



# TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT  
85 UNION STREET, SUITE 216  
BRUNSWICK, ME 04011

ANNA M. BREINICH, FAICP  
DIRECTOR OF PLANNING & DEVELOPMENT

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**VILLAGE REVIEW BOARD  
AGENDA  
COUNCIL CHAMBERS  
85 UNION STREET  
TUESDAY, AUGUST 19, 2014  
7:15 P.M.**

1. **Case # VRB 14-028 – 153 Park Row** – The Board will review and take action regarding a Certificate of Appropriateness for an after-the-fact changing an existing double-hung window to a door opening, located at 153 Park Row (Map U13, Lot 176).
2. **Public Draft Zoning Ordinance Discussion**
3. **Other Business**
4. **Staff Approvals:**
  - 35 Union St – Shed
  - 44 Pleasant St – Chicken Coop
  - 167 Park Row – Signage (Plaque/Eaton,Peabody)
  - 153 Park Row – Signage (Days Antiques)
  - 44 Pleasant St – Exterior Modifications
  - 153 Park Row – Signage (Pauline’s Bloomers)
5. **Approval of Minutes**

This agenda is being mailed to all abutters within 200 feet of the above referenced locations for Certificate of Appropriateness requests and serves as public notice for said meeting.

Village Review Board meetings are open to the public. Please call the Brunswick Department of Planning and Development (725-6660) with questions or comments. This meeting is televised.

**Draft Findings of Fact  
153 Park Row  
Request for Certificate of Appropriateness for Structural Alteration  
Village Review Board  
Review Date: August 19, 2014**

**Project Name:** Replacement of Window with Door (after the fact)

**Case Number:** VRB -14-028

**Tax Map:** Map U13, Lot 176

**Applicant:** Richard Nemrow  
155 Park Row  
Brunswick, ME 04011  
207-721-1120

**Property Owner:** Same as above

**PROJECT SUMMARY**

During a follow-up inspection for an electrical permit, the Town's Inspections Officer took note of an exterior structural alteration to 153 Park Row; an existing window on the side of the building fronting School Street was replaced with a painted metal paneled door without permits or certificate of appropriateness. The owner was immediately notified and the attached application for a Certificate of Appropriateness (COA) was submitted. The building permit cannot be issued until a COA is approved by the Board.

The property is located in the Town Center 3 (TC3) Zoning District, the Village Review Overlay Zone and the National Register-listed Federal Street Historic District.

The following draft Findings of Fact for a Certificate of Appropriateness is based upon review standards as stated in Section 216.9 of the Brunswick Zoning Ordinance.

**216.9 Review Standards**

**A. General Standard.**

- 1. All Certificates of Appropriateness for new construction, additions, alterations, relocations or demolition shall be in accordance with applicable requirements of this Ordinance. In meeting the standards of this Ordinance the applicant may obtain additional guidance from the U.S. Secretary of Interior's Standards for Rehabilitating Historic Buildings and the Village Review Zone Design Guidelines. As stated above, an existing window fronting to a side porch visible from School Street was replaced with a metal paneled door, painted the same color as**

*existing window trim. The applicant has provided evidence that an earlier entry door had been replaced by the window now removed for the door as original designed. A step has been added to the side porch to access the building. The original door opening/trim was modified for the window first, now modified again for a new door. No other changes have been made. Photos of completed alterations are attached.*

## **B. New Construction, Additions and Alterations to Existing Structures.**

- 1. In approving applications for a Certificate of Appropriateness for new construction, additions or alterations to contributing resources, the reviewing entity shall make findings that the following standards have been satisfied:**
  - a. Any additions or alterations shall be designed in a manner to minimize the overall effect on the historic integrity of the contributing resource.** *As documented by the applicant the replaced door reestablishes an original condition of the historic structure. However, the above door trim work is a “remnant” of the existing window trim and is not compatible with the rest of the door trim.*
  - b. Alterations shall remain visually compatible with the existing streetscape.** *As stated above, trim and door colors match that of the structure. The door reestablishes an existing condition of the original structure.*
  - c. Concealing of distinctive historic or architectural character-defining features is prohibited. If needed, the applicant may replace any significant features with in-kind replacement and/or accurate reproductions.** *The original door jamb was already replaced by the existing window. The new door, although now narrower in width, is an acceptable replacement.*
  - d. New construction or additions shall be visually compatible with existing mass, scale and materials of the surrounding contributing resources.** *Not applicable.*
  - e. When constructing additions, the applicant shall maintain the structural integrity of existing structures.** *Not applicable.*
  - f. For new construction of or additions to commercial, multi-family and other non-residential uses the following additional standards shall apply:**
    - 1) Parking lots shall be prohibited in side and front yards, except if the application involves the renovation of existing structures where such a configuration currently exists. In cases where such parking configurations exist, the parking area shall be screened from the public right-of-way with landscaping or fencing.** *Not applicable.*
    - 2) Site plans shall identify pedestrian ways and connections from parking areas to public rights-of-way.** *Not applicable.*
    - 3) All dumpsters and mechanical equipment shall be located no less than 25 feet away from a public right-of-way and shall be screened from public view.** *Not applicable.*
    - 4) Roof-top-mounted heating, ventilation, air conditioning and energy producing equipment shall be screened from the view of any public right-of-way or incorporated into the structural design to the extent that either method does not impede functionality. Parapets, projecting cornices, awnings or decorative roof hangs are encouraged. Flat roofs without cornices are prohibited.** *Not applicable.*

**5) Building Materials:**

- a) **The use of cinder-block, concrete and concrete block is prohibited on any portion of a structure that is visible from the building's exterior, with the exception of use in the building's foundation. *Not applicable.***
  - b) **The use of vinyl, aluminum or other non-wood siding is permitted as illustrated in the Village Review Board Design Guidelines. Asphalt and asbestos siding are prohibited. *Not applicable.***
  - c) **Buildings with advertising icon images built into their design ("trademark buildings") are prohibited. *Not applicable.***
- 6) No building on Maine Street shall have a horizontal expanse of more than 40 feet without a pedestrian entry. *Not applicable.***
- 7) No building on Maine Street shall have more than 15 feet horizontally of windowless wall. *Not applicable.***
- 8) All new buildings and additions on Maine Street:**
- a) **Must be built to the front property line. This may be waived if at least 60% of the building's front facade is on the property line, and the area in front of the setback is developed as a pedestrian space.**
  - b) **If adding more than 50% new floor area to a structure, the addition shall be at least two stories high and not less than 20 feet tall at the front property line.**
  - c) **The first floor facade of any portion of a building that is visible from Maine Street shall include a minimum of 50% glass. Upper floors shall have a higher percentage of solid wall, between 15% and 40% glass. *Subsections a., b. and c. above are not applicable.***
- 9) Proposed additions or alterations to noncontributing resources shall be designed to enhance or improve the structure's compatibility with nearby contributing resources as compared to the existing noncontributing resources. *Not applicable.***

**C. Signs**

**Signs shall comply with the requirements of Chapter 6 (Sign Regulations) with consideration given to the Village Review Zone Design Guidelines. *No additional signs are proposed.***

**Draft Motions**  
**153 Park Row**  
**Request for Certificate of Appropriateness for Structural Alteration**  
**Village Review Board**  
**Review Date: August 19, 2014**

**Motion 1:** That the Certificate of Appropriateness application is deemed complete.

**Motion 2:** That the Board approves the Certificate of Appropriateness for the after the fact replacement of a window with a new door at 153 Park Row with the following conditions:

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification, shall require further review and approval in accordance with the Brunswick Zoning Ordinance.
2. That the trim work above the doorway be replaced with one fitting the size of the new entryway, compatible with the remaining door trim.

Received:  
By: AE

VRB Case #: 14-028

**VILLAGE REVIEW BOARD  
CERTIFICATE OF APPROPRIATENESS  
APPLICATION**

1. Project Applicant:

Name: Richard Nemrow  
Address: 155 Park Row, Brunswick, ME 04011  
Phone Number: 207-731-1120

2. Project Property Owner:

Name: Same as above  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

3. Authorized Representative: (If Different Than Applicant)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

4. Physical Location of Property Being Affected:

Address: 153 Park Row, Brunswick

5. Tax Assessor's Map # U13 Lot # 176 of subject property.

6. Underlying Zoning District TC3

7. Describe the Location and Nature of the Proposed Change, including a brief description of the proposed construction, reconstruction, alteration, demolition, proposed re-use, or other change. (use separate sheet if necessary):

replaced ocean window w/ door for deliveries  
location of window was originally a door as seen  
by door hinges

Applicant's  
Signature

Richard Nemrow



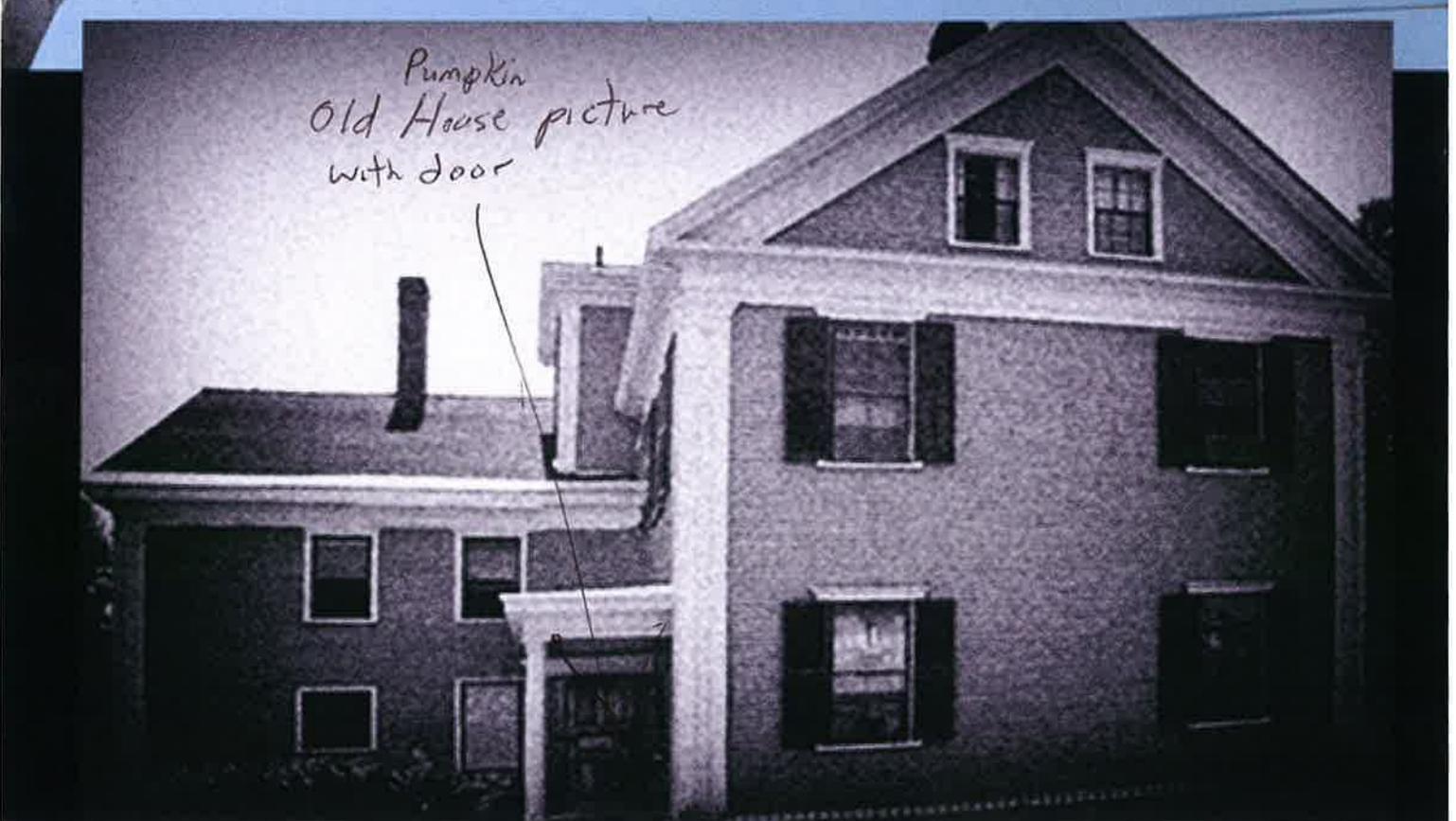
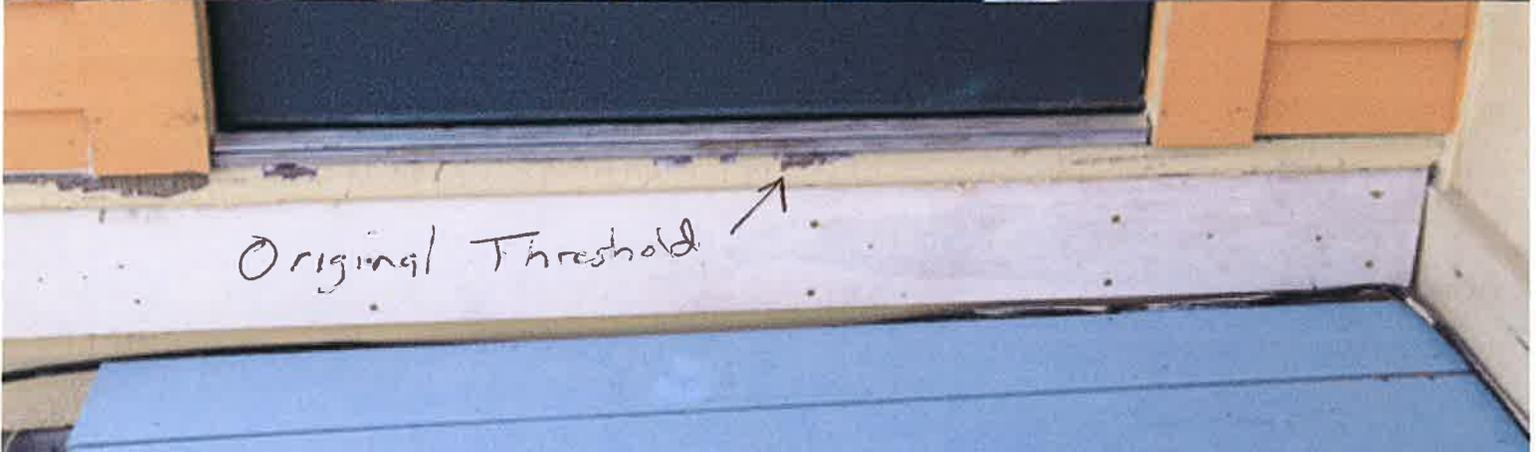
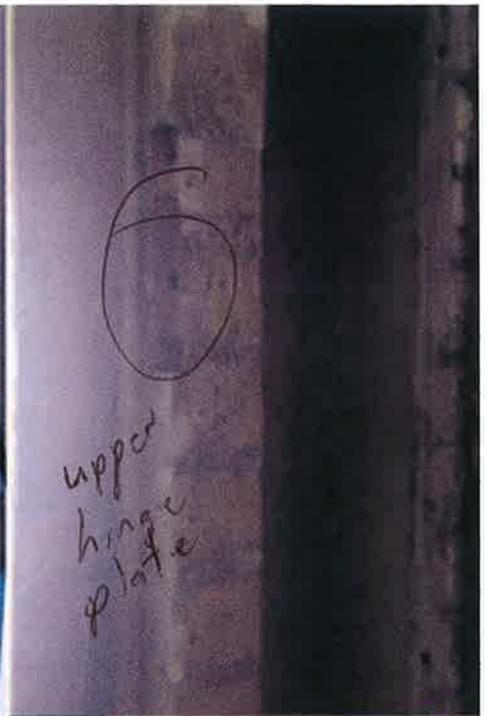
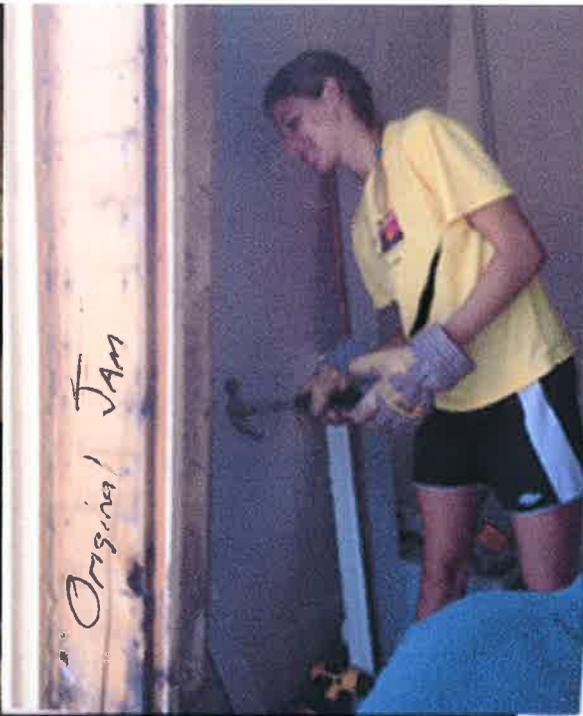
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Google earth

feet  
meters









**VILLAGE REVIEW BOARD  
JUNE 17, 2014**

**MEMBERS PRESENT:** Chair Emily Swan, Laura Lienert, Gary Massanek and Karen Topp

**STAFF PRESENT:** Anna Breinich

A meeting of the Village Review Board was held on Tuesday, June 17, 2014 at the Municipal Meeting Facility at 85 Union Street, Council Chambers, 1<sup>st</sup> Floor. Chair Emily Swan called the meeting to order at 7:15 P.M.

**Case # VRB 14-014 – 27 School Street** – The Board will review and take action regarding a Certificate of Appropriateness for the reconstruction of the exterior front porch for the building located at 27 School Street (Map U08, Lot 19A).

Anna Breinich introduced the application and said that 27 School Street is looking for a Certificate of Appropriateness to replace aged windows to prevent further deterioration of the front porch. Anna said that staff and the applicant have worked together over the past month to figure out the best solution and pointed out that in the design guidelines uses the porch located at 27 School Street as an example of what a double stacked porch looks like and what the porch did look like in the past. Anna stated that the window replacement is on both sides.

The applicant, Ann Ruthsdottir stated that originally she just wanted the contractor to fix an edge that was rotting, but when construction began the contractor stated that the former owner had already “fixed” it using spray foam and that the entire porch needed to be braced up; the only structures savable were the floors, the roof and the side against the porch. Ann said that the only supports were 2\*4’s which have been replaced with 6\*6’s. Ann referenced the pictures included in the packet which show the windows, measurements and the disproportionate screens. Ann also referenced the pictures which show her proposal to replace the openings with three windows which are more proportionate and similar to what is already on the building. Karen Topp asked if the measurements were historic and Ann replied that the measurements are due to the ground and sloping. Laura Lienert clarified that what is currently existing are holes where the screened windows used to be. Emily Swan asked if the other windows on the building were white and Ann replied that they were aluminum, but that they would be installing white aluminum windows on the porch. Gary Massanek asked why Ann was installing windows and not just screens. Ann replied that without the windows the water would just come in and rot the porch again. Gary referenced number 6 under Porches in the Village Review Guidelines and stated that he cannot find a reason as to why this it does not apply to this situation. Ann replied that the porch had already been enclosed with screens and that didn’t work and pointed out that when you looked at the porch, it already looks enclosed. Gary stated that guideline number 8 does allow for screening. Laura stated that she understood why the applicant wants to do the three windows, but pointed out the lack of the large mold stud pocket that is found in historic homes and in the window above the porch. Ann replied that the windows she is looking at are 26 inches and there will be room in between for the pocket. Emily asked if the porch was screened before Ann purchased it and Ann replied that it was screened before she purchased it as well as before the previous owner. Anna Breinich stated that the screens predate the Towns records.

Chair Emily Swan noted that there were no members of the public present.

Emily Swan stated that she shares Gary Massanek's concern about closing in the porch, but acknowledged that a double stacked porch is different from a single porch. Ann Ruthsdottir reiterated that her intentions in the beginning were to fix just the rot, but that everything had to be taken down. Emily said that the risk is creating a closed look. Laura Lienert said that she sees four guidelines areas that this proposal would go against, but noted that there is nothing in the Ordinance. Anna Breinich replied that the Ordinance states that they *should* follow the guidelines whereas Brunswick's Cook's Corner has Design Standards which have to be met. Anna stated that she can understand Ann's wish to use storm windows and noted that the windows are not the heavy duty regular windows. Anna also said that the 3 small windows are pretty consistent. Emily agreed and added that even with the openings, the porch still seems enclosed. Gary said that he has looked at this house and the area looks like a porch and not a section of the house but thinks there is a difference with the openings being filled with screens versus windows. Gary understands why the applicant wishes to put in windows but stated that there are ways to deal with the rain such as scuppers and does not see how they can avoid the guidelines which are very explicit. Ann replied that the reason why she was there is because she wanted to install three windows instead of the two that were there, but feels that they would be out of proportion. Anna Breinich replied that replacing the screens with two windows was the direction that they were originally going in because it would not change the holes and would look the same except there would be storm windows instead of screens. Anna reiterated that the design guidelines should be followed but that they are not requirements. Ann Ruthsdottir stated that she does not want to have to repair the porch again and does not want bugs coming in through the scuppers. Gary replied it is just through the half-wall and you can place screens in the scuppers, they would just have to be cleaned. Ann replied that the scuppers would not look as attractive and stated that if she can't put the three windows in then she can put the two windows in, but they will not look as attractive. Karen Topp asked where you put in scuppers and Laura replied that they are generally at the bottom. Emily replied that she is confused with scuppers on a double porch; Gary replied that in this case you could place them on the sides and the water would just drip down.

Emily Swan reviewed the Findings of Fact. Anna Breinich reiterated that the guidelines are just to be used for additional guidance. Laura Lienert stated that she understands Anna's reference is to Section 216.A, but that the part that resonates with her is Brunswick's traditional character and that's where she referenced back to the mold stud pocket which was addressed earlier.

**MOTION BY KAREN TOPP THAT THAT CERTIFICATE OF APPROPRIATENESS APPLICATION IS DEEMED COMPLETE. SECONDED BY LAURA LIENERT, APPROVED UNANIMOUSLY.**

Karen Topp stated that in terms of lighting, the windows may be as good or better than the screens. Laura Lienert stated that she thinks that the windows will make the porch seem enclosed. Anna Breinich stated that they could add a condition regarding the stud pockets. Gary Massanek stated that he sympathizes with the applicants wish to keep out the rain, but he feels that the windows are going to look enclosed and more like living space. Karen asked how they

are to address the issue that the porch has been closed in for decades. Emily replied that she agrees with Gary, but is wavering because it is not a great porch, is hard to use, and already feels like a living space. Emily said that she is having a hard time trying to discern it for this reason. Laura asked what kind of precedent would be set if they added a condition to the application and another applicant comes in wanting to do something similar to an entirely different porch. Emily replied that she has not run into this and does not recall any similar situation. Gary stated that he cannot agree. Anna reiterated Emily's comment earlier that the Village Review Zone is not homogenous and there are contexts for each of the neighborhoods and feels that the look and feel of this structure is more of an enclosed porch versus an open porch.

**MOTION BY LAURA LIENERT THAT THE BOARD APPROVES THE CERTIFICATE OF APPROPRIATENESS FOR A RECONSTRUCTED PORCH AT 27 SCHOOL STREET AS OUTLINED IN THE APPLICATION WITH THE FOLLOWING CONDITION:**

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification, shall require further review and approval in accordance with the Brunswick Zoning Ordinance.
2. That the applicant prepare a more detailed plan acceptable to the Director of Planning and Development, showing the actual placement of storm windows within the existing screened areas of the porch and include stud pockets between windows, compatible in width to the structure's existing fenestration.

**SECONDED BY KAREN TOPP. MOTION CARRIED BY EMILY SWAN, KAREN TOPP AND LAURA LIENERT. MOTION DENIED BY GARY MASSANEK.**

**Other Business**

- Anna Breinich stated that the next ZORC meeting has been pushed back to early/mid July for workshop sessions only and are not public sessions to review the staff draft before it goes public.

**Staff Approvals:**

8 Pleasant St – Signage  
9 Jordan Ave – Outbuilding demolition  
16 Lincoln St – Signage

**Approval of Minutes**

Motion by Emily Swan to approve the minutes of June 6, 2013 and October 15, 2013. Minutes were approved by Emily Swan at this meeting but reapproved at the July 15, 2014 meeting due to attendance.

**Adjourned**

This meeting was adjourned at 8:30 P.M.

Attest

Tonya D. Jenusaitis  
Recording Secretary