



Design Review Minutes

Wednesday, September 7th, 2022 @ 6:00pm
Council Chambers - 1 Portland Avenue

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Call to order at 6:02 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

- Gary Luca
- Frank Manduca
- Kim Schwickrath
- Chair Don Comoletti

Absent- Richard Pelletier

REGULAR BUSINESS

Item 1 – Continued review of Certificate of Appropriateness to remove and replace siding and front porch at 24 Portland Avenue, MBL 205-1-26 located in the GB1, R1, and HO zoning districts, applicant The Milestone Foundation.

Application review, determination of completeness, decision.

Planner Foster opened with an overview of the proposal. This is continued review of removal and replacement of front porch and siding at Milestone. This has been reviewed the last couple meetings. The committee requested material samples. This requires a certificate of appropriateness where it is in the Historic district. The options for the committee to consider are as follows:

1. Review application for certificate of appropriateness



1 2. Determine whether as a nonprofit and with items that don't meet the standards, is there
2 potential for a certificate of economic hardship, which is offered for a certificate of
3 appropriateness to not meet certain standards.
4

5 3. Or do a hybrid approach where you are approving specific alterations meeting the standards as
6 in the application, and for those alterations not meeting the ordinance, you could grant the
7 certificate of economic hardship.

8 Either one or the other, and we came up with the hybrid because you weren't 100 percent on either one
9 and to look at the options. In looking at the criteria for alterations these are not as heavy as new
10 construction requirements. There are 5 standards and the criteria for an economic hardship was also
11 included.

12 We can do introductions before moving forward since we have Town Manager Diana Asanza with us
13 tonight. Associate Planner Michael Foster.

14
15 Tom Doherty, Executive Director of Milestone Recovery

16 Bill Libby, Director of Finance and Administration at Milestone Recovery

17 Jim Westerman

18 Kim Schwickrath

19 Gary Luca

20 Diana Asanza, Town Manager

21 Don Comoletti

22 Frank Manduca

23
24 Jim Westerman with Milestone, reviewed the samples as discussed. They got siding samples and
25 corner post material sample from ABC. Example of front shake style for front and vinyl for side. For
26 corners there were options, but this is what falls in the budget.

27 Chair Comoletti stated that the corner material meets the intent by not having the j-channels. Trimming
28 windows and porch trim was discussed.

29
30 Jim Westerman responded the windows will be trimmed the same but the siding is different. They
31 went with ABC for materials. This is what was recommended. The porch will look different than the
32 pictures because the current rails are 2x4. This will be a molded handrail with PVC balusters.

33
34 Chair Comoletti shared concern on the trim.

35 Jim Westerman responded windows will stay the same and that everything will be wrapped. For the
36 porch columns they will be decorative and round but without the wide base on the bottom. It will be as
37 close to existing as they can get.

38
39 Gary Luca and Kim Schwickrath asked about the siding and different materials.

40 Jim Westerman explained the siding would be standard with the front being the shake style. The

1 contractor is local and these changes weren't included in the price quotes. Milestone will need to eat
2 the cost difference.

3
4 Chair Comoletti reviewed the options. For the certificate of appropriateness, it's been determined we
5 can't do that because the whole building isn't being finished in a historic manner. The second was to
6 review for an economic hardship. There is one standard that seems as written may not be able to be
7 met. Standard 3, for economic hardship, is that the cost of restoring to the original condition is not
8 economically feasible. The other option is to not accept it.

9
10 Associate Planner Foster explained that the ordinance is ambiguous enough that the committee's
11 decision could be supported either way and that is how they came up with the hybrid approach. Some
12 members weren't fully confident in this meeting all the standards and that would be the specific
13 standard we would waive. The approval would be specific so if there is one part not meeting a
14 standard, say vinyl siding, that would be the piece qualifying for economic hardship, and then they
15 meet the rest of the standards.

16 Chair Comoletti would like to make sure that they clearly document what is being accepted beyond the
17 specifics of the code as written for two reasons:

- 18 1. We don't want this particular job to be a precedent for other jobs necessarily, and;
- 19 2. We want the code updated so we don't have to have this discussion in the future.

20
21 Associate Planner Foster explained that the first piece, if doing the application through the regular
22 process, either way it needs to be determined as a complete package. If doing the hybrid or one of
23 these we should still make the determination. The one question is the specifics for the materials we are
24 seeing tonight, is to make sure those are documented. We can take photos so we have that info.

25
26 Kim Schwickrath made a motion to determine the package as complete.

27 Seconded by Gary Luca.

28 Call for the vote. All in favor. 4-0

29
30 Chair Comoletti asked how the approval should be worded for the second motion since they are using
31 the economic hardship and the certificate of appropriateness.

32 Associate Planner Foster responded they should be specific in what they are getting the economic
33 hardship for, so if it is for siding materials that you are granting them to alter from the standards to
34 vinyl clad for the sides, and the front they are going to keep vinyl shake for that façade. With standards
35 we could agree on each one as the Planning Board does.

36
37 Frank Manduca made a motion for an economic hardship for siding and trim as submitted to be
38 different than the front of the building.

39 Seconded by Gary Luca.

1 All in favor. 4-0

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3 Gary Luca made a motion to issue the certificate of appropriateness for the remainder of the building
4 as the package is submitted.

5 Seconded by Kim Schwickrath.

6 All in favor. Unanimous.

7

8 Frank Manduca requested that although it has nothing to do with this proposal, could they paint the red
9 door white on the main building. Petitions in the window would make it look old fashioned.

10 Jim Westerman responded they would paint the door and look into it.

11

12 Chair Comoletti pointed out that they will have eyes on this project because they have been burned on
13 approvals before.

14 Jim Westerman responded they plan to start this week.

15

16 *The applicants and Town Manager departed the meeting.*

17

18 Associate Planner Foster acknowledged the ordinance could be made a lot clearer. With this
19 application they did respond to the criteria and for the most part they met it. There were questions
20 about items not being an exact match and some of those are parts of the ordinance that isn't as clear.

21 One standard, it needs to not be different materials than other structures in the district, but then half the
22 structures have vinyl clapboard style siding, so how does that happen when we have the ordinance.

23

24 The committee discussed siding and roofing material quality and difference between quality and Home
25 Depot materials.

26

27 **Item 2 - Historic overlays and preservation.**

28 ***Discussion and updates.***

29

30 Associate Planner Foster mentioned back in May they started looking at historic districts. He had
31 thought that somehow buildings on the national registry had some protections like those in historic, but
32 apparently, they do not. The only one on the registry that is in the historic district is the inn. Outside of
33 the district is the Temple in Ocean Park, and out on Portland Ave here the former motel. The question
34 is how are districts created and structures protected? The Maine Historic Preservation Commission
35 sent some info. One thing that needed to be clarified was that in order for the historic preservation
36 commission to review individual properties, the section pertaining to identifying local landmarks
37 including criteria, proceeds, and process would need to be added to the ordinance. An example from
38 Castine was provided. This has criteria for if someone wants their property added to the list.

39 The other question was how are properties identified. An architectural survey is how these are typically

1 identified.

2

3 Chair Comoletti referenced a project that was previously done to identify architecture. All of
4 downtown and Ocean Park was done. They did it as a committee. They took pictures looking for
5 unique architectural features. Mansard roofs, Victorian building, combos of new/Victorian buildings
6 where we have a mix.

7

8 Associate Planner Foster mentioned there are grant funding opportunities for this kind of project that
9 fund architectural surveys that documents structures and sites 50 years or older. The info gets kept in
10 state databases.

11

12 Chair Comoletti asked if purchasers are made aware that they are in the historic district and that the
13 code applies. Who established the historic district?

14 Associate Planner Foster responded that is a similar question to what he has, how this was determined
15 a historic district.

16

17 Gary Luca asked if it is from building permitting?

18 Associate Planner Foster responded that is typically when people find out, but it has also been
19 overlooked and permits issued without the required review.

20

21 Chair Comoletti mentioned it would be good if those property owners could be notified of the
22 requirements.

23

24 Associate Planner Foster mentioned the upcoming Fall Fest. When thinking about historic areas with
25 buildings of significance they think of Ocean Park. A local ordinance is needed to protect buildings.

26

27 Chair Comoletti mentioned it would be good to have an architectural survey done, especially if it is a
28 professional doing it and not the committee.

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30 Associate Planner Foster responded that the best why to identify if there are buildings worth protecting
31 is to have a survey completed.

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ACCEPTANCE OF MINUTES

Accept the meeting minutes of the 7/18/22 and 8/15/22 meetings

July 18th minutes are prepared but it looks like Kim and Frank were absent. We need quorum to
approve and can do that next meeting.

GOOD & WELFARE

Frank Manduca mentioned they are still waiting for a Temple Ave overlay.

1

2 **ADJOURNMENT**

3 Frank Manduca made a motion to adjourn.

4 Seconded by Kim Schwickrath.

5 All in favor. Unanimous.

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7 *I, Michael Foster, Town of Old Orchard Beach Associate Town Planner, do hereby certify that the foregoing*
8 *document consisting of Six (6) pages is a true copy of the original minutes of the Design Review Committee*
9 *Meeting of September 7, 2022.*

x 

Michael Foster

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