

**VILLAGE REVIEW BOARD
APRIL 15, 2014**

MEMBERS PRESENT: Chair Emily Swan, Vice Chair Brooks Stoddard, Laura Lienert, Connie Lundquist, Betsy Marr, Gary Massanek and Karen Topp

STAFF PRESENT: Anna Breinich

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

Case #14-010 – 28 and 30 Federal Street – The Board will review and take action regarding approval of Certificates of Appropriateness for the demolition of the former Brunswick Municipal Building and Recreation Center and the construction of a new 2-story professional office building for CEI at 28-30 Federal Street (Map U13, Lots 149-150). The proposed activity is located in the Federal Street Historic District.

Emily Swan recused herself from the workshop as she holds a community investment note in CEI.

MOTION BY BETSY MARR THAT THE CERTIFICATES OF APPROPRIATENESS JOINT APPLICATION IS DEEMED COMPLETE. SECONDED BY CONNIE LUNDQUIST, APPROVED UNANIMOUSLY.

Anna Breinich provided an overview of the proposed project and stated that the applicant is seeking two Certificates of Appropriateness; demolition of 28-30 Federal Street and the construction of a new 2-story office building. Anna stated that Findings of Fact were jointly completed so there is one Findings of Fact draft for both CoA's. Anna stated that the development is located within the Town Center 1 District (TC1), National Registry Historic District, and Village Review Overlay Zone. Anna noted that the Planning Board acted favorably on the sketch plan on 1/28/14 and the final plan will be submitted upon completion of the CoA by the Village Review Board.

David Latulippe, with Priority Group, stated that the applicant attempted to incorporate much of the public feedback into the project as they could and that they spent a lot of time reviewing Section 216.9 of the Zoning Ordinance and the Village Review guidelines; he believes that they have ended up with a better project. David stated that in terms of mass, the proposed building is smaller than what is currently there. David said that the new design has a little bit of clapboard, and glass with the predominant feel and look of brick. David noted that there are 65 parking spaces that meet the requirements of the Planning Board and the tenant is allowing the spaces to be available to the public during the night and on weekends. To keep the noise down, they are keeping the flat roof with mechanicals being centered and screened. David said that the applicant is looking into geothermal and solar panels; their goal is to have no fossil fuels being used to heat and cool the building. David said that the use of the building will be much less

intense then what is currently there and will have a sidewalk all around the building, landscaped areas and connection to the municipal parking lot.

Ben Walters with CWS Architects, passed around for review the different types of materials and colors that they are going to be using on the building (clapboard, glass and brick). Ben presented a PowerPoint presentation and walked through the proposed development plan with different views of the proposed building.

Karen Topp asked for clarification on the two tones in the glass in the towers. Ben Walters replied that there is a darker color where there is the floor and in the corners where there is a column. Ben stated that for the main entrance they are using a cable canopy support and in the center there is a column to support this; they have the darker glass there as well. Gary Massanek asked what the exposure was on the bricks and Ben replied six inches. Connie Lundquist asked if they are using real bricks and Ben replied that yes, an engineered, made in Maine brick. Connie said that she understands that brick is costly and asked, if the Board decided they did not like the use of the clapboard, would the applicant consider using all brick. Ben replied that they are attempting to have the entire piece have the feel of a traditional Federal style building and noted that using all brick would make the building appear larger. Connie asked what the fencing will look like and Ben replied that it will be metal of some sort with a simple design and will be happy to work with staff on the details.

Vice Chair Brooks Stoddard opened the meeting to public comment.

Jim Trusiani, resident of 6 Pleasant Street stated that when one looks at what is currently on 28-30 Federal Street, you know that demolition needs to happen and believes that the proposed CEI building fits and is smaller with a comparable site plan. Jim stated that the applicant has done due diligence and is happy with the application as presented.

Jonathan Shepherd, owner of 19-27 Federal Street apartments, stated that he is really happy with the process moving forward and is impressed. Jonathan stated that he loves the brick and that it ties in with the other buildings on Federal Street and Hawthorne School. Jonathan said that he would love to see all brick that and would like to see things done right the first time. He encourages the VRB to consider all brick.

Jane Millett, resident of 10 Franklin Street and Town Councilor, congratulated CEI, CWS and the developers for a very attractive plant but does not think that the building fits on Federal Street. Jane would like the VRB to support the zoning amendment to change the ordinance so that it aligns with the Maine Historic Preservation guidelines. Jane would like to support, preserve and celebrate history.

Cathy Barter, resident of 39 Bostwick Road, on behalf of the Southern Mid Coast Maine Chamber of Commerce, stated that they are very excited about this plan and the work that has been done by the applicant in working with the neighborhood, listening to the concerns of the neighborhood and concerns in the community. Cathy stated that the SMMCC asks that the VRB please approve the building as presented today.

Claudia Knox, resident of Cumberland Street, stated that she is very happy to say that she likes the brick and the decorative tones and patterns in the brick as well as the siding as it picks up the green undertones in the brick as it reminds her of the revised Tondreau Building. Claudia stated that her favorite thing is the cable suspended canopy which screams 2014 and says “here I am, here is where you come in” and is strong and confident. Claudia believes that the building is very compatible.

Corey Theberge, resident of 13 Federal Street, stated that he thinks this project has matured quite a bit and mirrored Jonathan Shepherds comments in respects to all brick. Corey would like more information on the fencing and gives support in making the fence higher if needed. Corey stated that he hopes that the very large trees can survive construction and would like to continue to talk to the applicant about noise.

Deborah King, Director of BDA, stated that the BDA supports CEI coming to the community and the willingness of the applicant, neighbors and Town staff to work together. Deborah hopes the VRB approve s the application as presented.

John Gerard, resident, thinks that the revised application presented tonight has come a long way and thinks that the applicant has gone out of their way to make this building what it is today and hopes that the VRB approves the application.

Barbara Bean, resident of 36 Federal Street, stated that she does not understand the roof line and that she would like to know more about the lighting on the building and what it looks like at night.

Betty Leonard, stated that she is concerned about the overall look of the building and mainly the mass of the building. Betty believes that people are concerned with the mass and that this is a legitimate concern. Betty suggested that the building have two facades on Federal Street. Betty stated that much of the building plan has been dictated by parking and suggested underground parking.

Vice Chair Brooks Stoddard closed the public comment period.

Anna Breinich asked the applicant to address Barbara Bean’s question on lighting and clarification on the roofline. Ben Walters replied and reviewed the cornice around the building and VRB requirement that if you have a flat roof, you must have a cornice. In terms of lighting, Ben stated that they have lighting in the parking lot, recessed lighting on timers on the Federal Street side and combination pole and building lighting on the parking lot side. Ben stated that they have not worked out all the photo metrics yet but will have that information for the Planning Board application as required. Connie Lundquist asked about lighting times and Anna replied that this would be under Planning Board purview, but that they could suggest lighting times to them for consideration. Gary Massanek asked what is needed in terms of parking and Ben replied that they need 65 spaces. Betsy Marr stated that she likes the clapboard and brick and believes that if the building were all brick, it would be too massive. Betsy stated that she likes the fence and thinks that the applicant has done a fine job. Brooks Stoddard stated that the change from the brick does drop the scale down and ends with a rhythm that exists on Federal

Street. Karen Topp stated that she surprisingly does like the design and is happy with the use of the brick.

Connie Lundquist stated that she has a serious problem with the small side parking lot; not on the appearance but considering it new construction which affects the draft Findings and disagrees that the 13-space parking lot meets the intent of the ordinance. Anna Breinich replied that they are dealing with two different parts of the ordinance that apply and noted that they do have an existing situation with side-lot parking. Anna stated that in checking with the Codes Enforcement Officer, this would allow for a non-conformity to continue to exist and was the reason why this was acceptable with the heavy landscaping and fencing. Connie replied that she wished the ordinance stated this and Anna replied that the ordinance does speak to non-conformity in another section.

Laura Lienert stated that she has spent the past few weeks thinking about CEI's comments about the Kennedy Park Building in Augusta that "this type of character doesn't reflect the progressive nature of their image" and does not feel that Brunswick needs to accommodate CEI's image but that CEI should accommodate Brunswick's rules and guidelines that speak to Brunswick's legacy. Laura said that at the last meeting, a gentleman spoke to the linear aspect of Federal Street and in looking at Section 216.1.E, it speaks to the features of historic patterns of the neighborhood; it struck her that almost all the houses on Federal Street have a side gabled roof (34 side gabled, 5 end gabled and 8 hipped roof) and between Dunlap Street and Green Street, all 34 homes have the side gabled roof with the exception of the red office building which is a non-contributing structure. Laura stated that the roofline is a huge element and wonders if they could make a fake roofline.

Laura Lienert, in referring to a letter submitted which speaks about the Federal Street houses not aspiring to stand out from one another, speaks to the Depart of Interior Standards under new construction states "when visible from or in close proximity, the new construction must be subordinate to these buildings" and further states "the limitation on the size, scale and design of new construction may be less critical the further it is located from historic buildings". Laura stated that in order to get on the National Registry, a majority of residents on Federal Street would have had to have wanted it which speaks to the culture of the residents at that time and that this is still a reflection of how the residents feel and have spoken about at the meetings. Laura stated that the VRB has the opportunity to honor this designation and the citizens with a structure that is worthy of this designation and historical context which can be done with the proposed building via roofing and brick vs clapboard.

Laura Lienert referring to another letter submitted which asked "how a building to scale of the Hawthorne School or Tondreau Block set back from a mere 20 feet from Federal Street will appear". Speaking to Section 216.9.B.1.d, new construction, Laura does not know how the VRB can consider the mass and scale of the applicants building without thinking that it could also possibly be another serious intrusion to the area. In another letter, Laura stated that it is asked "does the State historian's conclusion that the current design, size, scale, proportion and materials are all out of keeping with lower Federal Street carry some weight with the VRB"? Laura said that this speaks to Section 216.9.A and reviewed Earl Shettleworth's comments that the proposed building is not compatible. Laura spoke to her unhappiness that Earl's comments be

merely suggestions and instead refer to the applicant's interpretation of the guidelines. Laura stated that this is a wrong understanding of and execution of the ordinance. Laura said that she does believe that Earl's comments should carry weight. Lastly, Laura referred to a letter that "driving CEI away by making unreasonable demands" and another letter stating that "CEI is a non-profit not a wealthy company, please don't make this project even more expensive for them" replied that economic costs are a reality not lost on her, but with respect to new construction, the ordinance does not ask that they consider guidelines or standards based on an applicant's financial situation. In conclusion, Laura stated that design and good planning are as much an economic draw as a natural resource.

Karen Topp replied that she loves Hawthorne but does not like that it is so far back and that she sees all the cars parked out front; would rather the school be up front. In terms of the State Historian and using the comments as guidelines or not, Karen said that she does not like the fake historical construction such as the train station and likes that modern cast on the proposed building; it is still respectful and does not think that they could go back to the area being residential.

Gary Massanek stated that this is a challenging project and complimented the effort that has been put in and agreed that at some point economics does come into play. Gary thanked the applicant for putting the brick in and believes that the building has come far, but does not think that the building is quite there yet. Gary stated that the end with the canopy is nice, but the end with the jog is not enough and has not accomplished what it is meant to do. Gary said that the canopy for the patio is working against what they are trying to do in breaking up the massing and if the applicant is going to have the brick facade, they need to make the canopy pop possibly by adding a center. Gary said that massing is still a concern, but reiterated that the application is so much better than it was before. Gary would like to see the application go through one more reiteration, more direction from the Town Attorney on interpretation on the side parking lot and more input on the fencing. Laura Lienert replied that she likes Gary's idea about centering the porch canopy. Gary stated that keeping the clapboard is essential, but would like a little more separation.

Connie Lundquist asked if the applicant had been asked if they would like another workshop. Connie stated that she has a problem with the process that the Town uses and stated that the VRB did not have to vote tonight. If the VRB did not vote, she would encourage that the Board meet again very soon. In reference to the non-conformity in parking, Connie stated that she does not agree with the Codes Enforcement Officer's interpretation.

Betsy Marr stated that her concerns have been met and she is happy with the application presented. Brooks Stoddard stated that he is impressed with the work the architects have done with the design of the building and noted that it is a very delicate dance that they are doing. Brooks said that he hopes that they can find a way to move forward tonight. David Latulippe replied that they would be fine with a condition regarding working with the Town Planner on the fencing and with the Town Attorney on the interpretation of the parking. David also stated that they can explore jutting out the porch canopy a bit more. David noted that the applicant is on a time constraint and asked that the Board move forward. Ben Walters replied that they may be able to move the canopy out four feet. Karen Topp asked if they did have the canopy come out

more, would they change the side pieces that come out the same way. Ben replied that he thinks it would be fine as is.

MOTION BY CONNIE LUNDQUIST THAT THE BOARD APPROVES THE CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION OF THE FORMER BRUNSWICK MUNICIPAL BUILDING AND RECREATION CENTER AT 28-30 FEDERAL 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.

SECONDED BY GARY MASSANEK, APPROVED UNANIMOUSLY.

MOTION BY BETSY MARR THAT THE BOARD APPROVES THE CERTIFICATE OF APPROPRIATENESS FOR CONSTRUCTION OF A NEW PROFESSIONAL OFFICE BUILDING AT 28-30 FEDERAL STREET AS OUTLINED IN THE APPLICATION 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 porch and its canopy facing Federal Street be located within the clapboard façade area of the structure and not protrude across the brick portion of the façade.
3. That the brick façade portion of the structure, south of the patio area, be stepped forward an additional 3-4 feet towards Federal Street.
4. That staff approve the black metal fencing to be used as screening of the parking lot with landscaping.
5. That the Planning Board pay particular attention to site lighting so as not to shine beyond property boundaries.
6. That staff requests the Town Attorney to review their interpretation of Section 216.9.B.1.f. with regard to side yard parking being considered a nonconforming condition

per Section 304 of the Brunswick Zoning Ordinance and make any necessary revisions to the site plan.

SECONDED BY GARY MASSANEK. APPROVED 4 – 2 WITH BROOKS STODDARD, BETSY MARR, GARY MASSANEK IN FAVOR OF THE MOTION AND LAURA LIENERT AND CONNIE LUNDQUIST VOTING AGAINST THE MOTION.

Emily Swan returned to the business meeting.

Other Business

- Gary Massanek suggested that ZORC take a particular look with respects to VRB edge in the rewrite.
- Connie Lundquist asked that they speak about the *process* at another meeting. Discussion among members about workshop vs meetings and future handling of large applications.

Staff Approvals:

16A Lincoln Street – Sign
8 Lincoln Street – Sign
1 Middle Street – Sign
7 Lincoln Street – Sign
103 Maine Street – Sign
1 Middle Street – Sign
20 Lincoln Street - Roof

Minutes

No minutes were approved at this meeting.

Adjourned

This meeting was adjourned at 9:44 P.M.

Attest



Tonya D. Jenusaitis
Recording Secretary