

1. Legal Ad

Documents: [9-17-14 LEGAL AD.PDF](#)

2. Agenda

Documents: [9-17-14 AGENDA.PDF](#)

3. HP Memo - 390 Congress - 119 Exchange Street

Documents: [HP MEMO - 390 CONGRESS - 119 EXCHANGE STREET.PDF](#)

4. HP Memo - 115 State Street

Documents: [HP MEMO - 115 STATE STREET.PDF](#)

5. HP Memo - 50 Western Promenade

Documents: [HP MEMO - 50 WESTERN PROMENADE.PDF](#)

6. HP Memo - 147 Congress Street

Documents: [HP MEMO - 147 CONGRESS STREET.PDF](#)

**LEGAL ADVERTISEMENT
HISTORIC PRESERVATION BOARD
CITY OF PORTLAND
Public comments will be taken at all meetings**

On Wednesday, September 17, 2014 at 5:00 p.m., the Portland Historic Preservation Board will meet in Room 209 of City Hall to review the following items:

1. PUBLIC HEARING

- i. Certificate of Appropriateness for Building Signage Program; 390 CONGRESS STREET (former Portland Press Herald Building Complex); 119 Development, LLC., Applicant.
- ii. Certificate of Appropriateness for Rooftop Deck; 115 State Street;

Break for Dinner; Meeting Resumes at 6:45 in Room 209

PUBLIC HEARING (Continued)

- i. Certificate of Appropriateness for Garage Construction; 50 WESTERN PROMENADE; David Fenton, Applicant.
- ii. Public Hearing and Recommendation Regarding Landmark Designation of 147 CONGRESS STREET; Nominated by Property Owners Karen Rasmussen and Manuel Pena.

**Contact the Department of Planning and Urban Development, Planning Division, 874-8726 for further information. To access agenda materials on-line, please visit the following web address on or after the Friday preceding the meeting date:
<http://www.portlandmaine.gov/historic.htm>**

CITY OF PORTLAND, MAINE

HISTORIC PRESERVATION BOARD

Rick Romano, Chair
Scott Benson, Vice Chair
Ted Oldham
Penny Pollard
Julia Sheridan
John Turk
Bruce Wood

HISTORIC PRESERVATION BOARD AGENDA September 17, 5:00 p.m.

Public comment is taken at all meetings

- 1. ROLL CALL AND DECLARATION OF QUORUM**
- 2. COMMUNICATIONS AND REPORTS**
- 3. REPORT OF DECISIONS OF September 3, 2014:**

There were no decisions, as the agenda consisted of workshop items only.

4. PUBLIC HEARING

- i. Certificate of Appropriateness for Building Signage Program; 390 CONGRESS STREET (former Portland Press Herald Building Complex); 119 Development, LLC., Applicant.
- ii. Certificate of Appropriateness for Rooftop Deck; 115 State Street; Jane Barriault and Ted Wandishin, Applicant.

Break for Dinner; Meeting Resumes at 6:45 p.m. in Room 209, City Hall

PUBLIC HEARING (continued)

- iii. Certificate of Appropriateness for Garage Construction; 50 WESTERN PROMENADE; David Fenton, Applicant.
- iv. Public Hearing and Recommendation Regarding Landmark Designation of 147 CONGRESS STREET; Nominated by Property Owners Karen Rasmussen and Manuel Pena.

**Contact the Department of Planning and Urban Development, Planning Division,
874-8726 for further information. To access agenda materials on-line, please visit the following web address on or
after the Friday preceding the meeting date: <http://www.portlandmaine.gov/AgendaCenter>**

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

**PUBLIC HEARING
390 CONGRESS/119 EXCHANGE STREET**

TO: Chair Romano and Members of the Historic Preservation Board

FROM: Deb Andrews, Historic Preservation Program Manager

DATE: September 11, 2014

RE: September 17, 2014 Public Hearing

Application For: Certificate of Appropriateness for Hotel Signage Program

Address: 390 Congress/119 Exchange Street
former Portland Press Herald building complex

Applicant: Press Hotel LLC
Represented by Jim Brady

Consultants: Kevin Gough, Archetype Architects
Neocraft Signs

Introduction

Kevin Gough, project architect for the Press Hotel project, has submitted a comprehensive signage plan for the new hotel that will occupy the former Portland Press Herald building complex. As Board members will recall, the Press Herald complex consists of two adjoining buildings (built 1923 and 1948) that take up the entire block bounded by Congress, Exchange, Federal and Market Streets. The rehabilitation/adaptive reuse project is well underway, with the hotel due to open in the spring of 2015.

When the Historic Preservation Board approved the applicant's program of exterior and site alterations in February 2013, plans for exterior signage had not yet been developed. Recognizing that signage for the hotel would become an important—and hopefully integrated—design element of the building exterior, the Board conditioned its approval to require that the signage proposal be reviewed and approved at the Board level.

Enclosed for the Board's review is a memo from Mr. Gough, building elevations showing the proposed scale and placement of the signs, and specifications for the two building signs to be mounted at the upper floor levels. Additional information is expected to be provided at Wednesday's meeting.

Proposed Signage Program

The proposed signage program for calls for the following individual signs:

- A wall-mounted sign on the Market Street elevation, near the corner of Congress. The proposed sign, which faces oncoming traffic from Franklin Arterial, consists of individual internally-illuminated circular “keys” mounted in a vertical alignment between the third and fourth floor levels of the upper façade. The overall height of the sign is 18’ 5 ½” and the width is 3’. The faces and frames of each sign cabinet sign are opaque, with only the letters emitting light. The faces are black with white letters. The frames are dark silver.
- A wall-mounted sign of the same size and design on the Exchange St elevation, near the corner of Federal Street. Unlike the Market Street sign, the Exchange Street wall sign will stand off from the building and be two-sided to be visible for vehicular and pedestrian traffic approaching from the south and the north.
- Two small sign panels flanking the main entrance to the hotel on Exchange Street. These signs measure 1’8” 1’ ½” and consist of acrylic panels with aluminum letters. Note that these signs are depicted on the elevations, but no details have been provided. Mr. Gough has been asked to provide more information at Wednesday’s meeting.
- Internally-illuminated signs on each face of the projecting entrance canopy on the building’s Congress Street façade. As the restaurant has not yet been named, a specific proposal is not provided with this submission.

Note that several of the signs remaining from the building complex’s former use as the headquarters of the Portland Press Herald are proposed to be retained, including bronze plaques flanking the Congress Street entrance, the “Press Herald” pin letter sign on Exchange Street façade and the incised sign above the Federal Street entrance.

Staff Comments

In general, staff finds the proposed design approach to signage to be a creative play on the hotel name, which in turn is a creative play on the building’s original use. And unlike the sign application recently before the Board, staff finds upper floor signs to be appropriate in this instance, as they convey the name of the sole tenant of the building and, in effect, “name” the building itself. Recognizing the wayfinding needs of hotels, the Board has supported previous requests for upper floor signs for hotel projects. The emphasis of the review has been to ensure that the signs were appropriately scaled for the building’s urban context and compatible with the overall building design.

The applicant’s proposal to retain the building’s original Press Herald signs is also a welcome decision.

Staff offers the following questions and observations for the Board’s consideration. (These have been forwarded to the applicant as well.)

- The sign at the corner of Congress and Market appears to extend above the beltcourse over the fourth floor windows. Perhaps the sign should be moved down slightly to make sure it fits comfortably between the third and fourth floor windows. This might also require adjusting the overall height of the sign as well.
- The position and overall height of the sign at the corner of Exchange and Federal also warrant adjustment for the same reasons (although there is no strong defining beltcourse on the 1923 building).
- More detail is needed for the small signs proposed at the hotel entrance.
- Given the design and relative constraints of the Congress Street's canopy fascia (see enclosed photo), perhaps further consideration should be given to the type of sign proposed for this location. (The application calls for standard internally illuminated letters.) Although the applicant will need to submit a final proposal for these particular signs once the tenant name has been determined, the Board is encouraged to provide guidance as to their general character and source of illumination.

Applicable Review Standards –HP Ordinance's Sign Review Standard & Design Guidelines

Enclosed for the Board's reference is the historic preservation ordinance's Standard for Review of Signage as well as the sign design guidelines which were developed to provide guidance in the interpretation and application of the review standard.

Motion for Consideration

On the basis of plans and specifications submitted by the applicant for the 9-17-14 Public Hearing and information included in the accompanying staff report, the Board finds that the proposed signs **meet (fail to meet)** the historic preservation ordinance's sign review standard and accompanying sign design guidelines (subject to the following conditions.....)

Attachments

1. September 10, 2014 memo from project architect
2. Elevations showing scale and placement of proposed signs, sign specifications
3. Staff Photographs

A R C H E T Y P E

10 September 2014

Deb Andrews
Historic Preservation Program Manager

RE: Press Hotel, Portland, ME

Deb,

In fulfillment of the requirements set during our last Historic Preservation Board meeting, please find attached the design documents for the exterior signage package for the Press Hotel. This signage includes internally illuminated signs at the corners of Exchange and Federal Streets, and at Market and Congress Streets. There are, in addition, some acrylic plaques at the main entry door, as well as a bronze plaque on the Exchange Street elevation with some historic information about the Building and its past use as the Portland Press Herald offices.

In the drawings included in this package you will find Building Elevations showing the scale and locations of all signs on the building, and three pages of shop drawings of the primary signage on the corners of the building. Also included you will find the Certificate of Liability Insurance and the Landlord Consent Agreement forms signed by the Building Owner.

Please don't hesitate to give me a call if you have any questions about any of the information included. These documents are being simultaneously submitted to the Code Enforcement Office for a signage permit, but I wanted to send them directly to you given that we are on the agenda for the Board meeting next week.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Kevin Gough', with a stylized flourish extending to the right.

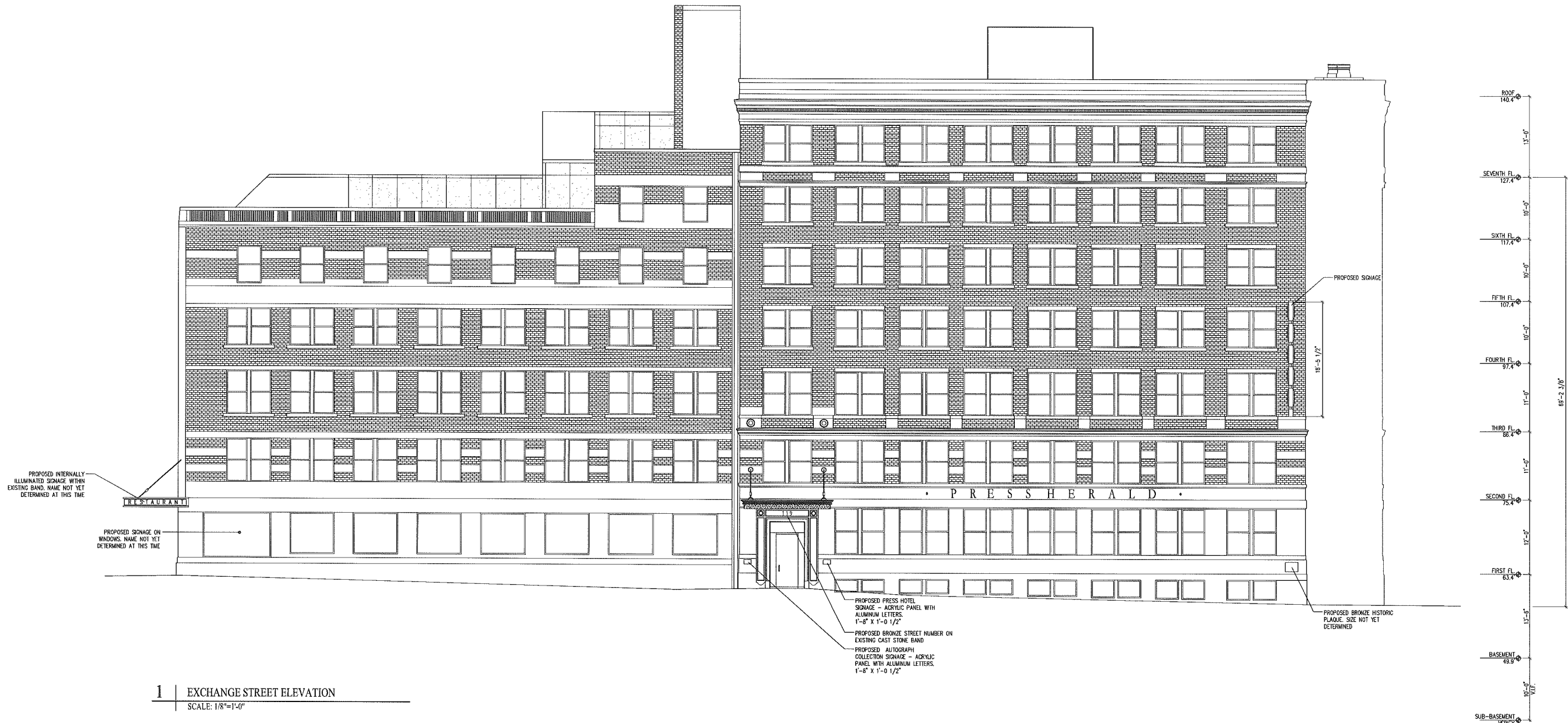
Kevin Gough, Architect
Archetype Architects

On behalf of James Brady, Press Hotel, LLC.

**End of Memo
Attachments Follow**

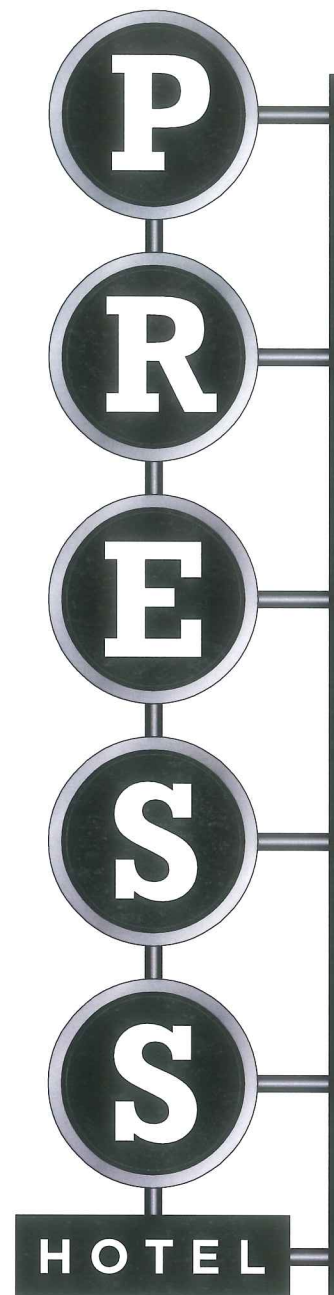
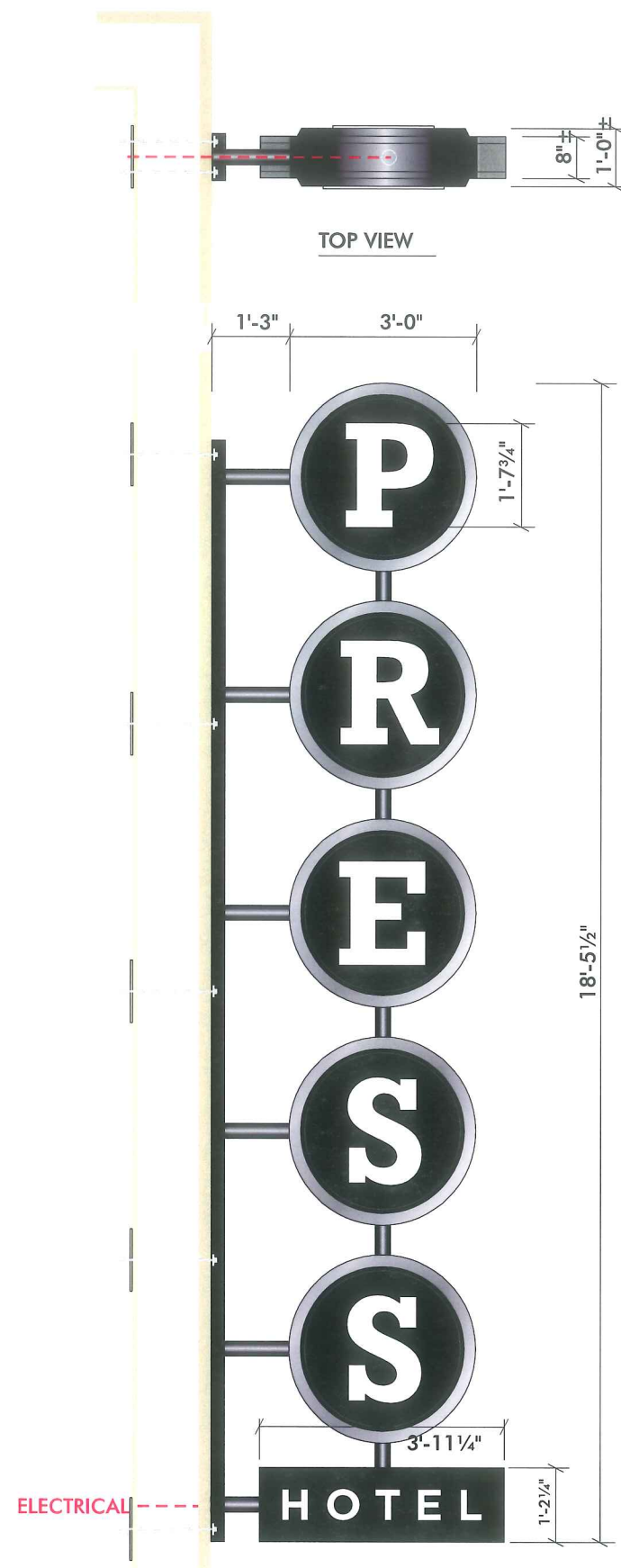


Prepared For:		Consulting Engineer:		Architect:		Project:		Revisions:		Date:		Scale:		ELEVATIONS		A2.02	
				ARCHETYPE architects 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056		119 EXCHANGE STREET PORTLAND, ME				21 Jan. 2013		1/8" = 1'-0"					



1 | EXCHANGE STREET ELEVATION
SCALE: 1/8"=1'-0"

Prepared For:		Consulting Engineer:	
Architect:		Project:	
Archetype architects 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056		119 EXCHANGE STREET PORTLAND, ME	
Revisions:		ELEVATIONS	
Date:	Scale:	A2.01	
21 Jan. 2013	1/8" = 1'-0"		



REVERSE SIDE LAYOUT

SEE DETAIL PAGE 2

SIGN ① LIGHTED PROJECTING SIGN - VERTICAL CONCEPT
SCALE: 3/8"=1'-0" (1) REQUIRED



Neokraft
SIGNS

Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

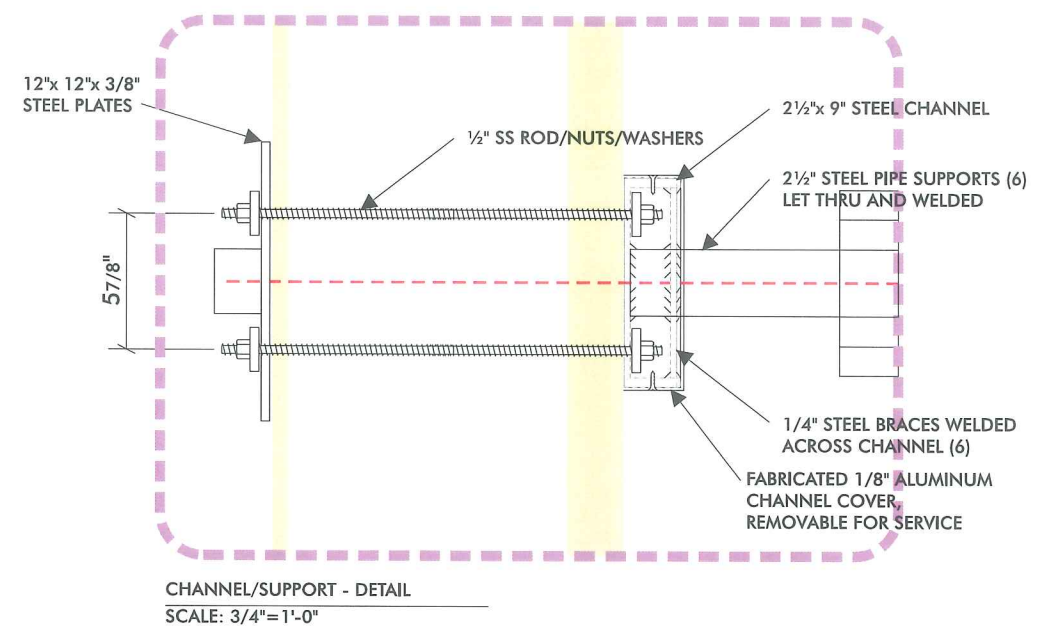
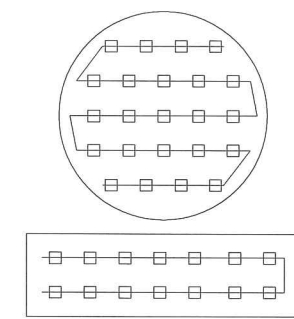
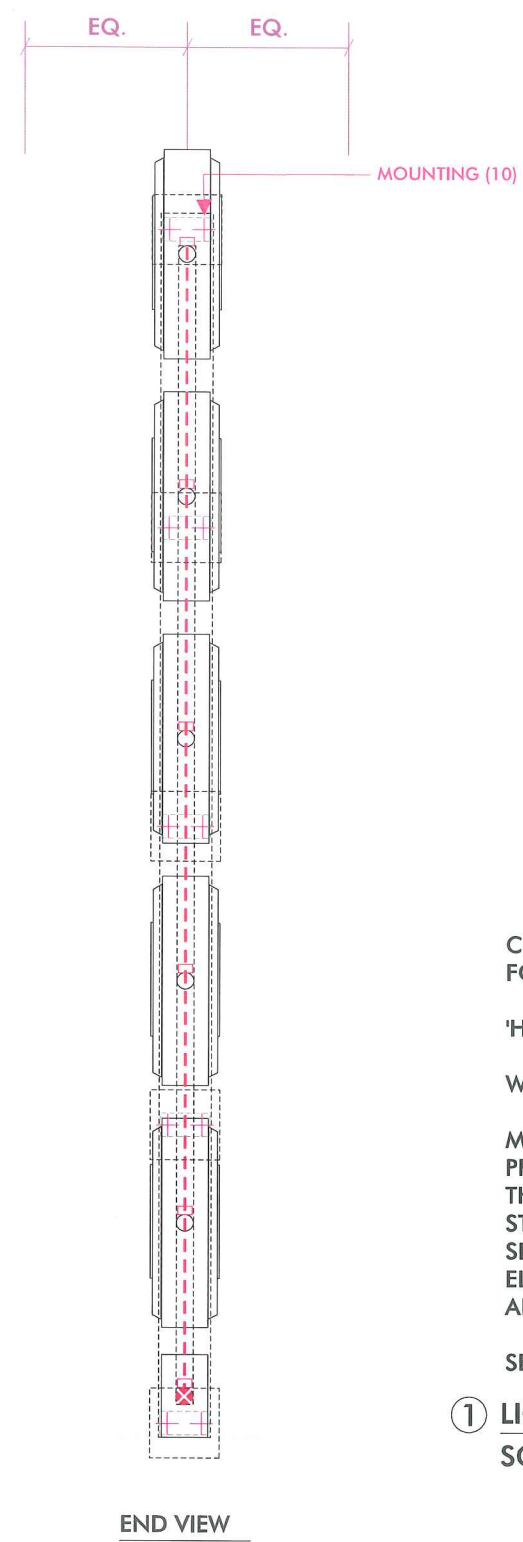
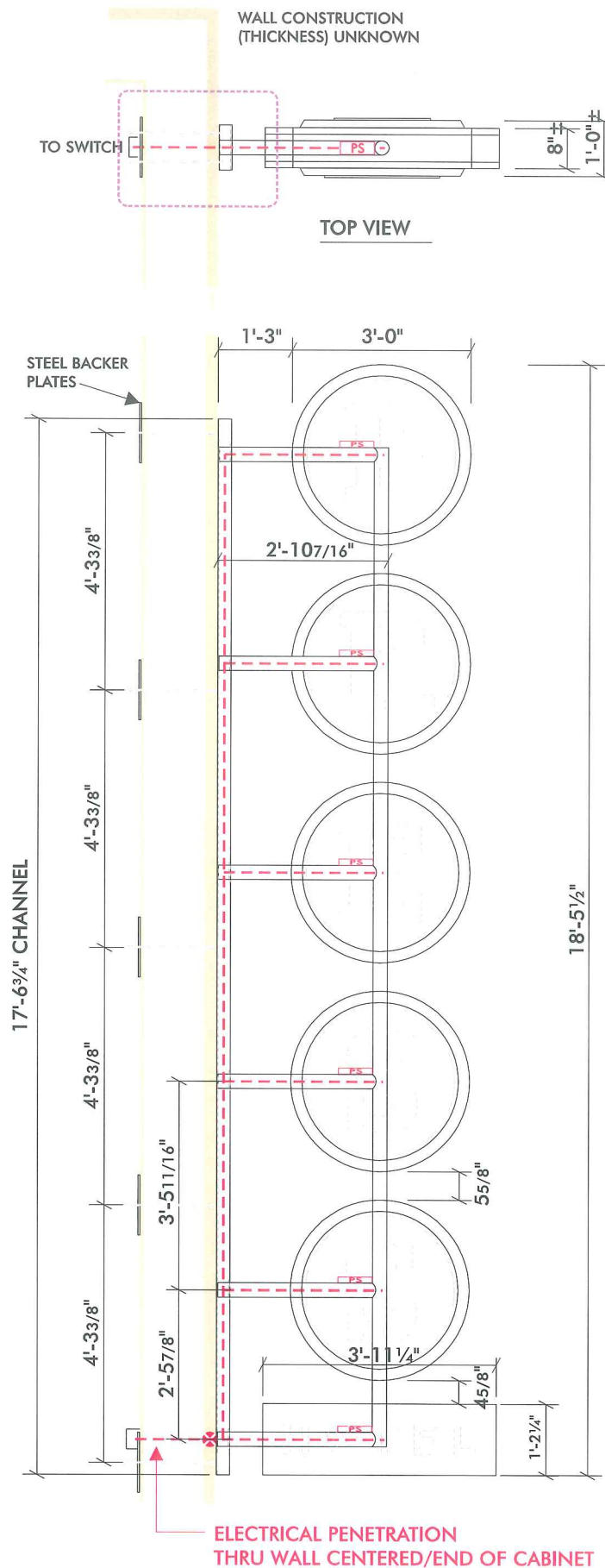
Custom Sign Fabrication

These plans are the exclusive property of Neokraft Signs, Inc. and are the result of the original work of its employees. They are submitted to Neokraft's client for the sole purpose of consideration of whether to purchase these plans or to purchase from Neokraft a sign manufactured according to these plans.

Distribution or exhibition of these plans to anyone other than employees of said client, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition or construction occurs, Neokraft expects to be reimbursed \$1500 in compensation for time and effort entailed in creating these plans.

Press Hotel
ML020857

Location:	119 Exchange Street
	Portland, Maine
Drawing No.:	1 of 3
Drawn by:	BK Rep.: RM
Date:	09.09.2014
Lead No.:	ML020857
Gen Ref.:	



CIRCULAR ALUMINUM CABINETS, PAINTED (BLACK/DARK SILVER RETAINER FACE - COLOR TBD), FORMED/EMBOSSD ACRYLIC PAN FACES, PAINTED BLACK WITH WHITE LETTERS,

'HOTEL' - CABINET PAINTED BLACK (TBD), PUSH-THRU WHITE ACRYLIC TEXT (HOTEL),

WHITE 'LED' ILLUMINATION INSIDE CABINETS, POWER SUPPLIES DIVIDED AS SHOWN

MOUNTED TO WALL - 2 1/2"x 9" STEEL CHANNEL WITH WELDED CROSS BRACES, 2 1/2" SCHD. 40 PIPE" PROJECTING ARM SUPPORTS/VERTICAL SUPPORT LET THRU AND WELDED TO CHANNEL/BRACES, THRU BOLTED WITH 1/2" SS THREADED ROD/NUTS/WASHERS THRU WALL AND 12"x 12"x 3/8" THICK STEEL PLATES ON INSIDE OF WALL, FABRICATED REMOVABLE ALUMINUM CHANNEL COVER, SEE DETAIL,

ELECTRICAL FEED IN CONDUIT THRU WALL, EACH SIGN CONNECTED, ALL WALL PENETRATIONS TO BE SEALED WITH SILICONE SEALANT

SEE ELEVATIONS PAGES 4, 5

- ① **LIGHTED - D/F PROJECTING SIGN - VERTICAL CONCEPT**
- SCALE: 3/8"=1'-0" (1) REQUIRED



Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

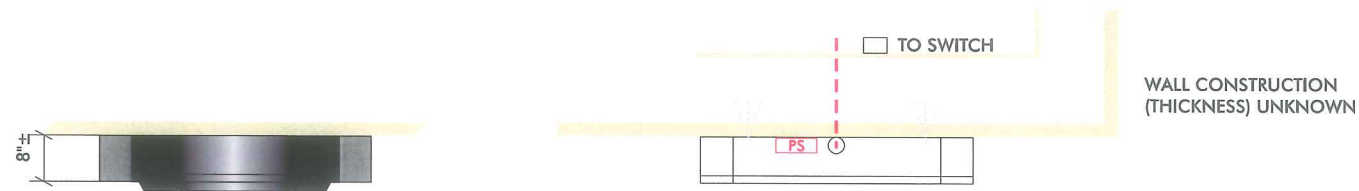
Custom Sign Fabrication

These plans are the exclusive property of Neokraft Signs, Inc. and are the result of the original work of its employees. They are submitted to Neokraft's client for the sole purpose of consideration of whether to purchase these plans or to purchase from Neokraft a sign manufactured according to these plans.

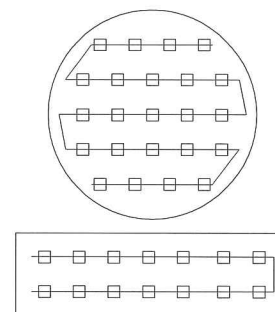
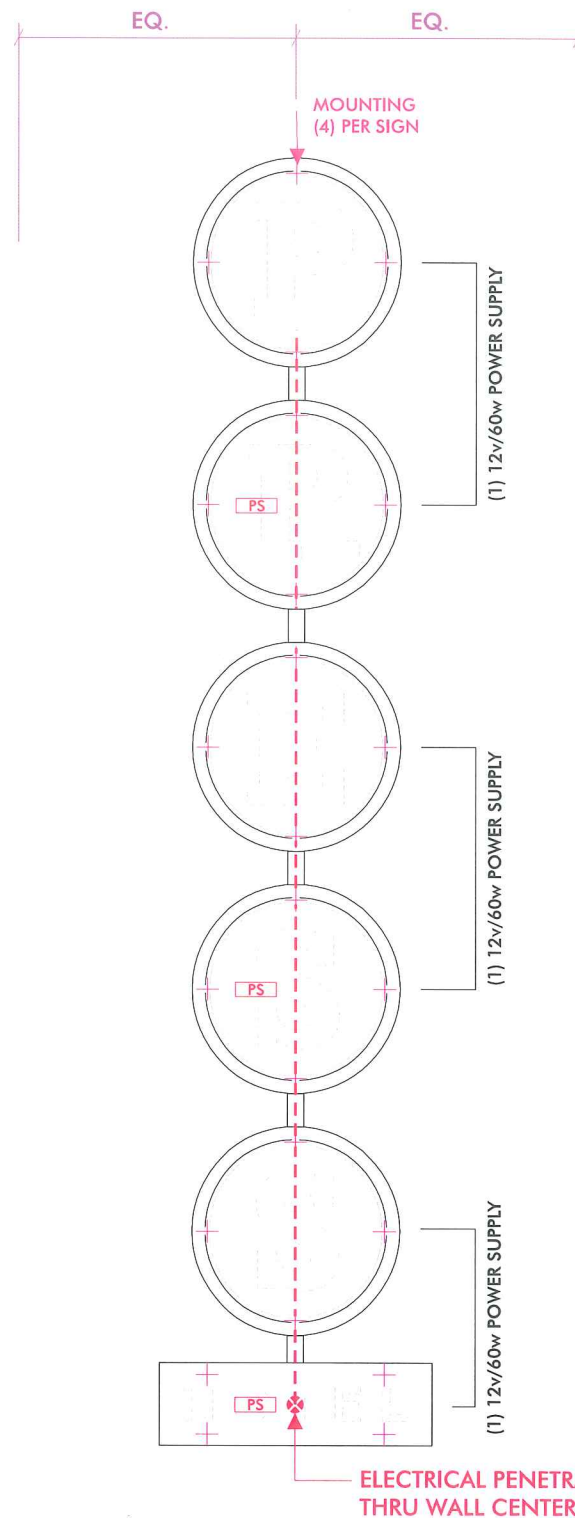
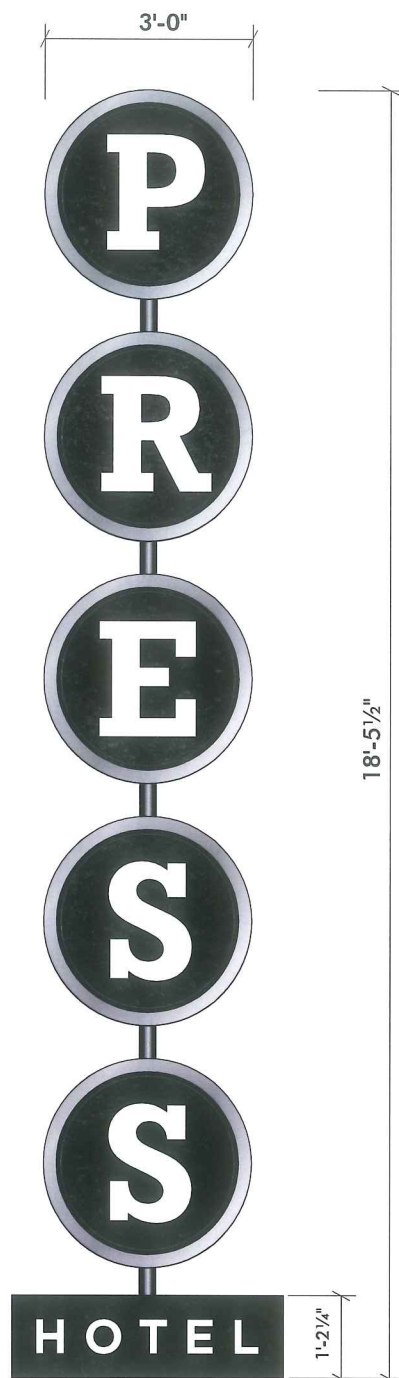
Distribution or exhibition of these plans to anyone other than employees of said client, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition or construction occurs, Neokraft expects to be reimbursed \$1500 in compensation for time and effort entailed in creating these plans.

Press Hotel ML020857

Location:	119 Exchange Street
	Portland, Maine
Drawing No.:	2 of 3
Drawn by:	BK Rep.: RM
Date:	09.09.2014
Lead No.:	ML020857
Gen Ref.:	

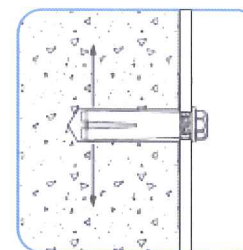


TOP VIEW



2x2 1-WATT SUMMIT 'LED' MODULES
WHITE 'LED' MOD. QUANTITY 24 PER FACE (5) FACES
WHITE 'LED' MOD. QUANTITY 14 PER FACE (1) FACE
'MEAN WELL' CEN-60-12 POWER SUPPLIES (3) @ .8A EACH
TOTAL 24A

LIGHTING DIAGRAM - ELECTRICAL
SCALE: 3/8"=1'-0"



LOK-BOLT™ ANCHORING SYSTEM AS MFG BY POWERS FASTENERS, NEW ROCHELLE, NY OR EQUAL:
A PRE-ASSEMBLED SINGLE UNIT SLEEVE ANCHOR FOR ANCHORING INTO SOLID AND HOLLOW CONCRETE AND MASONRY SUBSTRATES, PATENTED COMPRESSION RING PULLS FIXTURE FLUSH TO THE WORK SURFACE, AVAILABLE IN CARBON STEEL AND TYPE 304 STAINLESS STEEL; SEVERAL HEAD STYLES
SIZE RANGE: 1/4" DIA. x 5/8" TO 3/4" DIA. x 7 1/2"

SLEEVE-ANCHOR MOUNTING DETAIL
NOT TO SCALE

CIRCULAR ALUMINUM CABINETS, PAINTED (BLACK/DARK SILVER RETAINER FACE - COLOR TBD), FORMED/EMBOSSD ACRYLIC PAN FACES, PAINTED BLACK WITH WHITE LETTERS,

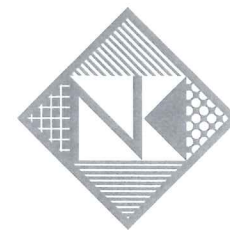
'HOTEL' - CABINET PAINTED BLACK (TBD), PUSH-THRU WHITE ACRYLIC TEXT (HOTEL),

WHITE 'LED' ILLUMINATION INSIDE CABINETS, POWER SUPPLIES DIVIDED AS SHOWN

MOUNTED TO WALL WITH FASTENERS DETAILED ABOVE, ELECTRICAL FEED IN CONDUIT THRU WALL, EACH SIGN CONNECTED THRU 2 1/2" CONDUIT WIREWAY, ALL WALL PENETRATIONS TO BE SEALED WITH SILICONE SEALANT

SEE ELEVATIONS PAGES 6, 7

SIGN ② **LIGHTED WALL SIGN - VERTICAL CONCEPT**
SCALE: 3/8"=1'-0" (1) REQUIRED



Neokraft
S I G N S

Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

Custom Sign Fabrication

These plans are the exclusive property of Neokraft Signs, Inc. and are the result of the original work of its employees. They are submitted to Neokraft's client for the sole purpose of consideration of whether to purchase these plans or to purchase from Neokraft a sign manufactured according to these plans.

Distribution or exhibition of these plans to anyone other than employees of said client, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition or construction occurs, Neokraft expects to be reimbursed \$1500 in compensation for time and effort entailed in creating these plans.

Press Hotel
ML020857

Location:	119 Exchange Street
	Portland, Maine
Drawing No.:	3 of 3
Drawn by:	BK Rep.: RM
Date:	09.09.2014
Lead No.:	ML020857
Gen Ref.:	



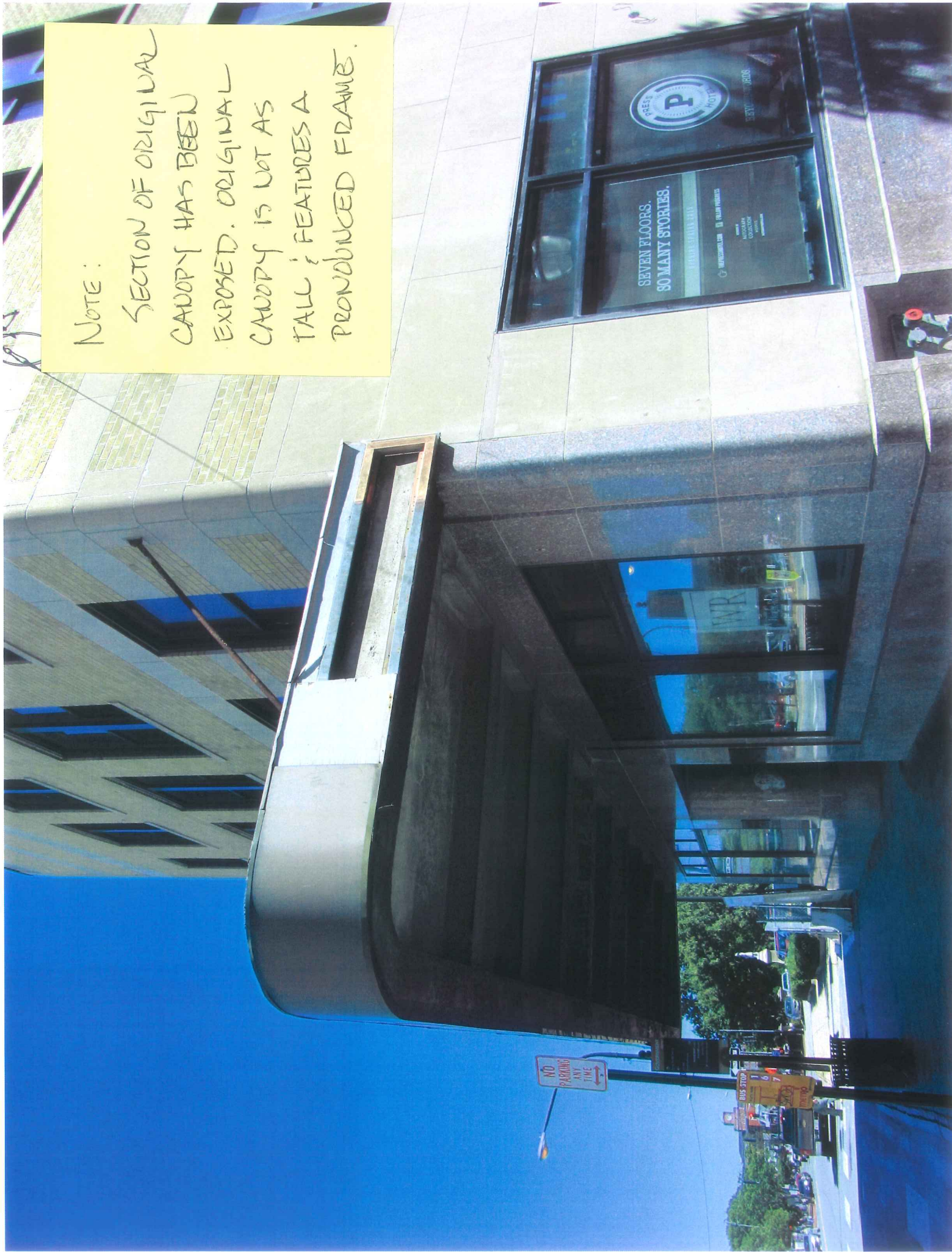




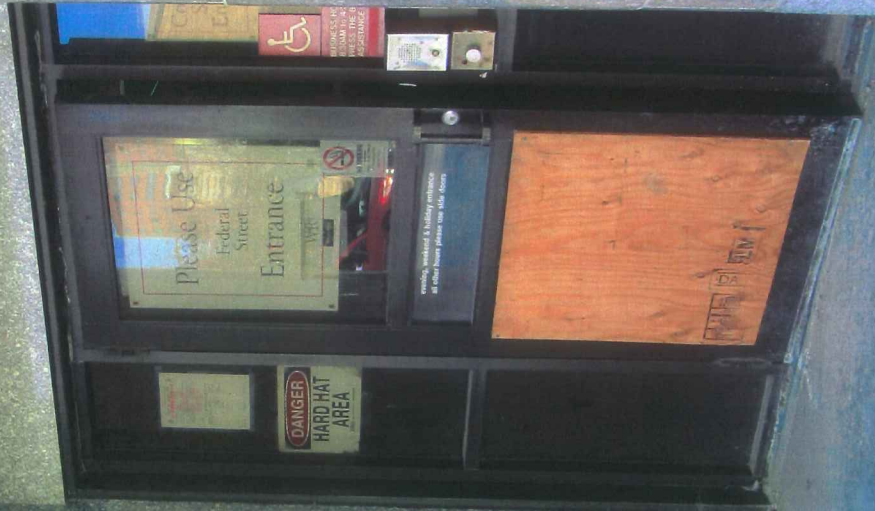


NOTE:

SECTION OF ORIGINAL
CANOPY HAS BEEN
EXPOSED. ORIGINAL
CANOPY IS NOT AS
TALL; FEATURES A
PROMINENT FRAME.



GANNETT
BUILDING
390



GANNETT
BUILDING
390



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

**PUBLIC HEARING
115 STATE STREET**

TO: Members of the Historic Preservation Board

FROM: Rob Wiener, Preservation Compliance Coordinator

DATE: September 11, 2014

RE: September 17, 2014 PUBLIC HEARING

Application for: Certificate of Appropriateness for a new roof deck with railing

Address: 115 State Street

Applicants: Jane Barriault and Ted Wandishin

Introduction

Property owners Jane Barriault and Ted Wandishin are presenting a proposal for a rooftop deck on a rear ell at 115 State Street. The roof in question is almost flat, pitched slightly toward the south (away from Spring Street,) and is largely hidden by the ridge of a gable-roofed ell attached to the rear of the other half of the duplex, 117 State Street. The proposed deck will not be visible at all from Spring Street, except for a low existing curb already integrated into the rubber roofing, and the proposed railing that will be mounted to the curb. The railing will be visible from Spring Street, at the rear of the deck, and also along the Spring Street side, above the gabled rear ell of 117 State.

The applicants have written a narrative that makes clear that they are willing be flexible about the type of railing to be installed, according to what the Board thinks will be most appropriate for the circumstances. They have also provided numerous photographs of other rooftop decks and railings in the neighborhood.

Subject Property

The property is half of a brick, three story Federal duplex on the busy southeast corner of State and Spring Streets, constructed in 1836. It has been designated as a contributing structure since the creation of the Spring Street Historic District in 1970. An Italianate porch was added to 117 State circa 1870, while the porch for 115 dates from the 1980's. The rear ell on Spring Street is original, while the attached garage was built in the 1920's. The date of the addition on which the proposed deck is to be built is unclear.

Proposed Construction

As presented in the applicants' narrative, the proposed deck itself would be invisible, while the required 42" high railing will be somewhat visible from Spring Street. Ms. Barriault and Mr. Wandishin have proposed using a simple, black painted railing of 4x4 posts with 2x4 rails and 2x2 balusters (all nominal, not actual dimensions.) As alternatives, they are willing to consider either black cable rail or black metal fencing if the Board feels that a railing with a different appearance would fit the situation better. Staff understands that the applicants will photograph a mock-up of the proposed railing in place, and bring these photos to the Board meeting for better understanding of the visual impact of the proposal.

The applicants access the roof in question from an existing third floor window, and no changes are proposed to the existing openings of the building.

Staff Comments

As is demonstrated in the photographs provided by the applicants, the invisibility of the rooftop deck and lack of visible framing avoids one of the most significant visual impacts of rooftop decks. Staff views the primary questions for the Board as:

- Whether it is reasonable and compatible to use the available rooftop for a deck, thereby necessitating the railing that will be partially visible from Spring Street.
- If the answer to the first question is yes, then what form of railing would be most appropriate?
- Does the Board agree with the applicants that black is probably the most appropriate and recessive color to use for the railing components?

In staff's view a traditional but plain black metal fencing may be worth considering because the component parts might be smaller, thus having less visual weight as viewed from the street. A more contemporary approach to achieving the same goal would be to use black cable rail. The latter would raise the question of whether a traditional or more contemporary railing would be best for the proposed location. It is unclear to staff whether the railing would be anchored in the wall of the building, or only to the curb beneath the posts.

Applicable Review Standards

- (1) *Every reasonable effort shall be made to provide a compatible use for the property which requires minimal alteration to the character-defining features of the structure, object or site and its environment or to use a property for its originally intended purpose.*
- (2) *The distinguishing original qualities or character of a structure, object or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
- (10) *Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to be removed*

in the future, the essential form and integrity of the historic property would be unimpaired.

Motion for Consideration

On the basis of plans and specifications submitted by the applicant for the September 17, 2014 Public Hearing and information included in the accompanying staff report, the Board finds that the proposed alterations at 115 State Street **meet (fail to meet)** the Standards for Review of Construction within the historic preservation ordinance, specifically Standards #..... **(Board approval is subject to the following conditions...)**

Attachments

1. Applicants' submittal, including project description
2. Applicants' photos of railing types
3. Applicants' photos of proposed project area
4. Applicants' photos of rooftop decks in the neighborhood



Date:

Date: 9-2-14 **A**

Att - 1

HISTORIC PRESERVATION APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Pursuant to review under the City of Portland's Historic Preservation Ordinance (Chapter 14, Article IX of the Portland City Code), application is hereby made for a Certificate of Appropriateness for the following work on the specified historic property:

PROJECT ADDRESS:

115 State Street

CHART/BLOCK/LOT:

45-B-45-001

PROJECT DESCRIPTION: Describe below each major component of your project. Describe how the proposed work will impact existing architectural features and/or building materials. If more space is needed, continue on a separate page. Attach drawings, photographs and/or specifications as necessary to fully illustrate your project—see following page for suggested attachments.

see attached narrative

The subject property is located at 115 State Street and is ½ of the building that sits on the corner of Spring and State Streets. 115 is the downward side of the property moving downward on State Street – whereas 117 sits literally on the corner of Spring & State.

The project is the installation of railings for the flat roof portion of the back side of the property so as to allow for the utilization and enjoyment of the existing flat rubber roof deck. The position of this portion of the house is not visible from State Street and largely shielded from view on Spring Street by a row of large, tightly packed trees. The property abuts a private alley and parking area for the neighboring apartment building(s).

There will be NO wooden joists and NO other decking due to the nature of the flat solid roof as no decking is required. There is an existing rubber curbing on the roof and rubber roof tiles will abut the curbing so as not to be exposed or visible in any way from the street or any other angle. The railings will be installed on the existing curbing for a securely supported structure.

Once installed, a portion of the railings will be visible from the northerly sidewalk on Spring Street from a position near the fire museum; however, will not be able to be seen from the southerly side of Spring Street due to the position of the existing garage and house ell and its pitched roof. When walking westerly on Spring Street on the northerly side of the street, the view of the property is largely impaired due to the nature and position of the trees – and though deciduous, are tightly packed. There may be a small amount of visibility to vehicular traffic traveling west on Spring Street, but no visibility to those traveling east on Spring Street. The proposed railings will not be visible at all to State Street traffic.

When standing in front of the fire museum and looking up, the visible portion of the railing on the Spring Street side will be approximately 7" on one end and approximately 26- 28" on the other. This is because the deck is behind the peak of the roof. This assumes a 42" railing height – and we have also considered as an option a 44" height for greater security.

At the suggestion of Rob Wiener, we have examined options for railings as well as existing comparables in the neighborhood and are asking for approval from the Board for the installation. We have examined other roof decks and structures within a two block radius in the same historic zone – and most are of wood materials. Photographs are available electronically and will be shared at the meeting on the 17th.

It is our common goal to maintain the visual integrity of the building's historical quality and thus utilize products that are best suited to that end – in a most cost efficient manner and similarly consistent with other roof deck railings within the several block radius from our property.

All products & options for materials are proposed to be in black – which is an existing complimentary accent color now on the house. We very much want to avoid adding a fourth color to this property.

Our preferred choice would be to use small 1 ¼” wooden square balusters with no larger than 4x4 Newel pillar posts as supports for each 6 foot section – and with beveled top and bottom rails from 2x4 lumber. All would be a solid black stain. This material is highly consistent with other roof decking nearby and coordinates with the existing house accents and fencing – as well as the fencing to be installed as administratively approved at the 117 part of the house.

Other options for materials may be aluminum railing sections – or small steel cable coated in black vinyl with a black railing top. We are open to suggestions from the Board for material and visual appearance of the railings while maintaining a focus on cost efficiency and consistency with other similar roof decks in the area.

Sample photographs are included with this application – although may not be shown in black as proposed.

We believe that our proposal meets that Standards of Review with particular applicability of items 9 & 10 in that the color scheme and materials are consistent and will not impair the integrity of the cultural, historical or architectural characteristics of the building – and that if removed in the future, would not impact the essential form and integrity of the historic property.

Activities Requiring Approval in Historic Districts

If your property is located within a historic district or is an individually designated historic structure, it is necessary to receive approval before proceeding with any exterior alteration, construction activity or site improvement that will be visible from a public way. Following is a list of activities requiring review.

Please check all those activities that apply to your proposed project.

Alterations and Repair

- ☐ Window and door replacement, including storms/screens
- ☐ Removal and/or replacement of architectural detailing (for example porch spindles and columns, railings, window moldings, and cornices)
- ☐ Porch replacement or construction of new porches
- ☐ Installation or replacement of siding
- ☐ Masonry work, including repointing, sandblasting, chemical cleaning, painting where the masonry has never been painted, or conversely, removal of paint where the masonry historically has been painted
- ☐ Installation or replacement of either roofing or gutters when they are a significant and integral feature of the structure
- ☐ Alteration of accessory structures such as garages

Additions and New Construction

- ☐ New Construction
- ☒ Building additions, including rooftop additions, dormers or decks *railings*
- ☐ Construction of accessory structures
- ☐ Installation of exterior access stairs or fire escapes
- ☐ Installation of antennas and satellite receiving dishes
- ☐ Installation of solar collectors
- ☐ Rooftop mechanicals

Signage and Exterior Utilities

- ☐ Installation or alteration of any exterior sign, awning, or related lighting
- ☐ Exterior lighting where proposed in conjunction with commercial and institutional signage or awnings
- ☐ Exterior utilities, including mechanical, plumbing, and electrical, where placed on or near clearly visible facades

Site Alterations

- ☐ Installation or modification of site features other than vegetation, including fencing, retaining walls, driveways, paving, and re-grading

Moving and Demolition

- ☐ Moving of structures or objects on the same site or to another site
- ☐ Any demolition or relocation of a landmark contributing and/or contributing structure within a district

Note: Your project may also require a building permit. Please call Building Inspections (874-8703) to make this determination.

ATTACHMENTS

To supplement your application, please submit the following items, *as applicable to your project*. Keep in mind that the information you provide the Historic Preservation Board and staff is the only description they will have of your project or design. Therefore, it should precisely illustrate the proposed alteration(s).

- ☒ Exterior photographs (required for all applications.) Include general streetscape view, view of entire building & close-ups of affected area.
- ☐ Sketches or elevation drawings at a minimum 1/4" scale. Please label relevant dimensions. All plans shall be submitted in 11" x 17" format except for major projects, where 22" x 34" plans are requested. Applicants for major projects should submit one (1) 11" x 17" copy for scanning purposes.
- ☐ Details or sections, where applicable.
- ☐ Floor plans, where applicable.
- ☐ Site plan showing relative location of adjoining structures.
- ☐ Catalog cuts or product information (e.g. proposed windows, doors, lighting fixtures)
- ☐ Materials - list all visible exterior materials. Samples are helpful.
- ☐ Other (explain) _____

If you have any questions or need assistance in completing this form, please contact Historic Preservation staff:

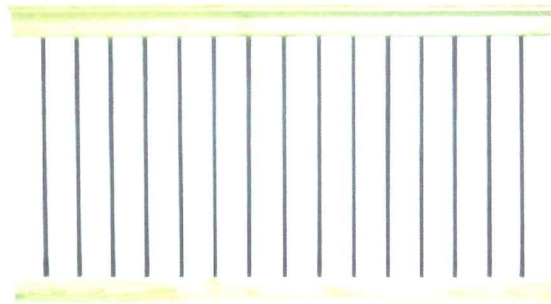
Deb Andrews (874-8726) or by e-mail at dga@portlandmaine.gov
Rob Wiener (756-8023) or by e-mail at rwiener@portlandmaine.gov

Photos are for RAILINGS ONLY - no wood decking will exist. Floor is rubber and not visible from any angle. All would be in Black regardless of color shown.



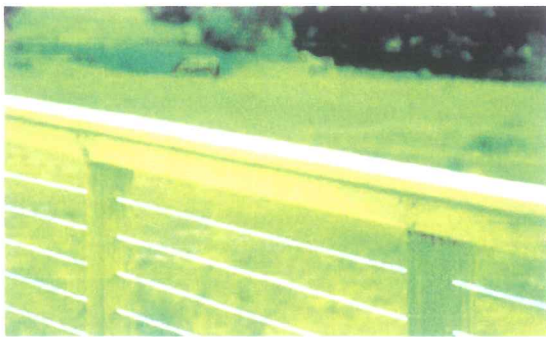
posts are 4" x 4"
balusters are 1/2" x 1/2" x 1/2"
railing is 1/2" x 1/2" x 1/2"



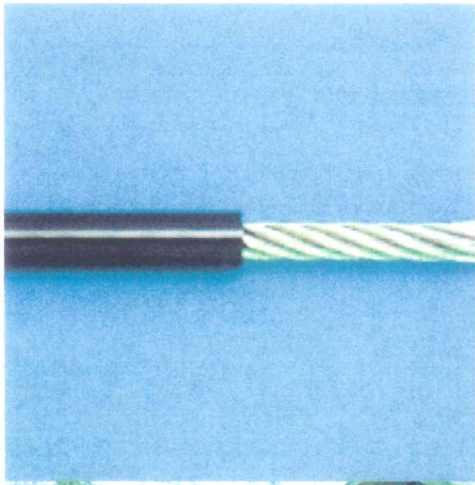


Handrail

Handrail



Handrail



Handwritten text, possibly a signature or a note, in dark ink. The text is written in a cursive or semi-cursive style and is somewhat difficult to read due to the angle and lighting. It appears to be a name or a short phrase.

Standards for Review of Alterations to Historic Buildings

In considering an application for a Certificate of Appropriateness involving alterations, the Historic Preservation Board and Staff the following review standards, as provided in the City's historic preservation ordinance:

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







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

**PUBLIC HEARING
50 WESTERN PROMENADE**

TO: Members of the Historic Preservation Board

FROM: Rob Wiener, Preservation Compliance Coordinator

DATE: September 11, 2014

RE: September 17, 2014 PUBLIC HEARING

Application for: Certificate of Appropriateness for a new detached garage

Address: 50 Vaughan Street

Applicant: David Fenton

Project Architect: Daniel Scully

Introduction

Property owner David Fenton is applying for a Certificate of Appropriateness for a proposed detached garage to be built next to the house at 50 Western Promenade. Mr. Fenton has submitted drawings and a description by architect Daniel V. Scully, who resides some distance from Portland. Additional submission materials include a site plan and photos of the existing property. A photo is provided by the applicant showing a mock-up of a garage in the proposed location – note that the garage shown in this photo is not the proposed design, but is provided to show a similar structure in the approximate proposed location. Staff has included historic 1924 photos of the house and a garage that was demolished at some point in the past. The garage was located further from the house than the proposed new construction, on land that is now owned jointly by Mr. Fenton and the three neighbors on the shared private driveway.

Subject Property

The property is one of four unique, brick Queen Anne style houses built circa 1880 on a private drive off the lower end of the Western Promenade. The common story about the origin of the houses is that they were built as a compound by a successful Jewish businessman who did not feel welcome (or was actively discouraged from building) in the more developed and developing areas of the Western Prom neighborhood. Like its three neighbors, number 50 is a large, irregular, somewhat fanciful building with a main gable roof broken up by a variety of dormers and a turreted tower at the southwest corner.

It is worth noting that the ground drops off steeply behind the house, and beyond the backyard it slopes even more steeply to Danforth Street.

Proposed Construction

Mr. Scully's design is explained quite well in the letter included in the packet. The minimally-sized, two-car garage is sited at the end of the cul-de-sac, and will be partly obscured by the house from some vantage points. The siting is calculated to comply with setback requirements, while leaving enough room between the proposed garage and the house to employ a man-lift for future house maintenance. No details have been provided yet about the foundation and the grading that may be required behind the garage to respond to the elevation change at the rear of the property.

Mr. Scully is proposing matching brick, non-contrasting trim colors, a low flat roof, and strong horizontal lines to harmonize, and avoid competing with the existing house. It appears that the steel beam over the garage door is proposed to be left exposed, with the face painted black. No details are provided for the design of the garage door.

Staff Comments

By including the historic photo of the former garage at 50 Western Promenade, staff is in no way suggesting that it should influence the design of the proposed new garage. It appears that the architect has made an effort to design a compatible, quiet accessory structure that will not distract from the significance of residence. The West End has a number of examples of low, flat-roofed garages, including several on Orchard Street.

Staff suggests the Board may want to discuss the following aspects of the design:

- The treatment of grading and exposed foundation (with limited visibility from the public way) at the rear of the proposed garage
- A single garage door is proposed (necessitated by the narrowness of the building) – what design would be most appropriate for the traditional design of the garage?
- The orientation of the garage siting is parallel to the property line, and not to the house – this appears to be in response to the orientation of the driveway, and the limited space available.
- The exposed, black painted beam over the garage door – should a more finished treatment be considered?

Applicable Review Standards

Staff has provided for the Board's reference a summary of the ordinance's Standards for New Construction—see enclosed. The following design guidelines are of particular relevance to this project:

- *Relationship of materials, texture and color – The relationship of the color and texture of materials (other than paint color) of the façade shall be visually compatible with the predominant materials used in the structures to which they are visually related.*

- *Rhythm of spacing and structures on streets – The Relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related.*
- *Directional expression of principal elevations – A building shall be visually compatible with the structures, public ways, and places to which it is visually related in its directional character, whether this be vertical, horizontal, or non-directional character.*

Motion for Consideration

On the basis of plans and specifications submitted by the applicant for the September 17, 2014 Public Hearing and information included in the accompanying staff report, the Board finds that the proposed new garage construction at 50 Western Promenade **meet (fail to meet)** the Standards for Review of Construction within the historic preservation ordinance, specifically Standards #..... **(Board approval is subject to the following conditions...)**

Attachments

1. Applicant's submittal, including project description
2. Applicant's existing and proposed site plan
3. Applicant's photos of proposed project area
4. Staff photos of property
5. 1924 photos of 50 Western Promenade, and the former garage
6. Summary of New Construction Standards and Guidelines

DANIEL V. SCULLY ARCHITECTS

• 17 Elm Street • Keene, New Hampshire 03431 • 603/357-4544 • Fax 603/357-4545 • Email DVS@scully-architects.com

Daniel V. Scully, Principal Architect, LEED AP
Katie Cassidy Sutherland, Associate Architect, LEED AP
David Drasba, Architect, LEED AP
Andrew Weglinski, LEED AP/BPI Building Analyst
Bill Fleming, Architect

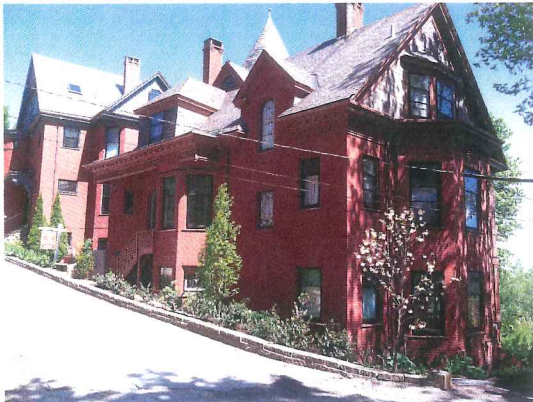
August 16, 2014

David Fenton
50 Western Promenade
Portland, Maine

Re: Garage design

Dear David,

You have an extraordinary house, and with it comes the responsibility to maintain its character in kind.



The question of how to do a two car garage in such style begs lots of questions.

Despite the great peaked roofs of the house and adjacent properties, arguably the dominate line when looking at your house are the very strong horizontal eave overhang lines at the base of the roof- especially is they extend way out to cover the entryway. The house is stately and finely proportioned, yet all the detailing is in the eaves- they become the focus.



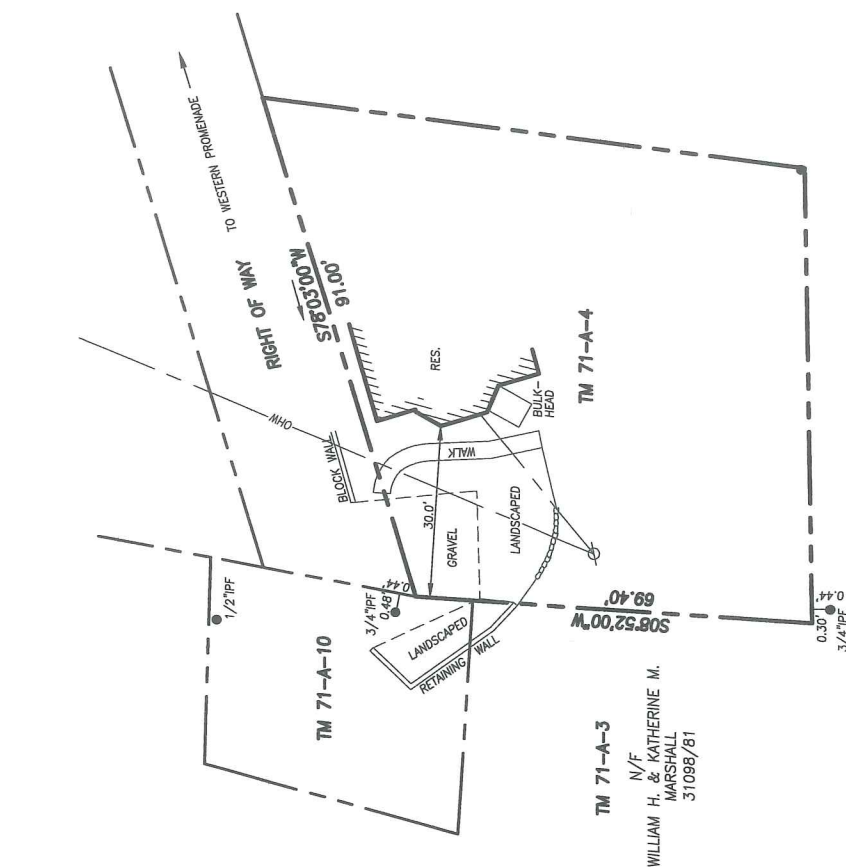
Curiously, in looking around the Promenade area, there are a great many examples of the horizontally driven lines of flat roof garages. One benefit of this approach is the garage does not visually compete with house. They are of similar materials, yet without pretending to the greatness of the house. One mistake these two examples make in the context of your house is the use of a high-lighting contrasting color. I really appreciate that the eave trim on your house is the same color as the brick- they create a cohesive massing. Your garage should do the same.

The proposed design of your garage is a two car minimal of 20 feet wide and 18 feet dep. No Suburbans for you, ever. The deep overhangs of the perimeter trim is a takeoff of the house eave trim- above and beyond what most would do on a garage, but right for your house. We are anticipating finding a brick to match the house with which to build the exterior walls. The trim and walls are all compatible with the house. I would paint the steel lintel over the door the black of your house window sash.

Yours,

Daniel V Scully/Architect
Maine # 1491

EXISTING
SITE PLAN



PLAN REFERENCE:

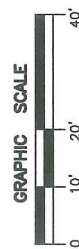
"PLAN OF LAND OWNED BY BARNET PENERMAN, JACOB ROSENBERG & SAMUEL ROSENBERG" RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 13 PAGE 30.

NOTES:

1. OWNER OF RECORD: DAVID FENTON, CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 30835 PAGE 281.
2. BEARINGS ARE MAGNETIC 1915 PER REFERENCED PLAN.
3. PROPERTY IS LOCATED IN THE CITY OF PORTLAND R4 ZONE.

LEGEND:

- IRON PIPE OR ROD FOUND
- UTILITY POLE
- OHW — OVERHEAD WIRES



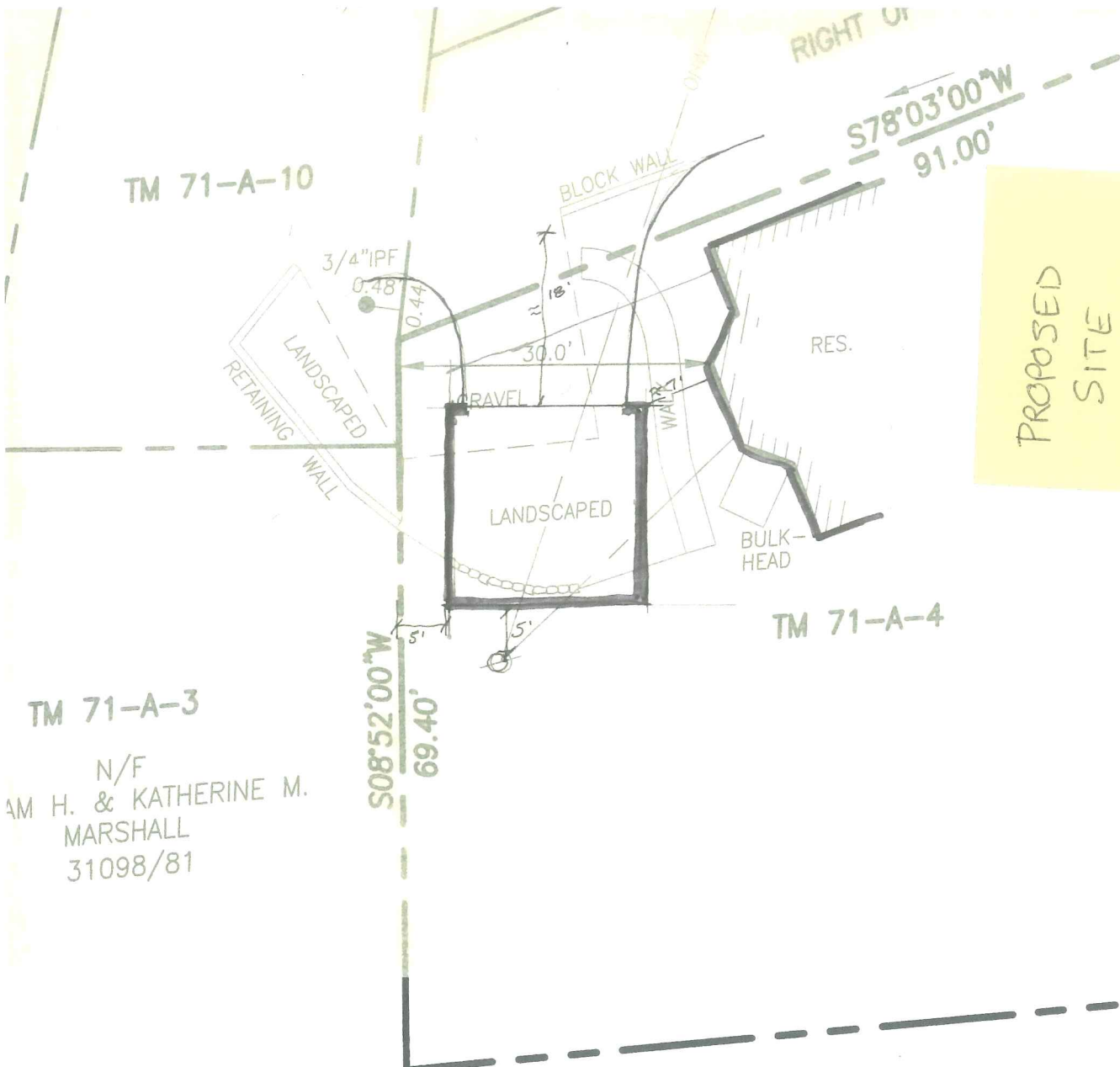
SKETCH PLAN

AT
50 WESTERN PROMENADE, PORTLAND, MAINE
MADE FOR
DAVID FENTON

50 WESTERN PROMENADE, PORTLAND, MAINE
OWEN HASKELL, INC.

Drwn By	EB	Date	07-17-14	Job No.	14-088P
Check By	EB	Scale	1" = 20'	Drwg. No.	1

PROPOSED
SITE
PLAN



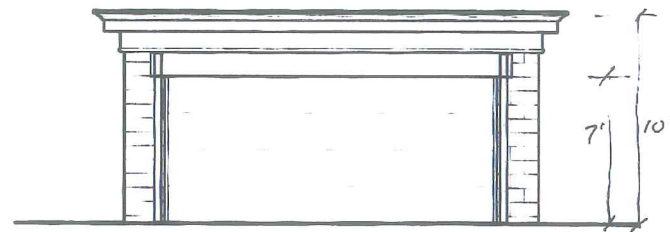
TM 71-A-10

TM 71-A-3

N/F
AM H. & KATHERINE M.
MARSHALL
31098/81

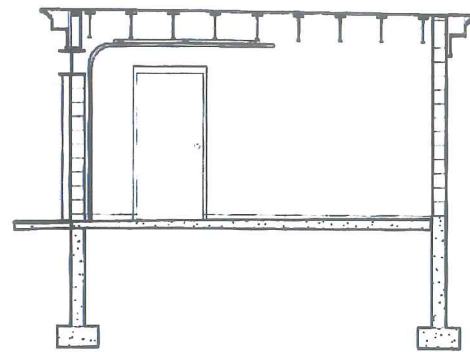
TM 71-A-4

DANFORTH STREET



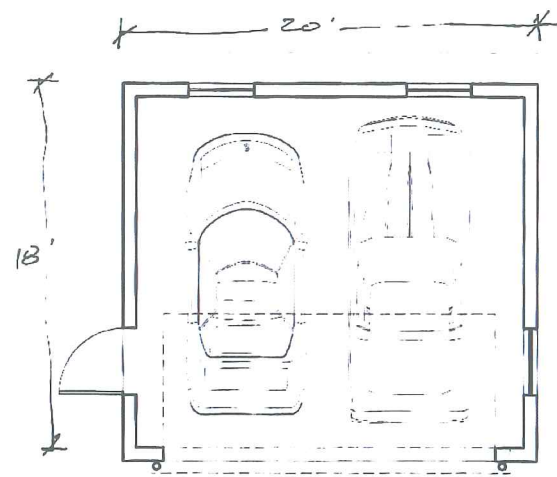
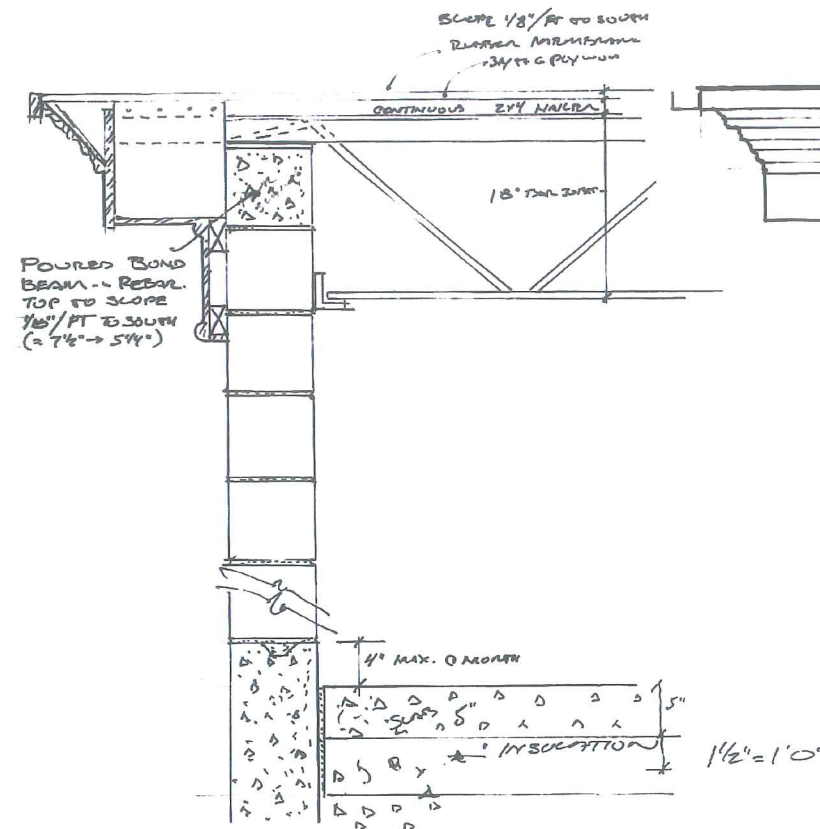
1 FRONT ELEVATION

SCALE: 1/4" = 1'-0"



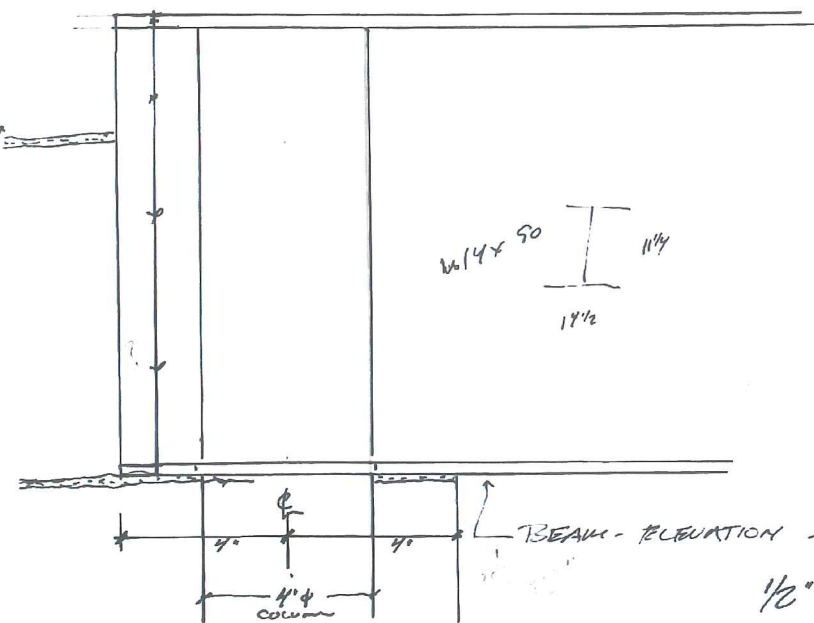
3 TRANSVERSE SECTION

SCALE: 1/4" = 1'-0"

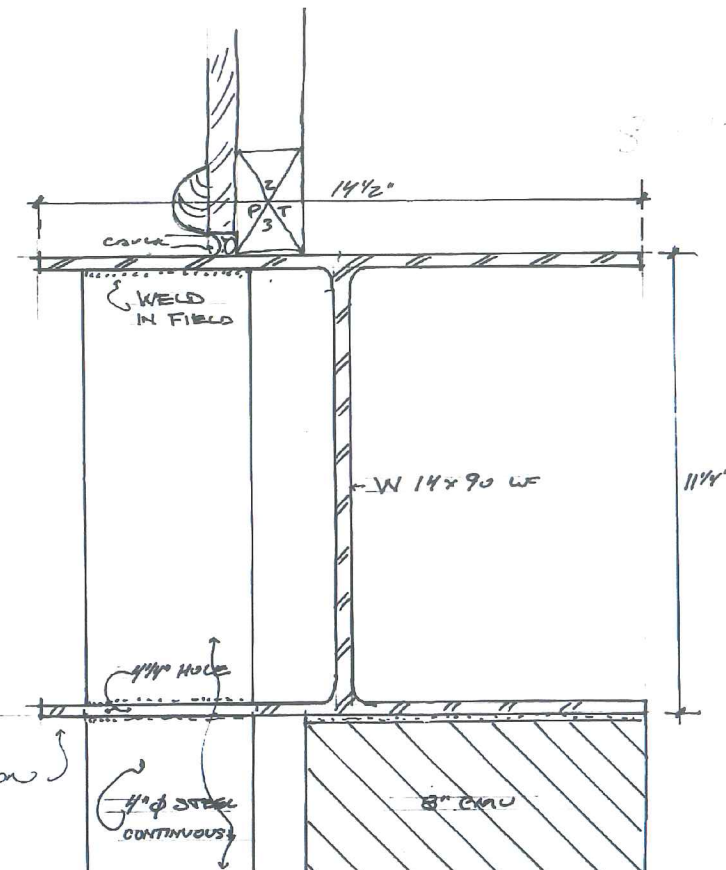


2 FLOOR PLAN

SCALE: 1/4" = 1'-0"



BEAM - ELEVATION - SECTION
1/2" = 1'-0"



PRELIMINARY
NOT FOR CONSTRUCTION

DANIEL SCULLY
ARCHITECTS
17 Elm Street • Room 304 03431
603-357-4544 • Fax 603-357-4545

FENTON GARAGE
PORTLAND, ME

SCHEMATIC DRAWINGS
SCALE: AS NOTED
JOB: 100000
DRAWN: AMW/DS

DATE	REVIEW
7/25/14	
DATE	FOR
	ISSUE LOG

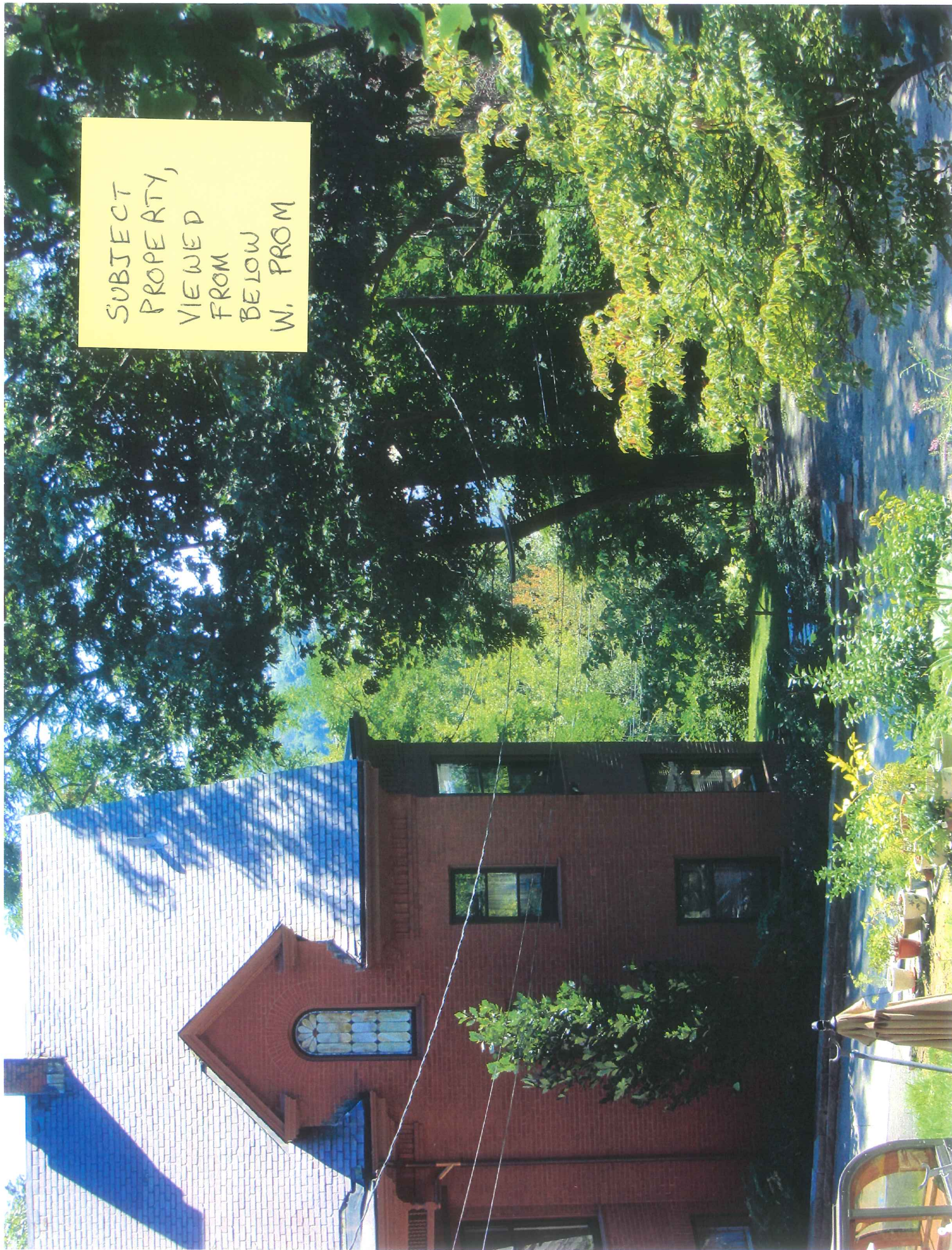
SD.1



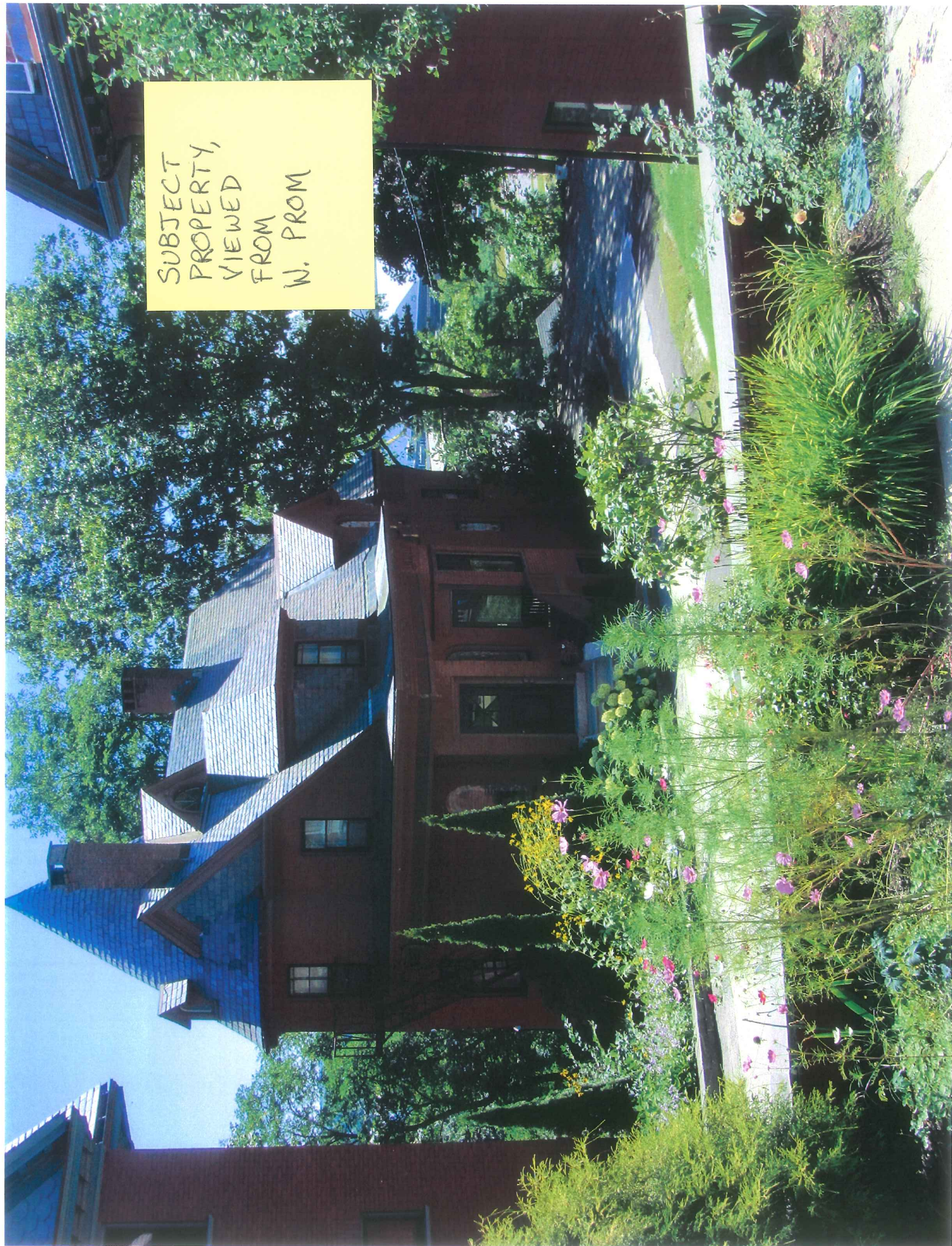
APPLICANT'S
RENDERING
(GARAGE SHOWN
IS NOT AS
PROPOSED.)

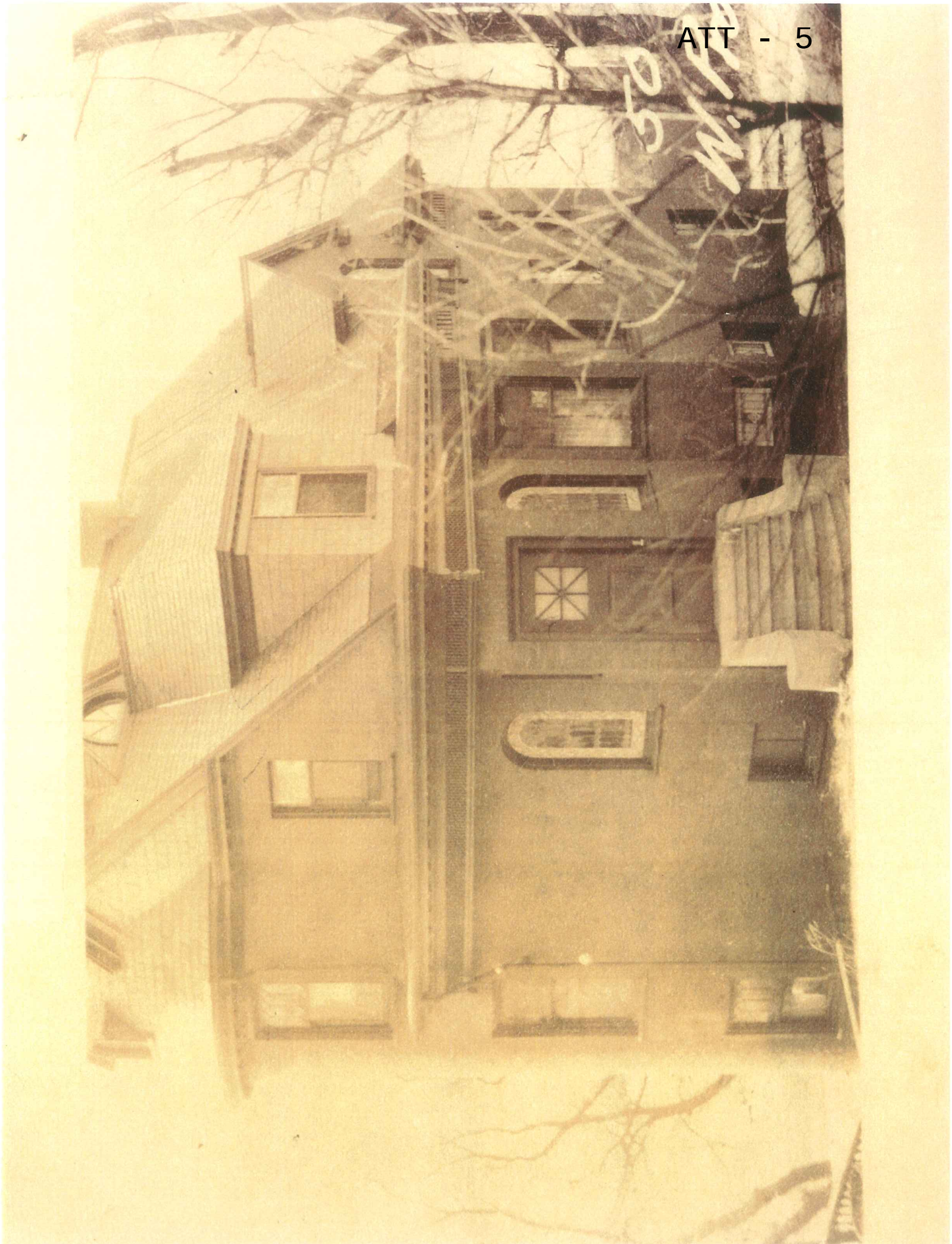


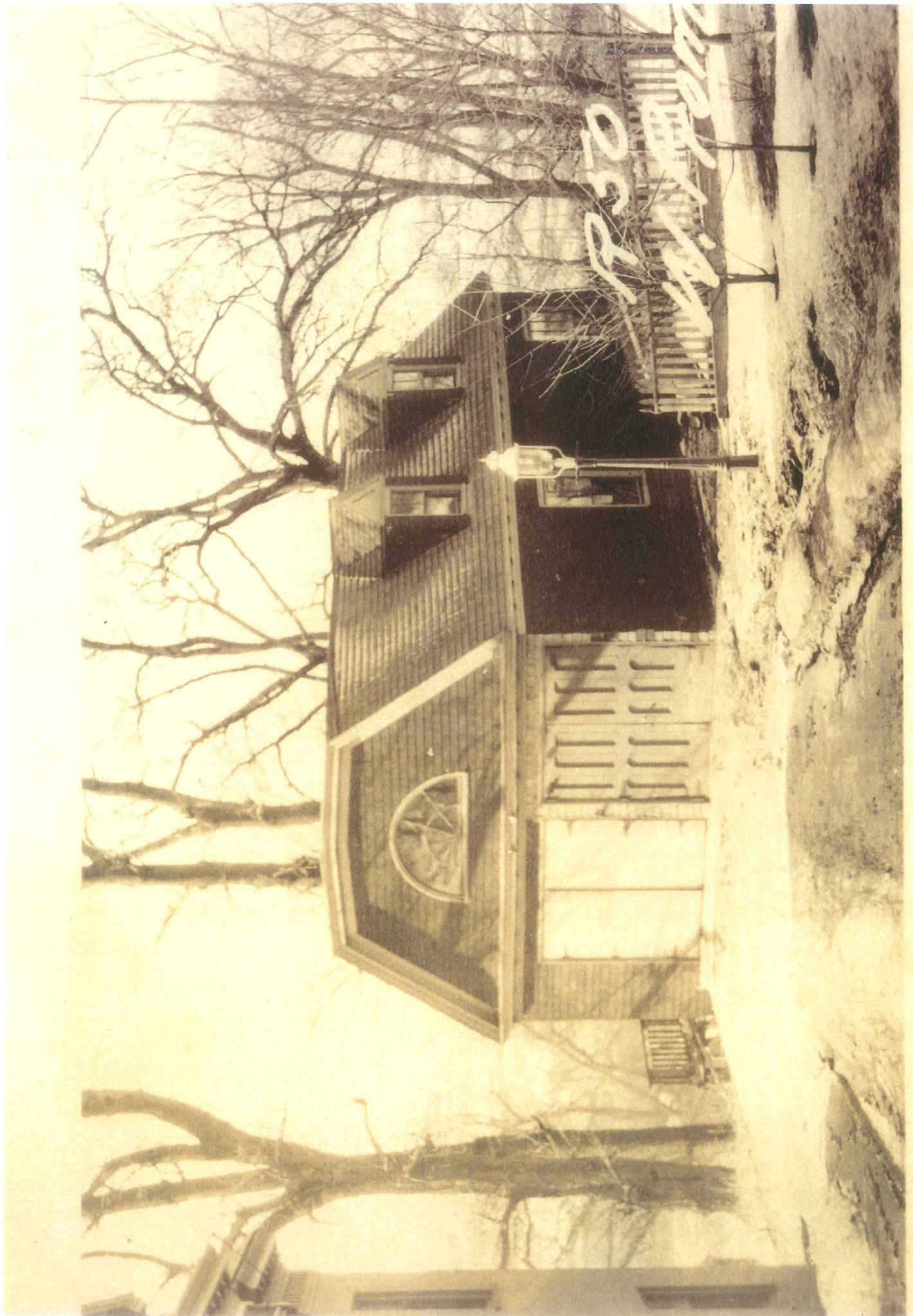
SUBJECT
PROPERTY,
VIEWED
FROM
BELOW
W. FROM



SUBJECT
PROPERTY,
VIEWED
FROM
W. PROM







Standards: Review of Construction, New Construction Standards.

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 – The height of the proposed building shall be visually compatible with surrounding structures when viewed from any street or open space.

Width – The width of a building shall be visually compatible with structures and open spaces to which the building is visually related.

Proportion of principal facades – The relationship of the width to the height of the front elevation shall be visually compatible with structures to which the building is visually related.

Roof shapes – The roof shape of a structure, including rooftop additions, shall be visually compatible with the structures to which it is visually related.

Scale of the structure

Composition of Principal Facades

Proportion of openings – The relationship of the width to height of windows and doors and the location of windows and doors within the façade shall be visually compatible with structures, public ways and places to which the building is visually related.

Rhythm of solids to voids in facades

Rhythm of entrance porch and other projections – The rhythm of entrances and other façade projections or recesses shall be visually compatible with the structures, public ways, and places to which it is visually related.

Relationship of materials, texture and color – The relationship of the color and texture of materials (other than paint color) of the façade shall be visually compatible with the predominant materials used in the structures to which they are visually related.

Signs, canopies and awnings

Relationship to the street

Walls of continuity – Facades and site structures such as masonry walls, fences, and landscape masses shall when it is a characteristic of the area, form cohesive walls of enclosure along a street, to ensure visual compatibility with the structures, public ways and places to which such elements are visually related.

Rhythm of spacing and structures on streets – The Relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related.

Directional expression of principal elevations – A building shall be visually compatible with the structures, public ways, and places to which it is visually related in its directional character, whether this be vertical, horizontal, or nondirectional character.

The following *Standards for Review of Alterations* may also apply in the review of new construction:

Compatible use (see Standard #1)

Distinguishing original character (see Standard #2)

Archeological resources (see Standard #8)

Contemporary design (see Standard #9)

Addition (see Standard #10)

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

**PUBLIC HEARING
147 CONGRESS STREET**

TO: Members of the Historic Preservation Board

FROM: Deborah Andrews, Historic Preservation Program Manager

DATE: September 11, 2014

RE: September 17, 2014 PUBLIC HEARING

Application: Nomination of Freeman House at 147 Congress Street for Local Landmark Designation

Nomination Submitted by: Karen Rasmussen and Manuel Pena, current owners of subject property

Introduction

In a letter to the Historic Preservation Board dated August 30, 2014, Karen Rasumussen and Manuel Pena initiated the nomination of their historic residence at 147 Congress Street for designation as a local landmark subject to the provisions of Portland's historic preservation ordinance. The letter was distributed to the Board at its September 3rd meeting.

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. 14-615. 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. 14-610 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. 14-611 Integrity of Landmarks and Historic Districts*.

Following their initial petition, the owners of 147 Congress Street retained the services of preservation consultant Julie Larry of ttl-architects to prepare the required documentation as well as an analysis of the building's eligibility for landmark status. Staff has reviewed the report prepared by Ms. Larry and determined that the nomination is "complete" for purposes of beginning formal deliberations.

On Wednesday, the Board will hold a public hearing and deliberate on the nomination. Given the thorough assessment provided by the applicant's consultant 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.

Board's Role

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 14-610 and Sec. 14-611*) 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 and provide a copy for the Board's consent at its upcoming meeting.

Enclosed for the Board's reference are relevant excerpts from the historic preservation ordinance regarding nomination and designation of landmark structures. See Division 3: Categories for Criteria for Designation; Division 4: Nomination, Consideration and Designation; and Division 5: Interim Protection for Nominations.

Staff Comments

Staff fully supports the designation of the Freeman House as a local landmark and commends the property owners' 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 location directly across the street from the Portland Observatory ensures that the Observatory retains a key element of its historic context into the future.

As the Board will recall, a question was raised as to the level of significance required for landmark designation under Portland's ordinance. Although the term "landmark" is typically associated with structures of singular significance, such as the Portland Observatory and City Hall, there are a number of buildings included among the list of Portland's individual landmarks that are noteworthy for their particular context and worthy of protection, but which do not meet one's conventional notion of "landmark". Ms. Larry provides a number of examples of these types of individually-designated historic structures in her report.

Motion for Consideration

Pursuant to the nomination submitted by property owners Karen Rasmussen and Manuel Pena and on the basis of documentation and analysis provided in a report prepared by ttl-architects *147 Congress Street, Portland Maine: Analysis of Eligibility as a Local Historic Landmark*, the Board finds that the Freeman House at 147 Congress Street meets the historic preservation ordinance's minimum criteria for designation, specifically Criteria (a) 1 and (a) 4 under Sec. 14-610. The Board also finds that the Freeman House exhibits the integrity of location, design, condition, materials and workmanship as required under Sec. 14-611. Based on these findings, the Board recommends designation of the Freeman House at 147 Congress Street as a local landmark, subject to the provisions of Article IX of the Land Use Code.

Attachments

1. *147 Congress Street, Portland Maine: Analysis of Eligibility as a Local Historic Landmark* Report prepared by Julie Larry, ttl-architects
2. August 30, 2014 letter of nomination from current property owners
3. Applicable excerpts from historic preservation ordinance (Article IX of the Land Use Code)

147 Congress Street, Portland, ME Analysis of Eligibility as a Local Historic Landmark

By ttl-architects, LLC

11 September 2014





11 September 2014

Deborah G Andrews
Historic Preservation Program Manager
Department of Planning & Urban Development
Portland City Hall
389 Congress Street, 4th Floor
Portland, ME 04101

Re: 147 Congress Street Request for Designation as a Historic Landmark

On behalf of Karen Rasmussen, I am pleased to submit this nomination report to the City of Portland. The c1857 dwelling at 147 Congress Street is known locally as the Daniel Freeman House, although our research indicates that Daniel was never the owner, it was owned by his wife Ann. Property ownership by married women was very rare in the mid 19th century, and only became legal in 1844. For this reason, as well as cultural tradition, dwellings are usually known by the name of male occupants. However, the dwelling should be identified as the Ann Freeman House. For purposes of this report, and to avoid confusion, we have referred to the dwelling by its street address or as the Freeman House in this report.

Although we tend to think of Landmark buildings as important buildings like the Portland Observatory, US Customs House, or the Longfellow House, the City of Portland has designated dwellings that are unique to their setting as individual landmarks. Examples of these are included with the our report.

Enclosed you will find our report and several attachments. If you have any questions regarding our report, please contact me at 207.761.9662 or via email at jlarry@ttl-architects.com.

Sincerely,

A handwritten signature in cursive script that reads 'Julie Larry'.

Julie Larry,
Principal

30 Danforth Street, Suite 213
Portland, ME 04101
t: 207-761-9662
jlarry@ttl-architects.com

TABLE OF CONTENTS

Summary Description of a Potential Individual Landmark 1

Summary Statements Addressing the
City of Portland’s Minimum Criteria
Standards for Designation as a Local Landmark 3

Architectural Descriptions..... 5

Historic Context 6

Bibliography10

Parcel Map11

Appendix A –September 25, 1981 *Historic Assessment by Arthur J. Gerrier*

Appendix B –*Examples of Individually designated dwellings in the City of Portland*

SUMMARY DESCRIPTION OF A POTENTIAL LANDMARK - 147 CONGRESS STREET

The brick dwelling at 147 Congress Street is a mixture of the Greek Revival and Italianate styles. It is one of a few brick homes built on Munjoy Hill prior to the area's rapid development after the 1866 Great Fire. Most residential dwellings built on the hill before and after the fire are wood framed, while public buildings tended to be built of brick. Two of the owners of the dwelling in the nineteenth century were woman, Mrs. Ann Freeman from 1858-1880s and Mrs. Georgie Farnsworth 1893-1903. Ann Freeman's ownership was unusual as married women in Maine were not permitted to own property until 1844.



Image No.1 - City of Portland 1924 Tax Photo



Image No.2 - Exterior Image 2002, courtesy of Karen Rasmussen



Image No.3 - Exterior Image 2014, ttl-architects

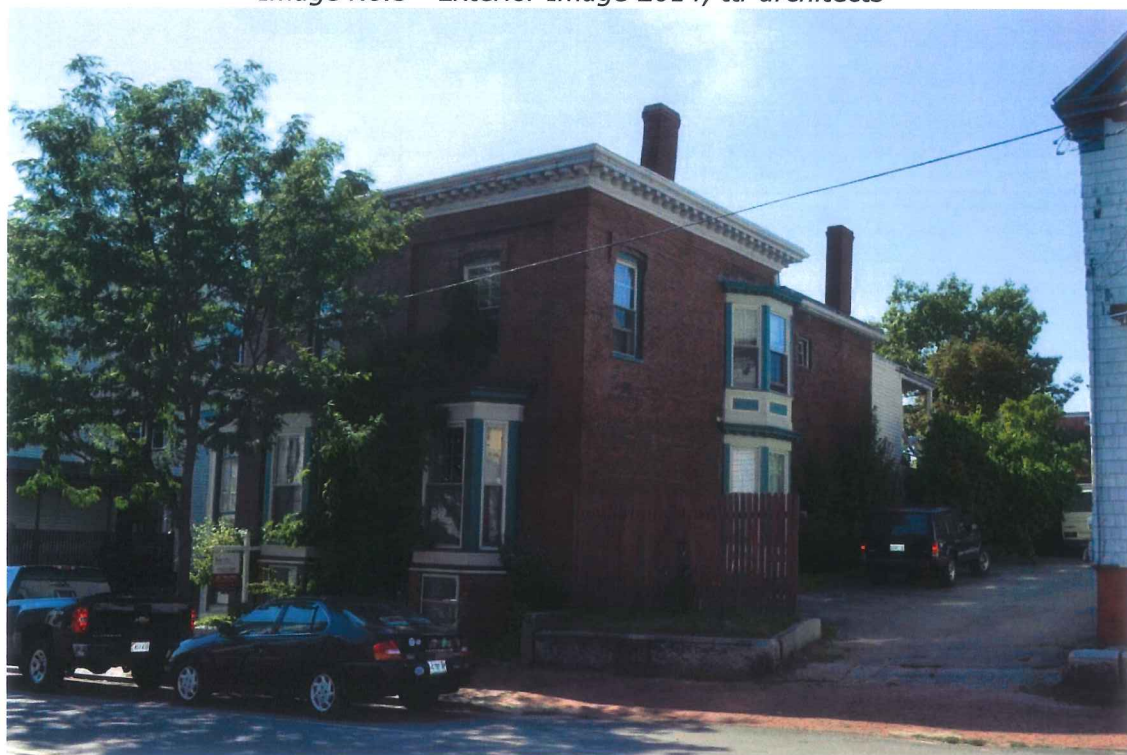


Image No.4 - Exterior Image 2014, ttl-architects

SUMMARY STATEMENTS ADDRESSING THE MINIMUM CRITERIA STANDARDS

The house at 147 Congress Street meets the minimum criteria standards for designation as a local landmark as defined in Sec. 14-610 of the City of Portland's Historic Preservation Ordinance and summarized below:

Sec. 14-610.a.1 - 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.

The dwelling at 147 Congress Street is not a unique example of its type and style, there are many brick transitional Greek Revival/Italianate dwellings in Portland. It is however a unique example of its type and style within its setting on Munjoy Hill. Built 1856-1857, the dwelling is of a higher style than many of the surrounding buildings, either of wood frame or brick construction. Both its exterior high style appearance and the ornate interior plasterwork, differentiate this dwelling from the predominately working class homes that characterize most of Munjoy Hill.

The single family dwelling is also a significant surviving example of pre-fire Portland on Congress Street. It survived the Portland's Great Fire in 1866 (see image below). The aftermath of the fire greatly reshaped residential development on Munjoy Hill.

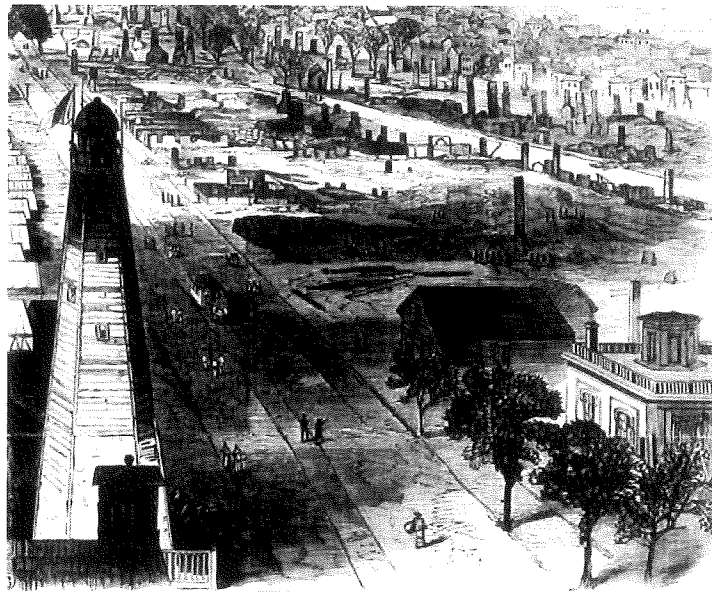


Image No.5 - Portion of a drawing of Portland following the 1866 fire from Frank Leslie's Illustrated Newspaper in Portland's Greatest Conflagration: The 1866 Fire Disaster by Don Whitney and Michael Daicy. At the far lower right is the Freeman House, with cupola and rooftop balustrade.

Sec. 14-610.a.4 - Exemplification of a significant architectural type, style or design distinguished by innovation, rarity, uniqueness or overall quality of design detail, materials or craftsmanship.

While mainly Italianate in style, the dwelling at 147 Congress Street has a few Greek Revival details. The influences of the Greek Revival style are found in dwelling's character defining brick pilasters delineating each primary bay and Greek Revival details on each projecting bay on the south elevation. The projecting bays on the south elevation, the two-story projecting bay on the east elevation, the low-pitched hip roof, pronounced overhanging eave with closely spaced modillions, and the projecting brick hoods over the primary window openings covered with a tinted parge coat to resemble stone are character defining features that are typical of the Italianate style. Centered on the low-pitched hip roof was originally a square cupola, a common Italianate feature. The cupola and a perimeter roof balustrade were removed in the first half of the 20th century.

The dwelling at 147 Congress Street is not a unique example of its type and style as there are many brick transitional Greek Revival/Italianate style dwellings in Portland. It is however a unique example of its type and style within the Munjoy Hill neighborhood. Mainly comprised of wood frame dwellings, there are several other examples of brick dwellings on Waterville, St. Lawrence and Atlantic Streets, particularly near the intersection with Fore Street. All appear to either predate or were constructed in the same period as the dwelling at 147 Congress Street.

Three of the brick dwellings, a side gable dwelling 62 Waterville Street, a side hall front gable dwelling at 66 Waterville Street and a side gable cape at 16 Atlantic Street, are purely Greek Revival in style and appear to predate the house at 147 Congress Street. A side hall dwelling at 20 St. Lawrence Street has simple flat granite lintels typical of the Greek Revival style but has a projecting bay, a pair of narrow entry doors, and an entry hood supported by large brackets typical of the Italianate style. The dwelling at 20 St. Lawrence Street is more modest in scale, form, and detail than the dwelling at 147 Congress Street and has been altered by replacement windows and a rear addition.

Unlike the other brick dwellings, 147 Congress Street is a more elaborate example of Italianate construction and retains a high degree of architectural integrity, on the exterior, and the interior. Although it retains many character defining exterior details, it has lost its original 2/2 windows, cupola and roof balustrade. The two open bays on the side entry porch were enclosed, probably in the mid-twentieth century (See historic image on page 1) in a compatible alteration. The two first floor windows protected by the enclosed porch retain a larger amount of the parge coat on the brick lintels, than those exposed to the weather.

ARCHITECTURAL DESCRIPTION

Enclosed with this report is a copy of a detailed architectural description of 147 Congress Street written in 1981 by Arthur J Gerrier. Historical inaccuracies in Mr. Gerrier's report are discussed in the historic context section below. Below is a summary description of the exterior of the dwelling.

147 Congress Street is a two-story brick dwelling resting on an L-shaped granite and rubble stone foundation. To the rear (north) of the main block is a two story brick ell. Two, two story wood frame additions, one at the corner of the ell and the other at the rear of the ell were added in the late 19th century (image below).



Image No.6 – rear of 147 Congress Street

The dwelling is capped by a low-pitched hip roof with a projecting eave marked by closely spaced modillions. A perimeter balustrade and cupola were removed from the building decades ago.

While mainly Italianate in style, the dwelling has a few Greek Revival details. The influences of the Greek Revival style are found in dwelling's character defining brick pilasters delineating each primary bay on the south elevation and Greek Revival details on the projecting bays on the south elevation. The projecting bays on the south elevation, the two-story projecting bay on the east elevation, the low-pitched hip roof, pronounced overhanging eave with closely spaced modillions, and the projecting brick hoods over the primary window openings covered with a tinted parge coat to resemble stone are character defining features that are typical of the Italianate style.

HISTORIC CONTEXT

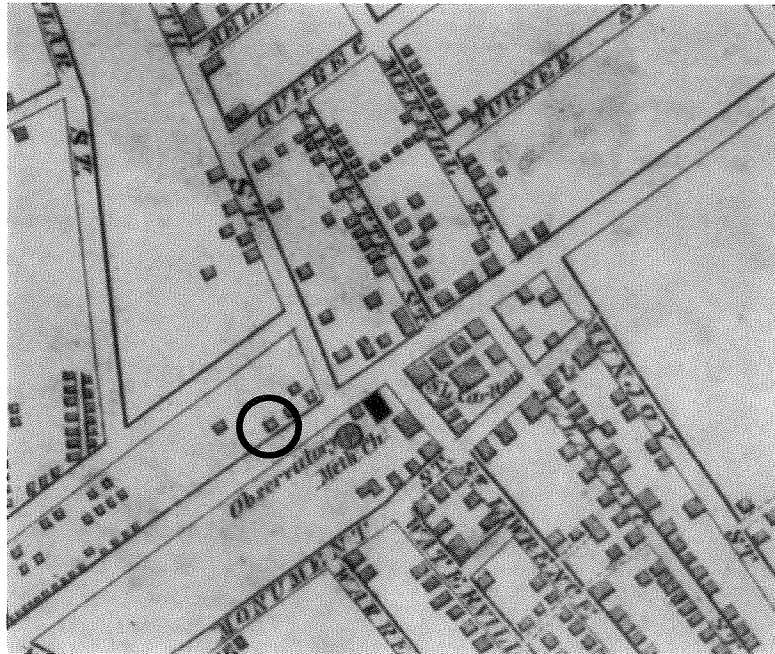


Image No.7 – Excerpt from 1857 Map of Cumberland County

In 1851 the Lemuel Dyer family subdivided land near the intersection of North Street with Cumberland Avenue and Congress Street. Lot No. 11 was acquired by George Hall and sold to his father Simeon Hall in 1856. Simeon Hall was a lumber dealer with a lumber yard on Franklin Street and a former surveyor of lumber for the City of Portland. He lived at 152 Cumberland Avenue. He deeded Lot No. 11 to his daughter, Ann in 1858.¹ When Simeon Hall purchased the Congress Street property in 1856 it was only an unbuilt lot. When he deeded it to Ann Freeman in 1858, the deed mentions the extant dwelling had been constructed. The brick structure first appears on the 1857 Map of Cumberland County.

Ann W. Hall married Daniel Freeman in 1833. Although the report written in 1981 by Arthur J Gerrier indicates Daniel Freeman was a shipsmith, he is listed in census and city directories as a blacksmith and machinist. He had a foundry at 7 Fore Street opposite the Portland Company circa 1852-1858. His machine shop produced steam engines and boilers as well as other castings. The Industrial Schedule of the 1850 US Census indicates Freeman's machine shop produced two steam engines, eight tons of boilers and tanks, and various other machinery totaling \$11,500 that year. In the early 1850s the couple lived close to his shop on Fore Street in a dwelling on Waterville Street. The same year the family moved from Waterville Street to the house on Congress Street, Daniel Freeman moved his machine shop from Fore Street to 43 Commercial Street.

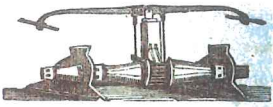
¹ Deed of Land from Simeon Hall to Ann W Freeman. Cumberland County Registry of Deeds. Book 305, Page 576. 5/10/1861.

Nomination Report for
147 Congress Street
Portland, ME

316 MACHINISTS.

Boilers, Steam Engines, &c.

DANIEL FREEMAN,
At the machine shop, opposite the works of the
Portland Company, manufactures High and Low
Pressure
Steam Boilers and Steam Engines.



Also, the
Patent Nipper Windlass Purchase,
of various patterns, and of the following sizes.

No.	Size in inches	Vessels Tonnage	50 to 75 tons
1,	14	"	75 to 100 "
2,	16	"	100 to 150 "
3,	18	"	150 to 200 "
4,	20	"	200 to 300 "
5,	22	"	300 to 400 "
6,	24	"	400 to 500 "
7,	26	"	500 to 600 "
8,	28	"	600 to 1000 "

BLACKSMITH WORK of every variety, executed with neatness and despatch, and all kinds of **IRON TURNING** done at the shortest notice.—
CLINCH RINGS for vessels bolts, of various sizes, constantly on hand.
Also, Caps and Spindles, Windlass Necks, Trusses and Truss Shapes, Clamps, Screws, &c., &c.
Orders for all descriptions of work in his line promptly attended to.

Image No.8 – From *The Portland Reference Book and City Directory* by Sylvester Breakmore Beckett. Portland, ME: Thurston, Fenley & Company, 1850.

Although historic maps, the Gerrier report and the historic house marker identify the dwelling as the Daniel Freeman House, the house remained in Ann's name only until it was acquired by her son Charles H. Freeman. US Census records indicate Ann possessed a larger personal income than her husband. In 1870 the value of Daniel's personal estate is listed as \$500. The value of Ann's personal estate was \$1000. In addition, Ann owned the dwelling then valued at \$5000.

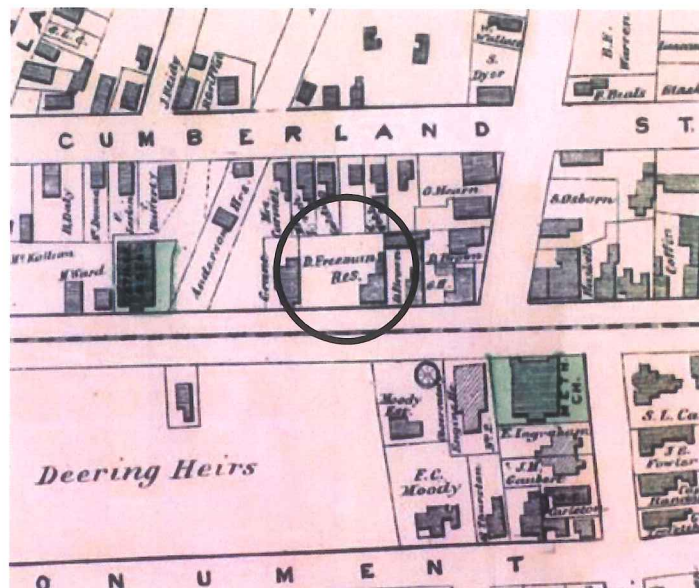


Image No.9 – Excerpt from 1871 Atlas of Cumberland County

Although maps identify the dwelling as owned by either Daniel or Charles Freeman, deed and census records corroborate that Ann was the owner of the dwelling, an unusual occurrence for a married woman in mid-19th century America. American common law, followed English marriage and property laws restricting a married women from owning property or controlling her own earnings. In 1844 Maine law was changed to allow women to own property in their own name. In 1857 the law was amended to allow women to control their own wages and to will their own estate. It would seem that Ann's father took advantage of these new laws in 1858 to deed the house to his daughter, allowing her control of the property and her personal estate.

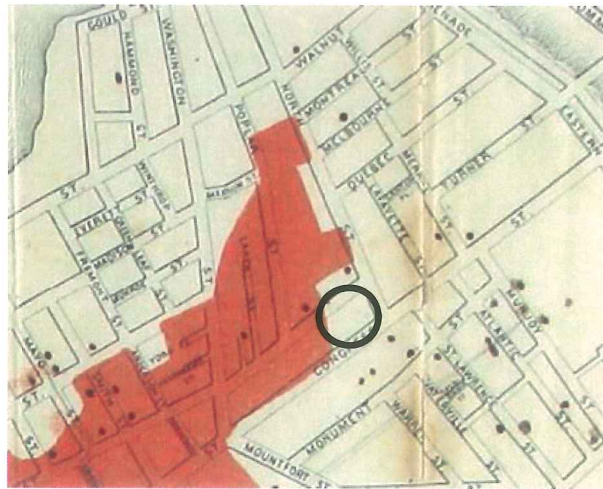


Image No.10 – Map of the Great Fire of Portland, 1866 from Maine Memory Network.

During Portland's early settlement, there were some sparsely located dwellings on Munjoy Hill. Increasingly dense development occurred in the second quarter of the 19th century concurrent with industrial development along the waterfront. Housing development near or along Fore Street was accelerated by the construction of the Portland Company and a need for homes to accommodate the company's workers. Development spread north to Congress Street with the subdivision of larger parcels for infill development along Congress Street and Cumberland Avenue. In 1866 the Freeman House barely escaped destruction in the Great Fire. After the fire, Munjoy Hill was quickly developed by single and multi-family wood-framed housing to accommodate the thousands made homeless by the fire.

The Freeman's had two sons, Charles H. and Henry W. Both Charles and Henry would work as clerks in Portland. In 1893 Charles H Freeman sold his mother's house on Congress Street to Georgie M. Farnsworth.

Georgie was the wife of Arthur Leighton Farnsworth, an employee of the United States Customs House in Portland. Arthur worked for the Customs' office as a weigher, guager and measurer 1887-1889. When Georgie purchased the house in 1893 Arthur L. Farnsworth was working as an assessor for the City of Portland. He returned to the US Customs House c1895 and worked as the Deputy Collector until the 1920s. Georgie Farnsworth sold the house on

Nomination Report for
147 Congress Street
Portland, ME

Congress Street in 1903 to brothers Dennis F. and Richard J. Griffin and the Farnsworth family moved to Ocean Avenue.

Dennis and Richard Griffin were first generation Irish-Americans, the children of Irish born Richard Griffin and his wife Ellen. Their father Richard worked as a stone mason and had a house at 59 Cumberland Avenue. Dennis worked variously as a stone cutter, mason, general contractor and inspector for the City of Portland. Richard worked as a steamfitter and a plumbing inspector for the City of Portland. The Griffins had a third brother, John, a machinist at the Portland Company, and two sisters, Margaret A. and Mayna, a milliner.

The City Directory of 1904 indicates that Dennis Griffin was living at 147 Congress Street while Richard boarded at 155 Congress Street. By 1908 it appears that Dennis, Richard, Mayna and Margaret were all living in the house at 147 Congress Street. Richard appears to have died before his siblings. In 1933 Dennis willed the dwelling at 147 Congress Street to his surviving sisters, Margaret and Mayna [Mary E]. Margaret died in 1936 and the house was willed to Mary. In 1948 the house was deeded through probate to Arthur E Griffin of Boston.

Manufacturers' Agents for Gasoline and Steam Engines and Mill Machinery. Portland, Maine.	
res. EDMUND H. NORTON, Treas. ALBERT E. DYER, Supt.	
AND SHIPBUILDING CO., S and all kinds of BORTS built and repaired with dispatch. At timber, ship knees and treenails. Saw and planing mill. Shipyard at SOUTH PORTLAND, MAINE. Marine Railways, 300 and 1300 tons.	
zuis Co. re Furnishers, id Federal Sts., ND, ME. l, President. Easy Payments.	D. F. GRIFFIN & BRO., Street Pavers and Contractors. R. J. GRIFFIN, Steam and Hot Water Heating. TELEPHONE CONNECTION. 106A Exchange St., Portland, Me.
NG CO., ra of SOLDER AND ACHINERY. t does Things. id Fore Sts., - MAINE.	Ralph T. Kendall Established 1868 Geo. H. Barbour, Jr. Incorporated 1898 T. L. MERRILL COMPANY, Electrical Engineers and Contractors. Telephone and Electrical Supplies. 228 Middle St., Portland, Me.

Image No.11 – Excerpt from Maine Register, State Yearbook and Legislative Manual by the State of Maine. Portland: Tower Publishing Company, 1913.

Additional owners include Arthur E Griffin (1948-1949); Edward T. & Bernard Devine (1949-1955); Mary E Devine (1955-1963); Glenn A & Hazel E Smith (1963); Bernard & Gloria C Powers (1963-1981); Michael R Giguere (1981-1984); Steven D Waltman [Mairs] (1984-2001); and Karen Rasmussen (2001-present).

BIBLIOGRAPHY

"Map of Portland". *Atlas of Cumberland County*. NP: FW Beers, 1871.

Sanborn Map Company. *Sanborn Fire Insurance Map for Portland, Maine, 1886*.

Page, J.Q. *Map of Cumberland County, Maine*. Portland and Philadelphia: J Chace Jr, Publisher, 1857.

Bufford, J.H. *Great Fire of Portland, 1866*. Collection of the Maine Historical Society.
<https://www.mainememory.net/artifact/4171/>

State of Maine. *Maine Register, State Yearbook and Legislative Manual*. Portland: Tower Publishing Company, 1913.

Beckett, Sylvester Breakmore. *The Portland Reference Book and City Directory*. Portland, ME: Thurston, Fenley & Company, 1850.

Whitney, Don and Michael Daicy. *Portland's Greatest Conflagration: The 1866 Fire Disaster*. Charleston, SC: History Press, 2010.

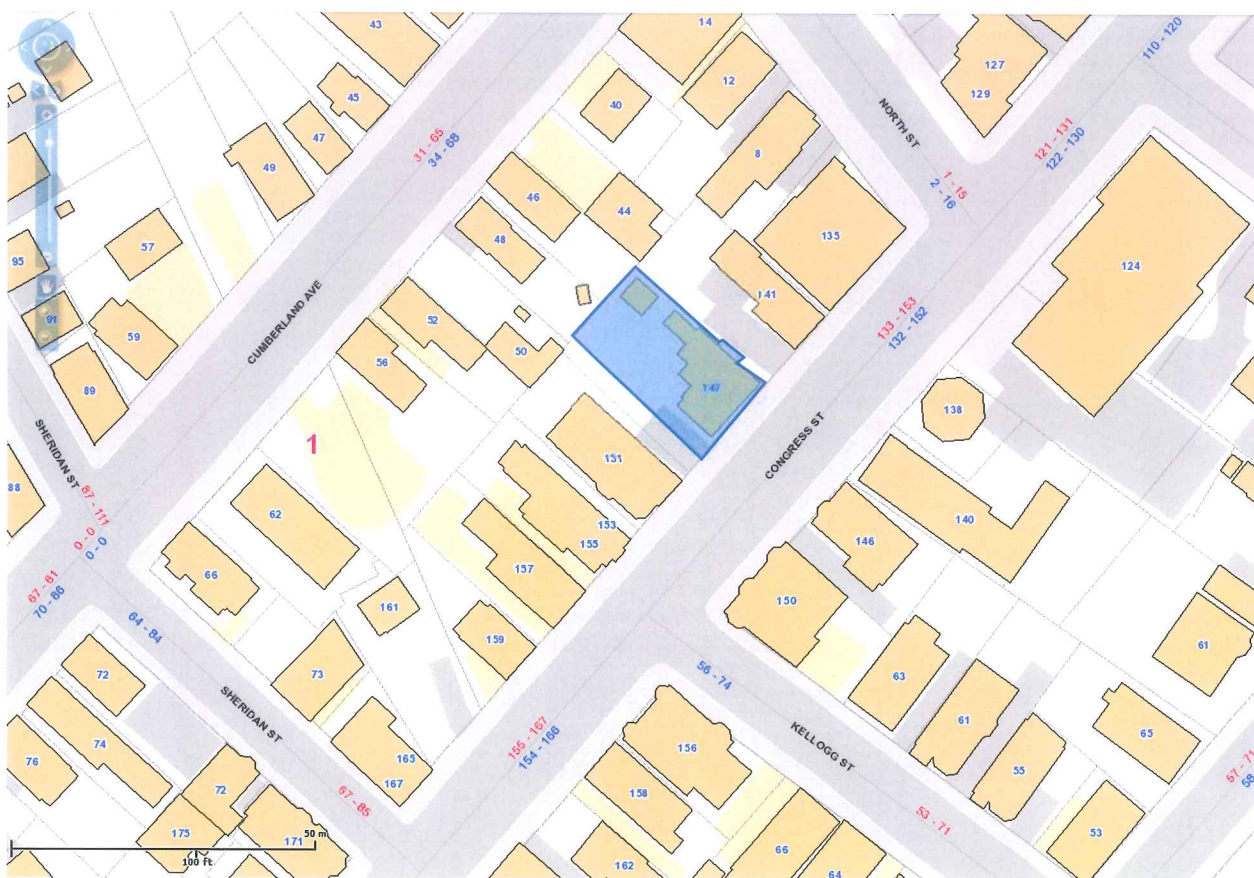
Other

Cumberland Country Registry of Deeds.

Street Directories of the City of Portland.

US Federal Census Records.

Nomination Report for
147 Congress Street
Portland, ME



Parcel Map identifying location of 147 Congress Street.

DANIEL FREEMAN HOUSE, ca. 1857
147 Congress Street
Mike Giguere, present owner

The Daniel Freeman House* is two full stories over a high basement. It is brick with wood trim. Its hipped roof is very low-pitched and was originally concealed by a balustrade. The house originally possessed an octagonal cupola which seems to have disappeared prior to 1924. In plan it is a modified L-shape with extensive rear additions.

The Freeman House exhibits a mixture of Greek Revival and Italianate features; a fairly common occurrence in Portland buildings of the 1850s. It is the type of house that was just stylish enough to be dubbed a "villa" in the romantic real estate parlance of its era. Its principal front towards Congress St. (south) is divided into two vertical sections by three pilaster strips. Each half contains a canted bay window of wood on a high brick base. These bay windows have simple Greek Revival detailing. The two second floor windows are Italianate with projecting arched window caps of painted brick.

The house has a side entrance plan with a porch and projecting flush-boarded vestibule on the left (west) side. The porch is supported by two paneled Greek Revival piers. It was originally paneled but was glazed after 1866. The present street door is a modern six-panel replacement of an earlier one damaged while the building was unoccupied. The inner door appears to date from ca. 1900 and has an oval window with a pressed egg-and-dart moulding around it. This door was also damaged but the present owner hopes to restore it to its original appearance. The inner door is approached from the street by two short flights of granite steps separated by a wide landing. Interestingly, the two first floor windows sheltered by the porch have projecting arched caps of brownstone, while those above are executed in brick as on the front.

The east elevation of the front block of the Freeman House has a two-story canted bay window with bracketed cornicing.

The front block of the house rises higher than the rear. It is topped with a projecting Italianate cornice made up of closely-spaced modillions. The rear wing has a simply molded cornice. On the whole, considering the small amount of maintenance it seems to have had in recent years, the exterior cornicing of the structure would seem to be basically sound and has lost very few modillions.

Inside, the arrangement of space is both convenient and elegant. The stair hall runs along the north side of the main block to approximately 2/3 of its depth and extends out into the wooden vestibule with no division present on the inside. The stairs are a single, straight run against the north wall. They possess a typically elaborate newel with simple balusters. The rail is intact to the second floor level where it has been replaced by a spindley wrought iron substitute.

*Daniel Freeman, a shipsmith, is the first occupant I can locate. He is listed at this address in the 1858-59 City Directory. A house appears on the site according to the 1857 map of Cumberland County,

The front of the first floor is occupied by a single large room divided into two sections by a full-width arch. Each section has one of the street front bay windows and, in addition, the western section has two floor-length windows overlooking the porch. Facing each other from opposite ends of this imposing space are matching fireplaces with gray marble mantels with arched openings.

The dining room lies behind the eastern "parlor" at the far end of the stair hall. It is a rather small room but gains space from a floor-length bay window equipped with a window seat. Two storage closets open off it. The kitchen is to the rear of the house off the dining room from which it is separated by a small vestibule. An original second set of stairs opens off this vestibule but has been sealed at the second floor level. The cellar stairs are beneath these and are reached from the kitchen through a small pantry.

Additions to the rear of the house include a two-story wooden extension comprising a vestibule/storage area and porch at each level. The original angle between the main block and rear wall has been filled in with a two story addition. It is of indeterminate construction on a brick foundation and has been covered with a flimsy covering of what appears to be interior "paneling". It has one room on each floor, each currently used as a bathroom. This addition appears to date from ca. 1900.

The second floor follows basically the same arrangement as the first with the exception of the space above the kitchen. This has been a separate apartment reached by an outside stair for some time. The present owner has removed some original partitions as part of a remodeling.

The principal bedrooms are over the front "parlors" and are each equipped with marble mantels identical to those below. The cupola was originally reached by stairs between this pair of front bedrooms that open off the upper hall. They ascend in a straight run towards the front of the house and then wind back and up to a trap door in the middle of the roof.

The interior trim on both floors is similar. It is made up of stock Greek Revival millwork elements. Most door and window openings are flanked with wide, flat moldings with recessed centers, and are topped with heavy projecting lintels. Those on the second floor in the front bedrooms have lost some of their topmost elements to the installation of a suspended ceiling. The most drastic change in the interior woodwork is the wholesale removal and disposal of the original doors. The original louvered shutters from the front bay windows have also been removed but were stored. The present owner hopes to replace them.

Other interior changes include the installation of blue-toned, textured "barnboard" paneling on the walls of the front room. The kitchen has also been extensively remodeled and represents a tour-de-force use of modern fake materials—"brick", woodgrained paneling, etc. These recent "improvements" of the previous owners will probably themselves, be changed by the present owner.

The most outstanding feature of the Freeman house is its extremely lavish plasterwork of its double parlors. Each half has an identical cornice motif; a band of realistically depicted fruits and flowers. The ornaments are deeply undercut and stand out boldly from their background. Cleaning to remove excess layers of paint would greatly enhance the superb craftsmanship of the work. Luckily, there have been few losses of original material.

The archway dividing the two parlors is elaborately molded as well and is supported on two florid consoles. There are plaster centerpieces in each section. They feature an outer ring of fruits and flowers identical to that of the principal cornice surrounding an inner rosette of acanthus leaves. Unfortunately, the original lighting features are not present.

In addition, there are simply molded plaster cornices in the first floor stair hall and dining room. Each also has a simple circular centerpiece. The cornice of the stair hall has suffered some minor losses due to water damage. The ceiling of the dining room has been divided into nine rectangular sections by applied moldings at some later date. This paneled effect, as with other features of the house, suggests a date of ca. 1900 for the change.

To my knowledge, this extraordinarily ornate plasterwork is only equalled and surpassed in Portland by that of the Victoria Mansion. It is an amazing attribute of such an otherwise typical middle class residence of its era, and one hopes it will long remain.

ARTHUR J. CERRIER
September 25, 1981

A. B. Butler House, 1868



[view larger](#)

Street Address: 4 Walker Street

National Register Listing: Yes; Individual
Landmark

Original Owner(s): Albert Berry Butler
(1832-1907)

Architect(s) (if known): Matthew Stead

Use: Residential

Style: Second Empire; Italianate

Description: One 2-story wood frame house with brick foundation; clapboard siding with corner wood pilasters; front façade features bay windows and central door with pedimented hood with scrolled brackets; bracketed wood cornice; curving mansard roof with diamond-shaped purple and beige shingles; gabled dormers with wood scroll decoration; house's interior and exterior have remained largely unchanged. **Alterations:** house originally had front porch across the entire front. A. B. Butler was a dry goods merchant in Bath and expanded his business into Portland in 1855. His dry goods store was located at 246 Middle Street from 1875 to 1892. Butler later worked as a salesman at the dress goods department of Eastman Brothers & Bancroft. Architect Matthew Stead, born in Shropshire, England in 1808, emigrated to New Brunswick in 1848. Like many architects in the region, Stead moved to Portland after the Great Fire of 1866 and designed several new buildings during his 2-year stay. His works include the Board of Trade Building (34 Exchange Street), the Marrett, Poor & Co. Carpet Warehouse (1866-67), and the Frederick F. Hale Block (Free and Cross Streets, 1868). In addition to the Butler House, the Board of Trade Building is the only work by Stead extant in Portland.

Griffin House, 1871



[view larger](#)

Street Address: 200 High Street

National Register Listing: Yes; Individual
Landmark

Original Owner(s): Charles S. D. Griffin

Architect(s) (if known):

Use: Originally residential, now commercial

Style: Second Empire

Description: One 3-story balloon-frame house with clapboard siding and wood trim; principal (east) façade features central porch with bracketed cornice supported by chamfered posts; south façade features bay windows; wood modillioned cornice; slate mansard roof with dormers, which supports an asphalt hipped roof. Charles S. D. Griffin was secretary of Portland Gas Co.

Nutter House, ca.1840 [View on Map](#)



[view larger](#)

Street Address: 68 Pleasant Street

National Register Listing: Yes; Individual
Landmark

Original Owner(s): Nathan Nutter

Architect(s) (if known):

Use: Residential

Style: Greek Revival

Description: This 2½-story Greek Revival red brick house with brownstone trim was built by Nathan Nutter, a merchant who had previously been a tailor, as well as the Inspector of Customs from 1830-35. The house is four bays long facing Pleasant Street, and there is a porch with columns (only one of which is original) facing Maple Street. The house's end walls feature false squared corners, which then rise to border the gable roof. Following Nutter's death in 1862, the house was purchased by Isaac Emery, a shipping merchant. In 1924, the house was converted into a duplex. The Nutter house is significant because, since it was built as a later addition to Pleasant Street, it is a good example of Greek Revival architecture in an otherwise late-Georgian and Federal style neighborhood.

William Minott House, 1805



[view larger](#)

Street Address: 45 Park Street

National Register Listing: Yes; Individual Landmark

Original Owner(s): William Minott, housewright

Architect(s) (if known):

Use: Residential

Style: Federal

Description: Front section: One 3-story timber frame house with granite foundation and clapboard siding; central entrance with leaded fanlight and sidelights; Palladian-inspired central tripartite window on second floor; modillioned cornice; shallow hipped roof; typical Federal floor plan with central hall and flanking rooms. Rear section: 2-story rectangular structure with hipped roof added in 1807, which converted the house from a home for William Minott to a three-family dwelling for himself and his two sons; rear section is 8 feet wider than front section on either side; two doorways with wood fans and leaded sidelights. Alterations: front door replaced in 1978.

Karen Rasmussen and Manuel Pena
672 Ocean Avenue
Portland , ME 04103

Deb Andrews, Historic Preservation Manager
and the Historic Preservation Board
389 Congress Street
Fourth Floor
Portland, ME 04101

August 30, 2014

Dear Manager and Board Members:

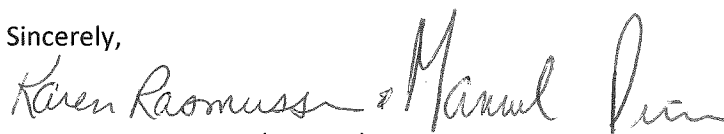
We are submitting this letter to you to serve as our petition to nominate our property (house/parcel) at 147 Congress Street for historic landmark status. The Daniel Freeman House was built on Munjoy Hill in the mid-1850's and stands today with most of its original architectural features intact. It survived the great fire and many changes of use since its original design as a single family home, including time as a multi-unit, a rooming house and sitting unoccupied for some periods of time. Despite these transitions, it retains original highly ornate plasterwork as well as other interior and exterior period features (see enclosed assessment of its historic features performed for a previous owner). Today it has been returned to its original state as a single-family dwelling (currently rented).

Initial research carried out by Julie Larry of Turk, Tracey and Larry architects indicates that Daniel Freeman, the original owner and occupant of the house at 147 Congress Street was a metal smith, listed in Portland records as either a blacksmith or a machinist (contrary to the assessment performed for the previous owner, in which he is referred to as a ship smith).

The house is currently in Greater Portland Landmarks' Munjoy Hill Historic Guide (site #20) and East End walking tour. Being situated across the street from the Portland Observatory, it is described in their tours as an example of architecture of its time and notable for having just barely escaped the great fire of 1866 along with the Observatory.

We believe the property meets several of the required criteria for designation as a landmark. We have engaged the services of Julie Larry to fully research the property and Daniel Freeman. She will be drafting the full report and describing the criteria outlined in the City's historic landmark ordinance that are met by the property. We expect to deliver this report to you for the next meeting of the Historic Preservation Board on September 17, 2014. In the meantime we request that you accept this letter as our petition to nominate the Daniel Freeman house at 147 Congress Street in Portland for designation as a historic Landmark.

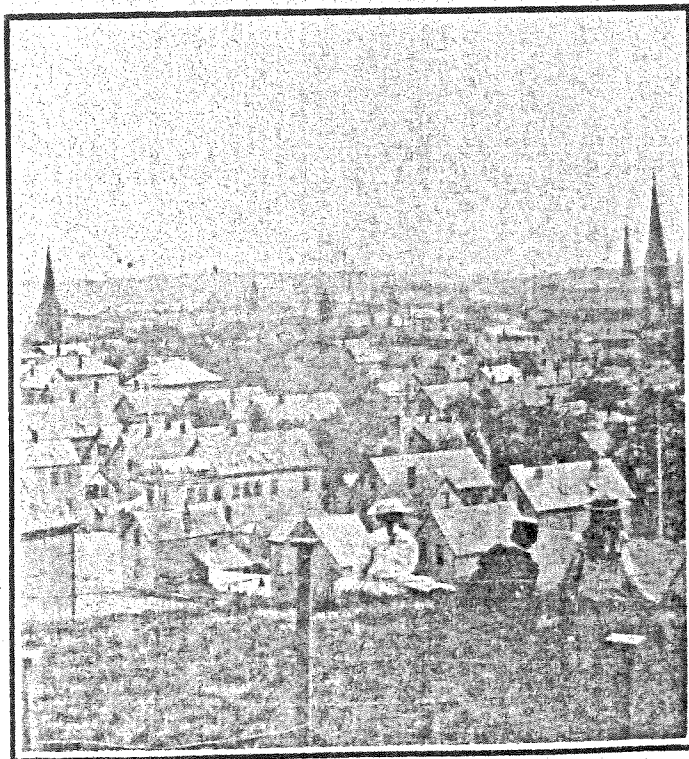
Sincerely,

Handwritten signatures of Karen Rasmussen and Manuel Pena in cursive script.

Karen Rasmussen and Manuel Pena
Owners, 147 Congress Street, Portland Maine

Discover Historic Portland On Foot

Munjoy Hill HISTORIC GUIDE



prepared by

Greater Portland Landmarks, Inc.



20. DANIEL FREEMAN HOUSE, ca. 1857
147 Congress St.

The Freeman House was occupied by a prominent shipsmith, one of many Hill residents working in marine trades. Built of brick and once boasting a cupola, it survived the Great Fire which burned nearly to its yard.



21. PORTLAND OBSERVATORY, 1807
138 Congress St.

The Portland Observatory is the most celebrated structure on Munjoy and has come to serve as a symbol of Portland itself. The 86 foot tower stands 160 feet above the Bay and was the idea of Capt. Lemuel Moody (1767-1846) and a group of merchants called the Portland Monument Association. A flag system was used to "signalize" vessels and communicate with the outer islands. Each merchant had a personal flag by which he could keep track of arrivals seen first by Moody. The Embargo of 1807 ruined most of the local merchants but Moody and his descendants ran the tower (which included an adjacent bowling alley) until early in this century. In 1939 the Observatory became city property and in 1973, it was placed on the National Register of Historic Places. Since 1982 it has been operated during the summer by Greater Portland Landmarks, Inc. which has prepared an exhibition relating to the history of the tower and port. Landmarks also offers a series of lectures open to the public.

DANIEL FREEMAN HOUSE, ca. 1857
147 Congress Street, Portland Maine
Mike Giguere, present owner

The Daniel Freeman House* is two full stories over a high basement. It is brick with wood trim. Its hipped roof is very low-pitched and was originally concealed by a balustrade. The house originally possessed an octagonal cupola which seems to have disappeared prior to 1924. In plan it is a modified L-shape with extensive rear additions.

The Freeman House exhibits a mix of Greek Revival and Italianate features; a fairly common occurrence in Portland buildings of the 1850s. It is the type of house that was just stylish enough to be dubbed a 'villa' in the romantic real estate parlance of its era. Its principal front towards Congress Street (south) is divided into two vertical sections by three pilaster strips. Each half contains a canted bay window of wood on a high brick base. These bay windows have simple Greek Revival detailing. The second floor windows are Italianate with projecting arched window caps of painted brick.

The house has a side entrance plan with a porch and projecting flush-boarded vestibule on the left (west) side. The porch is supported by two paneled Greek Revival piers. It was originally open but was glazed after 1866. The present street door is a modern six-panel door damaged while the building was unoccupied. The inner door appears to date from ca. 1900 and has an oval window surrounded by egg and dart molding around it. This door was also damaged but the present owner hopes to restore it to its original appearance. The inner door is approached from the street by two short flights of granite steps separated by a wide landing. Interestingly, the two first floor windows sheltered by the porch have projecting arched caps of brownstone, while those above are executed in brick as on the front.

The east elevation of the front block of the Freeman House has a two-story canted bay window with bracketed cornicing.

The front block of the house rises higher than the rear. It is topped with a projecting Italianate cornice made up of closely-spaced modillions. The rear wing has a simple molded cornice. On the whole, considering the small amount of maintenance it has received in recent years, the exterior cornicing of the structure would seem to be basically sound and has lost very few modillions.

On the inside, the arrangement of space is both convenient and elegant. The stair hall runs along the north side of the main block to approximately 2/3 of its depth, and extends out into the wooden vestibule with no division present on the inside. The stairs are a single straight run against the north wall. They possess a typically elaborate newel with simple balusters. The rail is intact to the second floor level where it has been replaced with a spindly wrought iron substitute.

**Daniel Freeman, a shipsmith, is the first occupant I can locate. He is listed at this address in the 1858-1859 City Directory. A house appears on the site according to the 1857 map of Cumberland County which is not present on the 1852 map.*

The front of the first floor is occupied by a single large room divided into two sections by a full width arch. Each section has one of the street front bay windows and, in addition, the western section has two floor-length windows overlooking the porch. Facing each other from opposite ends of this imposing space are matching fireplaces with grey marble mantels with arched openings.

The dining room lies behind the eastern 'parlor' at the far end of the stair hall. It is a rather small room but gains space from a floor length bay window equipped with a window seat. Two built-in storage cabinets open off it. The kitchen is to the rear of the house off the dining room from which it is separated by a small vestibule. An original second set of stairs opens off this vestibule, but has been sealed at the second floor level. The cellar stairs are beneath these and are reached from the kitchen through a small pantry.

Additions to the rear of the house include a two-story wooden extension comprising vestibule/storage area and porch at each level. The original angle between the main block and the rear ell has been filled with a two-story addition. It is of indeterminate construction on a brick foundation and has been covered with a flimsy covering of what appears to be interior 'paneling'. It has one room on each floor, each currently used as a bathroom. This addition appears to date from ca. 1900.

The second floor follows basically the same arrangement as the first with the exception of the space above the kitchen. This has been a separate apartment reached by an outside stair for some time. The present owner has removed some partitions as part of remodeling.

The principle bedrooms are over the front 'parlors' and are equipped with marble mantels identical to those below. The cupola was originally reached by stairs between this pair of front bedrooms that open off the upper hall. They ascend in a straight run towards the front of the house and then wind back and up to a trap door in the middle of the roof.

The interior trim on both floors is similar. It is made up of stock Greek Revival millwork elements. Most door and window openings are flanked with wide, flat moldings with recessed centers, and are topped with heavy projecting lintels. Those on the second floor in the front bedrooms have lost some of their topmost elements due to the installation of a suspended ceiling. The most drastic change in the interior woodwork is the wholesale removal and disposal of the original doors. The original interior louvered shutters from the front bay windows have also been removed but were stored. The present owner plans to replace them.

Other interior changes include the installation of blue-toned, textured 'barnboard' paneling on the walls of the front room. The kitchen has also been extensively remodeled and represents a tour-de-force use of modern fake materials: "brick", woodgrained paneling, etc. These recent "improvements" of the previous owners will probably themselves be changed by the present owner.

The most outstanding feature of the Freeman house is its extremely lavish plasterwork of its double parlors. Each half has an identical cornice motif: a band of realistically depicted fruits and flowers. The ornaments are deeply undercut and stand out in boldly from their background. Cleaning to remove excess layers of paint would greatly enhance the superb craftsmanship of the work. Luckily there have been few losses of original material.

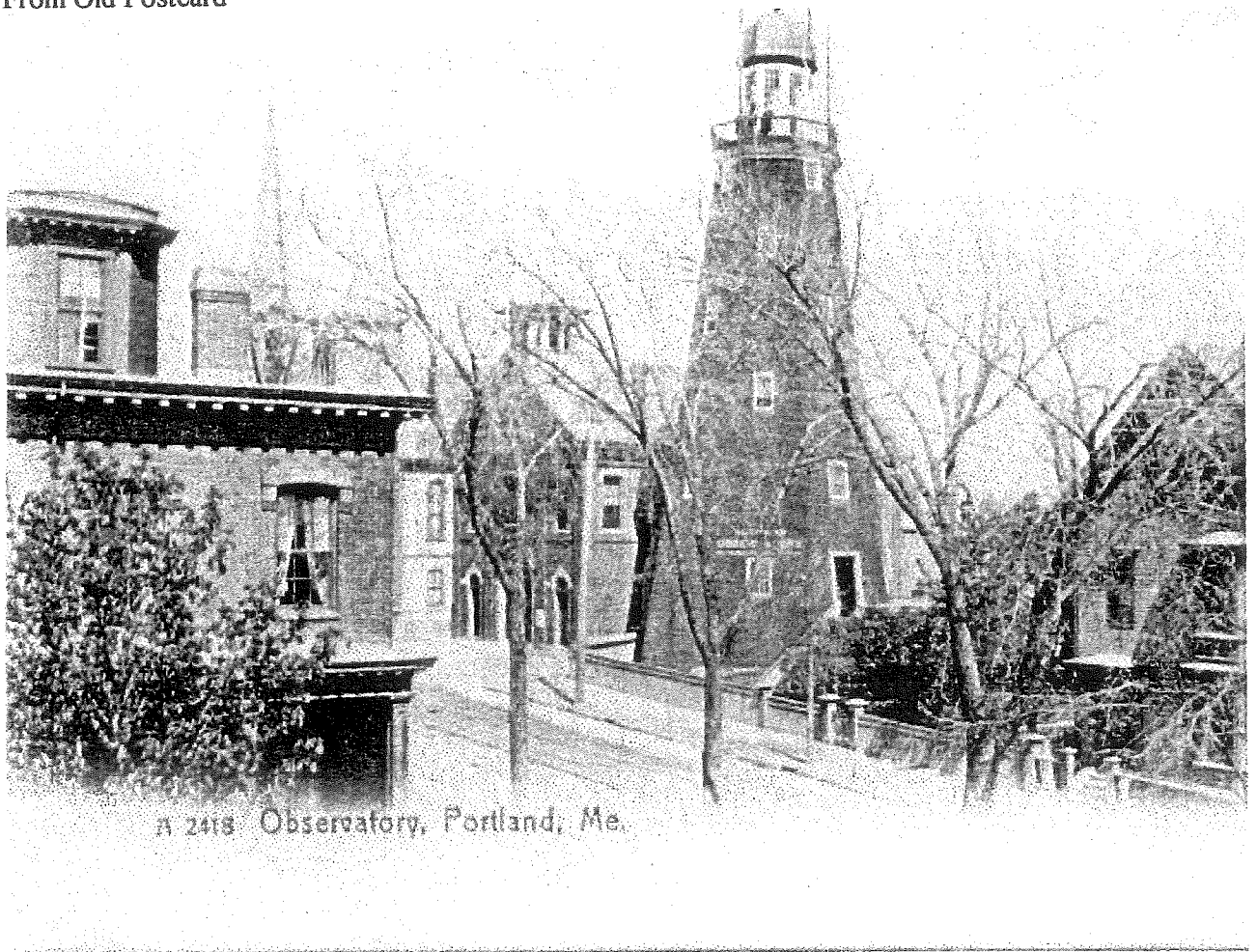
The archway dividing the two parlors is elaborately molded as well and is supported on two florid consoles. There are plaster centerpieces in each section of the ceiling. They feature an outer ring of fruits and flowers identical to that of the principal cornice surrounding an inner rosette of acanthus leaves. Unfortunately, the original lighting features are not present.

In addition there are simply molded plaster cornices in the first floor stair hall and dining room. Each also has a simple circular centerpiece. The cornice of the stair hall has suffered some minor losses due to water damage. The ceiling of the dining room has been divided into nine rectangular sections by applied moldings at some later date. This paneled effect, as with some other features of the house, suggests a date ca. 1900 for the change.

To my knowledge, this extraordinarily ornate plasterwork is only equaled and surpassed in Portland by that of Victoria Mansion. It is an amazing attribute such an otherwise typical middle class residence of its era, and one hopes that it will long remain.

Arthur J. Gerrier
September 25, 1981

From Old Postcard



Old Photo Shows Cupola⁵

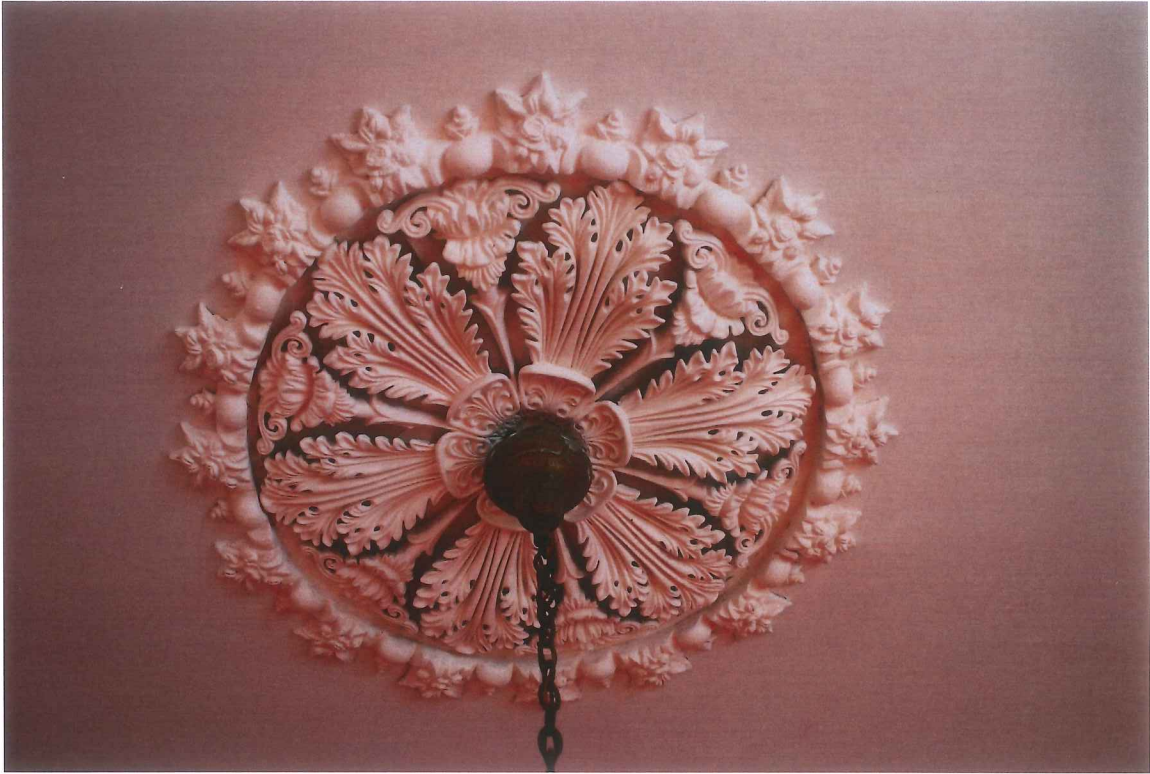




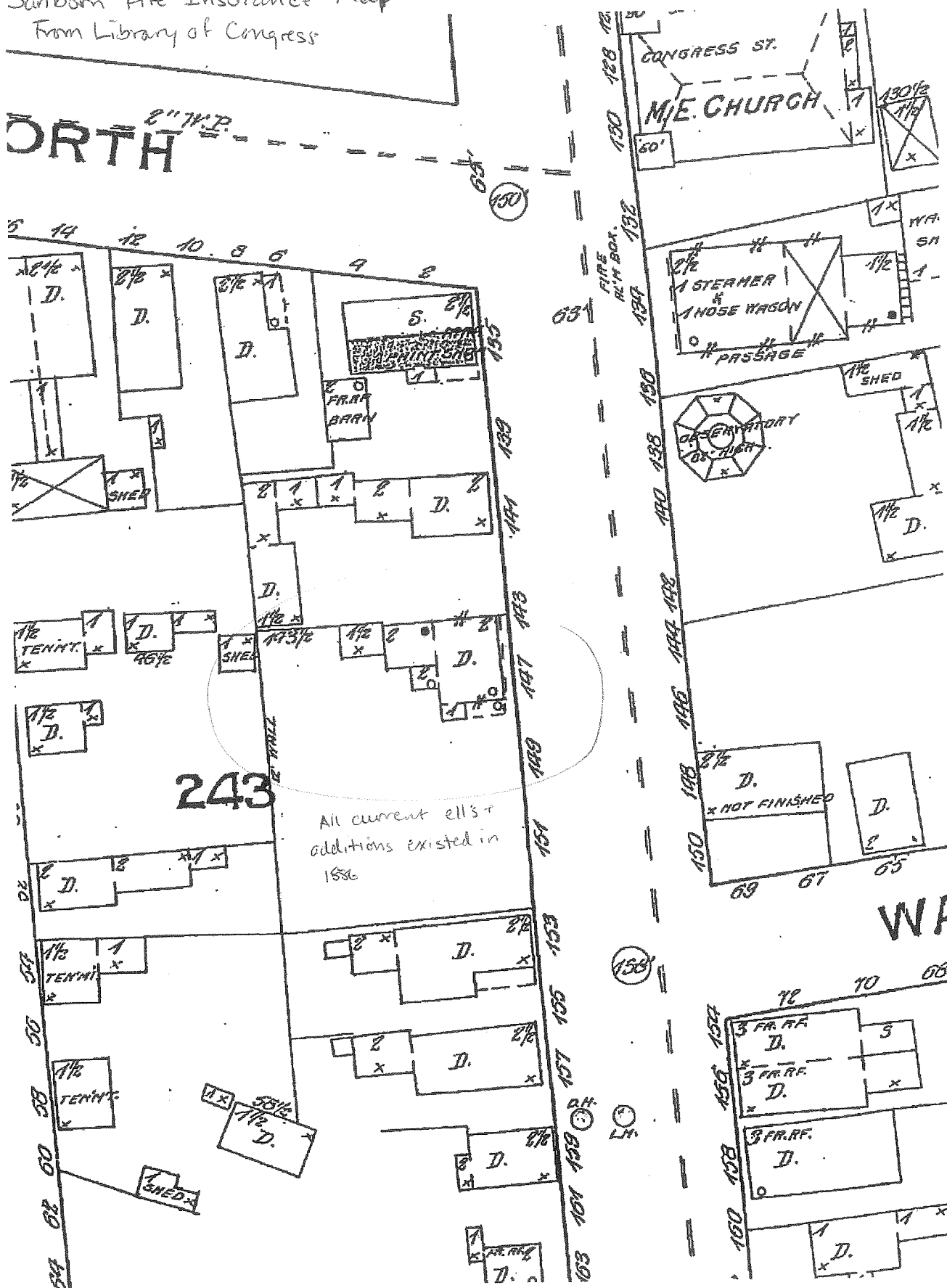








Sanborn Fire Insurance Map
From Library of Congress



(s) To annually report to the council with respect to the following matters:

1. Survey work in progress or completed;
2. The number of projects reviewed (by type);
3. How many certificates of each type were issued.

(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

DIVISION 3. CATEGORIES AND CRITERIA FOR DESIGNATION

Sec. 14-610. 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, archeological 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, archeological 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; or
- (6) Its representation of a significant cultural, historic,

architectural, archeological or related theme expressed through distinctive areas, sites, structures or objects that may or may not be contiguous.

(b) In the case of a nominated historic district, the historic preservation board shall also determine whether a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics of the significant properties, sites, structures or objects located within it.

(c) In the case of a nominated historic landscape district, the historic preservation board shall also consider its significance as a geologic, natural or man-made landscape feature associated with the development, heritage or culture of the City of Portland, State of Maine, New England region, or the United States.

(d) The planning board and council shall apply the criteria of subsections (a), (b) and (c) but shall also consider the effect of such designation on other aspects of the comprehensive plan of the city.

(Ord. No. 235-90, 2-26-90)

Sec. 14-611. Integrity of landmarks and historic districts.

Any area, structure or object that meets the criteria in section 14-610 must also have sufficient integrity of location, design, condition, materials and workmanship to make it worthy of preservation or restoration.

(Ord. No. 235-90, 2-26-90)

Sec. 14-612. Designation of historic landscape districts.

An historic landscape district may be nominated and considered for designation only if the entire area of the district is owned by a unit of federal, state or local government, or any combination of such ownership.

(Ord. No. 235-90, 2-26-90; Ord. No. 220-93, § 2, 5-17-93)

Sec. 14-613. Reserved.

DIVISION 4. NOMINATION, CONSIDERATION AND DESIGNATION

Sec. 14-614. Procedure.

The provision of this division shall govern the nomination, consideration and designation of landmarks and districts.
(Ord. No. 235-90, 2-26-90)

Sec. 14-615. Initiation of nomination.

(a) Nomination of an area, site, structure or object for consideration of designation as a landmark, historic district or historic landscape district shall be submitted to the department, on a form provided by the department, by the following:

- (1) Any two (2) members of the historic preservation board on their own initiative, by written notice to the department; or
- (2) By written petition of any owner, in the case of a landmark; or
- (3) By written petition of one (1) or more owners of affected property in the case of a district; provided two (2) members of the historic preservation board must sponsor the petition.

(b) A nomination shall be completed and filed with the department with all required signatures and any fees specified therefore for the nomination to be pending.

(c) Upon nomination, the department shall notify the owner or owners of the nomination and shall transmit the nomination to the historic preservation board for its consideration at its next scheduled meeting, which in no event shall be held later than thirty (30) days following nomination.

(d) At any time after a complete nomination is filed for an historic district, the owner of a structure who seeks a permit for demolition may apply to the historic preservation board for a determination that the structure to be demolished is noncontributing and eligible for a demolition permit. The determination of the historic preservation board that the structure is eligible for a permit shall be conclusive.

(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

Sec. 14-616. Notification of nomination and public hearing.

(a) A public hearing on the nomination shall be held by the historic preservation board within thirty (30) days following the first scheduled meeting referred to in section 14-615(c), but in no event later than sixty (60) days following receipt of the completed nomination form by the department. Notice of the nomination and of the public hearing shall be in accordance with the procedures for public hearings before the planning board for site plan approval.

(b) The hearing shall be conducted in accordance with procedures adopted by the historic preservation board. The historic preservation board shall consider all testimony or evidence relating to the designation criteria in division 3 from any person who makes written submissions or appears at the public hearing. Historic preservation board members may also present testimony or make submissions. The owner of a nominated landmark or of property within a nominated district shall be allowed reasonable opportunity to present testimony or evidence concerning the applicability of the designation criteria in division 3.

(Ord. No. 235-90, 2-26-90)

Sec. 14-617. Recommendation by historic preservation board.

Within thirty (30) days following the close of the public hearing, the historic preservation board shall make recommendation to the council in the case of a landmark, or to the planning board in the case of a district, upon the evidence as to whether the nominated landmark or district meets the criteria for designation in division 3. Such recommendation shall be approved by at least four (4) members of the historic preservation board and shall be accompanied by a report to the council or planning board containing the following information:

- (a) Explanation of the significance or lack of significance of the nominated landmark or district as it relates to the criteria for designation.
- (b) Explanation of the integrity or lack of integrity of a nominated landmark or historic district.
- (c) Proposed design guidelines for review of alteration or construction. The specific design guidelines may provide explanation by text and/or schematic examples of visual compatibility for purposes of division 7.
- (d) Relationship of the nominated landmark or district to the ongoing effort by the committee 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 and the boundaries of the nominated district.
- (f) A list, including the address, of every site, structure and object in each nominated historic district indicating their degree of cultural, historic, architectural or archeological significance by classification as of a landmark or contributing significance.

Where a motion either in favor of a recommendation or in opposition to a recommendation results in a vote of fewer than four (4) members, the item shall automatically be tabled to the next regularly scheduled meeting.

(Ord. No. 235-90, 2-26-90; Ord. No. 220-93, § 3, 5-17-93)

Sec. 14-618. Reserved.

Sec. 14-619. Notification of historic preservation board recommendation.

(a) The recommendation of the historic preservation board, including a copy of the report, shall be transmitted to the city council in the case of a landmark and to the planning board in the case of a district. Notice of the recommendation shall be sent by mail to the owner of a nominated landmark and to all owners within a nominated district within ten (10) business days following adoption of the recommendation and report.

(b) If the recommendation of the historic preservation board is that the property or district not be designated, the nomination process shall terminate and no new nomination shall be submitted for the identical property or area for a period of one (1) year from the date of termination, except upon a showing of substantial and material newly discovered information.

(Ord. No. 235-90, 2-26-90)

Sec. 14-620. Determination by planning board.

(a) The planning board, upon receipt of a recommendation and a report from the historic preservation board concerning nomination of a district, may hold a workshop meeting pursuant to the provisions of section 14-26. After review of the historic preservation board recommendation and report, the planning board shall hold a public hearing.

(b) All meetings, hearings and deliberations of the planning board to consider the recommendation and report of the historic preservation board shall be held in conformity with sections 14-24 through 14-28.

(c) The planning board may request the chair of the historic preservation board, or a member designated by the chair, to appear at any meeting, hearing or deliberation to explain any recommendation or report.

(d) The planning board shall make its final determination including written findings as to whether the nominated district meets the criteria for designation in division 3 within forty-five (45) days following receipt of the recommendation and report from the historic preservation board. A copy of the determination of the planning board shall be sent by regular mail to all owners within a nominated district within ten (10) business days following the determination.

(Ord. No. 235-90, 2-26-90)

Sec. 14-621. Planning board recommendation to city council.

The recommendation of the planning board regarding a nominated district shall be filed with the city clerk within ten (10) business days. It shall be accompanied by a copy of the report and recommendation of the historic preservation board and, in the case of a recommendation that the council designate, a draft of a proposed designation ordinance, including any proposed design guidelines for review of alteration, construction, removal or demolition. The recommendation of the planning board may include proposed changes in other city ordinances, policies, infrastructure, or recommendations with respect to the comprehensive plan of the city relating to the proposed designation.

(Ord. No. 235-90, 2-26-90)

Sec. 14-622. Action by the city council.

(a) Within sixty (60) days after the filing of a recommendation on the nomination with the city clerk pursuant to section 14-620, the council shall designate the landmark or district or reject designation. Any designation ordinance may include design guidelines for the designated landmark or district.

(b) Designation of a district shall be accompanied by a list, including the address, of every site, structure and object in the district which is determined to be a landmark or considered to be

contributing or noncontributing, indicating their degree of cultural, historic, architectural or archeological significance. This list may be amended thereafter by the council upon recommendation from the planning board under the same procedures as set forth above. Where there are no express findings by the council in the designation ordinance, there shall be a presumption that the council found that all requirements of sections 14-610 and 14-611 were met.

(c) Notice of the proposed action of the council shall be provided by mail to the nominator and the owner of the nominated landmark and/or of all properties adjacent thereto prior to council action. The notice shall include a copy of the resolution or designation ordinance and design guidelines.

(d) Notice of council action to the same persons shall be sent within ten business days following the council action. A copy of each designation ordinance and design guidelines shall be sent to the planning board, the historic preservation board and the department. A complete schedule of all landmarks and districts, including design guidelines and a listing of landmark and contributing structures, shall be maintained by the department as part of the design manual and shall be available for public inspection and copying during ordinary business hours.

(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

Sec. 14-623. Amendment and rescission of designation.

Amendment and rescission of any designation shall be upon the request of a person or persons authorized to nominate the property or properties affected, or upon request of the council, and shall follow the procedure set forth in division 4 for designation. The council may rescind or amend a designation only after all of these procedures have been followed. The standards for rescission or amendment applied by the committee, planning board and council shall be limited to those provided in section 14-610(a) and section 14-611. Amendments may include refinement or correction of design guidelines, maps, and other parts of any designation ordinance.

(Ord. No. 235-90, 2-26-90)

Sec. 14-624. Reserved.

Sec. 14-625. Reserved.

*Editor's note - Order No. 197-03/04 adopted 9/8/04, repealed §14-625 Projects of Special Merit in its entirety.

Sec. 14-626. Reserved.

Sec. 14-627. Reserved.

Sec. 14-628. Time limits.

(a) Any time limit specified for any step in the process for nomination or designation of a landmark may be extended with the consent of the property owner.

(b) Any time limit specified for any step in the process for nomination or designation of a district may be extended where at least ten (10) percent of the owners of property within the boundaries of the proposed district have given written consent to the extension.

(c) Failure to comply with any time limit in the nomination and designation process as provided in divisions 3 or 4 shall not affect the validity of any designation nor the interim protection provided by division 5.

(Ord. No. 235-90, 2-26-90)

Sec. 14-629. Reserved.

DIVISION 5. INTERIM PROTECTION FOR NOMINATIONS

Sec. 14-630. Nominated landmarks and districts.

(a) From the time of nomination until the historic preservation board acts upon such nomination, a site, structure, object or area nominated but not yet designated as a landmark or district shall be subject to all of the provisions of divisions 8 and 10 governing demolition and minimum maintenance, to the same extent as if designated. Upon final action of the historic preservation board recommending designation, the site, structure, object or area nominated shall be subject to all of the protection of this article until a final decision on designation by the council becomes effective. If the council rejects designation or fails to designate a property, that property shall no longer be subject to the provisions of divisions 8 and 10 of this article.

(b) Alteration or new construction commenced pursuant to a building permit issued prior to nomination shall not require a certificate of appropriateness, unless such permit has expired, been canceled or revoked. No project for which any application is pending, and which has received substantive review by the planning

board prior to nomination, shall be affected by nomination. Substantive review, as used in this paragraph, shall include workshop review of any completed application under articles IV or V of this chapter.

(Ord. No. 235-90, 2-26-90; Ord. No. 220-93, § 4, 5-17-93; Ord. No. 165-08/09, 3-16-09)

Sec. 14-631. National Register of Historic Places.

(a) Every property, landmark or district listed in the National Register of Historic Places prior to adoption of this article, as shown in the design manual, is hereby designated as a landmark or district and shall be subject to all of the protection of this article, until such time as such designation is amended or rescinded as provided by section 14-623. Listed properties which would qualify for designation as historic landscape districts shall be subject to the applicable provisions of this article. If there is any inconsistency between the boundaries of any landmark or district as shown in the designation ordinance, if any, the design manual and/or the National Register, such inconsistency shall be resolved in favor of such ordinance and the design manual in that order. A certificate of appropriateness shall be obtained for every alteration or new construction affecting said listed properties and districts.

(b) Upon notice to the city that a property or area has been listed in the National Register after the adoption of this article, a nomination shall be deemed submitted to the historic preservation board for designation of such property or area as a landmark, historic district or historic landscape district under this article, and the procedures of this division shall be applicable thereto.

(Ord. No. 235-90, 2-26-90; Ord. No. 165-08/09, 3-16-09)

Sec. 14-632. Properties eligible for listing on National Register or for local designation.

A certificate of economic hardship shall be obtained prior to demolition of any structure which has not been designated in accordance with this article but which is eligible for listing on the National Register of Historic Places under the criteria established by 16 U.S.C. Section 470(a) or its successor statute and/or regulations made thereunder or which is eligible for local listing under the criteria for designation of this article. The determination of eligibility for listing shall be made by the department, which may refer such a determination to the historic preservation board, and by the board of appeals if an appeal is taken. Upon determination of eligibility, the structure so