

**MINUTES
HISTORIC DISTRICT COMMISSION
ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE**

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

**May 10, 2017
reconvened from May 3, 2017**

MEMBERS PRESENT: Vice Chairman Vincent Lombardi; Members Jon Wyckoff, Reagan Ruedig, Richard Shea; John Mayer; City Council Representative Nancy Pearson, Alternates Molly Bolster and Martin Ryan

MEMBERS EXCUSED: Dan Rawling, Nick Cracknell, Principal Planner

ALSO PRESENT: Vincent Hayes

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I. ADMINISTRATIVE APPROVALS

1. 18 Court Street
2. 15 Pleasant Street
3. 250 State Street
4. 736 Middle Street
5. 478 Marcy Street
6. 35 Bow Street
7. 56 Dennett Street

Mr. Hayes reviewed the petitions. Mr. Shea requested that Item #4, 736 Middle Street, be pulled for discussion.

*Vice-Chair Wyckoff made a motion to **grant** the Certificate of Approval for Petitions #1-3 and #5-7.*

He said the petitions all had minor details that were either being changed a bit, replicating something existing, or related to the back of the house, so he felt comfortable supporting them.

*Mr. Shea seconded the motion. The motion **passed** by unanimous (7-0) vote.*

Petition #4, 736 Middle Street, was then discussed.

Ms. Ruedig noted that the Commission usually didn't approve vinyl windows, even though the windows were basement-level ones.

Mr. Shea said he didn't recall approving the deck. Chairman Lombardi reminded the Commission that the previous approval stated that the deck issue would come back for administrative approval.

At this point, the applicants Charles and Patricia Corlin rose to speak to the petition.

Ms. Ruedig said the Commission didn't have schematics showing what the deck would look like. Mr. Corlin said he had submitted the photos but had not decided on the layout at the time.

Vice-Chair Wyckoff asked whether the posts were pressure treated 6x6 ones. Mr. Corlin said they were and that they wouldn't be visible from the back. Vice-Chair Wyckoff said he drove by the home and had a clear view of the back. Mr. Corlin said they would install a fence in that area and would also put a finish on the posts if desired. Vice-Chair Wyckoff said he preferred a finished look rather than the pressure-treated and painted treatment.

Ms. Ruedig asked the applicants why they chose 6/1 windows rather than the existing 3/3 ones. Mr. Corlin said he thought they would look the same as the ones above. Ms. Ruedig said the windows were shorter than the ones above them and would result in a squished look. Ms. Corlin said they would install 3/3 windows.

Mr. Mayer asked whether the architectural renderings showed the five locations for the windows. Mr. Corlin showed the locations. Mr. Mayer said he was concerned with the type of windows and felt that it was a mistake to be quick and easy with the windows when there was a coherent design. Vice-Chair Wyckoff suggested pulling the basement windows. Mr. Corlin said he could do a 3-light window in wood.

Mr. Mayer asked about the fence. Ms. Corlin said they wanted to bring the fence to the front of the yard. She said it would just be a plain fence with a railing on top. Vice-Chair Wyckoff verified that the posts would be finished, as previously approved. Chairman Lombardi said he recalled a lot of discussion about the fence being up to the sidewalk and the Commission requesting that it be up to the house.

*Ms. Ruedig made a motion to **grant** the Certificate of Approval for the application as presented, with the following stipulations:*

- *that the basement windows be 3-light wood sash for the smaller ones and 3/3 for the double hungs;*
- *that the fence have the details as presented in the previous application.*

Vice-Chair Wyckoff seconded the motion.

Mr. Mayer then brought up the gutter specifications. Mr. Corlin passed them out and said they were aluminum white gutters to match the house. Ms. Ruedig said she would include the gutter design that was presented previously to the Commission.

*The motion **passed**, with 5 in favor and Mr. Mayer and Ms. Bolster abstaining from the vote (because they didn't feel they had the necessary packet information to make an informed decision).*

II. APPROVAL OF MINUTES

- A. April 5, 2017
- B. April 12, 2017

Several Commissioners said they hadn't had a chance to review the two sets of minutes.

*Ms. Ruedig made a motion to **postpone** approval of the two sets of minutes until the June meeting, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous (7-0) vote.*

III. PUBLIC HEARINGS (CONTINUED)

1. Petition of **Ruth R. and William A. Faribault, owners**, for property located at **35 Park Street**, wherein permission was requested to allow exterior renovations to an existing structure (renovations to existing breezeway - replace siding, steps, rails and landing with composite materials, remove, reconfigure and replace window, replace door) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 45 and lies within the General Residence A and Historic Districts.

SPEAKING TO THE PETITION

The contractor David McNicholas on behalf of the applicant was present to speak to the petition. The applicants Ruth and William Faribault were also present.

Mr. McNicholas reviewed the packet in detail. He noted that extensive frame renovations were done to the kitchen and that the front wall had to be removed.

Mr. Shea asked whether Hardy siding would be put on the entire house or just the area worked on. Mr. McNicholas said it would be just the area but that eventually it would be the whole house. In response to other questions from Mr. Shea, Mr. McNicholas said it was a 1960s house, the window being replaced was already a replacement window, there was a breezeway at one point so nothing original was being affected, and he didn't have a drawing showing the header heights as different between the door and the window but said it could match the door.

At this point, City Council Representative Nancy Pearson arrived at the meeting.

Mr. Mayer asked whether Mr. McNicholas would match the windows at the front of the house. Mr. McNicholas said he would. Mr. Mayer asked whether the dormer was Hardiplank, and Mr. McNicholas replied yes.

Ms. Ruedig said the Commission usually requested half screens. Ms. Faribault said the second floor had half screens but the lower windows still have the old storms. Vice-Chair Wyckoff said that the Commission had allowed full screens in the past if an applicant had a home with several windows that were recently replaced and had full screens. He said he didn't think there would be a precedent set by allowing something that had already started to continue.

Chairman Lombardi noted that the applicant wanted to replace all the windows eventually. He asked whether it would be better to move in the direction of what would generally be approved by the Commission. Ms. Faribault said she would do all half screens eventually.

Ms. Ruedig asked whether the windows would be SDL or if exterior windows would be applied. Mr. McNicholas said they would apply exterior windows but would check with his window representative about doing the SDL.

Mr. Mayer asked whether the applicant would consider a wood railing. Ms. Faribault said the existing wood railing was rotting and felt that the other material would last longer. It was discussed further.

Ms. Bolster noted that the applicants wanted to replace the wooden door with a fiberglass one and asked why they wouldn't just fix the existing door. Mr. McNicholas said they could rebuild it but that it wouldn't provide the needed insulation and would be expensive to fix.

Vice-Chair Wyckoff said the house was a 1960s Cape and the breezeway door was being replaced by a fiberglass one that looked very similar in design. He also said that the proposed Azek rail system also made sense on a home like that. He felt that both materials would last and need less maintenance and that the house didn't lend itself to some of the discussions being broached by the Commissioners.

Ms. Ruedig asked if the Azek railing and door would be painted. Mr. McNicholas said the door would be painted but the railing was not intended to be painted. After further discussion, it was agreed that the railing was consistent with everything else and didn't need to be painted.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Dixie Tarbell of 25 Driftwood Lane said she identified with the applicants and felt that the low-maintenance products should be approved.

Rick Becksted of 1395 Islington Street said he was very familiar with the products and felt that the Azek Trex product should not be painted.

Chairman Lombardi said that the house was contemporary and barely in the District. He said the Commission had to go by their charge but felt that an amount of leniency for the house was fine.

No one else rose to speak, and Chairman Lombardi closed the public hearing.

DECISION OF THE COMMISSION

Vice-Chair Wyckoff made a motion to grant the Certificate of Approval for the application as presented, with the following stipulations:

- 1) Half screens shall be used.*
- 2) The height of the window casing shall be similar to the door.*
- 3) The heads of both trim pieces shall be the same.*

Ms. Ruedig seconded the motion.

Vice-Chair Wyckoff noted that there had been enough discussion. He said it was a relatively contemporary home and felt that the improvements would make it fit better in the District.

*The motion **passed** by unanimous (7-0) vote.*

IV. WORK SESSIONS (CONTINUED)

A. Work Session requested by **Deer Street Associates, owner**, for property located at **163 Deer Street (Lot 4)**, wherein permission was requested to allow demolition of existing structure (demolish structure) and allow new free standing structure (construct new mixed use building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lots 17-2 and 17-3 and lies within CD 5, Historic District, and Downtown Overlay Districts. *(This item was postponed at the April 12, 2017 meeting to the May 2017 meeting.)*

City Council Representative Pearson recused herself from the petition.

Attorney Tim Phoenix was present to speak to the petition, as well as Tracy Kozak and Mark Mueller of JSA Architects. The principals and the owner's representative were also introduced

Attorney Phoenix stated that there were six total parcels and that Lots 4 and 5 were in the Commission's purview. He said they were trying to connect the buildings on those lots with the rest of the project and complying with the HDC's criteria, the Master Plan, the North End Vision, and the Character-Based Zoning for mass and scale. He also said they were incorporating the workforce housing component per the State Statute, which allowed for the extra fifth floor if 10% of the apartments were workforce housing.

Ms. Kozak reviewed the objectives and goals and summarized what was previously discussed. She said the basic idea was to create a destination of multi-use facilities and provide a welcoming pedestrian character with lively street life. She said the project would connect visually with other Deer Street developments and also connect the park with downtown.

Ms. Kozak said they made several big changes based on the Commission's comments and that the main change was taking the massing out of Building 5 along Maplewood Avenue by lowering it to three stories. Other changes included simplifying the forms and favoring the rounded tower element on Building 5. She reviewed the site plans for Buildings 4 and 5. She

showed diagrams depicting the streetscape, two-dimensional elevation drawings, facades, and three-dimensional views. She explained the design elements for each building.

Vice-Chair Wyckoff said that it was a 'brave new world' and that the area was a whole new neighborhood for Portsmouth. He said that, in 15-20 years, when it was filled with shops, a bank, a pharmacy, and restaurants, a lot of people would spend their lives right there. Though a lot of people had trouble envisioning it, he said he was excited to see it and felt that it was a good direction to go in.

Ms. Kozak stated that a variance from the Board of Adjustment was granted to keep the spaces and views between the buildings open.

Mr. Mayer said the project was long-term and offered commercial and gathering opportunities for people to participate in. He said he regretted that the City hadn't done more to create more places for people to gather. He said the two big driveways conflicted with pedestrian use. Ms. Kozak said Lot 2 would be given to the City as a park and noted that the drawings didn't show the landscaping yet. Mr. Mayer said he appreciated the terracing in Building 5 but wished it were more articulated. He suggested reducing the height on the first step and pushing further back. It was further discussed.

Mr. Mayer asked about the boxes near the rear entrance of the building. Ms. Kozak said they were railroad boxes for switching gears and a transformer box. Mr. Mayer said the boxes worked against the project. Ms. Ruedig agreed, noting that it was her main complaint. She said that going from the cemetery to the back of the building with all those transformers was terrible and felt that it would be good if that corner could be activated with doorways and sidewalk interaction. Vice-Chair Wyckoff said he hoped that the crossing could be upgraded.

Mr. Shea said he concurred with the Commissioners' comments so far and thought the elevations were interesting. He suggested that more work be done on 44-46 Maplewood Avenue and more improvements to Building 5, which he thought was too tall. He said the fifth floor could disappear a bit more on the Deer Street elevation side. He noted that all the activation seemed to happen on Deer Street and suggested that the corner be brought around so that it didn't feel like the back of the building. He said that he was excited with the way the project had advanced.

Mr. Ryan said he was glad that the architect was making spaces and, if it were up to him, it would be a 2-1 ratio. He said he wasn't bothered by the scale of the building or the height and was convinced that the massing was right. He noted that some of the quirky elements were gone and said he preferred to see the building a bit more eccentric. He said he agreed that a back-of-the-building look should not be created and felt that they would have to live with the transformers at the railroad crossing. He said the project was on the right path.

Ms. Ruedig said she thought the building design was moving in the right direction. She said the simplicity of Building 4 worked and felt that Building 5 could be simpler. She said she agreed with possible setbacks for the top, even a foot or two to break it up. She said the first-floor space should be a sidewalk experience so that people were comfortable. She said the walks were

exciting, with doorway activation, awnings, and so on, which she felt were important. She said she'd like to see it wrap further around the building along Maplewood Avenue.

Chairman Lombardi said he preferred to lose the fifth floor because he was concerned that, coming up Maplewood Avenue into the City, it would create the walled city impression. He said the texture of the City behind it couldn't be seen due to the building's height.

Chairman Lombardi asked whether there were deeded connections between the lots. Ms. Kozak said there were some easements on some of the properties. Attorney Phoenix stated that Lot 4 was providing access for Lots 3 and 5, which was the reason for two driveways on Lot 4. He noted that there were several utility, stormwater, and electric easements as well as some for the sidewalks and Pan Am. Chairman Lombardi asked what the impact of those needs would be on Building 4. Ms. Kozak said the Commission's only purview was the dumpster, which they got rid of. She said each building had its own trash room. Attorney Phoenix said they got zoning relief for Building 4 first, and the other easements with the exception of the transformers were for underground utilities that no one would see.

Public Comment

Rick Becksted of 1395 Islington Street said he was fearful the project would be another 51 Islington Street for several reasons, which he explained. He thought the project was taking advantage of the workforce housing incentive. He also said he was confused about the underground parking and not sure what the incentive for the park was.

Valerie Rochon, President of the Greater Portsmouth Chamber, said she was concerned about the lack of workforce housing in Portsmouth for the 800 businesses she represented. She read the letter that she had written to Chairman Lombardi, noting that the North End was suitable for buildings in excess of four or five stories and emphasizing how Portsmouth desperately needed more workforce housing and that hundreds of job opportunities couldn't be filled because of it.

Dixie Tarbell of 25 Driftwood Lane pointed out that the Rockingham Hotel was five stories tall and was built in 1785, and she said there must have been arguments against it at the time. She said it was important to focus on workforce housing and keep the middle class in Portsmouth.

Barbara DeStefano of 99 Hanover Street said the project's architecture would complement the North End. She said five workforce housing units weren't a lot but were at least a beginning that would hopefully inspire other developers to continue the process. She suggested that the railroad allow artwork to be placed on the transformers to make them interesting.

Patricia Bagley of 213 Pleasant Street said she saw a big improvement but was concerned about Lot 5 because it made the north end look like a fortress from the Maplewood Avenue view. She said it needed to be integrated more so that it didn't create two cities.

Chairman Lombardi noted that Commissioner Rawling wrote a letter with comments about the project that he would forward to the other Commissioners and the applicant.

No one else rose to speak, and Chairman Lombardi closed the public comment session.

DECISION OF THE COMMISSION

*Ms. Ruedig made a motion to **continue** the work session, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous (7-0) vote.*

B. Work Session requested by **Deer Street Associates, owner**, for property located at **157, 159, 161 Deer Street (Lot 5)**, wherein permission was requested to allow demolition of existing structure (demolish structure) and allow new free standing structure (construct new mixed use building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lots 17-2 and 17-3 and lies within CD 5, Historic District, and Downtown Overlay Districts. *(This item was postponed at the April 12, 2017 meeting to the May 2017 meeting.)*

DECISION OF THE COMMISSION

Chairman Lombardi stated that Work Session B was combined with Work Session A.

C. Work Session requested by **299 Vaughan Street, LLC, owner**, for property located at **299 Vaughan Street**, wherein permission was requested to allow a new free standing structure (construct mixed use building to include a hotel and associated parking) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 10 and lies within the CD 5, Historic, and Downtown Overlay Districts.

At this point, Mr. Mayer left the meeting.

Carla Goodknight of CJ architects and Jeff Johnston of Cathartes were present to speak to the application. Ms. Goodknight reviewed the packet and highlighted the changes that were made in response to the Commission's previous comments. She showed diagrams and photos of the building façade, noting that the roofline was broken up, projections were done along the façade, an enlarged canopy celebrated the entrance, and the masonry was projected forward to break up the flatness of the façade. She highlighted other changes and showed several views of the building, noting the recessed texture panels along the base of the pedestrian area, two kinds of metal, the brick element, the horizontal continuous banding, changes in the storefront window color and pattern, and concealing the visibility of the parking and ramp. She said the courtyard was set back 100 feet. She reviewed the materials and passed out samples of material upgrades.

Ms. Ruedig asked how the aluminum bands above the first floor would look. Ms. Goodknight showed the profile of it.

Ms. Goodknight reviewed the mechanical configurations, the elevator penthouse and the cooling tower. Vice-Chair Wyckoff asked how tall the cooling tower was. Ms. Goodknight said it was 10 feet high by 15 feet long by 8 feet wide. Chairman Lombardi asked about the energy recovery unit (ERU). Ms. Goodknight said it was 5 feet high by 4-1/2 feet wide.

Vice-Chair Wyckoff asked whether there was a design that would work in conjunction with the corner to screen the mechanicals, especially the cooling tower. Ms. Goodknight said they were screening it by location rather than structure. Ms. Goodknight showed a photo of the tower and said there would be no reflection on the metal material.

Ms. Goodknight discussed the landscaping and said it was further developed. She said the pedestrian path would be 15 feet wide, there would be activated corner space. She discussed the circular element and the entryway.

Vice-Chair Wyckoff asked where the sculptural element would be placed. Mr. Johnston said there were a few pieces of proposed public art and that they were discussing potential locations. He said that a bronze element might be placed in the circular element.

Ms. Goodknight noted that a corrugated panel covered the vent, which the Commission previously had concerns with. She discussed the metal detail and the composite lintel trim. Vice-Chair Wyckoff asked whether the mortar joint was similar in color to the brick, and Ms. Goodknight said it was. She said the brick had texture, so they wanted it to appear monochromatic rather than busy.

The Commissioners gave their opinions of the project. Ms. Ruedig said she thought the project was moving in a nice direction. She said the little bits of relief in the bays helped, along with the stepping down. She liked the entrance to the parking where the brick was lower and it stepped down to the 3S Artspace building. She said the building was appropriate for that section of town.

City Council Representative Pearson said the building was 'contemporary done right' and that it reminded her of the contemporary buildings in European cities built around the historic core. She said it was successful because of the calming rhythm, the color palette, and the materials, and she thought the building would go with everything in the area.

Vice-Chair Wyckoff said the building was three feet or so taller than the previous application's building but looked shorter. Ms. Goodknight said she thought it was the façade elements as well as breaking it up with the skyline and horizontal banding.

Mr. Shea said he liked the building but wasn't sure it was in the right location. He said the building from the Market Street view looked very flat and box-like, with a straight roofline that wasn't interrupted. He felt that it didn't relate to the other architecture in the area. He said he didn't mind the building height but wanted to see more interest. It was further discussed. Mr. Johnston said they wanted to make the building Portsmouth-like and tried to fit the building into the neighborhood, and he felt it would evolve over time. Mr. Shea said the building was a fine standalone one but said he didn't want to start a precedent and wanted to reel it in and have it include some Portsmouth roots.

Ms. Bolster said she agreed and thought it was a style that could be seen anywhere. Chairman Lombardi also agreed. He said it was a nice corporate building but felt that people had various opinions of what made Portsmouth what it was. He said the building could be anywhere.

Ms. Ruedig suggested bringing in some pedestrian-friendly elements by looking at the qualities of the best storefronts downtown and incorporating rhythm, variety, and a recessed entry. It was further discussed.

Vice-Chair Wyckoff said Portsmouth was what one was used to. He said that the styles began in the 1830s, with the Athenaeum and Market Street, and that the Old Federal Building was a standard Federal post office building that people were upset with when it was built. He gave other examples and said that he saw Portwalk as Portsmouth once he got used to it.

Mr. Ryan said the building was very modern and had historic scale, and that the materials would have to be done beautifully.

The Commission discussed why the building was in their purview. Chairman Lombardi said the Portsmouth experience was one of welcoming. He said the more welcoming the project's streetscape was, the better.

Chairman Lombardi said he would forward Commissioner Rawling's comments to the applicant.

Public Comment

No one rose to speak, and Chairman Lombardi closed the public comment session.

DECISION OF THE COMMISSION

The applicant indicated that they would go to a public hearing at the June meeting.

D. Work Session requested by **Islington Commons, LLC, owner**, for property located at **410-430 Islington Street**, wherein permission was requested to allow new construction to an existing structure (demolition of misc. additions, construction of new additions, other misc. renovations to existing buildings, for a total of five units) and allow new free standing structures (construct two, four unit townhouses at rear of lots, for a total of eight additional units) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 145 as Lots 34, 35, and 36 and lies within the CD 4-L2 and Historic Districts.

Rob Harbeson of Market Square Architects was present to speak to the petition, along with his associate Sarah Howard. He noted that the three lots would be merged into one. He reviewed the packet in detail.

Ms. Bolster asked where the property line was, and Mr. Harbeson showed her. Chairman Lombardi asked whether the lots had been formally joined yet, and Mr. Harbeson said they had not. Ms. Bolster asked whether there was only one owner, and Mr. Harbeson agreed.

Mr. Harbeson discussed the massing and showed the surrounding context. He said they had considered a townhouse style and decided to go with duplexes because they were typically seen

in Portsmouth. In response to questions from Ms. Bolster and Vice-Chair Wyckoff, he said each unit was 2,000 square feet and that they would not be offset, like shown on the plan.

Vice-Chair Wyckoff urged the applicant not to make the four buildings identical but to give them each some personality. He referenced the Port City Traders lot project that the Commission initially turned down due to it having four identical buildings on the corners of the lots. Mr. Harbeson said he thought of the units as identical because they were contained within themselves and surrounded, but he said it could be a variety.

Ms. Bolster asked what the square footages of the surrounding homes were. Mr. Harbeson said they varied quite a bit, but he thought the massing was in keeping, as far as duplexes. It was further discussed.

Chairman Lombardi suggested a site walk.

Ms. Ruedig said it was unfortunate that the applicant couldn't go with the previous layout because it seemed like it fit the topography better. She thought it seemed that the four symmetrical buildings in a courtyard might not work as well. She thought the applicant could be more creative by breaking up the two units a bit for variation in roofline. She said it would depend on the view from the surrounding area and agreed that a site walk would help. She said she was happy to see a good buffer in the back but was concerned that it would impose too much on the neighboring lots.

The driveway easement was discussed.

Mr. Shea noted that there were two- and three-story wood frame homes that made up the character of the surrounding neighborhood and that they were all different. He said nothing lined up and was sort of scattered, and he thought if the applicant emulated that more, the project would fit in better. He thought the massing was okay.

Chairman Lombardi suggested doing the site walk directly before the June meeting and said that the Planning Department would schedule it.

*It was moved, seconded and **passed** unanimously (7-0) to continue the work session to a future date.*

VII. ADJOURNMENT

*At 10:45 p.m., it was moved, seconded, and **passed** unanimously (7-0) to adjourn the meeting.*

Joann Breault
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on June 7, 2017.