

Old Orchard Beach Design Review Committee Meeting Minutes January 21, 2010 at 6:00pm in Town Council Chambers

Call to Meeting to Order at 6:00pm

Roll Call: Don Comoletti, Shirley Holt, Ray Deleo, Kim Schwickrath & Lee Koenigs.
Staff: Jessica Wagner.

Pledge to the Flag

ITEM 1: Approval of 2009 Minutes

Ms. Holt motioned to approve the minutes from June 1, 2009 meeting and November 2, 2009 meeting.

Ms. Schwickrath seconded the motion.

Committee voted 5-0 to approve the minutes.

ITEM 2: Review for Design Review Certificate: 6 East Grand Avenue Façade Improvement (MBL 306-5-2)

Mr. Kerr: I am the owner of the property.

Ms. Martinez: I am the business owner of Mr. Goodbar. We are open seasonally from 6pm to 1am. We are a venue with bands that play regularly and we are primarily an over-30 crowd. We have put about \$70,000 in improvements into the business interior and the existing façade keeps this interior hidden from the sidewalk. This façade improvement will open up the business and attract people to come inside.

Mr. Comoletti: we will read through the Staff Notes. If anyone has any questions or comments, please interject. It appears that the Mass & Scale, Building Heights and Rooflines are unchanging in this proposed renovation. The Fenestration is changing, but that is clearly in conformance with the 25%-66% fenestration ordinance provision.

Ms. Schwickrath: is the awning going to be black?

Ms. Martinez: yes, black and potentially with burgundy trim.

Mr. Deleo: Why are there lights on the inside of the awning? I don't understand the purpose of these lights.

Mr. Solesky (applicant's glass/awning consultant): There may be a sign built into the awning using light. The details have not yet been determined for this.

Ms. Schwickrath: will the downlights stay as they are?

Ms. Martinez: yes, the lighting will be fixed, but remain unchanged.

Mr. Deleo: will beneath the awning be plywood? I think it would be nice to use another material.

Ms. Holt: May I suggest beadboard. This would be much better than plywood.

Ms. Martinez: Yes, beadboard could be used to enclose the area beneath the awning.

Mr. Comoletti: why have we not seen a site plan for the proposed improvements?

Ms. Wagner: there is no change to the structure's site plan, so it will not provide the Committee with useful information in regards to the proposed improvements.

Mr. Comoletti: the elevation shows a black awning, but I understand it will be black with burgundy trim. The submission should reflect the proposed improvement.

Ms. Wagner: The Design Review Committee (DRC) has not jurisdiction to control the color of a building.

Mr. Comoletti: color is never something the DRC can control, but the DRC has always made recommendations on color.

Ms. Koenigs: color is extremely important to the DRC.

Ms. Martinez: We originally thought it would be a plain black awning, but we have redone the interior with burgundy accents, so we thought it would be nice to bring the burgundy trim to the exterior.

Ms. Koenigs motioned to recommend a Design Review Certificate for 6 East Grand Avenue Façade Improvement (MBL 306-5-2), as presented with the noted changes of beadboard in place of plywood beneath the awning and burgundy trim on the awning.

Ms. Schwickrath seconded the motion.

Committee voted 5-0 to approve the motion.

ITEM 3: Review for Design Review Certificate: 8 East Grand Avenue Façade Improvement (MBL 306-5-3)

Mr. Kerr: This application is a bit more complicated than 6 East Grand Ave, so I would ask Ms. Wagner to explain the application.

Ms. Wagner: The architect, Denis Lachman designed both 6 & 8 East Grand Avenue façade renovations together to create a cohesive streetscape. As shown in the submitted drawings, the roofline of 8 East Grand Ave is intended to work with the awning at 6 East Grand Ave. There is a roof overhang to create sidewalk seating. The curved forms on the façade are reflective of the ocean and the beach. I will read down through the Staff Notes as they relate to the Design Review Standards:

Mass and Scale – Unchanging. Current mass of building fits streetscape.

Building heights – Unchanging. This one story building will be improved with a dramatic roofline and bold architectural style.

Rooflines – The shape of the roof is intended to reflect the waves on the beach and provide bold architectural character for a small building in the shadow of surrounding two story(+) structures. A roof overhang will extend to sidewalk (inline with the front entrance facade) to allow for outdoor patio seating between the building and the sidewalk. This will improve the building's relationship with the sidewalk and with adjacent buildings. The curved rooflines will blend with the adjacent 6 East Grand awning shape, creating a cohesive streetscape.

Fenestration – Fenestration will be improved with this renovation. The fenestration may be more than the allowable amount, but because the windows are set back from the street behind the railings and roof overhang, it balances the façade appropriately.

Windows are in a logical location and provide a clear symmetry and rhythm.

Facade materials – The front façade will be constructed of cementitious hardy panel. The panels below the windows, the window trim and the railings will be black aluminum. The roof overhang will have asphalt shingles and canvas retractable awnings.

Architectural details – The primarily architectural detail is the shape of the roof. The roofline is intended to reflect the waves on the beach and provide bold architectural character for a small building in the shadow of surrounding two story(+) structures.

Fences, railings, and steps – Black railing beneath extended roofline will provide a clear and attractive barrier between the private restaurant patio and the public sidewalk. It will also emphasize the depth of the façade. Black metal railing and posts match the black metal window sills on facade and adjacent building facades.

Mr. Deleo: How far does the railing extend?

Mr. Kerr: The railing will go all the way to the adjacent building so that we may have possible seating around the corner.

Mr. Comoletti: What is the size of the posts on the railings?

Ms. Wagner: the exact dimensions are not provided.

Ms. Koenigs: Are there one or two openings in the roof overhang above sidewalk seating?

Ms. Wagner: there are two, as shown in the plan view drawing.

Ms. Koenigs: are the wave sections facing the street flat?

Ms. Wagner: Yes, the curved parapets on each side of the roof overhang are flat facing the street.

Ms. Koenigs: I don't see the cohesiveness between this building and the adjacent 6 East Grand renovation. Mr. Goodbar is dark and classy and The Oasis has a Jimmy Buffet theme.

Ms. Schwickrath: This is a vast improvement, but it is not Victorian and clashes with the Grand Victorian building across the street.

Mr. Comoletti: This is a great looking change, but Mr. Lachman could have chosen something else. Perhaps a second story false façade could have been chosen to match the two buildings on either side. There were other choices available that are less radical. This application was not a good choice by Denis Lachman.

Mr. Deleo: this building looks like a diner or a cruise ship.

Mr. Comoletti: I think the DRC would like to see other possibilities.

Ms. Wagner: A considerable amount of effort went into representing the proposed design. The architect should not be expected to show several design possibilities.

Mr. Kerr: there were several designs to select from in the beginning. I showed the proposals to many people around town, and this design was the one selected.

Ms. Holt: I am concerned with the hardy panel material, as it can dimple if not installed correctly.

Mr. Deleo: I question the color choice shown here.

Mr. Comoletti: In looking for an alternative, I'm unsure if the colors are a good mix.

Ms. Wagner: I spoke with the architect about the remaking this building in Victorian style. But this building is not Victorian and the architect didn't want to force that styling on it.

Mr. Comoletti: that is correct, we cannot force Victorian style.

Ms. Koenigs: we are trying to create a beach cottage style community.

Ms. Wagner: this design is inspired by the beach.

Mr. Comoletti: a mundane structure was given visual character, but the DRC may not like the character of the proposed design.

Ms. Holt: the architectural details are inconsistent with what the DRC is asked to approve. It's a cool building, but it shouldn't be here between two two-story buildings.

Mr. Deleo: I think there should be dark trim. This would look better next to Mr. Goodbar.

Mr. Kerr: I have cut off 12 feet of my building and created an awning in order to make this fit the adjacent building. What would you like me to change?

Mr. Comoletti: dozens of alternatives exist for this building.

Ms. Holt: architectural details could be added. For example, corner details could be added or the roof could be flat with balustrades.

Mr. Kerr: is that what you would like me to do?

Mr. Comoletti: perhaps the architect should answer some of these questions. As the application stands, it does not meet the Design Review standards.

Mr. Kerr: the architect says it does meet the standards.

Ms. Wagner: we need to draw our attention back to the Standards list in the Ordinance.

Mr. Comoletti: the footprint and the awnings are okay, but there is a problem with the curved rooflines.

Ms. Holt: It is the lack of detail that is the problem.

Ms. Wagner: are architects supposed to have a plan B? So much work and money was put into this option, that it doesn't seem reasonable to ask the applicant to have several options.

Ms. Koenigs: Cost is not our issue. It is not even in our purview. We look at what applicants bring us and then judge it.

Mr. Comoletti: we would warn most applicants that one meeting is generally not enough. Would anyone be willing to accept this application as complete?

Mr. Deleo: I would agree that the application is complete.

Mr. Comoletti: The application is complete, but the design is not acceptable.

Ms. Holt motioned to accept the application as complete.

Ms. Schwickrath: seconded the motion.

Motion for the determination of a complete application passed 5-0

Ms. Wagner: It is important to refer to the criteria in Sec. 78-686 in order to give the architect direction.

Mr. Comoletti: It appears to be the roofline. Go back to the architect with the Committee's concerns and return.

Mr. Kerr: I am not going to battle with the architect over Ordinance criteria.

Mr. Comoletti: the curving roofline and lack of detail is the problem.

Ms. Holt: agreed with this.

Mr. Comoletti: even if the roofline is flat, we still want to see detail.

Ms. Wagner: In the committee's review and determination, you need to stick with the Ordinance criteria. We should go down through each of the seven criteria in Sec. 78-686 and vote individually. This way, you will be able to zero in on exactly where the architect faulted in meeting the Design Review Standards.

Ms. Koenigs: But the Ordinance does not deal with a cohesive, whole building. We need to see this building as a whole, not as the ordinance separates it.

Ms. Wagner: The Design Review Committee's job is to ensure proposals satisfy the criteria.

Ms. Koenigs: Our job is to have a pleasing aesthetic as a whole.

Ms. Wagner: Yes, but all decisions need to be based in Ordinance criteria. Voting on each of the seven sections will provide direction for the applicant and architect.

Mr. Comoletti: if standards are voted on individually and then there is a change in the application, then it may provide a misleading impression that we are okay with that section. If the architect changes something that we were okay with originally, we want to be able to reevaluate the proposal as a whole.

Mr. Kerr: So are you okay with the doors, windows, roof overhang and retractable awnings? It is the curved roofline that is the problem?

Ms. Wagner: The Design Review should not play architect. All decisions need to be based in Ordinance. We need to show how the Ordinance is met or how it is not.

Mr. Comoletti: Okay, let's read through the criteria and examine each one. *He read through Sec. 78-686(1) Mass and Scale criteria.*

The Committee: agreed there was no change to the Mass and Scale, so it fits with the Mass and Scale criteria.

Mr. Comoletti: *He read through Sec. 78-686(2) Building Heights criteria.* The height is unchanging, so I don't know that this applies. It is a single story building, which does not fit the streetscape between adjacent two-story buildings. The architect could find a way to make it look taller.

Ms. Wagner: I believe the intent of the curved roofline is to make the building appear larger than it is.

Ms. Holt: The buildings on either side both have the same false fronts.

Ms. Koenigs: I think this building creates a hole in the streetscape.

Mr. Comoletti: It is the DRC's job to interpret the Ordinance and either accept or deny the application based on the Design Standards we have to work with. But if we go through the application with individual votes, you may find yourself at the end of the application without a reason to say no to the applicant. Will individual votes on each standard benefit the applicant?

Ms. Koenigs: No it will not. Especially if the DRC doesn't accept the design.

Mr. Kerr: If it will make it better, I will tell the architect to straighten the roofline.

Mr. Comoletti: The DRC may also want to suggest a cornice detail, not just an aluminum cap.

Mr. Kerr: I have spent close to \$10,000 on this architect to remake this building and satisfy the criteria. Instead I can just tell him remove the curved roof and straighten it out.

Ms. Holt: We should address Ms. Wagner's concern about relating this proposal to the Ordinance. We need to identify which part of the Ordinance is tripping us up.

Ms. Wagner: If the application is denied, the denial needs to be grounded in Ordinance.

Ms. Holt: I see Section 78-686 (6) Architectural Details as the section this proposal doesn't fit with. None of the detail referenced in this section is in the proposed design.

Mr. Deleo: I still see a problem with the roofline. Is the roofline sloped or is the façade sloped?

Mr. Comoletti: The Staff Notes document indicates that the roofline is sloped. However, I believe the façade that is sloped and the roofline is flat.

Ms. Schwickrath: The Staff Notes document need to be changes to reflect a flat roofline instead of a curved roof.

Ms. Wagner: In that case, is Section 78-686(3) Rooflines met with a flat roof?

Mr. Comoletti: A flat roof or shed roof it not a problem.

Ms. Sharri MacDonald (Town Council Chairperson): Denying this application does not seem business friendly. I ask you to consider what the applicant is proposing to do. Please take into account the improvement of this building and the consider money spent on this design proposal.

Ms. Schwickrath: The look of this building just doesn't fit with what the downtown should look like.

Mr. Comoletti: The DRC does not consider cost.

Ms. Martinez: The DRC needs to give us feedback about what should be changed on this building.

Mr. Comoletti: The DRC can't provide the applicant with specific direction. The DRC doesn't do that. There is a large grey area. For example, the fenestration may exceed 66% on this application, but we may accept that as okay.

Ms. Wagner: All decisions need to be based in the Design Review Ordinance. So far, you have indicated that Mass & Scale is okay. Is the Building Height okay?

Ms. Koenigs: Ms. Holt has pointed out two sections of concern: (3) Rooflines and (6) Architectural Details.

Mr. Kerr: Perhaps I should stop right now, bring in the architect and have the building redesigned right here with the DRC.

Mr. Comoletti: It would have been helpful to have Denis here.

Ms. Wagner: The Ordinance gives applicants guidance and direction when developing proposals to the DRC. If the DRC starts requiring things outside of our standards, then the system doesn't work. The DRC needs to provide comments on each section and justify why the proposal doesn't fit the Ordinance. This will provide the applicant and his architect with direction in fixing the application. The job of the DRC is not to decide what looks pretty. It is the job of the DRC to determine if the building meets the Ordinances.

Mr. Comoletti: when we review applications, we look at them as a whole. We do not break it down into the separate items.

Ms. Koenigs: I don't agree with looking at the individual standards.

Mr. Comoletti: In identifying an Ordinance section that does not fit with this proposal, we seem to agree that Section 78-686(6) Architectural Details is not satisfied in this proposal. The bold curviness of the building is inappropriate.

Ms. Koenigs: Important architectural details are also missing from this application.

Ms. Wagner: Please identify which part of (6) Architectural Details this application fails to meet.

Ms. Holt: It is inconsistent with the first sentence - it is not consistent with the character of the district. It does not meet the rest of the section because there is no detailing other than the shape of the curve.

Mr. Deleo: the symmetry of the building is also inadequate.

Ms. Wagner: Section 78-686(6) offers the term "can" as a suggestion of architectural detail. If it was necessary, it would state "must" or "shall".

Mr. Comoletti: I don't feel it meets any of Section 78-686(6).

Ms. Koenigs: It is subjective.

Mr. Comoletti: The fenestration is acceptable even though it may be over 66%. If we were to follow ordinance exactly, this application would be denied because of

fenestration, and that is not why the committee doesn't like the application. I really think the architect needs to be here for this discussion.

Ms. Wagner: the architect is not here, because this is a publicly funded program, and we didn't feel it was the best use of public funds to pay for the architect to attend the DRC meeting.

Ms. Koenigs: Ms. Wagner seems to be overly advocating for this application. The DRC works this way and it is subjective.

Ms. Wagner: I advocating for following the Ordinance. If the Committee denies the application, the denial must be grounded in Ordinance.

Ms. Holt: (6) Architectural Details is the section that isn't satisfied. It doesn't fit the character of the neighborhood.

Ms. Martinez: what is the character of the neighborhood? When I look at the neighborhood, I see disrepair. Is everything supposed to look like Dickinson's Candy up the street?

Mr. Comoletti: It is a subjective interpretation of the standards. The waved shape of the facade doesn't fit the downtown district.

Ms. Koenigs: it is the cohesiveness that is the binding agent in this district.

The Committee: agreed that the proposal lacks detail; is too modern; too clean. The members all like the building, but agree it does not fit in this area in the DD1 zone.

Ms. Wagner: Does the architect need to make this building fit the exact language in Section (6)? Or include elements that meet the general character this section is trying to persuade?

Ms. Holt: It needs to fit the sense the Architectural Details section is trying to create.

Mr. Comoletti: The architect needs to walk up the hill and look at new buildings to see what the DRC likes.

Mr. Kerr: I would like to ask the Committee to table the application.

Mr. Comoletti: The application is tabled at the applicant's request.

ITEM 4: Review progress of remaining CDBG Façade Improvement Projects

Ms. Wagner showed the DRC the plans for Beach Bagel and indicated that it received an Administrative Design Review Certificate.

GOOD & WELFARE

No Comments

Meeting Adjourned at 8:30pm

I, Jessica M. Wagner, Secretary to the Planning Board of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of seven (7) pages is a true copy of the original minutes of the Design Review Committee meeting of January 21, 2010.