

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**November 7, 2018**

**MEMBERS PRESENT:** Chairman Vincent Lombardi; Vice Chairman Jon Wyckoff; Martin Ryan, Dan Rawling; and Alternate Cyrus Beer

**MEMBERS EXCUSED:** City Council Representative Doug Roberts, Richard Shea, Reagan Ruedig

**ALSO PRESENT:** Nicholas Cracknell, Principal Planner, Planning Department

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Chairman Lombardi noted that the 46 Maplewood Avenue work session was withdrawn by the applicant.

**I. APPROVAL OF MINUTES**

A. October 3, 2018

*It was moved, seconded, and passed by unanimous vote (5-0) to **approve** the October 3, 2018 minutes as presented.*

**II. ADMINISTRATIVE APPROVALS**

*It was moved, seconded, and **passed** by unanimous vote (5-0) to take Items 4 and 6 out of sequence for further discussion.*

**1. 287 Maplewood Avenue**

Mr. Cracknell said there were minor field changes to the rear addition and the windows. There were no comments from the Commission.

**2. 170 Court Street**

The request was to replace back-of-the-house existing stairs and deck with composite stairs and deck, relocate the stairs, and add a generator. Mr. Rawlings asked if the Azek would be painted, and Mr. Cracknell said he didn't know but pointed out that it was a temporary structure.

**3. 238 Deer Street**

The request was for field changes for the restaurant Statey's new side deck, including the lighting, awning, and screen wall. Mr. Cracknell said the requests were: 1) that the same composite railing as the one on the front of the building be used, 2) that the screen wall be eight inches tall instead of six inches, 3) that the awning be removed, and 4) that the lights be a bit higher on the sidewall. Vice-Chair Wyckoff asked why the trim band was missing. The applicant Eli Sokorelis was present and said that it would be more in keeping with the side of the building if the trim band was not installed. Vice-Chair Wyckoff said he was okay with it and thought the deck was unobtrusive and blended in well with the building. Mr. Ryan and Mr. Beer agreed.

**4. 46-64 Maplewood Avenue** (Note: this was addressed out of sequence for purposes of discussion)

Mr. Cracknell said the applicant scaled back the amount of increase to the penthouse level to three small areas. The Commission said they had no concerns.

*Vice-Chair Wyckoff moved to **approve** the changes to the penthouse, and Mr. Rawling seconded. The motion **passed** by unanimous vote, 5-0.*

The applicant's representative project designer Dennis Maccarone approached the podium after the vote and requested that the footprint of the building's Bridge Street elevation be reduced.

*Mr. Ryan moved to **approve** the modification to the rear elevation, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 5-0.*

**5. 299 & 225 Vaughan Street**

Mr. Cracknell said the request was for minor design changes to the AC Hotel, including adding six inches of height to the glass railings at the top of the roof-deck bar and adding a roof component for inclement weather. There were no comments.

**6. 236 Union Street** (Note: This was addressed out of sequence for purposes of discussion).

Mr. Cracknell said the granite steps were changed to concrete and that the window bottom lights increased in dimension to meet the standard. He noted that other items were yet to be completed and that the installed window casings were inconsistent with the proposed ones. He suggested that the petition be continued so that the applicant could provide images or an annotated plan.

*Vice-Chair Wyckoff moved to **postpone** the item to the December 5 meeting so that specific details could be presented, and Mr. Ryan seconded. The motion **passed** by unanimous vote, 5-0.*

**7. 96 Chestnut Street**

The request was to replace a flat asphalt roof with a rubber one. There were no comments.

**8. 75 Humphrey's Court**

Mr. Cracknell said the requested changes were minor and consisted of increasing the depth of the proposed deck, removing a window from the kitchen, and moving the dormer wall out. Vice-Chair Wyckoff said the changes were fine.

#### **9. 135 Congress Street**

The request was for a minor change to the footprint of the hydraulic lift on the back of the building. Mr. Cracknell said the metal roof ran in a different direction at the back of the house and would provide more visibility from the windows. There were no comments.

*Mr. Ryan moved to **approve** Administrative Approval Requests #1, 2, 3, 5, 7, 8 and 9. Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 5-0.*

The Commission then addressed Items 4 and 6 (see above).

### **III. REQUEST FOR ONE YEAR EXTENSION**

1. Request for a one-year extension of the Certificate of Approval for 163 Deer Street, “Lot 4”, granted on February 14, 2018 – submitted by Deer Street Associates.

#### **DECISION OF THE COMMISSION**

*Vice-Chair Wyckoff moved to **grant** the request for a one-year extension. He stated that the Commission typically approved such requests, and he also noted that the extension would expire in 2020. Mr. Ryan seconded the motion.*

Chairman Lombardi remarked that the first-year extension was *pro forma* and that the Commission might request a resubmittal after one year.

*The motion **passed** by unanimous vote, 5-0.*

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2. Request for a one-year extension of the Certificate of Approval for 161 Deer Street, “Lot 5”, granted on July 11, 2018 – submitted by Deer Street Associates.

#### **DECISION OF THE COMMISSION**

*Mr. Ryan moved to **grant** the request for a one-year extension, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 5-0.*

Mr. Cracknell recommended that a 90-day rule be adopted to prevent a request for a one-year extension from being submitted too early. The Commission agreed.

### **IV. PUBLIC HEARINGS (OLD BUSINESS)**

A. Petition of **John Tiano, owner**, for property located at **298 Middle Street**, wherein permission was requested to allow the replacement of all existing windows on the structure and to replace the existing siding as per plans on file in the Planning Department. Said property is shown on Assessor Map 136 as Lot 7 and lies within the Mixed Residential Office (MRO) and Historic Districts. *(This item continued from the October 3, 2018 meeting.)*

### **SPEAKING TO THE PETITION**

The owner John Tiano was present to speak to the petition and stated that he wanted to replace only the back section of the house and would paint the remainder of the house to match. He said the existing windows were beyond repair and showed the Commission a mock-up of the Green Mountain window. He noted that the window trims and jambs would all be white.

The Commission discussed the use of Hardiplank on the back of the house. Vice-Chair Wyckoff said it would be a consistent reveal and would fit. Mr. Ryan said it might look odd to see a 4” reveal in comparison to the other sides of the house. Chairman Lombardi verified that clapboards would be kept on the back of the house and that Hardiplank would be used only if necessary.

### **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 stipulations:*

1. During installation of the sashes, any adjustments to the jambs shall replicate the existing historic trim and exposure.
2. The Historic District Commission prefers that the applicant shall repair the wood siding on the rear elevation. If the applicant deems the siding too rotted, Hardiplank siding 4” or less to the weather may be used.

*Mr. Beer seconded. The motion **passed** by unanimous vote, 5-0.*

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B. *(Work Session/Public Hearing)* Petition of **The Hill Condominium Association, owner**, and **Logan Properties, LLC, applicant** for property located at **403 Deer Street #7-13**, wherein permission was requested to allow the addition of new third floor dormers (on the North and South elevations), the removal of all existing restaurant related alterations and the restoration of the original structure as per plans on file in the Planning Department. Said property is shown on Assessor Map 118 as Lot 26 and lies within the Character District 4-L1 (CD 4-L1), Downtown Overlay, and Historic Districts. *(This item continued from the October 3, 2018 meeting.)*

### **Work Session**

The project designer Brandon Holben and the applicant Doug Palardy were present to speak to the petition. Mr. Holben reviewed the petition and proposed changes from the previous work session. He presented options for the dormers.

Chairman Lombardi noted that there were no other shed dormers in the immediate area. Mr. Rawling noted that the proposed dormers seemed unrelated to the building's Georgian architecture. The dormers were discussed further.

The windows were discussed. Some of the Commission's concerns included removing two windows on the second floor, ensuring that the jambs would match the trim, and that the chosen window style was more appropriate for new construction and not for a historic building. The siding was discussed. Mr. Holben stated that any patches in the siding would be repaired.

Mr. Cracknell suggested that the applicant return for an administrative approval for the final dormer design and also for the Harvey window substitute.

There was no public comment. Chairman Lombardi closed the work session and went into the public hearing.

## **PUBLIC HEARING**

### **SPEAKING TO THE PETITION**

Mr. Holben reviewed the changes that were discussed in the work session as well as the stipulations, including that a 1"x4" window casing would be used, that the rear dormers would be gabled Nantucket ones with recessed connectors, and that the Harvey window would be replaced with a substitute window. He explained that the wood split on the gable returns would be maintained and there would be clapboards on the face and side of the dormers.

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

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

### **DECISION OF THE COMMISSION**

*Mr. Beer moved to **grant** the Certificate of Approval for the petition as presented, with the following stipulations:*

1. 1" x 4" window casing shall be used.
2. Consistent with the exhibit presented, the rear dormers shall be gabled Nantucket dormers with recessed connectors. The final dormer design shall be submitted for Administrative Approval prior to installation.
3. The proposed Harvey windows are not permitted and shall be substituted with another replacement window and shall be submitted for Administrative Approval prior to installation.

*Mr. Ryan seconded.*

Mr. Beer stated that the petition was consistent with the special and defining character of the surrounding neighborhoods. He said the renovation would bring back to life a building that was a centerpiece of the Hill and important to the Historic District, and that it would be compatible with the design of surrounding properties.

*The motion **passed** by unanimous vote, 5-0.*

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C. (Work Session/Public Hearing) Petition of **Aaron J. Grueter and Jill Ann Sullivan Grueter, owners**, for property located at **69 New Castle Avenue**, wherein permission was requested to allow the construction of a 72 sq. ft. addition, the replacement of remaining windows on the rear of the structure and replacement of the existing front door as per plans on file in the Planning Department. Said property is shown on Assessor Map 101 as Lot 49 and lies within the General Residence B (GRB) and Historic Districts. *(This item continued from the October 3, 2018 meeting.)*

### **Work Session**

The applicant Aaron Grueter was present to speak to the petition and stated that he had considered the Commission's previous suggestions by adding more detail for the roof and wall systems. He said he also wanted to add a window to the kitchen renovation and that the windows and slider would be Pella wood ones. He noted that the shadow boxes under the windows would be changed to a simple trim piece at the bottom.

Mr. Beer recommended a thicker sill below the picture frame casing that would run through and around the corner board, and he also recommended a head casing with the crown above it. The need for a water diverter for the roof was discussed. Mr. Rawling recommended that the jambs on the sliding glass doors match the trim color. Mr. Ryan noted that there was no rail or landing for the stairs for the slider. Mr. Grueter said the stairs would not change. The foundation and the front door were discussed.

There was no public comment. Chairman Lombardi closed the work session and went into the public hearing.

### **PUBLIC HEARING**

#### **SPEAKING TO THE PETITION**

Mr. Grueter reviewed the changes that were discussed during the work session, stating that the sills would be modified to wrap around, flat casing would be placed on top of the new windows, a window would be added to the other side of the kitchen, the front door would be changed, window jambs would match the trim, and the added window would have the same detail as the other window, with full screens to match existing.

**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 stipulations:*

1. The head casing and crowns shall match the existing windows.
2. The sills shall be modified to wrap around the addition. The thickness of sills shall be 2”.
3. The jambs shall match the trim color on the doors.
4. The foundation finish shall match the corresponding materials on the submitted elevations.

*Mr. Ryan seconded.*

Vice-Chair Wyckoff said the project would preserve the integrity of the District, conserve and enhance surrounding property values, and would be consistent with the special and defining characteristics of surrounding properties.

*The motion **passed** by unanimous vote, 5-0.*

**V. PUBLIC HEARINGS (NEW BUSINESS)**

1. Petition of **JVDT Properties, LLC, owner and Donald and Judit Tydeman, applicants**, for property located at **7 Commercial Alley**, wherein permission was requested to allow the replacement of existing wooden gutters on the structure with new metal gutters and heater system. The existing copper downspouts to remain. Said property is shown on Assessor Map 106 as Lot 30 and lies within the Character District 4 (CD 4), Downtown Overlay, and Historic Districts.

**SPEAKING TO THE PETITION**

The owner Donald Tydeman was present to review the petition. He noted that the metal gutters were updated to copper gutters.

Mr. Cracknell stated that the Commission received a letter from an abutter who was concerned about the downspout and the amount of water that would land on her roof, but he said it wasn't an issue because the gutter would connect into the existing downspouts and there would be no change to the downspouts or side or rear elevations. Chairman Lombardi said the gutter was hard to see and that he had no problem with it.

**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 the project was consistent with the special and defining characteristics of surrounding properties and preserved the integrity of, the District.

*The motion **passed** by unanimous vote, 5-0.*

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2. Petition of **Nina Eshoo, owner** and **Jay Lawrie, applicant**, for property located at **37 South Street**, wherein permission was requested to allow the replacement of six (6) existing wood doors with new wood doors and the replacement of the existing rear wood deck railing with new composite railing. Said property is shown on Assessor Map 102 as Lot 52 and lies within the General Residence B (GRB) and Historic Districts.

### **SPEAKING TO THE PETITION**

The applicant and contractor Jay Lawrie was present to speak to the petition. He said the six doors on the back porch were rotted and that they proposed a standard wooden 6-light storm door as a replacement. He said the deck railing was also rotted and showed the Commission a sample of the proposed composite railing. Mr. Beer asked whether the deck would be replaced, and Mr. Lawrie said that only the railings would be replaced.

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

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

### **DECISION OF THE COMMISSION**

*Mr. Rawling moved to **grant** the Certificate of Approval for the application as presented, and Mr. Beer seconded.*

Mr. Rawling said the proposal was compatible with surrounding properties, would contribute to the enhancement of the neighborhood, would preserve the integrity of existing, and would complement and enhance the architectural and historic character of the existing residence.

*The motion **passed** by unanimous vote, 5-0.*

## **VI. 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

Withdrawn



approved design (adjustments to the size and configuration of the 4<sup>th</sup> 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 (CD 4), Downtown Overlay, and Historic Districts. *(This item was postponed at the October 3, 2018 meeting.)*

This petition was withdrawn by the applicant.

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B. Work Session requested by **James C. Lucy Revocable Living Trust, James C. and Kimberley A. Lucy, trustees and owners**, for property located at **127 & 137 High Street**, wherein permission was requested to allow new construction to an existing structure (construct rear additions to both structures) and allow a new free standing structure (construct single family dwelling at rear of #137) and allow exterior renovations to an existing structure (misc. renovations to both structures) as per plans on file in the Planning Department. Said properties are shown on Assessor Plan 118 as Lots 20 and 21 and lie within the Character District 4-L1 (CD 4-L1), Downtown Overlay, and Historic Districts. *(This item was postponed at the October 3, 2018 meeting.)*

### **Work Session**

The applicant James Lucy and the project architect Brendan McNamara were present to speak to the petition. Mr. McNamara noted that they received the Board of Adjustment's approval for the project. He stated that more detail was added to the existing plan. He discussed the restoration of the red house at 137 High Street and the carriage house addition, reviewing items such as copper gutters, roof materials, rebuilding the chimneys, the foundation, and the windows. He showed the Commission a mock-up of the Green Mountain window that they intended to use, noting that it would have a flat casing. He discussed the wall and roof shingles on the carriage house and said the siding on the red house would be redone.

Mr. Beer suggested doing a band molding and also recommended a copper drip edge on the red house. Mr. McNamara said that the front entry to the red house would be rebuilt to look like the existing. He asked whether the casing and frames for the rear garage doors could be done in Azek and was told that they could but would have to be field painted.

Mr. McNamara discussed the new rear building, noting that it was a converted utility building with the same type of look as the carriage house, with a stone foundation and wall shingles. He discussed the exterior wrap and the sunroom on the second floor. Mr. McNamara said there was an existing chain-link fence that belonged to the Moffett-Ladd House and that he would install a manicured hedge guard. He discussed the ridgeline and the roof pitch, noting that the roof would match the one on the red house. The Commission asked why the connector couldn't be lifted. Mr. McNamara explained that it was due to the dormer, and it was further discussed.

Mr. McNamara reviewed the restoration of 127 High Street (the yellow house) and pointed out that the existing gable addition on the rear would be demolished. Mr. Ryan said that the back porch didn't seem to relate to the rest of the house, and it was further discussed.

Mr. Cracknell suggested that some items could be submitted for administrative approval. Mr. McNamara said he would bring everything up to the 4-inch scale and incorporate the discussed changes. He also offered to bring more samples the next time he met with the Commission.

There was no public comment.

## **DECISION OF THE COMMISSION**

*The applicant indicated that he would **return** for a work session/public hearing.*

## **VII. WORK SESSIONS (NEW BUSINESS)**

1. Work Session requested by **Heitker Frank G. Revocable Trust Agreement, Heitker Frank G. Trustee, owner**, for property located at **37 Sheafe Street**, wherein permission was requested to allow the new construction of a second story addition over the existing kitchen at the rear of the structure and enlarge the existing mudroom. Said property is shown on Assessor Map 107 as Lot 19 and lies within the Character District 4 (CD 4) and Historic Districts.

The project architect Jeremiah Johnson and the applicant Frank Heitker were present to speak to the petition. Mr. Heitker said he wanted to redo the kitchen and build an addition that would include a bathroom. Mr. Johnson reviewed the petition, noting that the addition would be 200 square feet. He discussed the building's footprint, design, and materials.

Vice-Chair Wyckoff said the roof on the balcony looked awkward. It was discussed whether to do a flat roof, an awning, or no roof at all, and it was agreed that the balcony looked better with no roof. The Commission recommended that the mudroom be raised a bit and that the windows be more proportionate to match the house. They also recommended that something be done to the plain door and suggested a granite step.

There was no public comment.

## **DECISION OF THE COMMISSION**

*The applicant indicated that he would **continue** the work session to the December meeting.*

## **VIII. ADJOURNMENT**

*It was moved, seconded, and passed by unanimous vote (5-0) to **adjourn** the meeting at 10:20 p.m.*

Respectfully submitted,

Joann Breault  
HDC Recording Secretary