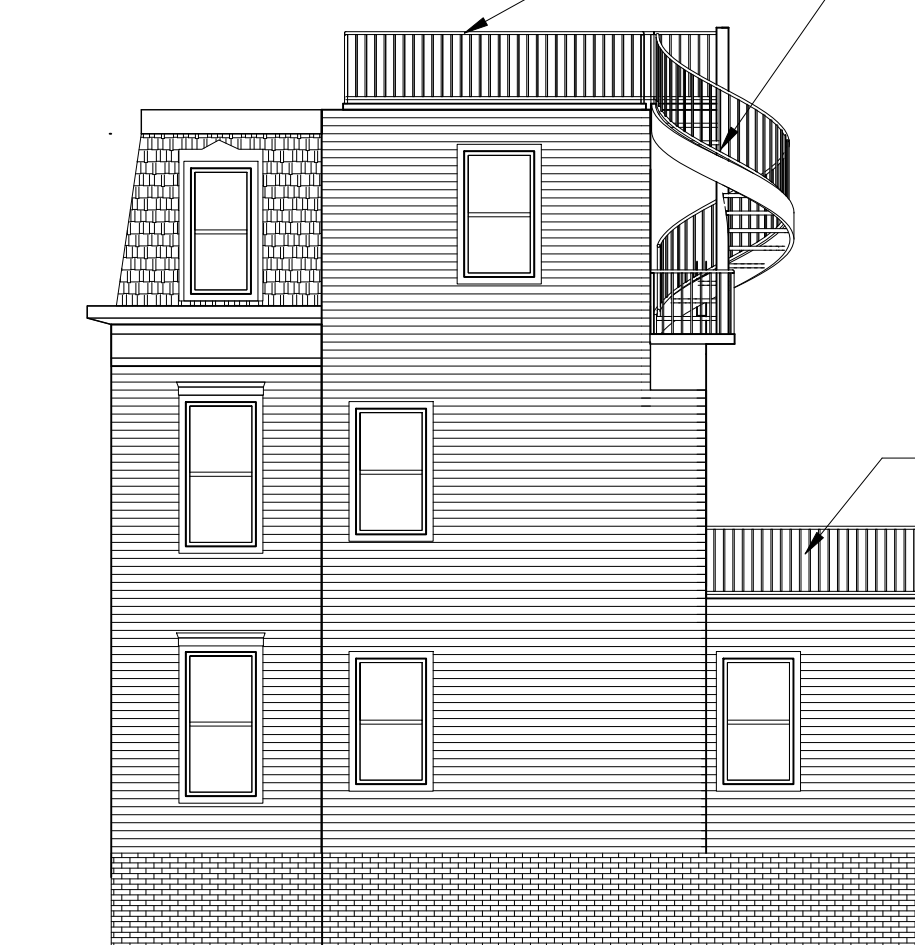
3 Elevation SIDE - CARLETON STREET
1/8" = 1'-0"

PROPOSED RAILINGS
AROUND PROPOSED
ROOF DECK AREA

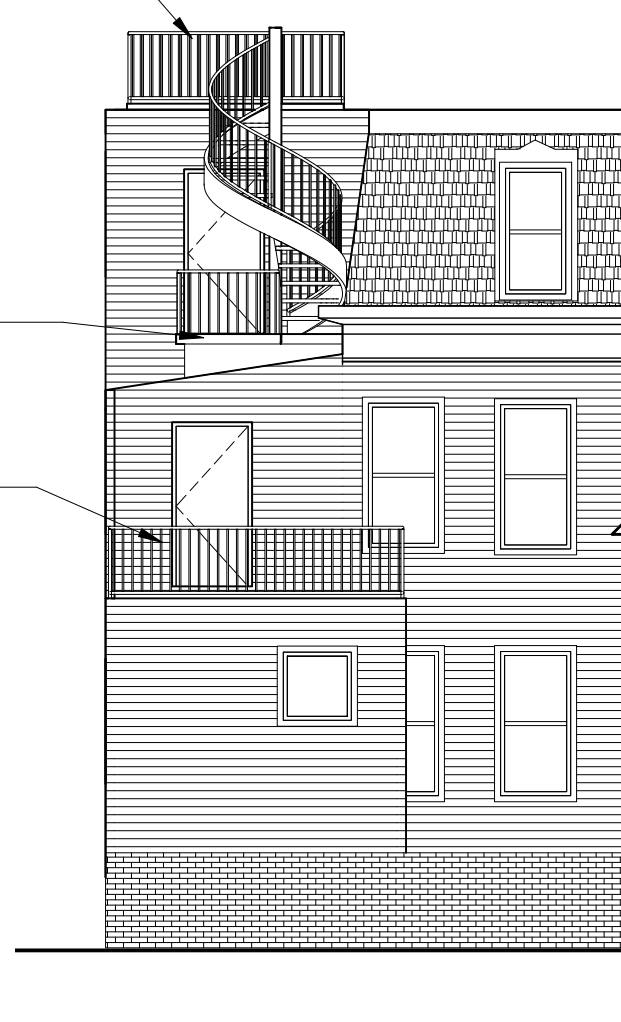
PROPOSED ROOF
DECK ACCESS STAIR,
BLACK STEEL

NEW DECK / LANDING
SURFACE OVER
EXISTING ROOF

EXISTING PT DECK
AND RAILING



1 Elevation REAR
1/8" = 1'-0"



2 ELEVATION SIDE - ALLEY
1/8" = 1'-0"

34 WEST STREET, PORTLAND ME

9/7/2021



STAIR UP TO ROOF VISIBLE HERE



OVERALL STRUCTURE, NO VIEW OF PROPOSED DECK



EXISTING ALLEY VIEW FROM WEST STREET

RAILINGS WOULD BE VISIBLE HERE



EXISTING REAR VIEW FROM CARLTON STREET



34 WEST STREET, PORTLAND ME

9/7/2021



34 WEST STREET, PORTLAND ME

9/7/2021



NO
PARKING
ANY
TIME

2 HR
PARKING
9:00 AM
TO 5:00 PM









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

**WORKSHOP
POLICY AND GUIDELINES FOR PAINTED WALL MURALS**

TO: Chair Pollard and Members of the Historic Preservation Board
FROM: Deb Andrews, Historic Preservation Program Manager
DATE: September 10, 2021
RE: September 15, 2021 **WORKSHOP – Preliminary Review of Draft Policy
And Guidelines for Exterior Painted Murals in
Historic Districts**

Introduction

In response to recent requests to paint exterior murals on buildings within Portland's local historic districts and in recognition of growing interest in exterior wall murals as an artistic expression, placemaking initiative and/or as a means to discourage graffiti, staff has prepared draft guidelines for the Board's review and potential future adoption. As Board members are aware, mural requests have to this point been reviewed on a case-by-case basis, with the Board considering the circumstances and context of the subject wall proposed for a mural as well as the specific proposal's conformance with applicable ordinance review standards. In an effort to provide guidance to those contemplating a mural project and to those reviewing future proposals, it is appropriate that the Board establish a general policy and guidelines for such installations.

Attached for Board consideration is the draft document. The guidelines were developed based on review of policies and guidelines adopted by other historic district commissions and pursuant to the questions and issues raised by Board members during the recent review of a mural proposal for 77 Free Street. Based on Board input at the workshop, staff will amend and/or finalize the document and schedule a public hearing prior to a formal vote on the policy and guidelines. Identified stakeholders will receive notice of the public hearing to encourage their feedback and understanding of historic preservation considerations.

Attachment

1. Draft Policy and Guidelines for Mural Installations in Historic Districts

Policy and Guidelines for Mural Installations in Historic Districts

The installation of any mural on an individually-designated historic structure or within a designated historic district is considered an exterior alteration and, like any alteration visible from a public way, must be approved in advance of undertaking the project and conform with the following policy and guidelines.

Painted exterior wall murals have long been a popular public art form in Portland and can add vibrancy and vitality to various urban settings. As interest in painted murals has increased in recent years, it is appropriate to address their place in Portland’s historic districts and provide guidance to those considering the introduction of a mural on a historic building or within a historic context in terms of meeting historic preservation ordinance review standards.

Traditionally, painted murals were introduced on “found” building elevations – solid party walls that had been exposed due to the removal of an abutting building or utilitarian buildings with little architectural detail or interest (see examples below). Murals were also typically reserved for stucco, parged or concrete block walls. These “opportunistic” murals provided visual interest where the existing wall did not contribute to or enhance the surrounding environment.



These former trompe l’oeil murals at Tommy’s Park and on Free Street provided visual interest on otherwise unadorned walls and were contextually appropriate for districts celebrated for their architecture.

More recently, local organizations and individuals have sought specific guidance on how to address the addition of murals to buildings within historic districts as art installations, placemaking initiatives, and/or as a means to discourage graffiti. In addition, some murals have appeared on masonry surfaces that were never intended to be painted. This trend has raised questions about the compatibility of these “spontaneous” murals with the architectural character of the subject building and about their long-term effect on the brick masonry itself. In response, the Historic Preservation Office has developed this document to provide direction for those interested in creating murals in Portland’s historic districts.

Guiding Policy

The exterior material(s) of a building, including the material's original intended finish, is part of the building's overall character and often an important character-defining feature. Alterations to the exterior material or its original finish have the potential to undermine the building's intended architectural character. This is true for all buildings, but becomes an especially important consideration for a brick building because alterations to brick (including the application of paint) are not easily reversible and any subsequent effort to remove paint from a brick building often results in damage to the brick itself.

Several of the historic preservation ordinance's Standards for Review of Alterations address the importance of treating historic materials with sensitivity. They are as follows:

Standard # 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.

Standard # 5: Distinctive features, finishes, and construction techniques or examples of skilled craftsmanship which characterize a structure, object or site shall be treated with sensitivity.

Standard # 7: The surface cleaning of structures and objects, if appropriate, shall be undertaken with the gentlest means possible. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be undertaken.

Standard # 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.

The following **guidelines** for mural installations in historic districts are pursuant to these ordinance review standards. The guidelines are also based on a fundamental underlying premise: that the historic architecture that dominates and defines Portland's historic districts provides a distinctive visual character of its own that has been determined to be significant and therefore worthy of preservation. For this reason, painted wall murals should be limited in number in historic districts and carefully considered for their impact.

The City's historic preservation office encourages community organizations, artists, and business and property owners interested in creating murals in historic districts to contact City staff early in the planning process to share information and project goals. Staff is happy to provide input on regulatory requirements and applicability of ordinance review standards, as well as technical information on working with historic building materials.

General

- All prospective mural projects located in a locally designated historic district shall be reviewed with historic preservation staff for the applicability of historic preservation standards. Depending on the circumstances of the project, some proposals may be referred to the Historic Preservation Board for review.

- The classification (landmark, contributing, noncontributing) and architectural characteristics of the subject structure, as well as the condition and relative visibility of the subject wall, shall be deciding factors in determining whether a mural is acceptable for a particular building or location. Where the introduction of a mural is found to be acceptable, the mural itself should enhance, rather than dominate, the character of the surrounding context.
- Applicants shall demonstrate an adequate level of planning for the project, as described in “Mural Creation Best Practices”, a publication of Heritage Preservation’s Rescue Public Murals (RPM) initiative. Go to www.culturalheritage.org/docs/default-source/resources/mural-creation-best-practices-full-document.pdf

Masonry type and finish

- Murals shall generally not be allowed on unpainted brick, just as painting unpainted brick is generally not permitted under preservation standards. Exceptions can be made for brick that has been significantly compromised by sandblasting or aggressive cleaning measures.
- Previous “tagging” of an unpainted brick wall with graffiti shall not necessarily justify the introduction of a mural.
- Masonry walls that may be acceptable candidates for a mural include concrete block or stucco walls, or brick walls that were historically painted or painted prior to the designation of the historic district.

Location

- Murals shall not be allowed under any circumstance on any elevation of an individually designated landmark.
- Murals shall not be allowed under any circumstance on the principal façade of a contributing historic building within a historic district.
- Murals on side or rear elevations of contributing buildings, particularly where such elevation is clearly visible from a public way, require review. A mural may be found to be unacceptable, depending on its level of visibility or on the nature of the building or its surrounding context.
- Greater latitude shall be given to the application of murals on noncontributing buildings, particularly those which are simple and utilitarian in character, and/or located in contexts where there are fewer architecturally significant structures.
- Murals shall not be allowed in residential zones.

Visual Character and Content

- Murals shall not include commercial signage, logos or specific graphics directly related to a tenant’s business. (Note that any signage must comply with the City’s sign ordinance.)
- The specific content (subject matter) of a mural is not within the purview of the Historic Preservation Board. The visual character of the mural is, however, subject to review. Murals shall not be unduly visually distracting, either through color palette, composition or design, so as to compete with or distract from the character of the surrounding historic context.

- The size, proportions and position of the mural shall be compatible with the characteristics of the subject wall.

Application

- In all cases, consideration should be given to alternative application methods that would make the mural readily reversible, such as painting on affixed removable panels (e.g. plywood, Masonite or aluminum) or applying a substrate underneath the mural.
- Where a mural is intended to be temporary (e.g. murals addressing a current issue), it shall in all cases be applied over a substrate.
- Applicants shall consult an architect, engineer or experienced building contractor to inspect the wall for signs of structural instability, cracking, weak or missing mortar, excessive moisture or other flaws that might impact a potential mural whether it is painted or on affixed panels
- Preparation of walls or surfaces proposed for a mural, selection of paints and coatings for the mural painting itself, as well as other related considerations shall be in accordance with “Mural Creation Best Practices”, developed by Heritage Preservation’s Rescue Public Murals (RPM). Go to www.culturalheritage.org/docs/default-source/resources/mural-creation-best-practices-full-document.pdf
- Particular attention shall be paid to the placement of the mural on the wall, including how its edges are handled, especially as it relates to the base, corners, and top of the building, or to places where materials change; how any hanging devices, substrate, or flashing will be installed; its relationship to existing building infrastructure (lighting, air vents, mechanicals, signage, etc.); and any other elements specific to the project.

Responsibility

- The applicant shall indicate who will own the mural once it is completed and who will be responsible for its maintenance and/or removal.
- If the mural is proposed for a building wall not owned by the applicant or commissioning entity, a letter from the building owner approving the mural, together with any conditions of approval, shall be submitted with the application.

Maintenance

- The identified responsible party shall ensure that the mural is maintained over the expected life of the mural, including addressing damage or removing graffiti. If repairs or repainting is required, the original artist or another qualified party shall undertake the work.

Removal

- The Historic Preservation Office shall be contacted prior to proceeding with the removal of a mural. A test patch of the cleaning approach will be required and removal shall be with the gentlest means possible.

Examples of Conforming and Nonconforming Murals



This mural has permanently altered the finish of a brick building that was never intended to be painted. Although painted on the building's rear elevation, this elevation is within prominent view from the street. The mural extends to the edge of the wall and onto the granite pier as well. Although the rear elevation of this building faces an alleyway of utilitarian character, making a mural potentially acceptable, the leading edge of the mural should have been set back from the corner of the building, allowing the corner to appear as originally intended.



A mural is well suited for a solid exposed party wall like this



A mural was successfully introduced on this noncontributing commercial structure (see previous condition below). With its overall pattern and muted color palette, it provides visual interest without unduly distracting from the surrounding historic context, which is dominated by residential buildings. In this case, an awkward projecting bay was integrated with the design, making the wall's appearance more cohesive.

Above right: Although this diminutive brick commercial addition had already been painted, the added painted image is not successfully integrated with the existing structure and is visually distracting in a context made up of mostly historic residential structures. In this case, the painted image would actually be considered a sign rather than a mural given the fact that it includes the name of the business and the graphic clearly relates to the business. Reviewed as a sign, the size exceeds what would be allowed under the sign ordinance.



Below right: The same building prior to the introduction of the painted image.





Although located outside a historic district, this mural is a good example of one that defers to the building's original architecture and is confined to a secondary elevation.

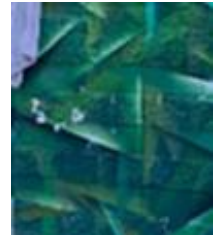


This mural in Congress Square Park was painted on plywood which was mounted on the brick wall—see close-up at right. This solution ensures that the mural is reversible and that other treatments for this wall are possible in the future.





Murals on utilitarian structures that lack any architectural merit can provide visual interest. Here, the mural wraps all four elevations of this concrete block structure at East End Beach.



Although this mural was painted a short time ago, the paint is starting to peel or flake in several locations—see close-up at right. This could have been avoided through better wall preparation.