

Town of Old Orchard Beach
Design Review Committee
April 13, 2015 6pm

Call to Order: 6:13pm	Call to Order
Roll Call: Don Comoletti Chair, Kim Schwickrath, Mark Lindquist, Ray DeLeo Staff: Jeffery Hinderliter Town Planner, Molly Phillips Meeting Notetaker, Dan Feeney Code Enforcement Officer	Roll Call
Pledge of Allegiance:	Pledge of Allegiance
Consideration of Meeting Minutes:	Meeting Minutes
<p>Item 1: Proposal: Construct/install parking lot, fence, lighting, and ADA platform lift Action: Review application; Discussion; Certificate of Appropriateness Recommendation Owner: Saco & Biddeford Savings Institution and Town of Old Orchard Beach (Harmon Museum) Location: 2 & 4 Portland Ave.; MBL: 205-1-21 & 22, DD-1/HO Districts</p> <p>Jeffery Hinderliter: Tonight what the Preservation Committee is considering is a parking lot with ADA improvements in and around the Harmon Museum and Saco & Biddeford Savings. This all began when the Harmon Museum contacted me about a complaint from a volunteer employee who was disabled and needed access to the museum. And the experts who are familiar with ADA compliant came down and gave us some recommendations. Then we got another complaint some time later. So, it was really time for the Town to look at making things ADA accessible. Around that time, Saco & Biddeford Savings came into the picture and offered to assist or pay for it, but as part of that there was a mutual need for parking. The Harmon Museum has used the Saco & Biddeford Savings parking for their patrons and Town Hall in the off hours. So in 2014 there was a referendum vote to the Town on the building of these improvements and parking lot because the easements of Town property to the ownership of Saco & Biddeford Savings. It wasn't approving the project itself, but the project was known throughout. It was a vote to just transfer the rights of the land. The original proposal had the parking lot in the rear and the ADA walkway ramp going across the front of the building and back to the front entrance. Now the proposal is to use an ADA lift with the use of the back entrance from the back parking lot.</p> <p>Kim Schwickrath: So you are going to put a lift and a ramp, is the museum itself ADA compliant?</p> <p>Jeffery Hinderliter: Not at this point, they would need to do those improvements internally as well.</p> <p>Kim Schwickrath: Is that going to happen at the same time?</p> <p>Jeffery Hinderliter: That is part of the larger proposal, but not under discussion tonight. What we are dealing with tonight is the exterior improvements which include buffer, parking, parking lot and the lift and the alterations to the exterior. DRC often notes during their reviews, you are more aesthetics,</p>	ITEM 1

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setback and building codes are not in your jurisdiction. Those things are addressed but at the Planning Board level and this is more of a review for aesthetics. Within your packet tonight you have the Historic Overlay review standards which are a bit different than the DD-1 and GB-1 standards. In my discussions with the consultant that will be presenting in a second, I asked that they respond to those standards. So, I included the responses for you in your packet. So we expect Planning Board review to begin in May with a public hearing so this isn't the last chance for comment on this proposal.

Bill Cahey, Saco & Biddeford Savings
Bill Walsh, Walsh Engineering
Dan Blaney, Historical Society

Bill Cahey: Before we get started I just wanted to remind that board that one of your members was going to recuse himself. I just wanted to put that in the record.

Ray DeLeo: Fine with me, I can still participate with the committee and ask questions but I just can't vote.

Bill Cahey: Ok. And I just wondered why you were recusing yourself?

Ray DeLeo: Because I own two abutting properties and I am across the street from the Dornan's property and can look into the parking lot of these two structures. And I own the Atlantic Birches Inn and I can see from my building and the corner the apple trees that will not be there anymore.

Bill Walsh, Walsh Engineering: As Jeff said, the existing bank is right here and the museum is right here. The main goal of this project is to give access to the Historical Society building as well as gain parking in this area. In the end, the project will provide parking on the back side and ADA access to the building itself. The zoning of the property is the Downtown District and only ¼ of the parking lot falls into the Historic Overlay. The lot size itself is .76 acres. The access to the parking lot would be from Adelaide Road. There will be 7 existing spaces here that get re-aligned. There will be 3 new spaces where the island will be removed. With 11 regular spaces behind the museums and two new handicap spaces the net is 16 spaces. Originally we looked at a ramp that would reach the front and then wrap up the building. It would require a relatively long ramp and modification to that building. After some further analysis, we came upon the idea of entering from the rear and adding a small lift. Simply pull into it, it'll lift 3 feet and then pull out. It took away the visual impact from the front of the building. This would have raised grade and then have a 2.5' retaining wall. The proposal now makes sense to put the lift on the back side. The project itself will have some underground drainage that runs down and around to the Portland Avenue drainage. There will be some proposed LED timed lights so they don't run all night. We have proposed a

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fence 6' high that would go at the back of the property. It would have an open lattice top to help buffer the abutting properties. In doing this we are required to do things according to the ordinance. We are placing the parking at the rear, as we have done before. We have not affected the historical value of the Museum and kept the parking hidden from Portland Avenue. There will be very minimal impacts to the building. We'll have very minimal signage just showing the handicap spaces as required. I think given all of that, we meet the performance standards.

Don Comoletti: First, what I would like to do is get the questions from the board first and then questions from the public. If I could get Jeffery to answer this first, what are the portions that are outside of our jurisdiction? If it's under the historic overlay than this committee has no opinion on that, right?

Jeffery Hinderliter: It's still within the DD-1 district. It is under your jurisdiction, the entire lot.

Ray DeLeo: Excuse me, do you have the plan that shows the overlay borders? And the adjacent properties to that as well?

Jeffery Hinderliter: I think the line is represented on this plan here, but I don't have the adjacent property map.

Ray DeLeo: Because the line that I have seen went through the middle and not the upper quarter of the lot.

Don Comoletti: Can I ask the board to right now read the Historic Overlay standards and take a few minutes?

Jeffery Hinderliter: If you look here, the grey area is DD-1 and the hatched area is the Historic Overlay and that covers 3/4ths of the lot.

Don Comoletti: Ok. We'll open it up to questions.

Paul Dornan: My house is the house that's right behind the property. I wanted to point out that on the application it asks if this property is abutted by historic properties and it says "no." But the Old Orchard Inn is directly adjacent and it's on the historical register. The application also asks about periodic flooding and it says "no" and I don't know who made that determination.

Don Comoletti: Could you be more specific on what that flooding is?

Paul Dornan: I have pictures right here. (Passes pictures around and shows board members the level of water he has documented.) This is the average thunder storm. We haven't been there that long, but it's happened 3 times.

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Bill Walsh: I think there is a low point back there. Obviously the drainage system would improve that. It will take away the flooding.

Sheryl Dornan: As far as the drainage is concerned, is there some reason that the bank has taken their drainage and dumping it into the museum? So, then it's going down that line now? You'd be digging that out?

Bill Walsh: That's right. It's a sub-surface drainage system that collects the water and holds it. Then lets it out slowly to the main drainage system.

Sheryl Dornan: Is that parking lot under a commercial parking lot? Is that what it is?

Jeffery Hinderliter: It's not commercial because it's an accessory use to the building and not a pay for parking lot on its own. Like for instance the lots that are downtown with no other structure associated with it, they simply charge for parking.

Sheryl Dornan: But the bank is commercial use, right?

Ray DeLeo: My parking lot is just behind my Inn and it's a commercial parking lot. Why is it any different? The bank and the museum are both commercial property, why is that different?

Jeffery Hinderliter: Because, within this district the commercial use of a parking lot is mentioned in the standard at complimentary use it defines a commercial parking lot as being associated with a primary structure. And it's not our determination for use, that's Planning Board.

Kim Schwickrath: Basically what I see happening here is that the improvements for the museum are becoming an excuse for a bigger parking lot for the bank. That's how it looks.

Bill Walsh: I think it is a combination that will be used both by the museum and by the bank.

Mike Muldonado: There are going to be 3 spots for the museum and the rest is for the bank. Don't you think that is a commercial use? That's what we have been hearing all along.

Jeffery Hinderliter: The use is not under the jurisdiction of the DRC, that's an issue for the Planning Board.

Don Comoletti: The parking spaces are intended for both buildings and the space is delineated for the two businesses.

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Ray DeLeo: Can I ask what necessitated you taking this initiative? Is it for bank associate parking? Because traditionally they would park across the street where the church parking is and with that being sold it will eventually go away. Is that what is being done?

Bill Walsh: Well, there's a couple of things happening here. There's 7 spaces right here.

Ray DeLeo: So that's 11 additional spaces that are going over there.

Don Comoletti: I think as Jeffery pointed out, this is not in the jurisdiction of the Design Review Committee.

Mark Lindquist: My question is the existing vegetation, and I see that it says trees to be removed. There's some significance to the limited number of apple trees in this community.

Ray DeLeo: Section 78-353.

Don Comoletti: In the Historic District we aren't losing landscaping.

Ray DeLeo: Can you show in this diagram where the trees are and what the plans are for them?

Bill Walsh: There's one, two, three, four trees on the ...

Ray DeLeo: There's another one on the right hand side. And the three river birch that are going away in the island. You also have on the diagrams three 16' trees that are now 16' tree and 2 5' trees. Because the Town donated those trees and those were also covered due to the historical home. There was a diagram the other day that had those trees there.

Jeffery Hinderliter: I don't know the history of who donated and where the trees started from. I do know that there was an email sent by the Dornan's to Maine Historical Society and the tree question did come up. The representative of the Maine Preservation indicated they may be historically significant in relation to the Harmon property and as the property of the Harmon family. They could be reset at strategic locations. I don't see anything about the donation.

Mark Lindquist: If they were to be re-appropriated the only viable option I can see is that they be put at the front of the property. I don't see where there is room for them, if we don't control the setbacks or the buffering zone, where else they could go.

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Paul Dornan: When this was represented to the voters, Bill Cahey had put into the language of the referendum and it was presented as a ramp. That's what people voted for. Now, they are trying to change the plan from what was voted on in the referendum.

Don Comoletti: You're referring to the drawing with the ramp going up the front.

Paul Dornan: The Old Orchard Beach Inn next door is in the Historic Overlay District and it has a ramp, handicap and parking in the front. I don't see anything here that says parking is prohibited in the front, I know it's preferred to be in the back. The bank has two parking spots in the front of their building. The town hall has a parking lot in the front of their property. There's a lack of consistency. This whole A.D.A. parking thing is coming across as manipulative to me. It seems like the bank and the museum are using this A.D.A. thing saying that they can't access the front or park in the front. As if there is no other way to do this without the bank giving it to them, it's not true.

Bill Cahey: I think that we've gotten far from what this meeting was called for and what this board is here to decide. From a simple aesthetic point of view, it was far better for us to put a lift at the back than a long ramp in front. We didn't want to ruin the front of the building with a giant ramp. One of the benefits of this project is to give access to this property for disabled patrons and volunteers. We are not simply telling you we aren't benefiting from this project, it would be foolish for us to do so. The extra spaces will be used by employees, it is intended that they have somewhere to park. Yes we are getting a benefit, but so is the Harmon Museum. We are here to deal with aesthetics, and our position was that it's much better to hide this lift at the back of the building. It's far more aesthetically pleasing to have the lift instead of the ramp.

Don Comoletti: We are dealing with that one little issue of landscaping and since a portion of this falls into that, I think we need to hear some discussion on it.

Bill Cahey: I think we can explain our plan for that.

Paul Dornan: And another thing, is in the DRC to talk about the effect of the land values?

Don Comoletti: It is not.

Dick Reed, Architect: My concern had to do with the part that's handicap accessible, and one of the benefits of the lift was to achieve accessibility. The decision to go from a ramp around the building and up the front with raising the front and re-landscaping the front to a lift was an aesthetic one. We hired

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a disability expert to view the project and get input as to what would be better for a person in a wheel chair. The parking in the rear is closer rather than going all around the building. It was preferred for the lift to be a way to get up to the level of the Museum without causing a person to have to go all the way around. It would have been too difficult for a person in a wheelchair to enter the building. As well as the interior of the building, which I know isn't covered here, by modifying the thresholds and things makes the back a better choice.

Don Comoletti: If you were to not install A.D.A. access to the building, what would happen?

Dick Reed: Well that's a legal question. I know from doing many projects that it's a legal requirement even if there are many barriers to doing the necessary improvements.

Jeffery Hinderliter: Apparently we are one complaint away from being in trouble with the state. Because we have two complaints already.

Don Comoletti: It is also a moral issue. We need to establish the A.D.A. access as a Town and it effects the property with fees and non-compliance issues.

Kim Schwickrath: What were the complaints?

Jeffery Hinderliter: I don't have the exact complaints but one was in 2013.

Dan Feeney, Code Enforcement Officer: I have a question for the designers and planners for this. One is the Harmon Museum historically registered. If not, it has to meet the standard for A.D.A. just as any other structure would. If it was historically significant there is a lesser standard. Forgive me if I am wrong, Jeffery can attest to this, but doesn't it say in the code that the more severe standard takes precedence over the whole project and isn't to be followed on the black and white line?

Jeffery Hinderliter: Yes, and in the Historic Overlay you do have to look at the project as a whole. The Historic Overlay aesthetics criteria are really geared toward the aesthetics of the building and includes language for structure which would be the parking lot. When you look at the standards, the one standard for roof shape not applying, but it covers things that can be seen from the street. The only alteration, A., the structure itself and the new construction is the parking lot. When you look at the standard for alteration we apply it to how the structure is being altered. When we look at new construction, you have scale, form, façade treatment, façade materials, and site layout in relation to the street. Really the standard is more site related. If you look at 1 D. which is the distinguishing character.

Sec. 78-353. - Performance standards for issuance.

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| <p>(a) <i>Standards for alterations.</i> The design review committee shall consider the following criteria in determining the appropriateness of any proposed alteration or modification to existing structures, site improvements, or major landscape elements within a historic district:</p> <ol style="list-style-type: none">(1) The activity makes every reasonable effort to provide a compatible use that requires minimal exterior alteration to the buildings, site features, or landscape of the property.(2) The distinctive and original character of the structure, site, or landscape is maintained. Attention must be made to retaining architectural detailing such as original moldings, brackets, columns and spindles.(3) Proposed alterations are consistent with the architectural period of the structure and its additions. Attempts to alter the structure to reflect an earlier or later architectural style shall be discouraged.(4) Contemporary additions and alterations shall not be discouraged, provided the alterations or additions are compatible with the scale, height, color, and material character of the property and other structures in the district.(5) Deteriorated architectural details shall be restored whenever possible. Missing architectural features shall replicate the existing details in form, materials and color. Entire replacement of deteriorated features shall match the historic period of the original structure in style, scale, and material. <p>(b) <i>Standards for new construction.</i> New construction including additions to existing structures and site improvements such as fences, decks, and porches and major new introductions of landscape elements shall receive a certificate of appropriateness prior to the issuance of site plan approval or a building permit contingent upon compliance with the criteria listed in this subsection. The intent of this subsection is to preserve the existing historic and visual character of the district, and not to re-create historic structures where none exist. To this end, contemporary design in new construction and additions shall be encouraged providing the design is responsive to the following architectural performance criteria:</p> <ol style="list-style-type: none">(1) <i>Scale and form.</i> Standards for scale and form are as follows:<ol style="list-style-type: none">a. <i>Proportion of height and width.</i> The absolute height, width, and the relative proportion of height and width of any proposed new construction shall be visually compatible with surrounding principal structures as observed from the street, sidewalk, or public open space.b. <i>Roof shape.</i> Proposed roof pitches, orientations, and overall roof shape shall be visually compatible with those of surrounding structures, as observed from the street and/or sidewalk.c. <i>Scale.</i> The size and mass of proposed structures in relation to open spaces, windows, doors, porches, and stairs shall be visually compatible with principal structures and public spaces to which they are visually related.d. <i>Distinguishing character.</i> Additions, alterations, and modifications to existing structures shall not eradicate or subordinate the distinguishing character of the original structure, object, or | |
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landscape unless it is demonstrated that the original structure was or is of negligible architectural or historic value. Special care shall be taken to preserve historic or architecturally distinctive features or materials.

- (2) *Facade treatment.* Standards for facade treatment are as follows:
- a. *Fenestration.* The rhythm and proportion of voids (windows and doors) to solids (facade) of proposed new structures shall be compatible with other principal structures within the historic district.
 - b. *Entrances, porches, dormers and other projections.* The rhythm and proportion of building entrances, porches, dormers, and similar projections shall be visually compatible with the predominant rhythm of similar facade elements within the district.
 - c. *Facade materials.* Facade materials shall be of similar composition, texture, and color, excepting paint, as the predominant building materials within the district and especially of those structures to which the new construction is visually related.
- (3) *Site layout and relationship to street.* Standards for site layout and the relationship to the street are as follows:
- a. *Building lines.* New structures, fences, walls, signage, and landscape massing shall be sited so as to maintain the prevailing building lines and vertical planes of enclosure along public streets and sidewalks.
 - b. *Rhythm of structures.* Proposed structures shall be sited to maintain the predominant side yard setbacks between buildings within the district and the rhythm of open space to buildings along the street.
 - c. *Directional expression.* Wherever possible, the predominant horizontal, vertical, or nondirectional expression of existing structures, objects, and open spaces within the district should be reflected in the design of proposed structures.
 - d. *Signage.* All proposed signage shall be visually linked to the scale, size, materials, and exterior lighting of the principal structure and of the surrounding structures within the district.

(Ord. of 9-18-2001, § 13.4.2)

I have one suggestion, it won't impact the timeline for the review and it would even invite more opportunity for public comment, is a site walk.

Don Comoletti: I have not walked the rear side of that, nor do I have property that abuts it so that would be helpful for me.

Ray DeLeo: In our submission from other people there are usually pictures of what the property will look like with the lighting and the changes all shown. We get an idea of how it will look with the surrounding buildings and this property and the abutting property will tie together through the landscaping.

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Bill Walsh: I am assuming you would like to see something from Adelaide and see something that way?

Don Comoletti: Correct.

Paul Dornan: Can I show you the fence they have now, especially with the snow plowing.

Don Comoletti: Understand your questions and comments have a place, but it's not necessarily here at this committee's level. Who owns the fence now?

Paul Dornan: The bank.

Don Comoletti: I have hopes that it will be repaired.

Lisa Buchard, 8 Adelaide Road: I would ask could you repeat what you said about if it's a split ordinance.

Dan Feeney: We don't have the ordinance in front of us, but the understanding is that the more severe setback would apply.

Jeffery Hinderliter: The more severe is the 50' within the property and that would be in the Historic Overlay.

Lisa Buchard: One more questions, the parking is going to be in the rear of the building. There's one handicap accessible spot and 2 regular parking spots. How will the Historical Society volunteers and guests enter the building? Will there be a walk way? Are they just walking on the grass to get to the front?

Bill Walsh: We don't have a sidewalk at this time.

Lisa Bouchard: You don't have a sidewalk, so they will park in the back but they don't have way to the main entrance?

Bill Walsh: Well, there's a door in the back.

Ray DeLeo: How much of a buffer is there from the edge of the parking lot to the Harmon Museum? From that fence, are they both directly on the property lines?

Bill Walsh: There is 3 feet between the fence and the parking lot. I'm not sure what you're asking?

Ray DeLeo: Well, I understood that you had 61 feet to the parking lot, 20 feet for each parking spot.

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Don Comoletti: That's not for us to go over.

Dan Feeney: I just have a question: on that scale in front of us, what are the setbacks for the structures period. Is there a 5' setback?

Bill Walsh: It is 1 foot off the building.

Dan Feeney: It has to be 5 feet, just so you know.

Sheryl Dornan: I am for the access for those with a disability because I am a nurse. What bothers me, is if I am a visitor with a disability I have to go in through the back and go in through the kitchen. The lift works well for the employees and volunteers, but why do people with disabilities have to go through the service entry and not the front door?

Don Comoletti: That's not an unusual situation for older buildings that have to install A.D.A. access.

Sheryl Dornan: But originally there was a ramp to the front and it allowed a disabled person to enter the building just like any other respectable person.

Lisa Bouchard: Is the bank going to be footing the bill for the internal changes as well?

Don Comoletti: I appreciate those questions and I understand your point, but it's not within the realm of this committee.

Dan Blaney, Trustee of the Harmon Museum: I don't want to hurt anyone's feelings, but right now there is no way for a person in a wheelchair to even enter the building. Right now, since I have been there, we have never been able to accommodate a wheelchair bound person. I've been a member from 1970. I think we're doing a great thing there. Instead of having an alley way with steel railings and trying to go up to the front there's a little lift. The space between the ramp and building would just fill up with ice and snow all winter long and push against the building. If we had that J shaped ramp we would have to keep it cleared off and sanded.

Don Comoletti: I think at this point what I would like to do, and I'll put it to the Committee, I'd like to put everything on hold for the site walk. Prior to making a decision I would like to get more information.

Mark Lindquist: I took the time to go and look at it, but I would be happy to hear the public comments and the discussion of the board at the site.

Kim Schwickrath: Sure. That would be fine.

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Don Comoletti: So the committee agrees to do a site walk. We should establish a date for that.

Jeffery Hinderliter: I think we should do that before our next scheduled meeting because that information can be brought back to the Planning Board.

Mark Lindquist: I wanted to ask, I was a little unclear and my concern is the lighting. I would really want to have a sense of the lighting. You don't have a sample of the shape, the historic character, or any simulation reflecting the lights. It is going to be new construction and part of that landscaping package. We don't have any samples of the surface. I see there is an indication about re-using granite curbing. There isn't a mention of what will be used on the walkway to the bank.

Don Comoletti: I understand you want that detail for what we are calling the "landscaping" but the fact is that most of those questions would be for the Planning Board.

Mark Lindquist: No disrespect we asked all of those same questions on Harold's project.

Ray DeLeo: And a few other projects.

Don Comoletti: If this is going to be covered with an impervious surface topping does this committee care?

Mark Lindquist: If I had to look out at this every day I would want something visually pleasing. Especially the scale of this project which is significant.

Don Comoletti: Considering the options that are out there, can you think of one preferred surface over another?

Mark Lindquist: Absolutely, I think there are a lot of different brick textures that can be used. Concrete versus hot top and I think that granite curbing is a nice first step. Re-using the granite curbing might turn out so attractive after it is pulled out. I am also concerned about things like trash receptacles, you know there's going to be trash.

Don Comoletti: Any more questions from anybody? Anymore information?

Paul Dornan: Can I ask a question? We're going through this all now and the application you accepted. It's not compliant with the zoning ordinances, and I'm just curious why you would accept this if it's not right?

Jeffery Hinderliter: Well, I can't just make that determination on my own, it's up to the Planning Board to make those decisions and review. The zoning

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<p>Mark Lindquist: I can something that's small and discreet about the size of this (holds up a piece of paper), that has that ability to be scanned. When you talked about this a couple of months ago I took the opportunity to dive into the Town's history. I did some research on the uniqueness of this Town and what we have that many other towns do not have. I think it would be good to look at a few of the different things. The thing is, I've seen a lot of towns with this sort of thing and the danger is that within a year or two they fall into disrepair, they get spray painted, they get ugly. But something that is discreet and gives an insight to an event or a former building.</p> <p>Don Comoletti: I think something that allows a small picture too. I have been collecting postcards for years, which I'm sure doesn't touch Dan Blaney's collection, but I'm sure we have a ton of images to choose from.</p> <p>Jeffery Hinderliter: Oh yeah, I don't think pictures will be a problem.</p> <p>Don Comoletti: Except for Town Hall.</p> <p>Mark Lindquist: I bet if we put the word out around town people will produce their old pictures and have things to share.</p> <p>Kim Schwickrath: Maybe we could make them removable or mobile so that during the winter we could remove the more delicate parts.</p> <p>Jeffery Hinderliter: So, if you think of 12-15 sites and we will discuss that and our approach to local business people looking for sponsorship.</p> <p>Don Comoletti: We need to do elections.</p>	
<p>Other Business: Committee Elections:</p> <p>Ray DeLeo: Motion to elect Don Comoletti as chair Kim Schwickrath: Second</p> <p>Don Comoletti: Motion to elect Ray DeLeo as vice chair Kim Schwickrath: Second</p> <p>Call to Vote: Mark Lindquist: Yes Kim Schwickrath: Yes Don Comoletti: Yes Ray DeLeo: Yes</p>	<p>Other Business</p> <p>Motion</p> <p>Motion</p> <p>Vote</p> <p>4 Yes – 0 No</p>
<p>Good & Welfare: Adjournment: 7:40pm</p>	<p>Good & Welfare ADJOURNMENT</p>

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I, Molly Phillips, Secretary to the Design Review Committee of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of fifteen pages (15) is a true copy of the original minutes of the Design Review Committee Meeting of April 13, 2015.

Molly Phillips