

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

August 1, 2018

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

MEMBERS EXCUSED: Alternate Molly Bolster

ALSO PRESENT: Nick Cracknell, Principal Planner, Planning Department

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Chairman Lombardi read the two Requests to Postpone petitions, Work Sessions A and B, into the record.

*It was moved, seconded, and **passed** by unanimous vote (7-0) to **postpone** Work Sessions A and B to the September 5, 2018 meeting.*

I. APPROVAL OF MINUTES

- A. July 11, 2018
- B. July 18, 2018

*It was moved, seconded, and **passed** by unanimous vote (7-0) to **approve** both sets of minutes as presented.*

II. ADMINISTRATIVE APPROVALS

Mr. Cracknell stated that Item 2 was postponed by the applicant.

1. 180 Middle Street

The request was for four changes: replace vinyl jambs with wood on the driveway side of the house only and field paint the other jambs; install a condenser on the rear wall of the carriage house; install a cobblestone walk leading to the main house; and replace a bricked-up door on the carriage house with a non-operable opening.

2. 25 Maplewood Avenue

The item was **postponed** to the September 5, 2018 meeting.

3. 68 South Street

The request was to replace the stairs at the back of the house in kind and to add a landing.

4. 10 Humphreys Court

The request was to allow a radon vent to remain on the house. It was stipulated that:

1. The radon vent shall be field-painted to match the siding.

5. 774 Middle Street Unit #1

The request was to replace wood clapboards in kind, but with Azek trim instead of pine. The Commission said it was fine, seeing that it was on the new addition on the back of the building.

6. 128 Penhallow Street

The request was to change the appearance of the door surround.

*Ms. Ruedig moved to **approve** Administrative Items 1, 3, 4, 5, and 6, with the stipulation as noted on Item 4. Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote (7-0).*

III. PUBLIC HEARINGS (OLD BUSINESS)

A. 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 (CD 4), Downtown Overlay and Historic Districts. *(Due to a noticing error by the Planning Department this item will be re-heard at the August 1, 2018 meeting.)*

Chairman Lombardi noted that the petition was being reheard because the notice was sent to the wrong abutting addresses.

SPEAKING TO THE PETITION

The project architect Joe Almeida was present to speak to the petition. He reviewed the changes that were approved the previous week.

Mr. Cracknell asked that the Commission acknowledge the revised plan dated July 18, 2018 that represented the dimensions and character of the deck.

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 petition as presented on July 18, 2018 with the following stipulations:*

1. The revised plans dated July 18, 2018 shall represent the dimensions of the approved deck.
2. The wood privacy screen shall include a 1" x 2" cap.
3. The radiance rail-top shall be used.
4. The posts shall be 6" x 6" and the railing system shall be wood.
5. The door used shall be the door as shown on the specifications sheet, but the mullions and grill patterns shall be removed.
6. The conduit shall be painted to match the brick.
7. The lights shall be dark sky compliant.
8. No more than 3 operable doors shall be located under the approved deck.

Ms. Ruedig seconded the motion.

Vice-Chair Wyckoff stated that the modern building was a simple commercial one and that the deck matched the style of those in the surrounding area. He said the project would be consistent with the District's surrounding character and preserve the integrity of the District.

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

IV. PUBLIC HEARINGS (NEW BUSINESS)

Mr. Beer recused himself from the petition.

1. Petition of **Gary Laurash, owner**, for property located at **18 Mount Vernon Street**, wherein permission was requested to allow the replacement of 4 existing front windows from 8 over 12 lights to 6 over 6 lights and the replacement of 1 existing side window with same 2 over 2 light appearance as per plans on file in the Planning Department. Said property is shown on Assessor Map 111 as lot 27 and lies within the General Residence B and Historic Districts.

SPEAKING TO THE PETITION

The applicant Gary Laurash was present to speak to the petition. He reviewed the petition and explained which windows would be replaced and which materials would be used.

In response to Mr. Shea's questions, the applicant said the windows would be inset ones and that the old frame would be replaced with wood in kind and painted to match. Mr. Rawling asked the applicant why he was keeping 2/2 windows on one side and placing 6/6 windows on the front. Mr. Laurash said it was consistent with the neighborhood. Mr. Rawling said it seemed like all the windows should be 6/6 to be consistent. It was further discussed. Ms. Ruedig asked whether the new windows were clad on the exterior or wood on the exterior and interior. Mr. Laurash said they were clad Andersen windows. Mr. Shea said the specifications indicated that the 2/2 window would have black sashes and said it didn't make sense, seeing that the grills were white. Mr. Laurash said the sashes would be white. He said the windows were not original and thought they were probably from the 1950s. Mr. Shea said the 6/6 windows were appropriate.

SPEAKING AGAINST THE PETITION

Mimi Clark of 1039 South Street said she was against the change, noting that the house predated 1720 and that the windows were older than the 1950s.

Ms. Ruedig asked how Ms. Clark knew the age of the windows. Ms. Clark said she did some research and found that the house's heritage dated back to 1720, although the back of the house was younger. It was further discussed. Ms. Ruedig said it didn't seem that there was much integrity left on the house, seeing that there were so many recent changes, and that she couldn't imagine that the windows predated the 20th century. Mr. Shea noted that the window frames and sills were old and said he preferred to see a sash replacement on the four front windows as a cue to the old house, seeing that everything else had been replaced. Mr. Rawling agreed.

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

DISCUSSION OF THE COMMISSION

Chairman Lombardi asked whether the Commission should require more research into the age of the house. Vice-Chair Wyckoff noted that the whole front of the house was new, even though the window sills and outside casings were old. He said he didn't think they were looking at doing any kind of restoration on the house and noted that it was the owner's request to replace windows that were not suited to the home. He said the 2/2 windows looked like Brosco ones. City Council Representative Roberts agreed that 12 lights were too many in that space and said he was fine with the applicant's request.

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

1. The window replacements shall be Anderson windows (A-Series) and the sills and trim shall be wood and match the existing.

Mr. Ryan seconded.

(At this point, there was further discussion about whether to stipulate that an insert sash be placed in the old window frame).

Vice-Chair Wyckoff said the project preserved the integrity of the District, assessed the historical significance of the house, conserved and enhanced the defining character of the surrounding property values, and had compatibility of design. He noted that the front had been entirely replaced and felt that the windows were appropriate in that location.

Ms. Ruedig said she would support the application and appreciated that Ms. Clark gave the Commission the history of the house. She said it was unfortunate that the building had lost most of its integrity and felt that the replacement windows would replace mid-20th Century windows.

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

2. Petition of **PMC Realty Trust, owner**, for property located at **500 Market Street**, wherein permission was requested to allow the replacement of 10 casement windows to match

existing vinyl windows as per plans on file in the Planning Department. Said property is shown on assessor Map 120 as Lot 2 and lies within the Character District 4-L1 (CD 4-L1) and Historic Districts.

Mr. Beer resumed his seat as alternate.

SPEAKING TO THE PETITION

Jeanette Carroll was present to speak on behalf of the realty and the co-owner. She reviewed the ten casement windows and said they were all replaced with vinyl windows. She also showed the Commission photos of windows from the Chamber of Commerce building as an example of similar windows in the area.

Mr. Cracknell clarified that the application was retroactive and that the windows had already been replaced with vinyl ones. The applicant said she would replace the rest of the windows as needed but not right away.

In response to Chairman Lombardi's questions, the applicant said the former windows were wood and that her contractor replaced them without getting a permit. She said the casement was the same, however. It was further discussed. Vice-Chair Wyckoff said the contractor should have known better. Vice-Chair Wyckoff said he was concerned that it would set a precedent.

Vice-Chair Wyckoff said the Commission dealt with each building individually and didn't think they would be setting a precedent. He thought a disservice would be done to the applicant if the Commission rejected the petition because the windows would have to be ripped out. He also noted that the building was on the Market Street Extension and not in the District's core. Ms. Ruedig agreed and said that the vinyl was appropriate to the age of the 1980s building but that it wasn't blanket approval for any vinyl windows to go into a 1980s building. She said the vinyl windows in that location weren't offensive enough to rip them out and that the location wasn't significant enough in the District to warrant that type of scrutiny. Mr. Shea agreed and said it wouldn't benefit anyone to remove the windows and that no one could tell from the street whether they were vinyl or clad. He said he could support it if they were painted the same color.

City Council Representative Roberts suggested following up with the contractor. It was further discussed. Chairman Lombardi asked the applicant if she would use vinyl or wood to replace the rest of the windows, and she said she would likely stay with the vinyl. Chairman Lombardi said he had a philosophical problem with that and couldn't support it. Mr. Ryan said it was an acceptable design and replacement and could support it. City Council Representative Roberts said he agreed with Chairman Lombardi but couldn't see asking the applicant to remove the windows and replace them with wood. He said the windows fit in that area as recent windows.

SPEAKING AGAINST THE PETITION

David Choate, Unit 9, stated that the applicant's building was part of a condominium. He said the building dated from the 1920s and originally had wood windows. He noted that the applicant had not asked the condominium board for permission to change the windows to vinyl and that it would have been denied if she had because the windows violated the condominium bylaws. Mr.

Ryan said the Commission was there to judge the building aesthetically and not to make judgments on condominium agreements. He said the original windows looked like they were circa 1985 and that the replacement windows were suitable. Mr. Choate said the Commission could vote how they wanted to but that the vinyl windows probably wouldn't remain.

SPEAKING TO, FOR, OR, AGAINST THE PETITION

Ms. Carroll said she inherited the building in 2015 and that all the information indicated that the building was built in 1988. Chairman Lombardi said the city's record indicated that the building was built in 1930. Ms. Ruedig said the building was redesigned by Joe Sawtelle. City Council Representative Roberts said he didn't think the building had changed much and that it still looked like a refurbished building from the 1980s.

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

DECISION OF THE COMMISSION

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

1. The windows shall be field-painted to be uniform in color with the other windows on the building.
2. Approval of the vinyl windows shall be contingent on approval of the condominium association.

Mr. Ryan seconded.

Ms. Ruedig said she realized that the Commission's decision was related to the application before them and not whatever the condominium board decided afterwards. She said the vinyl windows were an appropriate replacement for the building, even though a wood window would be better, but she felt that the building wasn't a particularly historic one in a significant area of the District. She said the windows were compatible in design with surrounding properties.

*The motion **passed** by a vote of (6-1), with Chairman Lombardi voting in opposition.*

3. Petition of **Patrick Wood, owner**, for property located at **294 Marcy Street**, wherein permission was requested to allow the extension of an existing 6' tall fence with A/C condenser enclosure. The extension will be northern white cedar and will be 4' tall around the front façade as per plans on file in the Planning Department. Said Property is shown on assessor Map 102 as Lot 76 and lies within the General Residence B and Historic Districts.

SPEAKING TO THE PETITION

The applicant Patrick Wood was present to speak to the petition. He said he wanted to extend the 6-ft fence to the front of the house line and then do a right angle. He also said he would provide a screening for a future condenser.

In response to Mr. Shea's questions, Mr. Wood said the fence would be four feet tall facing Marcy Street and would slope up to six feet in height between his house and the abutter's. He

said the fence would be brought in line exactly with the front of the house. Mr. Shea asked whether the applicant would consider setting the fence back 6-8 inches, and Mr. Wood said the basement entry would be obstructed and that there wasn't much room to offset the fence.

In response to further questions from the Commission, Mr. Wood said the fence would be a solid board one and that the six inches would be just between his house and the neighbor's.

SPEAKING AGAINST THE PETITION AND/OR

SPEAKING TO, FOR, OR, AGAINST THE PETITION

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

DECISION OF THE COMISSION

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

1. The fence will slope up as a transition from 4 feet to 6 feet behind the front yard setback.

Mr. Shea seconded.

Ms. Ruedig said the project was a minor one that would preserve the integrity of the District and was compatible with the design of surrounding properties.

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

V. WORK SESSIONS (OLD BUSINESS)

A. Work Session requested by **46 Maplewood Ave LLC, owner**, for property located at **46 Maplewood Avenue**, wherein permission is requested to allow amendments to a previously approved design (adjustments to the size and configuration of the 4th floor) as per plans on file in the Planning Department. Said property is located on Assessor Map 125 as Lot 2A and lies within the Character District 4 (CD4), Downtown Overlay and Historic Districts. *(This item was continued from the July 18, 2018 meeting to the August 1, 2018 meeting.)*

DECISION OF THE COMISSION

*It was moved, seconded, and **passed** by unanimous vote to **postpone** the petition to the September 2018 meeting.*

B. Work Session requested by **Janet Zerr, owner**, and **David Simpson, owner**, for property located at **65 Rogers Street**, wherein permission is requested to allow the demolition of an existing garage, the construction of a new attached garage, the conversion of a 3 season porch with open deck to above two story structure, new third floor dormer and expansion of existing

one story entry as per plans on file in the Planning Department. Said Property is located on Assessor Map 115 as Lot 2 and lies within the Mixed Residential Office and Historic Districts. *(This item was continued from the July 28, 2018 meeting to the August 1, 2018 meeting.)*

DECISION OF THE COMISSION

*It was moved, seconded, and **passed** by unanimous vote to **postpone** the petition to the September 2018 meeting.*

VI. WORK SESSIONS (NEW BUSINESS)

1. Work Session requested by **Ed Beckett, owner**, for property located at **117 Bow Street Suite 5A**, wherein permission was requested to allow the removal and replacement of windows and doors on both water and street elevations and add a new awning system as per plans on file in the Planning Department. Said property is shown on assessor Map 106 as Lot 57A and lies within the Character District 4 (CD 4), Downtown Overlay and Historic Districts.

The project architect Jennifer Ramsey was present on behalf of the applicant to speak to the petition. She reviewed the project and presented two proposed design options for the water and side elevations. Ms. Ruedig said the overall concept was fine and that having the three window openings to echo the ones of the other two floors made a lot of sense. She said the building had changed a lot and that the project was appropriate. Mr. Shea asked whether the brick work on the water side would be filled in. Ms. Ramsey said that it would be filled in with the consistent match. The doors were also discussed.

Mr. Rawling said he thought Option B was the more elegant one but that he also liked the arched windows on the side elevation as shown in Option A. Vice-Chair Wyckoff said the fenestration was an improvement. Ms. Ramsey said the new doors would match the systems below either in the green color or a black accent color. Mr. Shea suggested the green color to match the rest of the building.

There was no public comment.

DECISION OF THE COMMISSION

Ms. Ramsey said she would return for a public hearing at a future meeting.

VII. ADJOURNMENT

*It was moved, seconded, and **passed** by unanimous vote (7-0) to **adjourn** the meeting at 8:17 p.m.*

Respectfully submitted,

Joann Breault
HDC Recording Secretary