

**City of South Portland  
Arts & Historic Preservation Committee  
November 7th, 2018  
Planning and Development Department**

**Members in attendance:**

Hannah Holmes, Chairperson  
Jessica Kessler, Secretary  
Mary DeRose  
Alessa Wylie, Greater Portland Landmarks  
Lynn Duryea  
Jon Godin  
Doreen Gay, Vice Chairperson  
Kathy DiPhilipo, South Portland Historical Society

**Staff in attendance:**

Charles “Tex” Haeuser, Planning & Development Director  
Justin Barker, Community Planner

Chairperson Hannah Holmes called the meeting to order at 7:35 a.m.

**Minutes:** Hannah made a motion to accept the minutes from the October meeting, seconded by Kathy. The motion passed unanimously.

**Art Subcommittee Report:** Jessie reported that the community was responsive to the call for studio and gallery submissions. She will be connecting with the interested parties and working with Doreen to continue the subcommittee’s database.

Members reviewed language for the letter to the armory owner, explaining why a commissioned piece would not work on the property. Kathy made a motion to accept the wording, with Doreen seconding. Hannah requested greater clarity in what an “historic item” would be, and asked that the subcommittee edit the letter to be more specific. Members discussed possible sources of historic items, suggesting that we contact the Military Museum and the Air National Guard. Tex pointed out a potential zoning issue, explaining that the committee does not have the right to relinquish the public space for art on the armory property. Hannah suggested switching the paragraphs to change the tone of the letter. Doreen and Jessie resolved to work on the language and resubmit the letter for full committee approval at a later date.

**265 Cottage Road Update:** It was reported that the property is under contract, and that the new owners are interested in meeting. An on-site meeting for the Planning Board and AHPC was scheduled for Saturday, December 8th at 9am. Tex explained that there is a potential need for a zoning change, for “Historic Adaptive Reuse.”

**Demolition Delay Update:** Justin presented the draft ordinance language, adding to the “historic resources” definition to include properties identified by the AHPC. Members engaged in a lengthy discussion about buildings versus structures, with Tex explaining that by definition, a building has a roof, while a structure is anything man-made. As an example of vulnerable historic structures, Kathy brought up the historic Barberry Creek fish ladder that was removed by an angry property owner. Hannah reminded the committee that our database began to include things like the fish ladder, in order to protect them. Tex suggested changing the word “building” to “structure,” to address this concern.

Members discussed the rights and responsibilities of property owners, and the complications of the triggering process for protecting structures such as the fish ladder. Members discussed when permits are pulled, and wondered how a homeowner would know they need a permit to remove structures from their property. Tex reiterated that it is the responsibility of the code enforcement officer to educate the homeowner of when permits are necessary.

Tex and Justin resolved to merge the definitions of Chapter 27 and Chapter 5, modifying the Chapter 27 definition to match the zoning ordinance. Committee members discussed the definition of “building work,” as it relates to siding. Tex explained that if a property is identified as historic, and building work or building permits would have to go through the same demolition delay period.

Hannah spoke from a realtor’s perspective, describing how some new home buyers may be negatively affected by permit delays and the financing of their purchase. It was decided that given these potential circumstances, a hardship waiver should be made available. Members brainstormed how to be more supportive to property owners. Mary suggested using TIF as an incentive for those who act responsibly when educated on the historic value of their property. Kathy suggested that permit fees be waived for historic property owners.

Justin stated that these suggestions have moved outside of the Chapter 5 Demo conversation. He proposed a new section/article be created, applying specifically to Historic Resources, to include building work and demolition. Doreen reiterated that the focus be on support and education for homeowners. Kathy asked that the “Director of the Historical Society” be changed to “Historical Society” in the draft language. Justin and Tex explained that the edit may be difficult to approve, as an individual needs to be named, rather than a group. Members also suggested changing the language to say “up to 90 days,” rather than “90 days.”

Tex announced that we will need one more meeting on this language to finalize it. The committee resolved to review finalized language from Justin prior to the December 5th meeting, with the final vote taking place at that meeting. Hannah suggested that the full committee also review the historic database prior to the next meeting, in order to vote and submit it to the council for consideration.

Jessie made a motion to adjourn, seconded by Hannah.

Meeting concluded at 9:10 a.m.

**Next Meeting: Wednesday, December 5th , 2018 at 7:30 a.m.**