

Erin Zwirko

From: Edward Ashley <eashley@maine.rr.com>
Sent: Wednesday, February 16, 2022 12:41 PM
To: Erin Zwirko
Subject: 115 Portland Street (for distribution to Planning Board)

Importance: High

Dear Madam Chair and Members of the Planning Board:

I am submitting these comments on the filings regarding proposed changes to the premises at 115 Portland Street, with review under Chapter 701, ARTICLE IX Historic Building Alterations and Demolitions.

In reviewing the materials filed by Applicant, I would first note that both the old tavern and the barn were identified as important structures under Margaret Gaertner's Architectural survey, both retaining a high degree of their original integrity, and both meeting the standards for eligibility for listing on the National Register (both individually and as Contributing Structures to a National Register Historic District). You may recall that Ms. Gaertner is the professional Historic Preservation consultant who was retained by the Town for this purpose. This eligibility for listing was determined in each case based on the standards of the Secretary of the Interior, citing three main criteria:

- 1.- Early Settlement of the Town;
- 2.- Subsequent Development of the Town, and
- 3.- Architectural significance of the structures.

For the tavern/apartment house, the survey reports:

"EXTENSIVE local history; Built 1810 by Col. Seth Mitchell, occupied by Deacon John Webster in 1820, inhabited by Captain Eben lane and his son-in-law Irving True. It was the largest house in town for many years after its construction. Historian William Rowe states the house was meeting place for the North Yarmouth Light Infantry; they drilled in the open field across the road. Building was a tavern run by Eben Lane ca. 1857 til after 1871. After 1915, property was used by the Redfern as a dairy business, Old Tavern Farm, Inc. Exterior has some alterations - windows replaced, modern shutters - but integrity remains."

As to the barn, the survey states "Attached barn, retains all aspects of integrity." I also point out that intact barns of this period, retaining their original integrity, are increasingly rare in Maine, and we have lost more than a few in Yarmouth.

This led to both the house and barn being designated as Contributing Structures in the designated Lower Village Historic District, when the Council enacted Ch.701, Art.X (Historic Preservation Advisory Ordinance) in 2021. See the attached photos of house and wing front, house full front and barn front.







The jurisdiction of the Planning Board is clear under Ch.701, Articles IX and X.

Under Ch. 701, Art.IX.B.4, “No application shall be approved for the act of Demolition of a Building within the Demolition Delay Overlay Zone that: ... has been designated as a Contributing building or structure within a designated historic District under the Historic Preservation Ordinance, Chapter 701, Article X.” Both buildings are situated within the Demolition Delay Overlay Zone, Ch.701, Article IX, and have been designated as Contributing Structures within a designated historic district.

Under Ch.701, Art.IX.C.1. and 2.

1. The term “Demolition” is defined as the demolition, razing or tearing down of a Building, or a Substantial Modification to the exterior thereof. As the term is used in this ordinance, an “application for Demolition” may consist of

an application for a building permit for a proposed renovation, alteration, or addition to a Building which entails a Substantial Modification to the Building, rather than or in addition to an ordinary application for demolition permit.

2. "Substantial Modification" is defined as an alteration to a Building involving: a. removal or alteration of fifty (50 %) percent or more of the roof area and/or any exterior walls, or b. any portion of an exterior wall or roof area enfronting or facing and readily visible from a street or public open space.

Under Ch.701.IX.B.iii. "In the case of Substantial Modification, the Planning Board or Planning Authority as applicable, may allow for the Substantial Modification if it determines that the proposed design retains and respects the significant character defining features of the building. In such case, the Substantial Modification shall be predicated on approvals and permit issuance for the Substantial Modification plans."

In this case, the proposed changes to the facade of the barn, and the proposed removal of chimneys from the residential structure, and any other changes to the facade of that building, would be facing and readily visible from the street, and therefore, they fall within the ordinance definition of "Demolition", and the provisions of Art.IX.B.iii are applicable, as well as the other applicable provisions of Art.IX.

I have been informed that there is no intent to convert the barn into additional living space, and therefore there is no functional reason for changing the windows of the barn as shown in the Applicant's sketch. Early photographs of the barn show that the current arrangement has not been changed since those photos were taken, sometime in the 19th century. I would counsel retaining and maintaining the existing windows, utilizing the services of a qualified sash restorer in all cases of original windows, as to both the house and the barn. The large barn door is an inauthentic modern replacement, as is true of the pedestrian storm door, of which there are several facing the street, and these could be replaced.

The removal of the chimneys on the house goes to the essential character of the house as an early Federal period dwelling, a fine example of its type, and very large for its time and even today. It is extremely visible, very notable, and of a character which defines the entryway into the Village represented by Portland Street, important when built and still important now. When I return to Yarmouth from an excursion to the south, and turn off of Route One onto Portland Street, I have the strong sense of coming home, and this structure is an integral part of that character. The chimneys appear to be in fine structural condition, the one on the left of the photo appears to have been repointed in recent times, and neither of them appear to be in need of even repointing now. They are both straight and true. They absolutely should not be removed. See the attached photos.







As stated, I see no need for or benefit from their removal, and great detriment if they were to be removed. Two other significant structures in the Village share the same hip roof style, the Second Dr. Ammi Mitchell House, 333 Main Street, circa 1801, a high style Federal with abundant detailing, and the Capt. Blanchard House at 317 Main St., a later mid-century Italianate Villa, see attached photos. Can you imagine either of these houses without their chimneys? I cannot.





The entry way to the house has obviously been replaced at some point in the Victorian Era, see the Italianate brackets supporting the entry hood, which appears to be in need of work. These changes are authentic, not of an uncommon type, and could well be retained.







The double doors are obviously not authentic or in keeping with the style of the house. If there is a desire for an authentic Federal style entry door and surround, perhaps with side lights and/or top lights, there appears to be adequate space to accommodate such a change. Lacking good documentation for the original entry, this starts to enter into the realm of speculation. Retaining the modified entry, but with a change of the modern door would certainly be an authentic and sympathetic step. The sketches provided do not show enough detail to make an informed judgement as to applicant's intent. This is also true as to any proposed window treatment. The proposed rooftop parapet is not even speculative, it is fanciful, inauthentic, and totally out of context with the honest simplicity of the original structure. I think the Board should be guided by the principle of "First, Do No Harm". While a notable and important early Federal structure, this is not a high style building and never pretended to be one. It should be respected for what it is and has been, and not subjected to whimsical modifications.

Thank you for your attention,
Edward Ashley
20 Spartina Point
Yarmouth, ME 04096

Erin Zwirko

From: Susan Prescott <tspresco@gmail.com>
Sent: Wednesday, February 16, 2022 5:48 PM
To: Erin Zwirko
Subject: 115 Portland Street for Planning Board

Dear Madam Chair and Members of the Planning Board,

I would like to provide comment on the application before you for proposed changes to the property at 115 Portland Street. I have been following this application from its earlier review by the Planning Board and understand that the piece before you presently pertains only to proposed changes to the barn and the chimney removal.

These proposed changes, particularly the chimney removal, are of concern to me because of the historic value of this property to the Town of Yarmouth. As I believe you know, both the house and the barn are eligible for listing to the Historic Register. I hope this will be a factor as you consider this application. Eligibility for listing to the Historic Register is a big deal! This is about more than personal opinion regarding whether one person would miss the chimneys if they were removed.

As a community we have been clear that we value the protection of our historic resources, that it's our responsibility to protect these resources because they help to define the character of our town.

I feel strongly that the privilege of owning a historic home comes with a responsibility to oversee and care for the building's integrity during our time of ownership. Removing the chimneys from this home would do irreparable damage to the integrity of this historic building.

For this reason I ask that you deny the request for this substantial change. In doing so, you will support what our community has said it believes is important, protecting our historic resources.

Thank you for your time and attention.

Best,
Susan Prescott
58 Hillside Street
Yarmouth, ME

Erin Zwirko

From: Tom Bell <tbell@tombellmedia.com>
Sent: Wednesday, February 16, 2022 11:46 PM
To: Erin Zwirko
Subject: Comment to Planning Board regarding 115 Portland Street

Dear Madam Chair and members of the Yarmouth Planning Board:

I understand that the owner of the historic building at 115 Portland Street plans to remove all the building's chimneys.

Not every chimney in every old building is worth saving. But the removal of these chimneys (which are in solid condition), would be a loss to our community because the building is so prominent in town and because the distinctive chimneys are integral to the building's early Federal period architecture. Without its chimneys, the building is a different structure altogether. This would be a real loss for Yarmouth's architectural legacy.

Other parts of the plan worry me, but I want to focus my letter on the chimneys because their removal is unnecessary and also permanent. Once they are gone, they are gone forever.

Tom Bell
85 Main Street
Yarmouth