December 3, 2008

to be reconvened on December 10, 2008

**I. OLD BUSINESS**

A. Approval of minutes – November 5, 2008

It was moved, seconded, and passed unanimously (6-0) to approve the minutes as presented.

Councilor Spear arrived at this point in the meeting.

B. Petition of 303 Islington Street, LLC, owner, for property located at 303 Islington Street, wherein permission was requested to allow exterior renovations to an existing structure (replace windows, remove vinyl siding and replace with fiber cement siding) and allow new construction to an existing structure (construct stairs at rear elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 144 as Lot 11 and lies within the Apartment and Historic A Districts. (*This item was postponed at the November 12, 2008 meeting to the December 3, 2008 meeting.*)

**SPEAKING TO THE PETITION**

Mr. Ed Benway, owner of the property was present to speak to the application. He stated that his window choice, presented at the last meeting, was not appropriate to the Commission. He has since done some research and was now proposing a wood interior, aluminum clad exterior window with interior wood muttons. For the large windows, he was proposing a two over two grill pattern and for the small bay windows, he was proposing a one over one pattern.

Mr. Wyckoff asked Mr. Benway if he was prepared to find window openings once the vinyl siding was removed. Mr. Benway replied yes and if they discovered that, he would add the window. Mr. Wyckoff asked if the existing trim would be duplicated. Mr. Benway replied yes.
Vice Chairman Katz asked about the interior mutton. He said the spec sheet showed an exterior one as well. He asked Mr. Benway if he was planning to install an exterior mutton as well. Mr. Benway replied yes.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise she declared the public hearing closed and awaited a motion.

**DECISION OF THE COMMISSION**

Vice Chairman Katz made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Wyckoff. Chairman Dika asked for discussion.

Ms. Maltese asked Vice Chairman Katz if he would be willing to amend his motion to include that if any window locations are found underneath the vinyl, that the applicant will install the approved window in its place.

Vice Chairman Katz asked Mr. Benway if he was amendable to Ms. Maltese’s suggestion. Mr. Benway replied yes.

Vice Chairman Katz stated that the new windows seem to meet all of the parameters of the Commission. Mr. Wyckoff added that he was happy to see the vinyl siding coming off and that the trim would be exposed.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented with the following stipulations passed by a unanimous (7-0) vote:

1) That Trimline Legends Series DR200 windows are used.
2) That any window openings that are not currently evident and are discovered upon removal of the vinyl siding have the same approved window installed.

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C. Petition of Kenneth F. Kozick, owner, for property located at 29 Sheafe Street, wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 17 and lies within the Central Business B and Historic A Districts. *(This item was postponed at the November 12, 2008 meeting to the December 3, 2008 meeting.)*

**SPEAKING TO THE PETITION**

Mr. Kenneth Kozick, owner of the property was present to speak to the application. He stated that he would like to replace his old windows. He explained that his house was a condex and the windows would match the next door neighbor’s. He would also be using the same contractor to
install them. Mr. Kozick added that he would be replacing a basement window as well. He passed out a spec sheet of that window for the Commission’s review.

Mr. Wyckoff asked if the grill pattern would be two over two. Mr. Kozick replied yes.

Mr. Almeida asked for clarification concerning the installation. He asked if the windows would be replaced in their exact location and if the exterior trim would not be disturbed. Mr. Kozick replied yes.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise she declared the public hearing closed and awaited a motion.

**DECISION OF THE COMMISSION**

Ms. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Melchior. Chairman Dika asked for discussion.

Ms. Maltese said that she found the selection of window to be appropriate as it matched the other side of the structure. It was in keeping with the Historic District.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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D. Request for one year extension of Certificate of Appropriateness for 154 Fleet Street – Submitted by Fleet Street Properties, LLC

**SPEAKING TO THE REQUEST**

Mr. Richard Johnson representing the applicant was present to speak to the request. He stated they have received an extension from the Planning Board and were now requesting one from the Historic District Commission as well.

Mr. Wyckoff said that he remembered already granting a one year extension. Mr. Clum explained that the original approval lapsed and the Commission granted a new approval so this would be the first extension of the new approval.

**DECISION OF THE COMMISSION**

Vice Chairman Katz made a motion to grant a one year extension of the Certificate of Appropriateness for the application. The motion was seconded by Ms. Maltese. There was no discussion.

The motion to grant a one year extension of the Certificate of Appropriateness for the application passed by a unanimous (7-0) vote.
The Certificate of Appropriateness will now expire on December 12, 2009.

II. PUBLIC HEARINGS

1. Petition of Mill Gate Condominium Association, owner, and Kristin Goodwillie, applicant, for property located at 17 South Street, wherein permission was requested to allow an amendment to a previously approved design (change size of windows, reduce number of windows, change windows and doors on left side elevation, move chimney) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 53 and lies within the General Residence B and Historic A Districts.

Chairman Dika stated that she would be recusing herself from the discussion and vote. Vice Chairman Katz conducted the public hearing.

SPEAKING TO THE PETITION

Ms. Kristin Goodwillie, owner of the property was present to speak to application. She stated that a work session was held in November concerning the changes. Due to economic changes, she said that she had to downsize the project. There are fewer new windows and the chimney has been moved to a center chimney. She said a window schedule was submitted for their review.

Mr. Almeida commented that the Commission was very familiar with the applicant and the building. It was a straightforward application.

Hearing no discussion, Vice Chairman Katz asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise he declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Mr. Almeida made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Maltese. Vice Chairman Katz asked for discussion.

Mr. Almeida stated that the changes are appropriate with many of the changes difficult to see from the street. Ms. Maltese pointed out to those watching from home that the Commission went through this project detail by detail in November and the applicant has not changed those details.

Hearing no other discussion, Vice Chairman Katz called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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2. Petition of James C. and Amy M. Baker, owners, for property located at 75 Humphrey’s Court, wherein permission was requested to allow exterior renovations to an existing structure (renovate outbuilding) as per plans on file in the Planning Department. Said
property is shown on Assessor Plan 101 as Lot 37 and lies within the General Residence B and Historic A Districts.

**SPEAKING TO THE PETITION**

Chairman Dika pointed out that the Commission received a letter of support for the project at their seat this evening.

Ms. Amy Baker and Mr. James Baker, owners of the property were present to speak to the application. Ms. Baker stated that they would like to improve their run down garage by putting on a new roof, adding cedar shingles, and putting in new windows.

Mr. Wyckoff asked Ms. Baker to describe the windows they were proposing. Ms. Baker said that they are six over six single hung vinyl windows. Mr. Wyckoff explained that the Commission almost never approves vinyl windows and especially with the grids in between the two panes of glass. He said he was having trouble with their choice. Mr. Melchior agreed. Mr. Melchior said he was also having trouble with the corrugated metal roof.

Ms. Baker asked what the problems in the past have been with vinyl windows. Mr. Wyckoff said that the grid in between the two panes of glass was just simply a dressing. When looking at the window at an angle, you do not see any division of the glass. He suggested one over one windows.

Mr. Baker said the idea was to keep the cost low. They wanted to enhance the garage but they are not sure what they want to do with the property long term so they are trying to find what will look good and fit the purpose. Mr. Wyckoff commented that the Commission has to look at what will be there for the long term.

Mr. Almeida stated that the Commission does not allow this window in the historic district. Vice Chairman Katz corrected Mr. Almeida on that point. He explained that they had an application for a food selling building in the heart of the Historic District. The Commission approved vinyl windows with grids between the glass. Vice Chairman Katz said he would feel comfortable giving an approve for these windows because the building is a garage and it is on a side street. He added that if another request came up he would consider it if it was the same circumstances. Vice Chairman Katz also said that he was open to discussion on the corrugated roof.

Chairman Dika asked for more comments on the window before discussion the roof. Councilor Spear stated that he shared the same concerns as Mr. Wyckoff. He said that right now the property is off the beaten path but what is now in the back yard might be in someone’s front yard in the future. He felt it was important that the Commission do the right thing in these types of situations. He thought the right thing would be the true divided light window.

Chairman Dika agreed and felt that the location was quite visible. She would like to see a divided light window or a one over one window.

Mr. Almeida said that the building’s context was South Street, New Castle Avenue, and Marcy Street all surrounding Humphrey’s Court. He felt it was an important little spot. Mr. Baker
stated that there were two contexts – one being the location and one being the building and the project.

Chairman Dika asked Mr. Baker if he would be willing to go with divided light windows. Mr. Baker said that they were trying to keep the cost down. Mr. Wyckoff thought six over six replacement sashes would probably be in the same ballpark cost-wise as the proposed windows.

Chairman Dika told the Bakers that it did not look like their application would pass if they stayed with the vinyl windows. She wondered if a work session would be appropriate. Vice Chairman Katz said that if they have a work session at a later date, then they should explore the other parts of the application now.

Chairman Dika asked for comments about the roof. Mr. Melchior stated that the proposed material was not a material that was within the context of the Historic District. Chairman Dika said that she did not have a problem with the roof. Chairman Dika asked about the shingles. Vice Chairman Katz said that they were the top of the line, the best you can get.

Mr. Wyckoff pointed out that there appeared to be no trim creating an overhang for the roof. Mr. Baker replied that the boards would hang over the edge.

Vice Chairman Katz thought a work session would be helpful. Other Commissioners agreed. Chairman Dika said they could hold a work session/public hearing at the December 10, 2008 meeting.

Vice Chairman Katz asked if the roof was a big deal to some of the Commissioners. Some Commissioners thought an alternate roofing material should be explored for the next meeting.

There was considerable discussion concerning the wood shingles and how they would be applied over the cement block structure.

Mr. Almeida also told the Bakers to come with roof eave details, window and door trim detail and an alternate window choice. He said he was grateful that they were doing something with the garage but it was important to have all of the details.

**DECISION OF THE COMMISSION**

Ms. Maltese made a motion to postpone the application to a work session/public hearing at the December 10, 2008 meeting. The motion was seconded by Vice Chairman Katz. The motion passed by a unanimous (7-0) vote.

*Petition of Jo Ann R. Lamoreaux Revocable Trust and Thomas A. Lowcock Revocable Trust, owners, for property located at 77 Wentworth Street, wherein permission was requested to allow exterior renovations to an existing structure (replace four windows on south elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lot 11 and lies within the General Residence B and Historic A Districts.*
Chairman Dika stated that she would be recusing herself from the discussion and vote.

SPEAKING TO THE PETITION

Mr. Thomas Lowcock and Ms. Jo Ann Lamoreaux, owners of the property were present to speak to the application. Mr. Lowcock explained that they would like to replace four windows on the south side of the house. They would be replaced with Marvin wood clad double hung six over six windows with interior and exterior muntions. These are the same windows that are on the east and west side of the house and were previously approved by the HDC.

Vice Chairman Katz asked when the previous windows were approved. Mr. Lowcock thought it was in either 2001 or 2002 and then again in 2006.

Ms. Maltese commented that the application seemed straightforward.

Vice Chairman Katz asked if any one had any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise he declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Mr. Wyckoff made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Almeida. Vice Chairman Katz asked for discussion.

Mr. Wyckoff stated that these are the same windows that have been approved before and they are good simulated divided light windows.

Hearing no other discussion, Vice Chairman Katz called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (6-0) vote.

4. Petition of Paul J. Carney, owner, and William Hess, applicant, for property located at 54 Rogers Street, wherein permission was requested to allow demolition of an existing structure (demolish stair enclosure and sunroom) and allow new construction to an existing structure (construct two story addition, add dormer to third floor, construct new stairs and landing) and exterior renovations to an existing structure (renovate outbuilding) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 44 and lies within the Mixed Residential Office and Historic A Districts.

Mr. Almeida stated that he would be recusing himself from the discussion and vote.

SPEAKING TO THE PETITION

Mr. Charles Hoyt, architect for the project and Mr. William Hess, applicant were present to speak to the application. Mr. Hoyt stated that they had a work session where changes to the
design were suggested. He said that he made those changes and wished to go over them with the Commission.

On the left elevation, Mr. Hoyt explained that they have simplified the dormer, incorporated the two over one window pattern, have changed out the round window with a more period window, simplified the door, and took away the continuous pediment. On the back elevation they simplified the sun room grill pattern on the windows. Mr. Hoyt said that the changes were for the better. The front elevation showed the changes to the small garage.

Mr. Wyckoff asked Mr. Hoyt to explain what he was doing with the door surround. Mr. Hoyt explained that they would like to bring back what was there before which was a nice door with a transom above it. The roof structure would remain and the aluminum would be removed from the bracket. Mr. Wyckoff asked if there were sidelights and an overhead transom already existing. Mr. Hoyt replied yes. Mr. Wyckoff commented that on a New Englander that was quite rare.

Mr. Melchior stated that he appreciated the effort to minimize the dormer; however, he felt that a dormer of that mass on a New Englander compromised the identity of a New Englander. He still felt it was a heavy mass on top of a New Englander that eliminated the symmetry.

Vice Chairman Katz said that this is one of the conflicts that they come across occasionally. He asked if the Commission was to act as a curator or will the Commission act in a way to make these changes work for the family who will occupy the space. He pointed out that they have another application coming up which the Commission has looked favorable upon in the work session and made changes to the design. Vice Chairman Katz said that Mr. Melchior’s observations are valid. He added that there was a fair degree of restoration offered here and he was willing to see the dormer as it is in exchange for all of the work that was being done.

Ms. Maltese pointed out that she was not present for the work session. She said that she agreed with Mr. Melchior. She felt the addition and its details were appropriate but the dormer on the New Englander was not appropriate in the Historic District.

Mr. Wyckoff asked about the corner boards. Mr. Hoyt replied that they would be 5/4” x 5”.

Mr. Melchior said that in these economic times, they would be seeing a lot of this. The identity of the houses that make up the fabric of the Historic District are going to be compromised as people try to expand the space that they are in. He asked the Commissioners to keep that in mind and determine where they want to draw the line and where they want these tradeoffs.

Mr. Hoyt stated that the dormer afforded his client more living space which they desperately need. He said that they were trying to balance what they need for square footage in the attic and what would look good on a New Englander.

Mr. Melchior replied that he was sensitive to their needs and that he understood their attempt to balance things. He pointed out that the purpose of this board is to review the exterior of the building and how it behaves and lives in the context and environment it is going to sit in for an
indefinite number of years. He added that the Commission does not take into account floor space.

Chairman Dika agreed that Mr. Melchior’s comments were appropriate. She said that they have allowed similar modifications to New Englanders in the area at other times. She said that she would be voting in favor of the application.

Councilor Spear asked Mr. Hoyt if he looked into a shed dormer. Mr. Hoyt replied that he drew about a dozen different solutions and did draw a shed dormer but he did not think it looked very good.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, she declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Vice Chairman Katz made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Wyckoff. Chairman Dika asked for discussion.

Vice Chairman Katz stated that the objections have been covered adequately. He remarked that the Commission takes each application on its own merits as a unique application. They take the context, where the house is, what the structure is, how it will affect the neighborhood and the well being of the neighborhood. He thought that with the addition of the dormer, they are bringing the house up to a standard that the house has not seen in many years. Vice Chairman Katz reminded the Commissioners that every application is unique. He added that he would like to see the application approved because the trade off was in the favor of the City of Portsmouth.

Chairman Dika asked those Commissioners voting against the application to please state within the ordinance their reasons for a “no vote” to be placed on the record.

Ms. Maltese stated that she would be voting against the application with all due respect that this is someone’s home. She said she agreed with Mr. Melchior’s statement that what the Commission has been asked to do is in line with her decision. She added that she finds the entire Historic District to be important, not just a few blocks. Ms. Maltese said that in Section 10-1004, Scope of Review, she did not find that this application maintained the characteristics of a New Englander and it does not maintain the integrity of the district, both in A) 1 and A) 2.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a 4-2 vote with Mr. Melchior and Ms. Maltese voting in opposition.

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5. Petition of Robert W. Bryant, owner, for property located at 330 New Castle Avenue, wherein permission was requested to allow demolition of an existing structure (demolish existing garage and breezeway) and allow new construction to an existing structure (construct new
addition with foundation and garage) and allow exterior renovations to an existing structure (replace all windows and re-shingle roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 207 as Lot 34 and lies within the Single Residence B and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. Robert Bryant, owner of the property was present to speak to the application. He explained that they were before the Commission two months ago for a work session. The plans are to demolish an existing breezeway and two car garage and construct an addition with foundation and a one car garage. He would also like to put all new windows in the existing house. The two picture windows would be replaced with single windows and on the rear elevation; a sliding glass door would be installed.

Mr. Wyckoff asked about the decorative piece that would be installed at the peak of the garage roof. Mr. Bryant said that he would like to put a quarter section of a ship’s wheel in that location.

Mr. Almeida asked about the details of the garage doors. Mr. Bryant replied that he had a sample piece of the garage with him for the Commission to view.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application.

**SPEAKING TO, FOR, OR AGAINST THE PETITION**

Mr. Don Lane of 334 New Castle Avenue spoke in favor of the application. He stated that he followed the work session and he was fully in favor of the project.

Seeing no one else rise, Chairman Dika declared the public hearing closed and awaited a motion.

**DECISION OF THE COMMISSION**

Ms. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Melchior. Chairman Dika asked for discussion.

Ms. Maltese said that the applicant took the advice of the Commission after the work session and finds the application to be appropriate for the structure and the location within the Historic District.

Mr. Wyckoff wondered how anyone would say that this was appropriate to the house and to the area. He said that after all the discussion about New Englanders, now they have taken a ranch house, removed the front door and put four windows in a row. It made no sense on a ranch house. The Victorian details around the porch and the garage are inappropriate. Mr. Wyckoff pointed out that the house was on a heavily traveled road. He added that he could not support the proposal.
Vice Chairman Katz stated that he fully realized and accepted Mr. Wyckoff’s comments but balanced against the real damage that this renovation may do, he did not find the damage critical enough to vote against it. He said he would vote in favor of it.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a 5-2 vote with Mr. Wyckoff and Councilor Spear voting in opposition.

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6. Petition of James M. McSharry, owner, for property located at 254 South Street, wherein permission was requested to allow demolition of an existing structure (demolish garage and side entry) and allow new construction to an existing structure (construct porch/deck addition) and allow exterior renovations to an existing structure (reconfigure windows, add new windows, replace and add doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 4 and lies within the Single Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. James McSharry, owner of the property, and Mr. Brendan McNamara, designer for the project were present to speak to the application. Mr. McSharry explained that they had a work session last month and got some good feedback from it. He informed the Commission that they had received Board of Adjustment approval recently for the project.

Mr. McNamara stated that the only changes to the project were the porch soffit detail and the front door. He said that in the work session, they were maintaining the existing front door but are proposing a different front door arrangement now.

Mr. Almeida asked if the panels on the northwest elevation would be recessed panels. Mr. McNamara replied yes.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, she declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Vice Chairman Katz made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Maltese. Chairman Dika asked for discussion.

Vice Chairman Katz stated that the improvement to the structure by what has been presented was immeasurable. The designer and the applicant have given a lot of thought and are putting a lot of resources into the project. Ms. Maltese added that the application preserved the integrity of the structure as well as with the contemporary uses.
Mr. Almeida commented that this was one of the best applications they have seen in a long time. He added that this stretch of South Street has seen some great changes and this project was adding to it again.

Chairman Dika remarked that the changes were very sensitive to the building.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

Petition of Frank M. and Kiska B. Alexandropoulos, owners, for property located at 699 Middle Street, wherein permission was requested to allow new construction to an existing structure (add third floor dormers on left and right side additions) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 35 and lies within the General Residence A and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Chris Wright, representing the applicant, was present to speak to the application. He stated that he had a work session last month. It was suggested that the shed dormer peak be lowered and so he made that change to his application.

Mr. Almeida asked if the windows in the dormers would be the same windows that are currently in the new addition. Mr. Wright replied yes and confirmed that they would be Andersen 400 Series windows with a two over two pattern, simulated divided light with a spacer.

Chairman asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, she declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Ms. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Melchior. Chairman Dika asked for discussion.

Ms. Maltese pointed out that the applicant had taken into consideration the suggestions made at the work session.

Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a 6-1 vote with Mr. Wyckoff voting in opposition.

Mr. Wyckoff told Chairman Dika that she did not ask for any additional comments. Chairman Dika apologized and asked Mr. Wyckoff to give his comments. Mr. Wyckoff stated that he felt the property was intensely used. From what it started out as a year ago to what it was today has been a major step which he was not in agreement with. He said that the dormers were an over
intensification of the use. He thought its height and scale have moved off the charts. That was why he was not in favor of it.

III. ADJOURNMENT

At 8:30 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on January 7, 2009.