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TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

Date: March 2, 2023
To: Chair Holden and Members of the Yarmouth Planning Board
From: Julie Dubovsky, Assistant Planner
Subject: Substantial Modification of a Structure in the Demolition Delay Overlay Zone and the Lower Village Historic District, Chapter 701, Article IX and X
George Cox and Heather MacNeil, Applicants, 5 High Street, Map 32 Lot 43

I. Project Description

George Cox and Heather MacNeil, owners of the property at 5 High Street, have submitted plans for substantial modifications of the existing residential building. It is a building of 75 years or older that is within the Lower Village Historic District and the Demolition Delay Overlay Zone. The project includes the following elements:

1. Interior renovations to the main house;
2. Replacement of windows and doors;
3. Patching siding at former openings;
4. New exterior hardscaping, deck and patios; and,
5. A new single-story vestibule connecting the house and barn.

The property includes three structures: the main house, a barn, and two-bay detached garage. All three structures are Contributing Structures to the Lower Village Historic District. Changes are proposed to the main house and barn, with modifications to all sides of the main house. The application provides details in the Exterior Door & Window Schedule on the 25 proposed improvements to windows and doors.

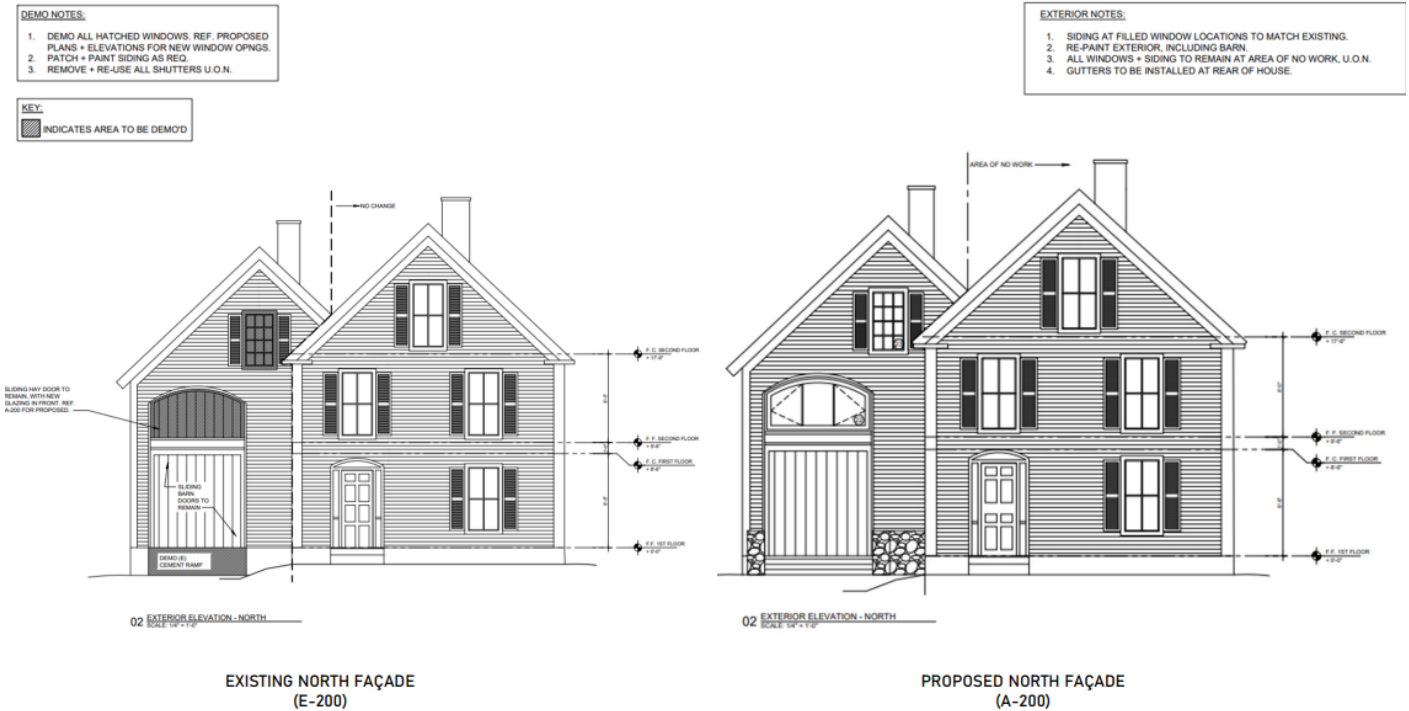


The applicant met with the Historic Preservation Committee (HPC) on February 27, 2023. The HPC recommended a number of changes at the meeting, which were incorporated, and elevation drawings were re-submitted on February 28, 2023, by the applicant. The HPC issued a recommendation to the Planning Board, and it is attached to this staff report.

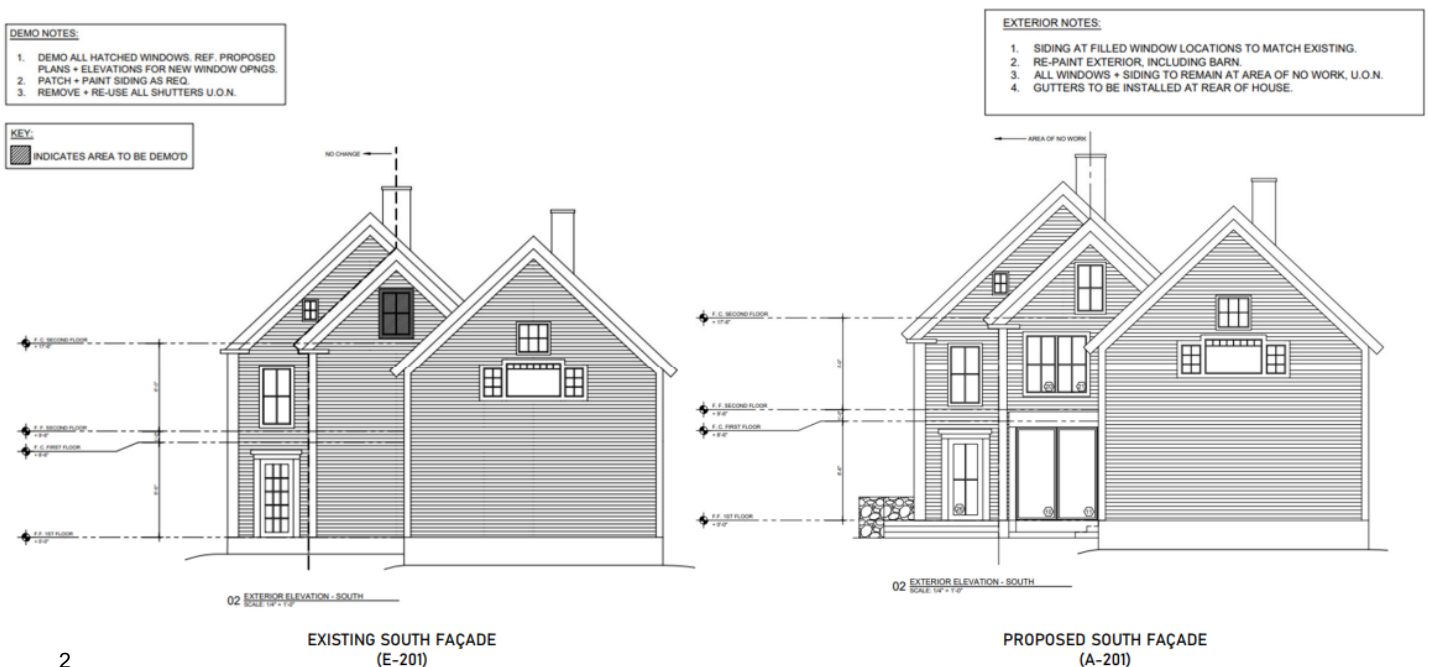
Property Location in Orange (Town GIS Map)

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At the north side (see A-200 below), the applicant proposes to replace the barn office window (#23) and the replacement will be the same size as the original window. They propose to add a custom window in the existing opening above the sliding barn door (sliding wood panel to remain), as shown above. They note that this custom window may be omitted from the work if the cost is prohibitive. New granite stone blocks will also be added around the periphery of the new deck.



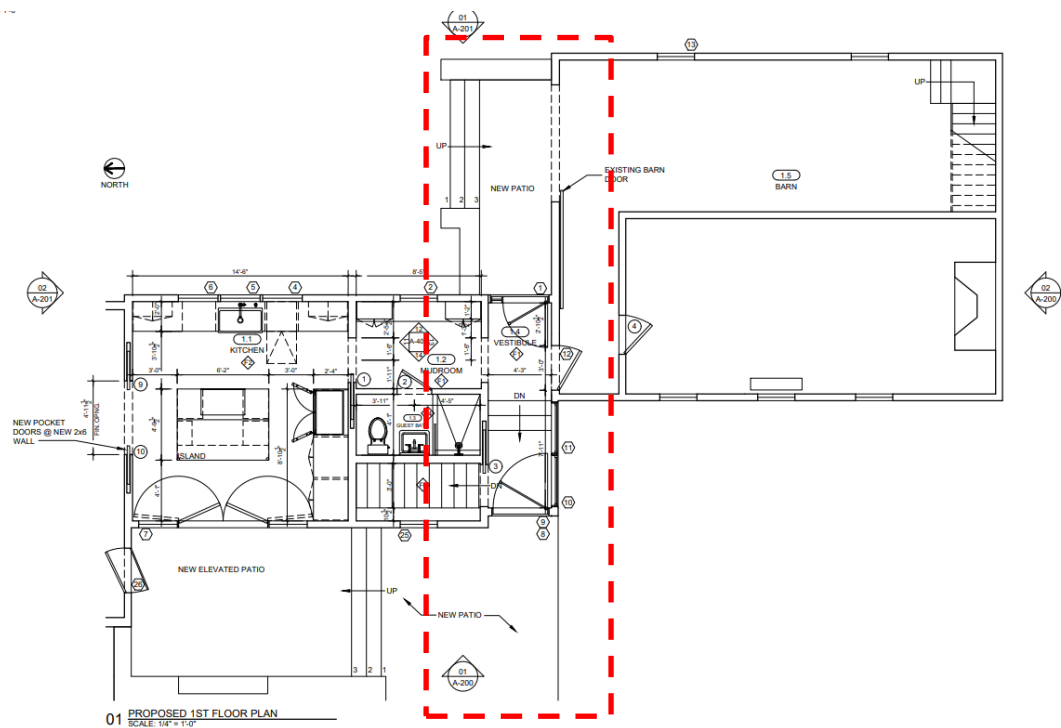
At the south side (see A-201 below), they are proposing the addition of two new windows (#20 and #21) at the new primary bedroom on the second floor. The windows are the same style and size as the existing historic windows on the home. Off the new vestibule connecting to the barn, new fixed windows (#10 and #11) will be added on the first floor. The south façade is not readily visible from any street or public open space.



When viewing the house from the rear and to the west of the barn, the proposed new connection between the barn and house is also visible. The photograph to the right shows the existing southern wall of the main house, the covered deck between the main house and barn, and deck. It would be replaced with a vestibule addition that creates a conditioned corridor between the east (driveway) and west (backyard). The vestibule also provides access to the mudroom, barn, and relocated basement stair. Exterior walls are comprised of the vestibule are mostly glass (fixed windows on the south elevation and patio style glass doors at the east and west) and are illustrated on elevation drawings A-200 and A-201, and the proposed floor plan (drawing A-100) shown below.



View to covered deck between home and barn from West



DETAIL OF PROPOSED FLOOR PLAN, FIRST FLOOR (A-100)

At the east side (see A-201), they propose to eliminate the existing side door, as new access will be provided through the vestibule addition. Window #2 will replace the side door. At the first floor, they also propose to replace the bay window with a mulled set of three windows (#4, #5, and #6). At the second floor, a reconfiguration of the window openings (windows #14, #15, and #16) is proposed, but the new windows will be the same size and style as the existing historic windows.

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- DEMO NOTES:**
1. DEMO ALL HATCHED WINDOWS, REF. PROPOSED PLANS + ELEVATIONS FOR NEW WINDOW OPNGS.
 2. PATCH + PAINT SIDING AS REQ.
 3. REMOVE + RE-USE ALL SHUTTERS U.O.N.

KEY:
 INDICATES AREA TO BE DEMO'D

**EXISTING EAST FAÇADE
(E-201)**



- EXTERIOR NOTES:**
1. SIDING AT FILLED WINDOW LOCATIONS TO MATCH EXISTING.
 2. RE-PAINT EXTERIOR, INCLUDING BARN.
 3. ALL WINDOWS + SIDING TO REMAIN AT AREA OF NO WORK, U.O.N.
 4. GUTTERS TO BE INSTALLED AT REAR OF HOUSE.

**PROPOSED EAST FAÇADE
(A-201)**



At the west side (see A-200 below), facing Portland St., they propose to change some of the fenestration locations to better suit the new interior layout of the home. It should be noted that none of the existing windows and doors in this area (circled in red) of the facade are original to the home. On the first floor, windows #18, #19, and #25 are the same size, while #7 represents a set of new glass French doors and sidelights. The doors open directly onto a new deck, which is to replace the existing deck. The applicants note that the existing deck is currently in a state of disrepair.

- DEMO NOTES:**
1. DEMO ALL HATCHED WINDOWS, REF. PROPOSED PLANS + ELEVATIONS FOR NEW WINDOW OPNGS.
 2. PATCH + PAINT SIDING AS REQ.
 3. REMOVE + RE-USE ALL SHUTTERS U.O.N.

KEY:
 INDICATES AREA TO BE DEMO'D

**EXISTING WEST FAÇADE
(E-200)**

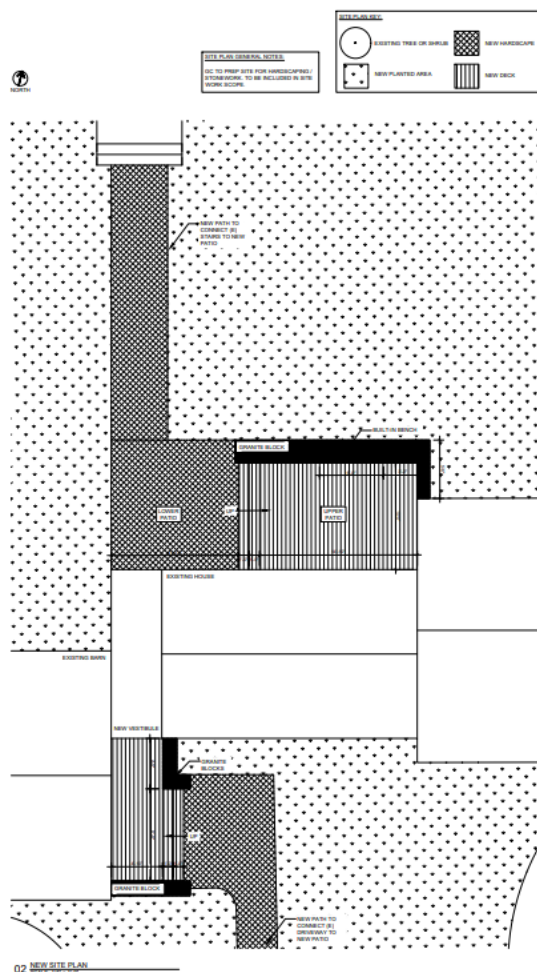


- EXTERIOR NOTES:**
1. SIDING AT FILLED WINDOW LOCATIONS TO MATCH EXISTING.
 2. RE-PAINT EXTERIOR, INCLUDING BARN.
 3. ALL WINDOWS + SIDING TO REMAIN AT AREA OF NO WORK, U.O.N.
 4. GUTTERS TO BE INSTALLED AT REAR OF HOUSE.

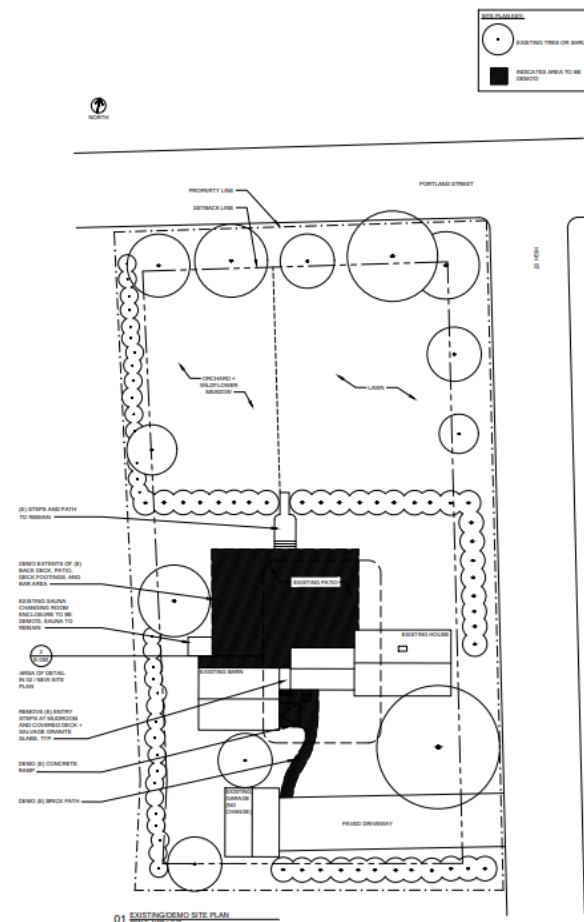
**PROPOSED WEST FAÇADE
(A-200)**



The site plan below depicts the existing and proposed deck on the western side of the home, shown in the new site plan as a Lower Patio and an Upper Patio. A new deck is also proposed in front of the barn and new vestibule; the existing concrete ramp will be removed here.



PROPOSED SITE PLAN



EXISTING SITE PLAN

II. Purview for Review

These alterations constitute a Substantial Modification under the provisions of the Historic Building Alterations and Demolitions of Chapter 701 Article IX, which were enacted in April 2018. A Substantial Modification is defined as:

- removal or alteration of fifty (50 %) percent or more of the roof area and/or any exterior walls, or
- any portion of an exterior wall or roof area enfronting or facing and readily visible from a street or public open space

The property at 5 High Street is within the Lower Village Historic District, a locally designated historic district, and all of the structures on the property (main house, barn and garage) are designated as Contributing structures. This property is not on the National Register and has not been previously determined to be eligible for such listing. This does not mean that it is not eligible for listing, which is a determination by the Maine Historic Preservation Commission. The Yarmouth Historic Preservation Committee determined that all three structures on the property would be deemed eligible for listing in the National Register as they are part of a District, meet multiple criteria values (architecture, development and transportation), and are all Contributing structures. There is a procedure for requesting the MHPC to

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make such a determination upon request, with property owner support, and that is one of the steps that can be taken during a demolition delay period.

The building is located in the Demolition Delay Overlay Zone (DDOZ) and is older than 75 years old, so it is assumed that the structure is a Building of Value under Chapter 701, Article IX, which is defined as “a building that has architectural, cultural, historical, or archaeological significance, contribution to an overall setting or streetscape, or otherwise of a character defining a particular area, neighborhood or streetscape.” The terms of Article IX cover buildings 75 years or older within the area depicted on the Demolition Delay Overlay Zone (DDOZ) attached to Article IX. The house is within the DDOZ, and the Historic Structures survey dates the house to 1875-1900, so it is subject to the demolition delay review provisions of Article IX. Demolition, as defined by Article IX, which includes the conventional act of demolition as well as any Substantial Modification.

III. Public Comment

Notices were mailed to 54 property owners within 500 feet of the property and notice was sent to the Town Council, Historic Preservation Committee, and Yarmouth Historical Society as required by Article IX. We have not received any public comments regarding the proposal.

IV. Historic Preservation Committee Review and Recommendation

The HPC discussed the application under Concept Review at their January 30, 2023, meeting and as the applicant’s representative was not present, only made initial observations and Findings of Fact pertaining to the house’s architecturally significant features and the proposal. At this meeting, the Committee and staff agreed that the scope of the project would require Planning Board approval per Chapter 701, Article IX.

The HPC reviewed the application with the intention of providing a recommendation to the Planning Board at the February 27, 2023, meeting with the applicant’s representative, Hanna Wiegers of Jocelyn O Dickson Architecture. Per the committee’s submitted Findings of Fact, Conclusions and Recommendation to the Planning Board (Attachment 5), the applicant *“agreed to several changes in the plans, almost all of which (one exception) are reflected in revised plans and elevations dated February 28, 2023,”* which are shown in this report.

The HPC concluded that *“the revised proposed Substantial Modifications, with one exception, retain and respect the significant character defining features of the Property, and follow the design standards of Chapter 701, Article X, including the standards for contemporary design set forth in Appendix A4.3.4 of Article X...”*. The point of contention is the proposed removal of an existing door on the East side of the house and replacement with a window, as shown in drawings E-201 and A-201. The HPC has recommended that the Planning Board approve the proposed application upon the Condition of Approval that this East door be *“in place, with its storm door, but sealed and made weather-tight and inoperable, to preserve the exterior appearance of the East side of the house to include that door, but enabling a more functional use of the interior of the house on the other side of that door.”*

V. Evaluation

a. Historic Resource Survey

In 2018, the Town commissioned a reconnaissance survey of properties in a defined study area which was general coincident with the area covered by the DDOZ map. The Survey states:

House: “Original owner Elbridge Hutchins was part of a family of shipbuilders. Much of house is obscured by shrubs. Side-hall plan with Greek Revival details at corners fan over door. Windows appear to be newer. Detached two car garage as well as a barn.”

Barn: “Detached New England Style Barn. Well preserved w/barn door. Windows and shutters match the house. Look similar to 1973 survey photo.”

Garage: “Two-bay, detached garage. Good condition.”

All three structures are designated as Contributing Structures within the Lower Village Historic District.

b. Article X. Contributing and Non-Contributing Structure

As defined, a contributing structure retains its historic character and integrity, and contributes to the character of the district. Likewise, a non-contributing structure has had incremental changes over a period of years that have taken away from its architectural integrity. Changes include replacement doors, windows, siding and roofing as well as inappropriate additions that reduce the integrity of design, materials and workmanship.

At the Historic Preservation Committee's January 30, 2023, meeting, the following observations were made of the property's architectural features:

"Observations: The VIS plaque states that the building was built in 1875. This date is not supported by the evidence of the features of the house and 1830 appears a more likely date. This date is the transition period between the Federal style (1800-1830) and the Greek Revival period (1830-1850). The beautiful front door within pilasters, side lights, and an elliptical full-glass fanlight above is the characteristic feature of the Federal period or no later than about 1830. There are very few examples of glass fan lights in Yarmouth. Other features of the house are more typical of the Greek Revival style which include the side hall plan with the gable end facing the street, large pilasters at the corners of the house topped by returns, and what appears to be original 6/6 windows in the adjoining carriage barn. The black 2/2 replacement sash are not compatible with the style or tone of the house. This substantial house is situated "on high" above a large lawn overlooking Portland Street."

The property's character defining features remain intact. Current photos of the house, provided by the applicant, show a building form that is largely unchanged from this 1957 aerial photo of the intersection from the Yarmouth History Center.



View from High Street



View from East

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A photograph of the house from the Yarmouth History Center's 1972 survey shows a view from High Street (of the northern and eastern facades) that is also largely unchanged.

c. Dept. of the Interior's Standards for Rehabilitation of Historic Priorities and the Guidelines for the Treatment of Historic Properties

Standards of Review are based on the U.S. Department of the Interior's Standards for Rehabilitation of Historic Priorities and the Guidelines for the Treatment of Historic Properties. The standards offer four distinct approaches to the treatment of historic properties: preservation, rehabilitation, restoration and reconstruction with Guidelines for each. In this case, guidelines for rehabilitation would be applied to acknowledge the need to alter the front façade to meeting changing uses while retaining the property's historic character. The standards of evaluation for reconstruction, renovation and alteration are in Article X, Appendix A4.2

Relative Importance in History: The house at 5 High Street has a historic marker, a program established by the Village Improvement Society (VIS). It is continued today by the Yarmouth History Center to share historical information about properties throughout the Town and to encourage homeowners to preserve their distinctive older homes.

Documentation from the Yarmouth History Center shows that first resident, Elbridge L. Hutchins, may have been the nephew or grandson of Henry Hutchins, one of Yarmouth's more active shipbuilders. The Yarmouth Village Improvement Society's research deduced from the 1871 map of the Town and deed reports that the house was built sometime after 1871 and before 1883, while the Historic Preservation Committee suggests it was built around 1830. As noted in the Yarmouth Design Manual, the Lower Village area developed around the historic shipbuilding industry at the mouth of the Royal River. Although remnants of the shipyards are gone, houses like 5 High Street are representative of the wealth that families in the industry accumulated.

Physical Condition: All three structures on the property are considered in good condition.

Proposed Use: The building will retain its current residential usage. It is unclear if the covered overhang connector from the main house to the barn is original, but the use will not change. This enclosed and conditioned pathway will enable the residents to move between the house and barn more easily. The vestibule also provides access to the mudroom, barn, and relocated basement stair. Exterior walls are comprised of mostly glass (fixed windows at the south and patio style glass doors at the east and west).

In considering the contemporary design of the new vestibule between the main house and the barn in the framework of A4.3 Construction of New Buildings and Buildings Additions, the HPC also found that the proposal follows the standards and *"will serve to preserve or enhance the historical and architectural character of the structures, preserving those portions or features which convey its historical and architectural value, and will be visually compatible with the Viewscape."*

Mandated Code Requirements: Three additional comments were provided from Town staff upon application review. The Public Works Director notes that the applicant needs to be aware that due to High Street being quite narrow, contractor on street parking will not be allowed. The Town Engineer noted that due to the hardscaping and earthwork proposed, that the proposed work will need to follow erosion and sediment control

best practices. The Fire Chief provide comments regarding compliance with the National Fire Protection Standards and local municipal ordinances under his jurisdiction.

VI. Yarmouth Design Manual

The Design Manual is a companion document to Yarmouth's Historic Preservation Ordinance to provide interpretation and general understanding of the ordinance provisions. The goal of the Design Manual is to provide guidance to citizens on preserving their building's historic features that give the village its character, while allowing for the updating and contemporary use of the buildings, including guidance for new additions and construction.

As noted by the HPC's observations, the character defining features of the building are generally intact. Building materials, like the wood clapboard siding, and historic architectural details will not be affected by the proposal.

The proposal seeks to change the structure's openings; some are original and others are contemporary. As shown in the drawings, the proposal reconfigures windows on the west side and original windows will be replaced with identical styles. At the east side (see A-201), they propose to eliminate the existing side door, as new access will be provided through the vestibule addition. Window #2 will replace the side door. At the first floor, they also propose to replace the bay window with a mulled set of three windows (#4,5, and 6), although the bay window is not likely to be original as those were more common in the later Italianate style and it does not extend to the ground. It is recommended in the Design Manual that if a historic door must be removed to accommodate an approved addition or interior alteration, that the door is carefully stored in a secure, dry location so that the door can be restored if the design is reversed in the future. The HPC recommends leaving the east side door intact but sealed and weather tight, rather than replacing it with a window in order to retain a significant historic feature.

New materials, like the glass enclosed vestibule and the vestibule's flat roof, adds modern architectural elements to the building form. While the overhang area is not a primary doorway or entrance, it does change the existing roofline patterns and materials. It continues to be visually subordinate to the original main house and barn and continues to be so.

VII. Building of Value

The Historic Building Alterations and Demolitions ordinance requires the Planning Board to determine whether the subject building is a Building of Value, which is defined as follows: The term "Building of Value" is defined as *"a Building worthy of preservation, due to any of a variety of relevant considerations, including, without limitation, architectural cultural, historical or archaeological significance, contribution to an overall setting or streetscape, or otherwise of a character defining a particular area, neighborhood or streetscape, such that preservation would be deemed important to the maintenance of the character of such area, neighborhood or streetscape."*

The Board may allow the modifications to proceed without delay, if the Board determines that the proposal meets the following standard:

In the case of Substantial Modification, the Board may waive the delay period if it determines that the proposed design retains and respects the significant character defining features of the building. In such case, the waiver shall be predicated on approvals and permit issuance for the Substantial Modification plans.

If the Board determines that the house is not a Building of Value due to its present state (which is not recommended due to the language in the ordinance), the modifications can proceed after a 30-day stay, with notice to the Council and on the Town website of the decision to allow modifications to proceed on that basis.

VIII. Recommendation

We are offering both Building of Value motions for the Board to consider, following the applicant's testimony, public comment, and Board deliberations. The two options are to impose a delay period to make revisions or alternative plans in accordance with Article IX or to allow the alterations to proceed as the design respects the character defining

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features without a delay period and with appropriate conditions. The Planning staff and the HPC supports the applicant's proposal and recommend waiving the delay period (motion b).

As noted earlier, the Not a Building of Value Motion is not presented as the Structure is presumed to be a Building of Value due to its location in the Lower Village Historic District, the historic house marker designation by the Yarmouth History Center, and the designation of all three structures on the property as Contributing Structures.

The applicant is also informed that the Town of Yarmouth posts a 23,000-pound weight limit for certain roads between February and April. Contractors will not be able to access the site with vehicles registered more than 23,000 pounds during this time. Permits are weather dependent, so the contractor is advised to plan accordingly.

IX. Motions for Board Consideration

Based on the public hearing, the Planning Board may proceed with one of the two following motions.

a. Building of Value Subject to Delay Provisions

On the basis of the plans presented by the applicant, the testimony and public hearing, and the findings of Planning Staff Memo dated March 2, 2023 regarding the application of Chapter 701 Article IX, Historic Building Alterations and Demolitions, for the substantial modifications to 5 High Street, Map 32 Lot 43, George Cox and Heather MacNeil, Applicants, the Planning Board finds that the structure is worthy of preservation, due to their architectural and historical significance, contribution to an overall setting and streetscape, and are of a character defining the particular area, neighborhood and streetscape, such that preservation is deemed important to the maintenance of the character of such area, neighborhood or streetscape and therefore is a Building of Value and are subject to the demolition delay provisions of Chapter 701 Article IX, that the substantial modifications shall be delayed for 180 days from the date of this decision, and the Town shall proceed with the measures called for in Article IX.9.b.i (1 through 4) as appropriate.

Such motion moved by _____, seconded by _____, and voted ____ in favor, ____ opposed, _____. (note members voting in opposition, abstained, recused, or absent, if any).

b. Design Respects Character Defining Features

On the basis of the plans presented by the applicant, the testimony and public hearing, and the findings of Planning Staff Memo dated March 2, 2023 regarding the application of Chapter 701 Article IX, Historic Building Alterations and Demolitions, for the substantial modifications to 5 High Street, Map 32 Lot 43, George Cox and Heather MacNeil, Applicants, the Planning Board finds that the proposed design retains and respects the significant character defining features of the building, and therefore waives the delay period, and allows that the substantial modifications proceed subject to Town Planning Authority approval with the following conditions:

1. That the door on the East side of the house is retained in place, with its storm door, but sealed and made weather-tight and inoperable, to preserve the exterior appearance of the East side of the house to include that door, but enabling a more functional use of the interior of the house on the other side of that door.
2. That due to High Street being narrow, contractor on street parking will not be allowed.
3. That all necessary erosion and sedimentation controls (ESC) best management practices (BMPs) per the latest Maine Department of Environmental Protection (DEP) standards shall be installed prior to the disturbance of site soils and vegetation. The Town expects that during construction the applicant and their construction manager/contractor will maintain all BMPs in good condition by performing weekly inspections per DEP requirements.
4. The applicant shall comply with the requirements of the Fire Chief as outlined in his comments dated February 27, 2023

Such motion moved by _____, seconded by _____, and voted ____ in favor, ____ opposed, _____. (note members voting in opposition, abstained, recused, or absent, if any).

Attachments:

1. Comments from Steve Johnson, Town Engineer – 2/21/2023
2. Comments from Erik Street, Yarmouth DPW Director – 2/22/2023
3. No comments from Chief Gallant – 2/9/2023
4. Comments from Chief Robitaille – 2/27/2023
5. HPC Findings of Fact, Conclusions and Recommendations to the Planning Board – 3/1/23

TOWN OF YARMOUTH

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- PLEASE INCLUDE STANDARD CONDITIONS OF APPROVAL FOR EROSION + SED CONTROL OTHERWISE

12

Town of Yarmouth ME

Director of Public Works

MEMORANDUM

To: Julie Dubovsky – Assistant Planner

From: Erik S. Street, Director of Public Works



CC: Steve Johnson, PE, Town Engineer, Wendy Simmons, Karen Stover

Date: 2-22-2023

Re: 5 High Street – Historic Building Alterations & Demolitions

-
1. **General:** Applicant is proposing to do an interior renovation to the main house, replace windows & doors, exterior hardscaping and new vestibule between house and barn.
 2. **Rights, Title:** No Concerns.
 3. **Easements:** NA
 4. **Homeowner Associations / Road Maintenance Agreements.** NA
 5. **Financial Capacity:** No Concerns
 6. **Technical Ability:** No Concerns
 7. **Solid Waste:** Home is eligible to use the Yarmouth Transfer Station or private curbside collection services.
 8. **Water:** NA
 9. **Traffic / Parking:** No concerns with on-site parking but applicant needs to be aware that due to High Street being quite narrow, contractor on street parking will not be allowed.
 10. **Storm Drains:** NA
 11. **Drainage, Stormwater Management:** NA
 12. **Sewers:** NA

13. **Erosion and Sediment Control:** Erosion & Sed BMP's are required for any excavated areas. No track out from construction vehicles is allowed into High Street.

14. **Soils:** NA

15. **Site Plan / Ordinance Requirements:**

16. **Lighting:** NA

17. **Waivers:** NA

18. **Off-Site Improvements:** NA

19. **Site Plan Drawing:** No Concerts

20. **Additional comments:**

- High Street is seasonally posted with a 23,000-pound registered weight restriction February through May. Exact period will depend on the weather. During this time, vehicles registered for more than 23,000-pounds will not be allowed to travel on this road without a special permit. Permits have restrictions and will only be issued when conditions allow.

If you have any questions, please let me know.

Attachment 3

From: [Dan Gallant](#)
To: [Wendy Simmons](#)
Subject: RE: Request for Comment - 797 Princes Point Road & 5 High St. - DUE 2/24
Date: Thursday, February 9, 2023 4:04:51 PM

Wendy,

I don't have any comments for these two projects.

Thanks,

Dan

Daniel A. Gallant
Chief of Police
Yarmouth Police Department
178 North Road
Yarmouth, ME 04096
207-846-3333 (O)
207-846-2433 (F)



From: Wendy Simmons <WSimmons@yarmouth.me.us>
Sent: Thursday, February 9, 2023 11:56 AM
To: Andrew Dolloff <andrew_dolloff@yarmouthschools.org>; Dan Gallant <DGallant@Yarmouth.me.us>; Eric Gagnon <egagnon@yarmouthwaterdistrict.org>; Erik Donohoe <edonohoe@yarmouth.me.us>; Karyn MacNeill <kmacneill@yarmouth.me.us>; Mike Robitaille <MRobitaille@Yarmouth.me.us>; Nat Tupper <ntupper@Yarmouth.me.us>; Scott LaFlamme <slaflamme@yarmouth.me.us>; Bruce Butler
Subject: Request for Comment - 797 Princes Point Road & 5 High St. - DUE 2/24

For your review:

https://yarmouth.me.us/index.asp?SEC=629E1BD4-C041-417B-BBBD-FE8E3715114C&DE=316D901F-29A8-492B-A4EB-75A0F840CF7E&Type=B_BASIC

Thanks. W

Wendy L. Simmons, SHRM-CP (she, her, hers)

Administrative Assistant
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***Town of Yarmouth,
Maine***

Incorporated 1849
**YARMOUTH FIRE RESCUE
178 NORTH ROAD
YARMOUTH, MAINE 04096**



MICHAEL ROBITAILLE, CHIEF OF DEPARTMENT

BILL GODDARD, DEPUTY CHIEF

TO: Erin Zwirko, Town Planner
CC: Nicholas Ciarimboli, Code Enforcement Officer
Subject: 5 High Street

On February 27, 2023, I reviewed the application submitted by Hanna Wieggers on behalf of George Cox and Heather MacNeil for 5 High Street, Yarmouth. The following is required based on National Fire Protection Standards and local municipal ordinances.

- Interconnect smoke detectors are required. The AHJ will accept interconnected blue-tooth technology in single family dwellings.
- Carbon Monoxide detectors are required to be installed.
- Gas Detectors for the purpose of detecting natural gas, propane, fuel, or any liquified petroleum gas will be required in any room that has appliances supported by these fuels.
Title 25, Chapter 317, Section 2469
- House numbers are required and must be visible from the road if within 50 feet of road. If the home is greater than 50 feet, the applicant will be required to have 4" numbers at the entryway of the road.
- At least one window per room that does not have a secondary means of egress must meet the requirements of NFPA 101. The width shall not be less than 20 inches and the height not less than 24 inches. The clear opening must not be less than 5.7 ft square.

Sincerely,

Michael Robitaille

Michael Robitaille
Fire Chief

TOWN OF YARMOUTH
HISTORIC PRESERVATION COMMITTEE
Findings of Fact, Conclusions and Recommendation to Planning
Board re **5 High Street**
March 1, 2023

1. The Committee finds that:

- the 5 High Street Property is situated within the Demolition Delay Overlay Zone, and includes 3 Contributing Structures (house, barn and garage) situated on a corner lot in the Lower Village Historic District, with frontage on both High and Portland Streets, with partial demolition and new work being proposed for both the house and barn (collectively, the “Structures”; and
- the Structures are both Buildings of Value under Ch.701, Art. IX.C. due to their architectural and historical significance, enhanced by their prominent setting, helping define the character of the immediate neighborhood and Viewscape, and the entire Lower Village Historic District; as well as their status as Contributing Structures in a Historic District, and
- the vast majority of the proposed changes to the Structures face onto and/or are visible from both High Street and Portland Street and therefore constitute Substantial Modifications under Ch.701, Art. IX.B.2. and New Construction and Major Changes under Ch.701, Art. X; and

2. Having reviewed the application dated February 7, 2023 from Hanna Wieggers including a narrative of the proposed work and various supporting materials, including photographs of the Structures and surroundings, detailed plans, elevations and specifications (original and revised), and having engaged with Applicant in the meeting of February 27, 2023, in which the Applicant agreed to several changes in the plans, almost all of which (one exception) are reflected in revised plans and elevations dated February 28, 2023, the Committee has concluded that (with the one exception noted in section 3 below) the revised proposed Substantial Modifications that are visible from a public right of way retain and respect the significant character defining features of the Property, and follow the design standards of Ch.701, Art.X, including the standards for contemporary design set forth in Appendix A4.3.4 of Article X, and otherwise conform to the Standards for Reconstruction, Renovation and Alteration as set forth in Art.X, Appendix A4, such that the New Construction will serve to preserve or enhance the historical and architectural character of the structures, preserving those portions or features which convey its historical and architectural value, and will be visually compatible with the Viewscape.
3. Based. upon the foregoing;
 - the Committee concludes that the proposed Substantial Modifications should be permitted to go forward in accordance with the Plans, Elevations and Specifications dated February 28, 2023, as filed by Applicant, **WITH ONE EXCEPTION** , deleting the proposed removal of an existing door on the East side of the House, proposed to be replaced by a new window, with the Committee finding that the doorway is a significant historic feature recommending that the

door be retained in place, with its storm door, but sealed and made weather-tight and inoperable, to preserve the exterior appearance of the East side of the house to include that door, but enabling a more functional use of the interior of the house on the other side of that door, and.

- The Committee recommends to the Planning Board that:
 - i. the Planning Board adopt the findings of the Committee set forth in Sections 1 and 2 above, and
 - ii. the application be approved, SUBJECT TO the condition of approval as to the east side door as described above, and
 - iii. the delay period provided for in Ch.701, Article IX be waived, predicated upon approvals and permit issuance for the Substantial Modification plans as heretofore filed by the Applicant under date of February 28, 2023, and reviewed by this Committee, but SUBJECT TO the above condition of approval.

Historic Preservation Committee

By Bruce Butler
Its Chairman