

**TOWN OF YARMOUTH
HISTORIC PRESERVATION COMMITTEE
REGULAR MEETING**

**July 25, 2022
6:00 PM, Town Hall Community Room and Remote Meeting**

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL OF MEMBERS**
Greg Paxton, Chair
Ed Ashley
Philip Bean
Bruce Butler
Sue Devine

Nick Ciarimboli, CEO
- III. Review and Approval of June Meeting Minutes**
- IV. Requests for Informal Advisory Recommendation**
 - a. 52 West Elm Street Ell – Chimney Removal** (attachment 1)
- V. Discussion - Town Council Establishment of a Task Force for the West Main Street School Property** (attachment 2)
- VI. Historic Photos of 53 East Elm Street** (attachment 3)
- VII. Resolution of Term Limits**
- VIII. Review of Design Manual**
- IX. Adjournment**

Attachment 1

From: Jeanne Rapone <jeanne@centerlinedesignme.com>
Sent: Thursday, July 14, 2022 3:30 PM
To: Nicholas Ciarimboli <NCiarimboli@yarmouth.me.us>
Subject: 52 West Elm Street

Hi Nick,

I hope you are enjoying our summer so far! I have spoken with Greg Paxton with HPC and he recommended that I send you these photos along with an explanation of what I would like to do to this home at 52 West Elm Street. I would love to be part of their meeting on Monday, July 25th but understand I may be too late for that one.

The client would really like to remove the chimney in the connector of this historic home. We WILL NOT be touching the chimney's in the main most historic part of the house just the one in the connector. I explained to Greg, that I really would like to know if this is possible before I go down the road of fully designing the client's space, spending a lot of money in design only to find out it is not allowed. This existing chimney is part of a very large fireplace that literally cuts the living space in half in this home and truly limits the design possibilities.

Would you please let me know if I can be part of the meeting on the 25th or if not, what the next meeting day available to be present? Also, I'm saying the 25th, I could be wrong about that date! I'm not sure if they meet in the day or evening? Either way, I will make it work whenever I can be part of the discussion!

Thanks Nick!
Have fun at ClamFest!
Jeanne

Jeanne Rapone
Principal Designer
Centerline Design & Build
343 Main Street, Box 4B
Yarmouth, ME 04096
Cell: 207-671-6531
Office: 207-847-3458
centerlinedesignme.com

*** Centerline Design and Build values solid and long-lasting relationships with our trade partners and clients. One of our core values is clear communication. The ongoing pandemic has placed unique burdens on us that, often, are out of our control. Lead times, scheduling, delivery of materials have become increasingly difficult to guarantee. While we are making every attempt to maintain our prompt response time, due to the overwhelming amount of correspondence now needed to keep our projects moving, we are experiencing delays in all modes of communication. These uncertainties affect our partners and us in ways we cannot always predict. Our goal is always to provide clear, accurate information and be upfront on any delays or changes to

schedules, etc. We are not alone in this situation, as it has affected every aspect of the Maine residential building industry. We ask for patience and understanding and know we will do our very best to respond as quickly as possible and complete projects on time.





Attachment 2

117 West Main Street, Yarmouth **West Main Street Schools** **Request for Proposals**

The Yarmouth Town Council will accept proposals for the purchase, re-development and preservation, and use of the 117 Main Street (the West Main Street Schools) at Tax Map 46 Lot 98).

A Citizen's Advisory Task Force appointed by the Town Council will receive sealed proposals on or before __:00 PM on -_____, ____, 2022 at Yarmouth Town Hall 200 Main Street Yarmouth. The Task Force will review and recommend the proposal that best advances the interests of the Town of Yarmouth to the Town Council for action. The Town Council reserves the right to reject any or all proposals and to select the proposal deemed most advantageous to the Town Council. More information is available on the Town's website at www.yarmouth.me.us or by contacting the Yarmouth Town Manager at 846-9036.

Background Information:

The parcel (Tax Map 46 Lot 98) is approximately 0.38 acres at the intersection of West Main Street and Sligo Road.

The property is Zoned CD-4 under Chapter 703 of the Yarmouth Town Code (Character Based Code).

The subject property includes existing structures currently leased for commercial office use and includes some improved parking areas.

The brick structures (built circa 1841) were used by the Yarmouth School Department for the class room space until 1992, at which time the property control reverted to the Town Council and the space has been leased for commercial use since.

The Town of Yarmouth also owns an adjacent 2.4-acre parcel (Map 46 Lot 97) to the west and northwest of the subject property. An old one-room wooden schoolhouse which belongs to the Yarmouth Historical Society was relocated to the adjoining lot in (1980's). Map 46 Lot 97 is not contemplated as part of the sale, but some portion could be considered for transfer as part of the sale if necessary for setback, circulation, lot coverage, or similar considerations (but not for building use or occupancy related to the subject parcel).

Historic Preservation Regulatory Note:

In August 2021, the Town of Yarmouth adopted amendments to the Zoning Ordinance that established 3 local historic districts, created an Historic Preservation Advisory Ordinance (Ch. 701 Art. X), and made amendments to the Historic Building Alterations and Demolitions Ordinance (Ch. 701 Art. IX). These amendments were adopted following many years of historic preservation efforts led by the Historic Resources Steering Committee. As part of this effort, the West

Main Street Schools, located on West Main Street, were designated as Contributing Structures to the Upper Village Historic District. As Contributing Structures, outright demolition is prohibited by Chapter 701 Article IX. Further, any alterations to the façade or roof will require advisory review by the Historic Preservation Committee and, depending on the scope of work, regulatory review by the Planning Board per Chapter 701 Article IX and X. Additional information may be found on the Town's website: www.yarmouth.me.us/historicproperty

Historic Preservation Goals:

The Historic Preservation requirements described and referenced above establish minimum standards and requirements under the Ordinances of the Town of Yarmouth.

The historic use, architecture, and aesthetic of the buildings and parcel are of significant value to take community and the Town of Yarmouth (as property seller) and proposals for purchase of the property must address the proposer's intention and capacity to address and commit to preservation of the historic values of the structures (primarily exterior.)

The Task Force will advise the Council on appropriate historic preservation standards and conditions of any sale – and shall assist in the review of sales offers or proposals to determine if such sale and conditions shall (best) satisfy the Town's historic preservation interests.

The successful proposal must include a commitment and mechanism of assurance to establish that the structures and site will meet or exceed the preservation requirements attached hereto as **Appendix A**, minimum Historic Preservation Requirements.

Lessee And Sublessee In Place. The property is currently leased to New England GeoDesign d/b/a "TJD&A". A copy of said lease is attached hereto as **Appendix B**. The property will be sold with Lessee and any Sublessees occupancy in place.

Submittals, Review and Award: The Task Force will accept sealed proposals for purchase, re-development and preservation, and/or new use of the structure(s) and lot. Proposals must be received on or before 2:00 PM on _____, 2022 at the Office of the Town Manager, 200 Main St. Yarmouth, ME 04096. The Town Manager will publicly open and summarize the proposals at that time. All proposals will be reviewed by a citizen's advisory committee and a recommendation shall be made to the Town Council for a decision on or about _____, 2022. The Committee may request to interview one or more of the proposers.

The Town Council will consider all proposals in their entirety, including price. Historic Preservation action steps, and proposed use(s), and any conditions of the sale. Price will not be the sole consideration and the Town Council will select the proposal which, in the sole determination of the Town Council, represents the best interests of the Town of Yarmouth. With the advice of the citizen's advisory

committee, the Town Council may consider the following factors in selecting a proposal. (Not necessarily in any order of priority)

- A. Offering Price, or other consideration.
- B. Financing terms, if any
- C. Past performance, reputation and/or evidence of capacity of the proposer to successfully design and complete a project for appropriate preservation, re-development, and use of the structure and site.
- D. Quality and completeness of the proposal including schematics, description of proposed activities, and impact on surrounding properties.
- E. Subject to applicable codes, the Town will consider, without limitation, proposals for residential, commercial, non-profit and governmental or community focused uses.
- F. Design sensitivity to neighboring properties, historic features and presentation, treatment of vehicle access and parking and pedestrian access.
- G. Compatibility of the proposed use and activity with the neighboring properties and applicable zoning standards.
- H. The need, extent, and complexity for regulatory relief, if any, relative to waivers, contract zoning, variances, set back reductions, or other local ordinance considerations.
- I. Contingencies and conditions for closing as well as timing requirements.
- J. Consideration of how the proposed use may contribute to community or civic life.

Proposals should be submitted in sealed envelopes clearly marked "West Main Street Schools Property Proposal" with 2 copies to: Town Manager, 200 Main St. Yarmouth 04096 on or before _PM on ____ __, 2022.

Notes to 117 West Main Street Proposals-

- 1. Title: The Town's source of title is by two deeds recorded at the Cumberland County Registry of Deeds at Book 2172 Page 288 and Book 2127 Page 185. Unless otherwise notified, proposals should assume the Town sale will be by Quit Claim deed.
- 2. Conditions and encumbrances: The sale of the property will be in an as-is condition and subject to all building and premises defects known or unknown at this time and further subject to any utility easements or easements or title encumbrances and restrictions which may exist (none known). The Town makes no representations or warranties regarding the condition of the structure or premises or permitted uses. The sale will be with lessee and any sublessee occupancy and agreements in place.
- 3. Closing and/or Occupancy: Closing and/or occupancy date will be subject to negotiations, however, unless the Town agrees otherwise in writing, the closing shall occur within 60 days but not less than 30 days of the Town's award of the RFP to a party. Existing signage, public art pieces, an antique fire alarm pull box, and certain other stored equipment and materials will not be included in any sale or lease and will be removed by the Town prior to closing or occupancy.

4. Inspection of Premises: The Town of Yarmouth will provide opportunity, in coordination with the current lessee and/or sublessee for any interested person or his/her representative to inspect the premises at any time between the hours of _____ and ____PM on _____ ____, 2022. Interested persons may contact the Town to arrange inspections by engineers, appraisers, building inspectors, design teams or others by appointment at other times.
5. Property Tax Assessment Record Card attached.
6. The Town of Yarmouth reserves the right to accept or reject any or all proposals and to consider the best interest of the Town of Yarmouth in accepting a proposal whether or not such proposal offers the highest price. All determinations to accept a proposal shall be made by vote of the Town Council. The Town reserves the right to condition any acceptance upon and require the person whose proposal has been accepted to enter into a contract with the Town for the sale of the Property on terms satisfactory to the Town, in which case no acceptance of a proposal shall be deemed final until the Town and such person have executed any such contract. In the event that a proposal is conditional upon any zoning change or variance, the Town reserves the right to condition its acceptance upon such approvals or changes, and to withdraw its acceptance of a proposal at any time during such process.
7. The Town of Yarmouth does not discriminate on the basis or race, color, creed, religion, national origin, ancestry, age, sexual orientation, or disability.

Questions may be addressed to:
Nat Tupper, Yarmouth Town Manager
200 Main Street
Yarmouth, Maine 04096
(207) 846-9036 Ext. 209
ntupper@yarmouth.me.us

APPENDIX A: Historic Preservation Standards or Plans (to be developed)

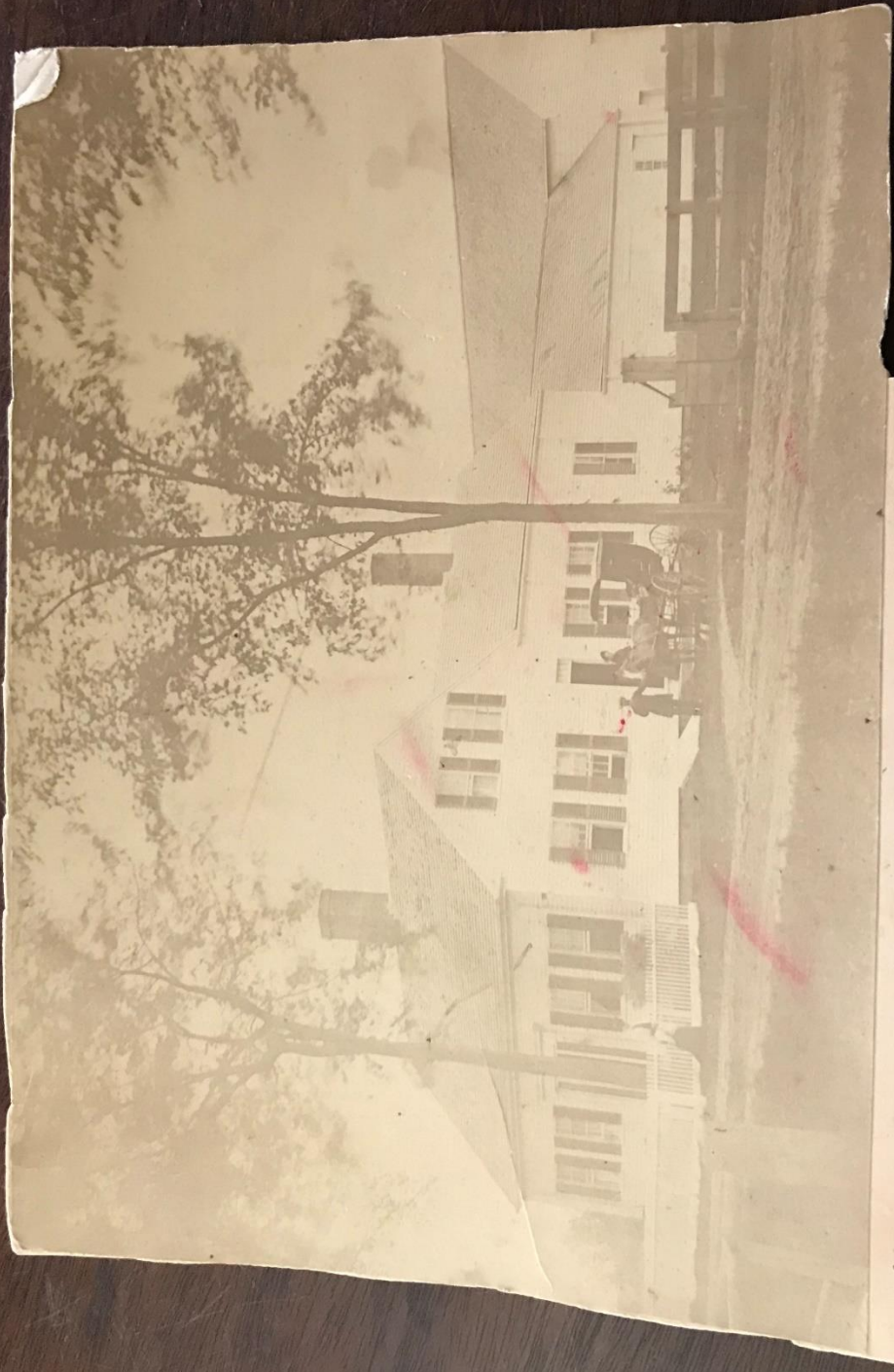
APPENDIX B: Current lease

Attachments

Property Informational Materials:

Attachment 3





Home at 27 East Elm Street,
Yamouth, Me.
Papa-loading home
Mama-by June

(2)
(117)

- 39 East Elm Street Home - Yarmouth, N.S.
Hester (Mrs. (lady) garden mason, Mrs. Smith & Pearson
as well child
Hence bought by Papa from an old Sec. Captain,
Captain B. Smith.



- kept for Marshall Lewis & family.

Attendees:

Nicholas Ciarimboli, CEO and Staff Support
Greg Paxton, Chair
Bruce Butler
Sue Devine
Phil Bean
Ed Ashley

Guest: Jeanne Rapone, Centerline Design

No remote attendance enabled

- I. **Call To Order**, at 6:00 pm in the Town Hall Community Room; no remote attendance enabled.
- II. **Roll Call of Members** All members present, and Nicholas Ciarimboli, CEO, present as staff support.
- III. **Review and approval of June 27, 2022 meeting minutes:** Minutes accepted by unanimous vote .
- IV. **Request for informal advice and recommendation regarding proposed removal of chimney from ell at 52 West Elm Street, a Contributing Structure in the Upper Village Historic District:** Jeanne Rapone, of Centerline Design, speaking on behalf of a client, sought the advice of the Committee, presenting plans for the removal of a chimney from a historic ell attached to 52 West Elm Street, a Greek Revival era and style house with a rear ell, and a Contributing Structure in the Upper Village Historic District. The plan is to remove the chimney of the ell and a very large fireplace on the interior of the first floor, in order to increase the useable living space and improve the livability of the interior of the ell. She stated that the chimney mass would remain in the basement to continue to contribute to structural support. The ell is to the rear of the principal structure and does not enfront the street, and the chimney is not readily visible from the street. Other changes have been made to the ell in the past, including the replacement of historic sash with a bay window, changes to the entrance door and installation of a modern skylight in the roof, which have made the ell a noncontributing portion of the property. Ms. Rapone related that the intent is to restore some of the original features, by removing some later changes. None of the planned work would affect any part of the principal structure or its two chimneys, or any of the front facade enfronting the street. The Committee determined that the removal of the chimney from the exterior of the ell would not meet the definition of Substantial Modification under Ch. 701, Article IX, and therefore would not be subject to the demolition delay provisions of Art. IX. The provisions of Ch. 701, Art. X, as to new work, might be applicable, and the Committee referred Ms. Rapone to the Secretary of the Interior Standards set forth in Appendix A4 of Art. X for guidance in planning such work. When application is made for building permit, the Planning Authority will make a determination if the planned work should come to the Committee for review and advice under Art. X.
- V. **Discussion: Town Council Establishment of a Task Force for the West Main Street School Property.** Members had been emailed copies of memos and background material relating to the establishment of a Task Force to review and make recommendation to the Council re the possible sale of the West Main Street Schools property at the corner of West Main Street and Sligo Road. One member of the Task Force is to be from this Committee, and Greg Paxton was nominated by universal acclaim to fill that role.

A good deal of discussion ensued, as to the possible terms of a preservation easement to be placed upon the property in the event of sale or transfer. The Chairman was requested to obtain copies of the base Preservation Easement document used by Maine Preservation, to be distributed to members for review and possible additional suggestions. Mr. Paxton stressed that every Preservation Easement prepared by Maine Preservation is tailored to the circumstances of the particular case, and that we should be alert to special facts, conditions or circumstances that might lead to special provisions in this case.

Some of the discussion turned on making an offering attractive to a prospective purchaser by making room for further development on the site. Using any of the open space in front of the school buildings did not meet with any favor. The idea of a building being allowed at the Sligo Road corner was not met with acclaim, but should be considered. A more realistic and sympathetic approach to development potential seemed to be carving off a piece of the adjacent Town-owned lot fronting on West Main Street, leaving a pathway to the old gravel pit sand-hill sledding part of the Town-owned parcel.

It was suggested that preparation, holding and enforcement of a Preservation Easement could be vested in Maine Preservation, since this is what they do, with the necessary maintenance endowment fund to be funded from the sales proceeds.

It was suggested that some portion of the net sales proceeds could be used to establish a Historic Preservation Fund, which might include an incentive revolving loan fund for individual property owners in need of assistance.

It was suggested that the Old Ledge Schoolhouse, which is currently closed, and which has been relocated several times, could be easily moved to the upper reaches of Royal River Park, and placed under the operational management of the History Center, with moving and installation costs to be funded from the net sales proceeds.

It was suggested that the next meeting of the Committee be at the locus, to permit a hands on assessment, and it was agreed to start the August meeting at 5 pm at the West Main Street Schools, on Monday, August 22, 2022. Mr. Ciarimboli will see to the notice of this change of meeting place and time being posted on the Town Website.

VI. Possible future requests for advice. Chairman Paxton had previously distributed photos of the property at 53 East Elm Street, in the context of an alert that the Committee may be asked to render advice on work to be done, the property being in need of maintenance. The photos showed that the house had originally been a Cape, and that a second story had been subsequently added, as well as a two story ell. The entry way was preserved untouched during this remodeling.

VII. Resolution of Term limits. Term limits not having been assigned by the Council, and Ed Ashley having early on volunteered for the one year term, it remained to select two members for two year initial terms and two members for three year initial terms. This was accomplished by drawing, which resulted in the selection of Greg Paxton and Sue Devine to fill the two year terms, and Bruce Butler and Phil Bean to have the three year terms.

VIII. Review of Design Manual

IX. Adjournment: Meeting adjourned at 8:02 pm.