

Ellsworth Downtown Façade Program Guidelines

INTRODUCTION/GENERAL INFORMATION

These Guidelines provide building owners and tenants with general information regarding the renovation of existing buildings within downtown Ellsworth.

Downtown is a collection of individual buildings that have an impact on each other. Everyone benefits from a single building improvement. Buildings which are not cared for will deteriorate. Encouragement, support and guidance extended to business and property owners will help build a revitalized downtown.

People enjoy conducting business in a downtown with well maintained buildings and interesting facades. Slower traffic speeds, pedestrian priority crosswalks, clean streets and sidewalks, all encourage window shopping. Landscaping and amenities such as benches encourage pedestrianism. The addition of human-scale, safe lighting to visually attractive places promotes social activity and a night-life in the downtown. Create gateway elements at important downtown entranceways to entice people downtown. All sidewalks, public-use buildings, and public open spaces should be in compliance with the Americans with Disabilities Act.

Our downtowns benefit from quality materials and craftsmanship not readily available, or affordable today. Buildings built before World War II provide examples of a high standard of design and architectural detail. Uncovering old buildings can reveal hidden architectural treasures.

Facade: A facade is considered the front (or face) of a building facing a street. For the purpose of this program where buildings have frontage on two streets, the facade will be the portions of the building readily viewed from either street at street level.

A Facade Grant is offered by the City of Ellsworth Downtown Façade Program to owners of commercial properties as an incentive to improve or restore the original character of their buildings. Facade Grants will match private investments to assist owners in restoring the appearance of their buildings. Facade improvement projects are to protect and preserve the authenticity of downtown Ellsworth.

SECTION 106 of the NATIONAL HISTORIC PRESERVATION ACT

This Downtown Façade Program's utilization of Federal Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds for individual projects constitutes an "undertaking" pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended. As such, consultation with the Maine Historic Preservation Commission on all individual projects funded through this program is required prior to the release of funds from the Maine Department of Economic and Community Development (DECD). The Section 106 consultation is intended to ensure that "historic properties" (ie: any historic district, site,

building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places) are identified early, and that adverse effects to such properties are avoided, minimized, or mitigated whenever projects are funded or permitted by the Federal government.

The initial task of identifying historic properties can be done as soon as grant applicants are known. The Façade Program Administrator will provide a brief cover letter with exterior, and occasionally interior, photos of the building or site where work is to take place, along with a tax map or USGS quad map with the property location identified. The Commission will respond within 30 days with an indication as to whether the subject property is listed in, or eligible for nomination to, the National Register of Historic Places, either individually or as part of a historic district. In some cases, a building or project site will not be a historic property as defined by the Act; the Commission will state this, and no further consultation will be necessary. However, there are instances in which the subject property will not be a historic property but will be in close proximity to other historic properties and further assessment of the project's effects will be necessary. Where a project is within a historic district, or involves an individually listed or eligible historic property, the applicant should expect further consultation regarding the project's effects.

In assessing the effects of Downtown Façade Program projects, and all other projects in the state requiring Section 106 consultation, the Commission uses the Section 106 regulations (<http://www.achp.gov/regs-rev04.pdf>), the Secretary of the Interior's *Standards for the Treatment of Historic Properties* (<http://www.cr.nps.gov/hps/tps/standguide/index.htm>) and *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Properties* (<http://www.cr.nps.gov/hps/tps/tax/rhb/index.htm>), as well as various National Park Service *Preservation Briefs* (<http://www.cr.nps.gov/hps/tps/briefs/presbhom.htm>). It is recommended that participants of the program review these materials in order to better understand the Commission's review process and criteria. Once the Commission determines that a project has been designed in such a way as to avoid adverse effects to historic properties, a letter will be issued stating this, and the Section 106 consultation can be considered complete.

With regard to this particular program, applicants should be aware that the Commission will seek to retain and/or restore historic character defining features (including windows, doors, siding, masonry details, etc.) whenever possible. Additionally, with the exception of windows, which the Commission has separate guidelines for, features that are beyond repair will generally be required to be replaced in-kind. Missing historic features may be replaced at the applicant's discretion provided the replacement is based on documentation rather than conjecture. Proposals for masonry cleaning/repair/re-pointing, storefront rehabilitation/re-design, or awning installation will generally be referred to Preservation Brief numbers 1, 2, 11 and 44, respectively, for appropriate specifications and/or design.

Due to the nature of the program, and the prevalence of individual historic properties in Maine's downtowns, this consultation procedure often requires project plans with measured drawings and specifications. It is therefore a requirement of the program that all participating communities reserve a percentage of the allotted funds for design services by a qualified architect see page 3, under Eligible Façade Activities Item A for more detail.

NOTIFYING THE PUBLIC OF THE APPLICATION PROCESS

Public notice of the program availability will be made by publication in the Ellsworth American newspaper and local cable TV, local Radio, mailings, etc).

Applications will be accepted until March 14, 2025 at 12:30 p.m., after which all applications will be reviewed and scored. Applicants who are approved will have 90 days to execute a grant agreement, solicit bids, and award construction contracts. Applicants who do not meet the timetable may have their grant award rescinded).

ELIGIBILITY

ELIGIBLE BUILDINGS MUST:

- 1) Be at least 50 years old.
- 2) Be utilized for ground floor commercial purposes.
- 3) Be within the defined downtown.
- 4) Be structurally sound and weather-tight.
- 5) Be current on all taxes, there can be no liens on the subject property.
- 6) The applicant, and/or owner cannot be the subject of any pending lawsuit, or judgment.

Applicants are encouraged to also apply for federal and state historic preservation tax credits.

ELIGIBLE FAÇADE ACTIVITIES:

- A. Architectural /design costs (Up to a Maximum of 10% of grant amount awarded)
- B. Façade replacement/restoration such as storefronts, display windows, doors, awnings, painting or stucco, re-pointing of brick, exterior lighting, decorative details, cornices/parapet walls, and signage.
- C. Handicapped access, including ramps, in conjunction with entrance improvements (no interior work such as bathrooms, ramps, or elevators)
- D. Preservation, rehabilitation, and restoration of historic facades

Routine maintenance alone will not be eligible for funding but could be incorporated as a minor part of a larger project. **The project must correct any exterior code violations. Work is required to meet all State and Local code requirements, and approved design guidelines.** Work must be done on the exterior of the building in a location on the structure that is publicly visible from the street.

In restoring or rehabilitating a historic structure it is important not to adversely affect the building characteristics in a way that would diminish the integrity of the property. By adverse

affects we mean things that would damage the structure, change the character of the property's use or setting, make changes that are inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, or cause the building to deteriorate. By integrity we mean the ability of a property to convey its significance based on its location, design, setting, materials, workmanship, feeling, and association.

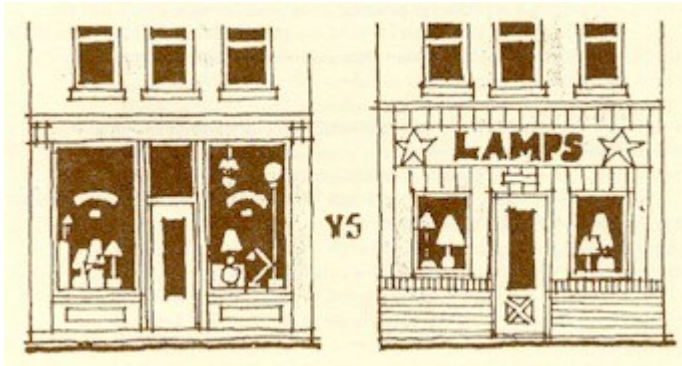
Each building façade that applies for rehabilitation will undergo a Section 106 Evaluation as part of the required environmental review process. This review is mandated with the use of Federal funds. The purpose is to assure that special care is taken to address environmental concerns, such as the integrity of historic structures, or if the building is in a floodplain to consider alternatives, and to use methods that will not harm the floodplain or degrade the biodiversity.

DESIGN CONSIDERATIONS:

- Proposals should work with the building's original patterns.
- New facades should be differentiated from historic facades, but should be compatible with the materials, features, size, scale, proportion, and massing of adjacent historic buildings.
- Elements such as windows, doors, bays, etc., should compliment the size and scale of neighboring buildings. Each should also be of a consistent proportion to each other.
- Awning designs should be appropriate to the historic period of significance of the building or historic district.
- Design construction on the ground floor is to be complementary to the facade layout above. Facade designs should respect the individuality of adjacent buildings rather than attempt to unify them.
- Street numbers should be clear, simple, and contrast well with the background they are placed on. Be sure to check for any ordinances in your community that define the size, color, or locations of such numbers.
- Primary signs are to be simple and restricted to displaying the name of the business and immediate relative information only. Secondary information should be reserved for window signs. Signage should be incorporated into the facade itself. Colors must be kept to a minimum. Colors are to complement the colors found on the building. **Review the City of Ellsworth's Unified Development Ordinance, [Chapter 56 Article 12 Sign Standards](#) to ensure that signs are in compliance.**
- Exterior box-type backlit, moving, flashing, neon signs are discouraged, unless they currently exist and are indicative of historic changes to the building over time. Shoppers use signs mainly to identify the names and locations of businesses, but signs can also convey an image as well as a direct message. Restrained and tasteful signs suggest a high-quality business. A jumble of oversized and competing signs- even on a single downtown façade- can confuse the customer. With signs, bigger is not always better.
- Building materials and colors are to complement adjacent buildings and are to be historically correct. Colors selected are to be represented in the historic period color charts supplied by major brand name paint distributors.
- A single material and color should be used to dominate the theme of the facade while multiple materials and colors are to highlight and accent only. Modern vinyl,

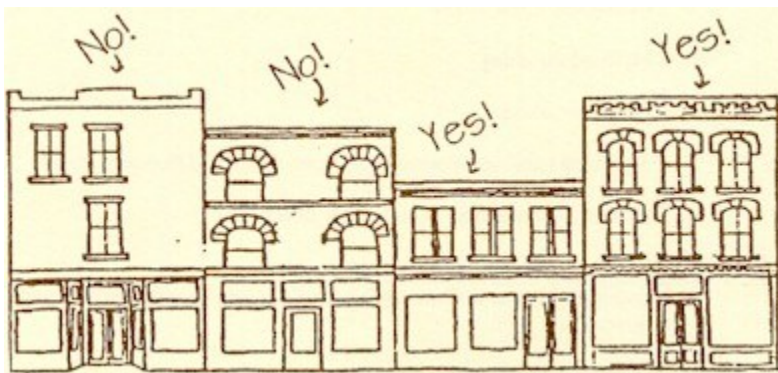
aluminum, or other coverings not in keeping with facade improvement guidelines should be removed prior to making facade changes.

The façade and signage guidelines ensure that future changes to the Main Street or Downtown District are in keeping with the area's significant architectural and historical character.



Traditional Storefront Design VS. Non-Traditional

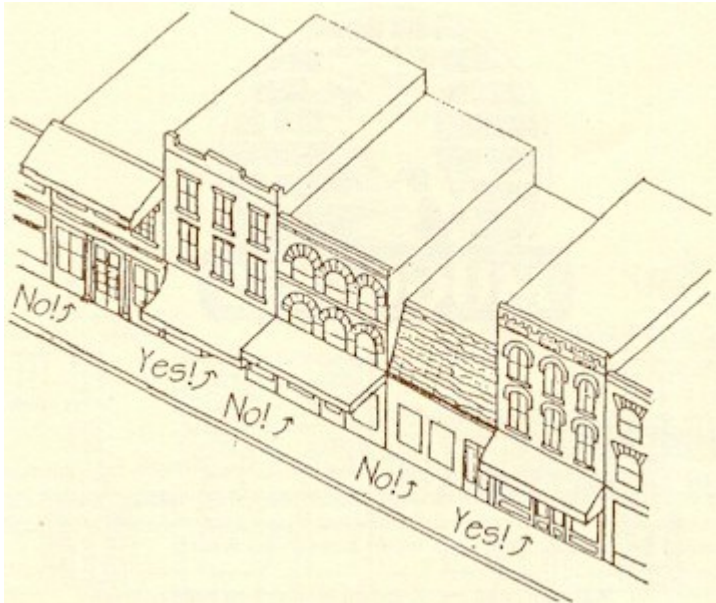
Window Placement Examples



Windows:

- New windows should reflect the design of the original building or period.
- Window openings that have been blocked or screened by concrete block, brick or plywood etc. should be reopened to reestablish the original rhythm of the façade.
- When it is no longer practical to have all windows open into the interior, place a black panel behind the glass to preserve the exterior rhythm and character of the façade rather than covering the window from the exterior.
- Wood is strongly recommended as replacement door frame and window frame material.

- Avoid using window openings for mechanical equipment (such as air conditioners, louvers, air exhausts)



Awnings:

- Fabric awnings are encouraged.
- Awnings shall fit storefront opening or individual window openings.
- If possible, top edges of awning shall be mounted to align with the top of the transom or with the framing above the main display window.
- The use of awning valances for signs is encouraged.

Graphics are from “Keeping Up Appearances. Storefront Guidelines” by the National Trust for Historic Preservation/ Main Street Center.

Try to:

1. Restore original storefronts in material and design.
2. Remove signage covering original building features.
3. Uncover special details that were part of the storefront.
4. Remove materials covering transoms and storefront windows.
5. Feature special details around storefront windows and entrances.
6. Remove wood shingle “Mansard” canopies covering original storefronts.

7. Replace original building materials if removed in storefront renovations.
8. Replace missing awnings “within” the width of the storefront opening (do not cover building support walls or columns).
9. Preserve the original storefront display area by adding windows and view into the 1st floor of the building.
10. Use a timer to control exterior lighting.
11. Building Materials and Colors. Building materials and colors are to complement adjacent buildings and are to be historically correct. Colors selected are to be represented in the historic period color charts supplied by major brand name paint distributors. Applicants must provide the name of the paint, color and number from a major brand name paint distributor.

Avoid:

1. Covering original building structure, entrances, storefronts and transoms.
2. Removing original storefront trim.
3. Removing or covering original building details like column capitals or decorative trim
4. Adding artificial stone, brick, metal, or vinyl over original storefront materials

MAINTENANCE OF IMPROVEMENTS:

As part of the grant agreement, the applicant shall agree in writing to maintain all improvements made per the approved plans in their finished state for a period of five years following completion of the project.

FUNDING AND REIMBURSEMENT

Applicants are responsible for all costs and documentation necessary for making application to the program.

The Downtown Façade Program is a federally funded program with monies coming from the Department of Housing and Urban Development (HUD). **All contracts of \$2,000 and up will be subject to Davis-Bacon and Related Acts requiring that the prevailing federal wage rates be paid to all employees of the contractor(s).**

The Program Administrator will provide the most current wage determination to the applicant and/or contractor(s) to ensure compliance with this requirement. **Please be sure that your cost estimates reflect the use of the wage determination.**

This grant is a 3:1 match. The grant provides 75% and the applicant provides 25% for eligible and pre-approved activities. There is a \$25,000 maximum award limit.

Payment from program funds occurs after the work is completed, passed inspection, and all necessary documentation is provided. Remember, **work cannot even start until you have completed Section 106 consultation with the Maine Historic Preservation Commission.**

What about sweat equity? For this program it is defined as interest in a building that a tenant or an owner acquires by contributing his/her **personal labor** to its renovation or maintenance. Value will be assigned based on Davis-Bacon wage rates. **Applicants will not receive reimbursement for any value of sweat equity contributed to a facade improvement project.**

FUNDING DECISIONS – Under HUD policies the provision of CDBG assistance must be “appropriate.” Decisions to approve an application will be impacted by the amount of assistance requested and a demonstrated need for financing.

Final funding decisions will be announced within **2 weeks of deadline close**. Applicants will be notified in writing of rejection, or award, together with reasons for rejection, or any conditions of approval.

Each business that receives CDBG assistance is required to have UEI number. This is a number that is assigned to your entity when you enroll in SAM.Gov and it is free.

The Program Administrator must have this number to draw down funds to pay for work on your project.

DISBURSEMENT OF FUNDS – Following approval of an application and prior to any work being done, the applicant will be required to enter into a written agreement with the City of Ellsworth and the Downtown Façade Program. This agreement will set forth the scope of work to be performed as part of the project and the date by which the project will be completed. Buildings rehabilitated under this grant program will be subject to inspection by the city’s code enforcement officer. Construction specifications and work completed shall comply with all applicable building and occupancy codes. You may request a consultation at anytime with the Code Enforcement Office to review the work.

After the applicant’s grant match has been covered, and prior to payment or reimbursement of expenses, the applicant must provide the Program Administrator with copies of paid receipts or invoices for authorized work as estimated in the application and documented in the approved scope of work. The City of Ellsworth will pay the designated and authorized contractors for the completed work.

To facilitate payment, invoices must be submitted directly and promptly to the Program Administrator. When submitting invoices, the applicant must schedule a time for the Program Administrator and/or Code Enforcement Officer to inspect the property and confirm that the work has been completed. Invoices will only be paid after the work is confirmed to be complete.

In cases where the owner is not fronting 100% of the cost, the program will pay after the owner's contribution has been made. Funds will be disbursed as two-party checks, and lien waivers must be submitted prior to the release of any checks.

Funds will not be disbursed until 1) consultation with the Maine Historic Preservation Commission pursuant to Section 106 has been concluded, and 2) the work is completed per the agreement, and 3) has passed inspection, and 4) all copies of invoices and receipts are submitted. In the event of disputes, the City of Ellsworth and the Downtown Façade Program reserves the right, at its sole discretion, to deny payment for expenses that were not authorized per the application and contract. **Cost overruns will be borne 100% by the applicant.**

COMMENCEMENT OF IMPROVEMENTS

Any construction or other improvements, proposed to be funded, in part, by the Downtown Façade Program **must not commence prior to the applicant achieving all of the following:** 1) review with the Maine Historic Preservation Commission has been completed, AND 2) the Downtown Façade Program approves the award with a dated letter, AND 3) the applicant has entered into a contract agreement with the Downtown Façade Program, AND 4) Submit **Proof of Insurance** for contractors working on the project, AND 5) **the applicant has received a written Notice To Proceed** from the Downtown Façade Program. No awards will be made for projects already underway or completed.

Furthermore, all awarded projects must follow the City of Ellsworth's Procurement Policy. The policy requires three bids for the planned work. Proof of the bids will be required. The Downtown Façade Program will provide advertising support in the Ellsworth American. The owner will coordinate with the Program Administrator to initiate this process.

Applicants should provide one quote of the work requesting assistance for.

The Procurement Policy is available for review on the City Website under the Finance Department's webpage, in the side section for Documents and Forms. Direct Link: <https://www.ellsworthmaine.gov/documents/city-ellsworth-procurement-policy/> Questions about the policy can be directed to the City of Ellsworth Finance Director Nate Moore or Finance Analyst Ashlie Brown at nmoore@ellsworthmaine.gov or abrown@ellsworthmaine.gov

Applicants should be aware that projects exceeding \$75,000 will trigger the State ADA compliance rule. Review the State of Maine [§4594-G. Standards for facilities constructed or](#)

[altered after March 15, 2012](#) for further details or consult with the City of Ellsworth Code Enforcement department.

DISCLAIMER

The City of Ellsworth and the Downtown Façade Program reserve the right to cancel this program at any time, prior to grant or loan approval, without notice, if sufficient funds are determined unavailable by the City of Ellsworth and Downtown Façade Program.

INSPECTION OF WORK

Buildings rehabilitated under this grant program will be subject to inspection by local building code enforcement officers. Construction specifications and work completed shall comply with all applicable building and occupancy codes. The Ellsworth Downtown Façade Program will advise building owners, their architects, or engineers in planning the construction, if requested.

RECAPTURE POLICY

The City of Ellsworth and the Downtown Façade Program's recapture policy would only be triggered by a) sale or transfer of the property, or b) in the event that the property owner substantially changes the façade contradictory to the guidelines within the recapture period and without program approval. In the case of sale or transfer of the property the City has discretion with regard to recapture based on the new owner continuing to maintain all storefront improvements financed with CDBG funds.

In the case of recapture, the repayment schedule will start from the date of project completion as evidenced by the date a check was dated to the applicant for program reimbursement funds. The City of Ellsworth and the Downtown Façade Program would be able to recoup grant funds based on the following schedule:

1. Year 1: 100% recapture
2. Year 2: 80% recapture
3. Year 3: 60% recapture
4. Year 4: 40% recapture
5. Year 5: 20% recapture
6. After year 6: No recapture.

INSURANCE

The Applicant will maintain insurance coverage during the term of the Agreement and as required by the Ellsworth Downtown Façade Program. Applicant must submit proof of property insurance to the Program Administrator.

Contractors:

The applicant must submit proof of insurance for any contractors or contracted parties working on the project PRIOR to work commencing. Proof must be submitted to the Program Administrator.

TAX

A federal grant is ordinarily taxable unless stated otherwise in the legislation authorizing the grant program. For the HUD CDBG program there is no legislated exemption. You must report amounts of taxable grants of \$600 or more. The municipality will furnish a copy of Form 1099-G or an acceptable substitute statement to each grant recipient.

FREEDOM OF INFORMATION ACT

This Program is subject to the Freedom of Information Act. The Program will protect the confidentiality of information contained herein to the extent permitted by law. Client financial information will be kept confidential.

RESPONSIBILITY FOR WORK

The Applicant's signature and submission of an application to the Downtown Program shall be a binding commitment that the Applicant understands and agrees to the following: Applicant represents and warrants that it shall be solely responsible for the complete performance of the Project, and for the meeting of all legal requirements and permits, and for the quality and workmanship of all work, materials, tools, equipment, supplies, and methods necessary to perform the project, as well as for the storage and maintenance of all necessary materials, tools, equipment, and supplies. Said responsibility shall reside solely with Applicant regardless of any inspections or reviews of the Project or the work being performed by the Program Administrator. It is expressly understood and agreed that Applicant shall perform the Project described herein as an independent contractor and not as an officer, agent, servant, affiliate or employee of the City of Ellsworth, or the Downtown Program. Applicant agrees that it shall have exclusive control of and the exclusive right to control the details of the performance of the Project, and all persons performing any such service or work related thereto. Applicant shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors, and subcontractors; that the doctrine of respondent superior shall not apply as between City of Ellsworth and Applicant, or the Downtown Program and Applicant, its officers, agents, employees, contractors, and subcontractors; and that nothing herein shall be construed as creating a partnership or joint enterprise between City of Ellsworth and Applicant, or the Downtown Program and Applicant. No person performing any of the services or work on the Project shall be considered an officer, agent, servant, or employee of City of Ellsworth, or the Downtown Program.