

**ACTION SHEET
HISTORIC DISTRICT COMMISSION**

ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

October 4, 2017

to be reconvened on October 18, 2017

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

MEMBERS EXCUSED:

ALSO PRESENT: Nick Cracknell, Principal Planner

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A site walk was held prior to the meeting at 5:45 p.m. 84 Pleasant Street.

Due to the length of the agenda, the Commission voted to postpone review of work sessions C, D, and E to a reconvened meeting on October 18, 2017 at 6:30 p.m.

I. APPROVAL OF MINUTES

1. August 28, 2017
2. September 6, 2017
3. September 13, 2017

The Commission postponed approval of the August 28, 2017 minutes to the October 18, 2017 meeting. It was moved, seconded, and passed unanimously to approve the minutes of September 6, 2017 and September 13, 2017 as presented.

II. REQUEST FOR REHEARINGS

- A. 73 Prospect Street, submitted by Ten Walker Street Realty Trust

The Commission voted unanimously to **grant** the Request For Rehearing. The application will be heard at the November 1, 2017 meeting.

- B. 278 State Street, submitted by PNF Realty Trust of 2013

The Commission voted unanimously to **deny** the Request For Rehearing based on the following:

The Request for Rehearing did not present any information that demonstrated the vote of the Historic District Commission was either unlawful or unreasonable. No grounds were presented in the Request for Rehearing to give good reason for reconsideration of this application.

The Request for Rehearing did not present new evidence that would have had a tangible impact on the Historic District Commission's decision. The memorandum provided by the Chief Building Inspector dated October 3, 2017 made clear that there are a wide variety of design alternatives that could be considered to meet the intent and purpose of the building and life safety code requirements.

The memorandum provided by the principal planner made clear that the legal department found no jurisdictional or procedural defect in the Historic District Commission's review and vote to deny the application.

III. ADMINISTRATIVE APPROVALS

1. 403 Deer Street (*postponed to October 18, 2017 meeting*)
2. 280 South Street
3. 69-71 Dennett Street
4. 736 Middle Street
5. 34 Ceres Street

The Commission **approved** Items #2 through #4 and **postponed** Item #5 to the October 18, 2017 meeting.

IV. PUBLIC HEARINGS (OLD BUSINESS)

A. Petition of **Worth Development Condominium Association, owner**, and **The Friendly Toast, applicant**, for property located at **113 Congress Street**, wherein permission is requested to allow new construction to an existing structure (replace side front windows with retractable windows with screens) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 6-134 and lies within the CD 5, Historic, and Downtown Overlay Districts. (*This applicant requests to postpone review of the application to the November 1, 2017 meeting.*)

The Commission voted to **postpone** the application to a time indefinite. The applicant will need to re-apply for any further consideration.

B. Petition of **Kristina Logan, owner**, for property located at **220 South Street**, wherein permission is requested to allow exterior renovations to an existing structure (remove and replace windows, remove asbestos siding, replace cedar shingle siding) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 1 and lies

within the Single Residence B and Historic Districts. *(This applicant has asked to postpone review of the application to the December 6, 2017 meeting.)*

At the applicant's request, the Commission voted to **postpone** review of the application to the November 1, 2017 meeting.

C. Petition of **Michael De La Cruz, owner**, for property located at **75 Congress Street**, wherein permission was requested to allow an amendment to a previously approved design (remove roof top cooling tower and supporting structures, extend roof top dormer) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 5 and lies within the CD 5, Historic, and Downtown Overlay Districts. *(This item was postponed at the September 6, 2017 meeting to the October 4, 2017 meeting.)*

After due deliberation, the Commission voted that the request be **approved** as presented with the following stipulation:

- 1) That Gate "B" shall be used.

Findings of Fact: The proposed application meets the following purposes of the Historic District Ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes ☐ No - Preserve the integrity of the District
- ✓ Yes ☐ No - Maintain the special character of the District
- ✓ Yes ☐ No - Assessment of the Historical Significance
- ☐ Yes ☐ No - Complement and enhance the architectural and historic character
- ✓ Yes ☐ No - Conservation and enhancement of property values
- ✓ Yes ☐ No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District Ordinance (as applicable):

B. Review Criteria:

- ✓ Yes ☐ No - Consistent with special and defining character of surrounding properties
- ☐ Yes ☐ No - Relation to historic and architectural value of existing structures
- ✓ Yes ☐ No - Compatibility of design with surrounding properties
- ☐ Yes ☐ No - Compatibility of innovative technologies with surrounding properties

V. PUBLIC HEARINGS (NEW BUSINESS)

1. Petition of **Walkers Place Condominium Association, owner**, for property located at **151 Lafayette Road, Unit 2**, wherein permission was requested to allow exterior renovations to an existing structure (add egress window) as per plans on file in the Planning Department. Said

property is shown on Assessor Plan 151 as Lot 21 and lies within the GRA and Historic Districts. *(This item was postponed at the September 6, 2017 meeting to the October 4, 2017 meeting.)*

The Commission voted to **postpone** review of the application to the October 18, 2017 meeting. A site walk will be held on October 18, 2017 at 5:45 p.m. at 151 Lafayette Road.

2. Petition of **Susan P. MacDougall, owner**, for property located at **39 Pray Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing rear addition) and allow new construction to an existing structure (construct larger, one story rear addition, construct side porch, replace existing shed) and allow exterior renovations to an existing structure (remove and replace existing windows on front and left side of original structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 38 and lies within the General Residence B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented with the following stipulations:

- 1) Window "C" shall be changed to 4/4.
- 2) The request to replace the front windows shall be removed from the application.

Findings of Fact: The proposed application meets the following purposes of the Historic District Ordinance (as applicable):

A. Purpose and Intent:

- ☐ Yes ☐ No - Preserve the integrity of the District
- ☒ Yes ☐ No - Maintain the special character of the District
- ☐ Yes ☐ No - Assessment of the Historical Significance
- ☒ Yes ☐ No - Complement and enhance the architectural and historic character
- ☐ Yes ☐ No - Conservation and enhancement of property values
- ☐ Yes ☐ No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District Ordinance (as applicable):

B. Review Criteria:

- ☒ Yes ☐ No - Consistent with special and defining character of surrounding properties
- ☐ Yes ☐ No - Relation to historic and architectural value of existing structures
- ☐ Yes ☐ No - Compatibility of design with surrounding properties
- ☐ Yes ☐ No - Compatibility of innovative technologies with surrounding properties

3. Petition of **110-112 Court Street Condominium Association, owner**, and **Beth Goddard**, applicant, for property located at **110 Court Street, Unit 3**, wherein permission was requested to allow exterior renovations to an existing structure (restore five original windows,

remove and replace six windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 39-3 and lies within the CD4-L1 and Historic Districts.

The Commission voted to **postpone** review of the application to the November 1, 2017 meeting.

4. Petition of **Johanna and Eric Landis, owners**, for property located at **540 Marcy Street**, wherein permission was requested to allow new construction to an existing structure (expand and enclose existing porch) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 79 and lies within the General Residence B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District Ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes ☐ No - Preserve the integrity of the District
- ✓ Yes ☐ No - Maintain the special character of the District
- ☐ Yes ☐ No - Assessment of the Historical Significance
- ✓ Yes ☐ No - Complement and enhance the architectural and historic character
- ✓ Yes ☐ No - Conservation and enhancement of property values
- ☐ Yes ☐ No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District Ordinance (as applicable):

B. Review Criteria:

- ✓ Yes ☐ No - Consistent with special and defining character of surrounding properties
- ☐ Yes ☐ No - Relation to historic and architectural value of existing structures
- ☐ Yes ☐ No - Compatibility of design with surrounding properties
- ☐ Yes ☐ No - Compatibility of innovative technologies with surrounding properties

5. (*Work Session/Public Hearing*) Petition of **Robert J. Fabbriatore Irrevocable Trust of 2012, owner**, for property located at **177 State Street**, wherein permission was requested to allow new construction to an existing structure (construct addition on Penhallow Street elevation) and allow exterior renovations to an existing structure (restoration of exterior façade of building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 44 and lies within the CD 4 and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District Ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes ☐ No - Preserve the integrity of the District
- ✓ Yes ☐ No - Maintain the special character of the District
- ☐ Yes ☐ No - Assessment of the Historical Significance
- ✓ Yes ☐ No - Complement and enhance the architectural and historic character
- ✓ Yes ☐ No - Conservation and enhancement of property values
- ☐ Yes ☐ No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District Ordinance (as applicable):

B. Review Criteria:

- ✓ Yes ☐ No - Consistent with special and defining character of surrounding properties
- ☐ Yes ☐ No - Relation to historic and architectural value of existing structures
- ☐ Yes ☐ No - Compatibility of design with surrounding properties
- ☐ Yes ☐ No - Compatibility of innovative technologies with surrounding properties

6. (Work Session/Public Hearing) Petition of **Pamela Thacher, owner**, and **Charlie Seefried, applicant**, for property located at **180 Middle Street**, wherein permission was requested to allow exterior renovations to an existing structure (restore exterior façade of entire building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 8 and lies within the Mixed Residential Office and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented with the following stipulations:

- 1) The HDC supports the retention of the front steps and chain railings as is, given the historical significance of the building.
- 2) The lighting shall be removed from the application and submitted for an Administrative Approval.
- 3) The retaining wall design shall be removed from the application and submitted for an Administrative Approval.

Findings of Fact: The proposed application meets the following purposes of the Historic District Ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes ☐ No - Preserve the integrity of the District
- ✓ Yes ☐ No - Maintain the special character of the District
- ✓ Yes ☐ No - Assessment of the Historical Significance

- ✓ Yes ☐ No - Complement and enhance the architectural and historic character
- ✓ Yes ☐ No - Conservation and enhancement of property values
- ✓ Yes ☐ No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District Ordinance (as applicable):

B. Review Criteria:

- ✓ Yes ☐ No - Consistent with special and defining character of surrounding properties
- ✓ Yes ☐ No - Relation to historic and architectural value of existing structures
- ✓ Yes ☐ No - Compatibility of design with surrounding properties
- ☐ Yes ☐ No - Compatibility of innovative technologies with surrounding properties

VI. WORK SESSIONS

A. Work Session requested by **Portsmouth Savings Bank/Bank of NH (TD Bank), owner**, for property located at **333 and 340 State Street**, wherein permission is requested to allow exterior renovations to an existing structure (remove and replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lots 5 & 10 and lies within the CD 4, Historic, and Downtown Overlay Districts. *(This applicant has asked to postpone review of the application to the November 1, 2017 meeting.)*

At the applicant's request, the Commission voted to **postpone** review of the application to the November 2017 meeting.

B. Work Session requested by **Barbara Bickford Revocable Trust, Barbara Bickford, trustee and owner**, for property located at **45 Gardner Street**, wherein permission is requested to allow new construction to an existing structure (new structure addition to accommodate interior elevator for accessibility between floors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 21 and lies within the General Residence B and Historic Districts.

At the applicant's request, the Commission voted to **withdraw** the application from any further consideration.

C. 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. *(This item was continued at the September 13, 2017 meeting to the October 4, 2017 meeting.)*

The applicant has requested to **postpone** to the reconvened meeting on October 18, 2017.

D. 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 September 13, 2017 meeting to the October 4, 2017 meeting.)*

The applicant has requested to **postpone** to the reconvened meeting on October 18, 2017.

The applicant has requested to postpone to the reconvened meeting on October 18, 2017.
E. 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 September 13, 2017 meeting to the October 4, 2017 meeting.)*

The applicant has requested to **postpone** to the reconvened meeting on October 18, 2017.

F. Work Session requested by **KC Realty Trust, owner**, for property located at **84 Pleasant Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing cinder block rear addition) and allow new construction to an existing structure (construct new rear addition, renovate storefront) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 77 and lies within the CD 4, Historic, and Downtown Overlay Districts.

The Commission voted to **continue** review of the application at the November 2017 meeting.

VII. ADJOURNMENT

At 11:15 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good, Planning Department Administrative Clerk