

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

July 11, 2018

MEMBERS PRESENT: Chairman Vincent Lombardi; Vice Chairman Jon Wyckoff; City Council Representative Doug Roberts; Reagan Ruedig, Martin Ryan, Richard Shea, Dan Rawling; and Alternates Cyrus Beer and Molly Bolster

MEMBERS EXCUSED:

ALSO PRESENT: Nick Cracknell, Principal Planner, Planning Department

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I. APPROVAL OF MINUTES

A. June 6, 2018

Chairman Lombardi and Mr. Shea recused themselves from the vote.

*It was moved, seconded, and **passed** by unanimous vote to approve the minutes to approve the June 6, 2018 minute as presented.*

B. June 13, 2018

Ms. Bolster recused herself from the vote. Chairman Lombardi and Mr. Shea resumed their voting seats.

*It was moved, seconded, and **passed** by unanimous vote to approve the June 13, 2018 minutes as presented.*

The Commission addressed the Requests for Extensions next. See Section III, Certificate of Approval - Extensions.

II. ADMINISTRATIVE APPROVALS

*Vice-Chair Wyckoff moved to pull Items 4, 5, 6, and 7 from the list for a separate discussion. Ms. Ruedig seconded. The motion **passed** by unanimous vote (7-0).*

The remaining items were then addressed.

1. 414 State Street Unit #1

The request was for a wall-mounted heat pump on the back of the building, with a conduit running up the building.

*It was moved, seconded, and passed by unanimous vote (7-0) to **approve** the request with the following stipulation:*

- 1. The conduit shall be painted to match the existing siding.*

2. 32 Partridge Street

The request was for an internal and external chimney removal.

3. 109 Bow Street Unit #2

The request was to replace four Andersen vinyl sliding doors on the back with Andersen A Series vinyl sliding doors, and to also build a small deck on the upper floor.

Chairman Lombardi noted that the back of the building was an important waterfront view from the river. Ms. Ruedig said the door would need protection from the elements and asked if there was a different cladding other than the vinyl. Vice-Chair Wyckoff said the new door had a lifetime replacement warranty and that no one would notice from the river whether it was vinyl.

The applicant was present and said the new door was Fibrex and would be field painted white

*It was moved, seconded, and passed by unanimous vote (7-0) to **approve** the request with the following stipulation:*

- 1. The sliding doors shall be Fibrex and field-painted white.*

The Commission then addressed Items 8, 9, and 10, then returned to the pulled items.

4. Portsmouth Historical Society

Ms. Ruedig recused herself from the petition.

The request was for wooden signs (two different sizes) placed on multiple properties throughout the Historic District.

Kerry Vaultrot, the Chair of the Portsmouth Advocates, was present and stated that the signs were different from the past plastic ones installed in the mid-90s. She said several homeowners wanted to place signs designating the age of the house on their historic homes. She said they would be purchased from the Historical Society, whose members would confirm the house's date and whatever else the homeowner wanted noted on the sign.

In response to the Commission's questions, Ms. Vaultrot said that anyone could put a sign on their house, even if they didn't live in the District, without purchasing it from the Society. Tracy Kozak, who was also present to speak to the request, stated that a sign contractor would make

the signs. She showed the Commission an example of a sign and said that each sign cost approximately \$100, depending on the size. She said they would make each sign eye-level from the street, depending on the home's design, and that it would not be lower than five feet and no higher than eight feet. She said it could be either next to the front door or the corner of the house.

Mr. Cracknell asked whether the Society would direct people where to place the sign. Mr. Shea suggested stipulating that the sign not be too high or too low. Ms. Kozak said she was hesitant about a height restriction because some homes had tall windows and other situations, but she felt that it was reasonable. City Council Representative Roberts suggested that the Portsmouth Advocates approve the location of each sign. It was stipulated that the Portsmouth Advocates would be the decision-making authority on the sign locations.

*Vice-Chair Wyckoff moved to **approve** the request with the following stipulation:*

- 1. Location of signs shall be at the discretion of Portsmouth Advocates.*

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

5. 46 Maplewood Avenue

Ms. Ruedig resumed her voting seat.

The project designer Jennifer Ramsey was present on behalf of the applicant to speak to the request. She said they wanted to add three feet to the addition's height due to a different roof structure assembly. Mr. Cracknell noted that the request was for a minor modification to a Conditional Use Permit that was previously granted.

Mr. Rawling said he was reluctant to approve elevations for a taller building and thought the project needed more review or a work session. Ms. Ruedig agreed that the added height would dramatically change the look of the building.

*City Council Representative Roberts moved to **table** the request until the July 18 meeting, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote (7-0).*

6. 8 Bow Street

The project architect Jeremiah Johnson was present on behalf of the applicant. He reviewed the following change items:

- Seal an old alleyway door and infill it with masonry wall and door;
- Add a small window to replace a boarded-up window;
- Replace three skylights to match the existing ones in the front and then add three more skylights;
- Add a small double-hung window on the angled wall to match the rest of the windows.

Mr. Rawling said that he still felt that the Commission's preservation standards did not allow them to alter fenestration patterns on a building, especially such a prominent elevation.

Mr. Shea asked whether new brickwork would be done or the brick reset when the back door was removed. Mr. Johnson said he would confirm that it would read as an old building. Mr. Cracknell asked whether the storefront work was consistent with the prior approval's conditions or would be re-used. Mr. Johnson said the contractor noted that the glass glazing was re-used at every location except the angled wall. He said the base panel below the glazing was covered over with plywood and was rotted underneath, and it was determined that there was nothing left to save, so they rebuilt it to match a 1905 photo.

The Commission further discussed the changes. Mr. Ryan said he had no objection to the added window because the space above it was limited and the skylight provided the only sunlight. He said he was willing to approve it if it was done impeccably and wasn't noticeable. Mr. Beer and Vice-Chair Wyckoff agreed. Vice-Chair Wyckoff noted that re-using a window was also important to preservation and thought the window would make sense if it was aligned with the second-story window. Chairman Lombardi agreed that making that space usable was an important function of preservation.

*Vice-Chair Wyckoff moved to **approve** the revisions, with the following stipulation:*

- 1. The rear alley door shall be infilled to preserve the former opening.*

*Mr. Shea seconded. The motion **passed** by a vote of 6-1, with Mr. Rawling voting in opposition.*

7. 41 Salter Street

Mr. Cracknell stated that the request was to replace the front siding and trim with cedar and claps, but that only the Azek trim boards required approval. He said the applicant also wanted to upgrade the windows to Marvin aluminum clads. Ms. Ruedig noted that half-screens should be used. Mr. Shea said that the house had changed a lot over the years, so he felt that changing the windows was okay, and he noted that the applicant presented several examples of replacement windows. He asked that it be stipulated that the inset frame match the trim color.

*Ms. Ruedig moved to **approve** the request, with the following stipulations:*

- 1. The inset frame shall match the trim color.*
- 2. Half screens shall be used.*

*Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote (7-0).*

8. 105 Marcy Street

The request was for a home restoration project.

9. 11 Walden Street

Mr. Cracknell said the request was for aluminum storm windows but noted that there were no specifications.

*The Commission decided to **continue** the request to a future meeting.*

10. 299 Vaughan Street

Mr. Cracknell reviewed the changes on each elevation and said they were all minor.

*Vice-Chair Wyckoff moved to **approve** Items 1, 2, 3, 8, and 10 with stipulations as noted in affected petitions. Ms. Ruedig seconded. The motion **passed** by unanimous vote (7-0).*

III. CERTIFICATE OF APPROVAL (EXTENSIONS)

1. Petition of **Bluestone Properties of Rye, LLC, owner**, for property located at **135 Congress Street**, wherein permission was requested to allow exterior renovations and new construction to an existing structure (complete renovation of the front and rear elevations, construct glass addition on rear elevation, reconstruct original skylight) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 5 and lies within the Character District 5, Downtown Overlay and Historic Districts.

DECISION OF THE COMMISSION

*Vice-Chair Wyckoff moved to **grant** the Certificate of Approval for the petition as presented, and City Council Representative Roberts seconded. The motion **passed** by unanimous vote (7-0).*

2. Petition of **Flintatta, LLC, owner**, and the **Unitarian Universalist Church of Portsmouth, applicant**, for property located at **73 Court**, wherein permission was requested to allow new construction to an existing structure (construct addition to accommodate enclosed egress stair and lift) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 18 and lies within the Character District 4-L1 and Historic Districts.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **grant** the Certificate of Approval for the application as presented, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote (7-0).*

IV. PUBLIC HEARINGS (OLD BUSINESS)

A. Petition of **Goodwin Hospitality, owner**, for property located at **100 Market Street**, wherein permission was requested to allow the addition of a new exterior louver as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 6 and lies within the Character District 4- L2, Downtown Overlay and Historic Districts.

SPEAKING TO THE PETITION

The contractor Ben Careno of Careno Construction was present on behalf of the applicant. He said the applicant wanted to remove a piece of the storefront glass and infill it and then add a louver. He said a non-cooking exhaust outlet would exit to the sidewalk area.

Ms. Ruedig said it was a good way to insert a louver and an easy fix in the future if the use changed. Vice-Chair Wyckoff agreed and thought it was an innocuous change. Mr. Rawling asked if it would be possible to have a longer, narrower, and more rectangular louver. Mr. Careno said the engineering code requirement was for a 30'x16' louver, so they figured they would tuck it in. He said the other option was to remove the glass and do an infill. Mr. Rawling said it would show up quite a bit less if it was rectangular.

Chairman Lombardi suggested moving it up against the column to make it less visible. It was further discussed. Mr. Careno said the duct was located above the interior ceiling and that a lot of the glass was spandrel. Mr. Ryan suggested placing it horizontally within the soffit to keep it away from the main entrance. Mr. Shea noted that no one would notice it anyway.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **grant** the Certificate of Approval for the application as presented, and Vice-Chair Wyckoff seconded.*

Ms. Ruedig said it was a simple and good solution because the building was a contemporary one and the spandrel glass was reversible. She said the project would conserve and enhance the integrity of the District and that the design was compatible with surrounding properties.

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

V. PUBLIC HEARINGS (NEW BUSINESS)

1. Petition of **Melvin Zabarsky, owner**, for property located at **28 Blossom Street**, wherein permission was requested to allow the installation of five new windows and the removal of one existing window as per plans on file in the Planning Department. Said Property is shown on Assessor Plan 111 as Lot 40 and lies within the General Residence B and Historic Districts.

SPEAKING TO THE PETITION

The project designer Paul Burke and the applicant Hannah Burke representing the owners (her parents) were present to speak to the petition. Ms. Burke reviewed the petition and noted that the City requested an egress window on the second floor of the main house.

Chairman Lombardi asked how old the carriage house was. Ms. Burke said it was built in 1865. Mr. Rawling asked whether the Fibrex windows would be painted and was told that they would. He asked what color the jamb liners would be painted, but the applicant said the new windows would be awnings and have no jamb liners. Mr. Ryan asked whether the roof over the door would have a metal surface. Mr. Burke said it would be asphalt shingles. Ms. Ruedig questioned the small windows above the double-hung windows. Ms. Burke said the extra light was important for the upstairs. Mr. Shea asked why the City requested an egress window. Mr. Burke explained that it would allow the bath to be more conforming to the second-floor apartment.

In response to other questions from the Commission, Mr. Burke said the replacement windows would all be single divided lights and that none of the existing windows to be removed were original, except the older window being replaced by an egress window.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **grant** the Certificate of Approval for the application as presented, with the following stipulation:*

- 1. The Marvin Integrity windows shall be field painted and half screens shall be used.*

Vice-Chair Wyckoff seconded.

Ms. Ruedig said the project was an improvement and would match the original style. She said it would maintain the special character of the District and complement the historic character of the house as well as be consistent with the defining character of surrounding properties.

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

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- 2. (Work Session/Public Hearing) Petition of **Unitarian Universalist Church, owner, and 206 Court Street, LLC**, applicant, for property located at **206 Court Street**, wherein permission was requested to allow new construction to an existing structure (construct two story addition at rear of building) and exterior renovations to an existing structure (renovations to the existing structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 34 and lies within the Character District 4-L1 and Historic Districts.*

WORK SESSION

The architects Steve McHenry and Jeremiah Johnson were present on behalf of the applicant to speak to the petition. The building owner Todd Adelman was also present. Mr. McHenry clarified that the building was owned by 206 Court Street LLC. He reviewed the package, noting that significant changes in design were made since the project was first introduced. He emphasized that the restoration of the historic house would be meticulously done and attentive to

its original conditions. He said the rear elevation windows were shown as aligned, whereas they were not before, because the owner wanted to get as much fenestration as possible in that area.

Mr. Shea said he thought the scale was much better but that the fenestration was a bit plain and didn't relate to much going on around it. He said he'd like it better if the window sizes mimicked the original house. He asked why the applicant wanted to replace the original window sash on the front of the existing home. Mr. McHenry said a full restoration was difficult and they felt that the general conditions of the windows were such that it would be better to do reconstruction. He said the windows would be true divided lights and as close to the original detail as possible, and that storm windows wouldn't be necessary.

Mr. Rawling said the fenestration still troubled him as far as the window openings and lack of any mulling. He said it looked like an unfinished building waiting for windows and had no personality. He said the paired windows looked like a project house and thought there were more sophisticated ways to do it. Mr. McHenry said he disagreed and thought the fenestration was crisp and contemporary. He said the back of the building was almost invisible and that they were trying to maximize the window openings, which was difficult due to the small interior layout.

Vice-Chair Wyckoff said he would accept Mr. McHenry's fenestration argument. He said the paired windows didn't bother him and that it was obvious that the fence covered up the whole first floor so that it was not really visible. He said the addition on the back was acceptable but not what he would build, and he appreciated the quality expressed on the front of the building.

Mr. Beer said he was still strongly opposed to the addition. He pointed out that the Commission's guidelines stated that an addition should be consistent and compatible with the existing building and the neighborhood. He said the addition was neither and felt that it was too stark of a contrast with the existing house and the neighborhood. He said the details didn't complement the addition either.

Ms. Ruedig said the addition was different and didn't copy or replicate any of the historic features of the main house or surrounding, and she said it was an acceptable option in the guidelines for new construction. She said she thought the addition was respectful for a very contemporary addition. She said the massing on the rear was set back from one side and tucked in and would be difficult to see. She felt that the main façade restoration would draw the eye more and would be a much-needed facelift for the building. City Council Representative Roberts said he agreed that the addition was respectful and that it would be almost impossible to see the windows on the rear of the building.

Ms. Bolster said she agreed with Mr. Beer and was still opposed to the project. She said the back side may be invisible, but the two sides and front were very visible. She thought the addition drew the eye more because it was set back, and she said she wasn't comfortable with the very stark contrast to the old house.

Mr. Ryan said he found the project acceptable and thought the addition complemented the existing building and didn't compete it. He asked whether the parapet's detail had been changed. Mr. McHenry said it was taller due to the mechanical equipment screening. Mr. Ryan said he'd

like to see the rail continue and would like to see the shelter above the entrance more articulated and perhaps extend out further. He also suggested using all single rectangular windows throughout the addition.

Chairman Lombardi agreed that the addition was a stark structure but thought the wall that it was up against was also stark. He said he didn't like the appearance of the back windows because the openings looked like picture windows. He said he preferred to see paired windows with space between them but thought the design worked pretty well overall. He said he wasn't excited about the addition's architecture but thought it was okay.

Mr. Shea said he didn't feel that the addition was residential, especially on the front elevation. He said the door seemed commercial, which was what took away from the residential aspect. He suggested softening in up to have it feel residential in a contemporary way and said he'd probably like the fenestration and the door if they were articulated better. It was further discussed. Mr. McHenry said the front door wasn't a typical entry but that they could change its design. He said his client wanted a contemporary design and said the addition was pulled back to respect the historic building. He said the double-paired windows on the rear elevation were for the large sitting room. He said they would accept stipulations for the front door and parapet wall. There was no public comment.

The work session was closed, and they entered the public hearing.

PUBLIC HEARING

Chairman Lombardi read the petition into the record.

SPEAKING TO THE PETITION

Steve McHenry was present on behalf of the applicant to speak to the petition. He referenced the previous work session and said they would present the package with stipulations that the detailing of the parapet wall on the north side and the entry door on the north side would be changed administratively at a later time.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Vice-Chair Wyckoff moved to **grant** the Certificate of Approval for the application, with the following stipulations:*

- 1. The front door and parapet facing Court Street shall be modified to reflect a residential use and be submitted to the Commission prior to construction for Administrative Approval.*

Ms. Ruedig seconded.

Vice-Chair Wyckoff said the Commissioners had different opinions on what should be built onto a historic building, but that the project preserved the integrity of the District if one considered the total renovation of the existing building, which was in very bad shape. He said the project would conserve and enhance surrounding property values and would be compatible with innovative technologies. Ms. Ruedig said it was a respectfully done contemporary addition that added a bit of the 21st century to the District.

Mr. Rawling said that even though additions were designed to complement or enhance existing building designs, they should be able to stand on their own. He said if the addition were detached, he would see little beauty in it and didn't understand why the Commission would support that structure design anywhere. Mr. Shea said he couldn't support the project because he felt that it wasn't compatible with the neighborhood or the earlier structures around it and didn't enhance the neighborhood. He said he didn't feel that there was a lot of historic renovation happening because the historic building was gutted out, leaving only the bricks and the roof. He said there was a lot of change since a year ago, when the historic home was intact, and that there wouldn't be much left of the original structure when the project was done. He said he could see the project in a non-historic district. He said the Commission was charged with protecting the Historic District and preserving what was left of it.

*The motion **passed** by a vote of 5-2, with Mr. Shea and Mr. Rawling voting in opposition.*

3. Petition of **Steven Craige, owner**, for property located at **490 Marcy Street**, wherein permission was requested to allow the addition of a single dormer to the left side of the front elevation as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 58 and lies within the Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

The project designer Jennifer Ramsey was present on behalf of the applicant to speak to the petition. She said they wanted to add a small shed dormer to the addition that would match the details of the shed dormer on the other side of the ridge. She said the only difference would be top sashes instead of full double hung windows.

Chairman Lombardi noted that the project had been reviewed well previously. Vice-Chair Wyckoff said Ms. Ramsey was following the guidelines for the dormer addition on a contemporary addition to an older house.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Mr. Shea moved to **grant** the Certificate of Approval for the application as presented, and Ms. Ruedig seconded.*

Mr. Shea said it was a good example of an addition that respected the existing historic architecture. He said it maintained the integrity of the District and was consistent with the specific and defining character of the surrounding properties.

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

Ms. Ruedig recused herself from the petition, and Ms. Bolster assumed her voting seat.

4. Petition of **Portsmouth Housing Authority**, owner, and **Ed Pac, LLC**, owner, for properties located at **140 and 152 Court Street**, wherein permission was requested to allow demolition of an existing structure (partial demolition of building at 152 Court Street) and allow a new free standing structure (construct a new free standing residential structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lots 37 & 38 and lies within the Character District 4 and Historic Districts.

SPEAKING TO THE PETITION

The Director of Portsmouth Housing Craig Welch and the project architect Carla Goodknight were present to speak to the petition. Mr. Welch thanked the Commission for hearing their petition several times via work sessions. Ms. Goodknight reviewed the presentation packet and noted that some changes were made since the last work session: the windows on the second and third floors were re-spaced, pitch roof elements were added, and a third window was added per the Commission's request.

Mr. Shea asked whether the restoration of the old house was part of the project. Ms. Goodknight said it was a separate property and that the owner was working with the Planning Board to reassign the boundaries. Mr. Shea asked whether all the windows were double hung windows. Ms. Goodknight said they were, except for the storefront, and that they would have half-screens.

Mr. Shea said the building's scale was much better and that he liked the way it stepped down to the fire station. He said it was a big building and realized that it was hard to make large buildings interesting and that the project did the best they could with the budget they had. He said he appreciated that it looked residential and thought it was far superior to the Feaster building next door. He said he would have liked it to have a smaller scale but understood the program and the fact that it was affordable housing. He asked why the 6/6 windows on the front didn't blend in with the back. Ms. Goodknight said they were offered three options for windows and that the traditional look was preferred.

Mr. Beer asked whether the base was still cast stone, whether the building next to the fire station would still have a Federal style, and what the future maintenance plan for the 6-story wood building was. Ms. Goodknight said they lost a level of parking, which brought down the scale of the building, and they removed the cladding over the concrete foundation due to budget concerns but said it would be much less noticeable because it was closer to the ground. She said the liner windows on the Federal building were the same size, but the ones on the main building were always smaller on the top floor and still were. Relating maintenance on a wood building versus brick, she said the siding would be composite wood with Azek-type trim and maintenance-free

windows and that they could control the moisture to allow the paint to last much longer. She noted that brick was not a maintenance-free guarantee. Mr. Welch added that they would sign a 99-year lease and that replacement reserves would be well funded and highly regulated.

Mr. Rawling said he thought the building would be attractive but was still concerned with the siding on the building because of potential gaps and waviness. Ms. Goodknight said they would use SmartSide siding, which was more stable than cement board. It was further discussed.

Vice-Chair Wyckoff said a concern was the Gideon Beck building and how it would be restored and knew it would come before the Commission at some point. He said he was in favor of demolishing the other buildings, noting that he saw no redeeming quality to them because they were 25 years old and cheaply built, and he didn't think those buildings needed to be fully documented like older, more historical buildings.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Vice-Chair Wyckoff moved to **grant** the Certificate of Approval for the application as presented, with the following stipulation:*

- 1. Half screens shall be used.*

Mr. Shea seconded.

Vice-Chair Wyckoff noted that most of the Commissioners were quite happy with the improvements and changes in accordance with their suggestions. He said it had been a long process but felt that the applicant did a good job in planning a large building that did not look large. He said the building didn't get into one's face and tended to blend into the background, which the liner building helped. He said the project was consistent with the special and defining character of surrounding properties and had a 1910 semi-hotel style. He said it was also compatible with innovative technologies and maintained the character of the District.

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

Ms. Ruedig resumed her voting seat.

5. Petition of **Deer Street Associates, owner**, for property located at **161 Deer Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing building) and allow a new free standing structure (construct new 5-story mixed use building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 17-3 and lies within the Character District 5, Downtown Overlay, and Historic Districts.

SPEAKING TO THE PETITION

The project architect Tracy Kozak was present on behalf of the applicant to speak to the petition. She stated that it was Lot 5 and that there were no major changes since the last work session but

noted that they had more product details and dimensions. She reviewed the design process and the packet in detail. She said they tried to create more unity with the details, setbacks, and box bays since the last work session, and they added more divided vertical lines on the glazing for a more delicate scale on the fenestration on one side of the building.

Vice-Chair Wyckoff asked whether the beams were real steel. Ms. Kozak agreed, saying that they were galvanized steel with a finish coat of natural gray. Vice-Chair Wyckoff asked how the cast stone would hold up on the bottom and whether it would soak up the colors from the sidewalk. Ms. Kozak said the color would go through all the way and would not fade, and she pointed out that there was a limestone material where the granite met the sidewalk.

Mr. Rawling said he was comfortable with the project and felt that most of the issues had been resolved. He said the tower was more successful and the deeper inset windows would be one of the most distinctive features of the building and eliminate a lot of the flatness seen in other contemporary buildings. Mr. Shea agreed that the recessed windows were good but felt that the building still seemed a bit industrial. He said it felt more unique, however, than the Portwalk building and stood alone as a piece of architecture. He asked whether some of the windows were double hungs and had half-screens, and Ms. Goodknight agreed.

Mr. Ryan said the building was one of the better ones in that part of town, which was changing. He said it was beautifully detailed and thought the way it changed and met the Lot 4 building was very successful. He noted that it almost met with the corner, which would define that urban area successfully. Ms. Ruedig said she echoed everyone's comments about the details and appreciated the steel, box windows, and brackets. She said she wished it was a more interesting piece of architecture overall for that corner but thought the effort put into the detailing would make it a much more successful building than some of its neighbors.

Chairman Lombardi said he was won over. He said he thought for a long time that the building was too tall, but felt that the details put into it made a difference. He said the box bays with the iron grills were unique and an attractive piece of the design. Vice-Chair Wyckoff said the building was very cohesive with the other buildings on Lot 4, noting that if only one building was put in that location, it would stand out like a sore thumb.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Mr. Ryan moved to **grant** the Certificate of Approval for the application as presented, and Vice-Chair Wyckoff seconded.*

Mr. Ryan said it was a very successful building and thought the details were beautifully done. He said it was bold territory in the new part of town and felt that the building would do very well because it captured that area's past history and brought it forward. He said he completely

supported the proposal and thought it was consistent with the special character of the north end and surrounding properties as well as compatible with innovative technology.

Mr. Shea said he would support the project but that it was difficult for him to sit on the Board and think about Portsmouth as a historic seaport, an image that tourists came to Portsmouth for and why residents lived there. He said he realized that Portsmouth was changing but found it difficult to rate the applicant's building as to how it fit into Portsmouth. He said he could see it in Cambridge, MA and felt that the building would never be on a brochure to attract tourists to Portsmouth because they came to see historic downtown buildings.

Vice-Chair Wyckoff noted that New Hampshire Magazine had an article about Portsmouth with a photo of the waterfront and the buildings along Bow Street. He said that the Deer Street section was a new area of Portsmouth and felt that all new buildings should be in that section instead of in the downtown district. Chairman Lombardi said he went to Miami to see the Art Deco District and felt that history didn't stop, it was a progression.

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

6. Petition of **Old Franklin School Condominium Association, owner,** and **Jerry Johnson, applicant,** for property located at **348 Maplewood Avenue** wherein permission was requested to allow the replacement and restoration of multiple windows as per plans on file in the Planning Department. Said property is located on Assessor Map 141 as Lot 2 and lies within the General Residence A and Historic Districts.

SPEAKING TO THE PETITION

The Homeowner's Association president Jerry Johnson was present to speak to the petition. He stated that they now wanted to replace and restore the windows. He said the windows facing the street would be restored and the ones in the back would be replaced with Marvin windows.

Ms. Ruedig asked whether they would re-use the same storm windows. Mr. Johnson said the new windows and restored windows would not need storms. Ms. Ruedig asked whether weather stripping would be put in, and Mr. Johnson said the entire frame would be redone. Mr. Shea asked whether the windows would be custom Marvins, and Mr. Johnson said they would. Vice-Chair Wyckoff said the Marvin was a good replacement window and that it would replicate the original size. Chairman Lombardi asked whether the back windows could be restored. One of the condominium owners, Bill Glenn, said the windows were rotted. Another owner, Tom Petersen, said the front windows were newer than the back ones. Mr. Glenn said they would field paint the replacement windows to match all the others.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

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

1. Half screens shall be used and the windows shall be field painted.

Vice-Chair Wyckoff seconded.

Ms. Ruedig said the historic window restoration was one that the Commission liked to see in the District, especially on the most visible elevations of the building. She said the project would preserve the integrity of the District and would be consistent with the special and defining character of surrounding properties.

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

7. Petition of **Eli Sokorelis, owner**, for property located at **238 Deer Street**, wherein permission was requested to allow the construction of a new 10' by 40' deck for restaurant dining as per plans on file in the Planning Department. Said property is located on Assessor Map 125 as Lot 3 and lies within the Character District-4, Downtown Overlay and Historic Districts.

SPEAKING TO THE PETITION

The architect Joe Almeida was present on behalf of the applicant to speak to the petition. He distributed a revised sketch, noting that it was a slight alteration to the application and was a result of a meeting with the Liquor Commission. Mr. Almeida said his client wanted to add a small 8'3" deck to the side of the building that would be four feet long and seat 30 people. He said they also wanted motorized awnings to provide shade. He noted that the previous application had a railing on the front of the building that was approved and that they would replicate that design. He said there would be several doors under the deck to accommodate storage. He said the door would go into an existing window opening and would be field painted, as well as the deck structure except for the walking portion of the deck.

Mr. Beer said the top rail was sketched two different ways. Mr. Almeida said it was the radius rail. Mr. Beer also noted that the drawing had a 6"x6" post but a 4"x4" pressure-treated wood post was indicated. Mr. Almeida said the inside was a 4"x4" cap. Mr. Beer noted that the Commission's guidelines recommended a shaped top and bottom rail that were wood, and he thought a 4"x4" post was too thin and should be 6"x6" instead, with a square cut. Vice-Chair Wyckoff agreed that a 4"x4" cap was too small for a large deck.

Mr. Shea said the note on the railing system on the front steps said it would match existing, but the detail showed wood. Mr. Almeida said it would be wood. Mr. Shea said the door seemed too residential and colonial for the building and suggested more of a 1960s look. He said the drawing showed a full glass door with multiple lights, yet the detail showed a 9/2. Mr. Almeida said they wanted the full view glass but could simplify the door by using just a single piece of glass. Ms. Ruedig said the deck was a great addition to the building and the seemingly blank wall and said she was in favor of bringing people and activity outside.

Vice-Chair Wyckoff asked what the Sunsetter awning looked like, noting that there were no colors or shapes on the drawing. Mr. Almeida said they hadn't chosen the color yet but that the awning folded out and had no additional supports. Vice-Chair Wyckoff said the Commission was concerned about what awnings looked like and asked that the awnings come back as an administrative approval item. Mr. Ryan asked whether a conduit would be used for the light fixture. Mr. Almeida said they would run conduit and paint it. Mr. Cracknell noted that it wasn't indicated in the packet. Vice-Chair Wyckoff said there were quite a few changes and suggested continuing the application to the July 18 meeting.

Mr. Rawling said the light fixture type was very bright and glaring. Mr. Almeida said he could discuss it with his client.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Kerry Rubenstein said she was a condominium owner at 30 Maplewood Avenue said that, since the time Staley moved into the neighborhood, condominium parking spots were taken, Staley's trash was thrown into their containers, and people were passed out on the lawn. She said the Commission regulated the kind of light lamp she could have on her terrace and felt they should do the same for Staley because the proposed lighting would glare into her parking lot. She also questioned the deck because it wasn't part of the original historic building.

Kathy Briggs of 30 Maplewood Avenue said she listened to the Commission discuss the character of the neighborhood and building details of the previous petition. She said she also lived in a neighborhood, and things like outside dining in the condominium's parking lot, which their patios overlooked, needed to be considered. Mr. Cracknell said the legal separation was three feet and met the zoning requirements. Ms. Briggs asked about the lights. Mr. Cracknell said the lights would have to be dark-sky compliant.

Stan Baumgartner of 30 Maplewood Avenue said he was concerned about the noise level on the deck and felt that the restaurant could be successful without a deck.

Vice-Chair Wyckoff said he was sympathetic to the comments. He said he didn't think the light fixtures were dark-sky compliant and noted that the Bridge Street lights were glaring and bright as well. He said it was up to the neighborhood residents to complain to police about issues such as people passed out on their lawns. He also noted that the building was surrounded by construction and 'junk' from the Phase 2 project, which might make the restaurant customers think it was a free-for-all area.

Kathy Baumgartner of 30 Maplewood Avenue said if she walked out on her deck, she would be looking at the restaurant's deck.

Mr. Cracknell said the applicant needed a modification to the site plan and approval from the Liquor Commission to serve liquor on that space. He said no one else had jurisdiction over the deck. Ms. Bolster asked what the hours of operation were for the deck. Mr. Cracknell said he would look into who had jurisdiction over the hours and whether there would be music.

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

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **continue** the petition to the July 18 meeting, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote (7-0).*

VI. ADJOURNMENT

*At 10:30 p.m., it was moved, seconded, and **passed** by unanimous vote (7-0) to adjourn the meeting.*

Respectfully submitted,

Joann Breault
HDC Recording Secretary