

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**April 15, 2020**

**MEMBERS PRESENT:** Chairman Vincent Lombardi; Vice-Chairman Jon Wyckoff; Members Reagan Ruedig, Dan Rawling, Cyrus Beer and Martin Ryan; City Council Representative Paige Trace; Alternates Heinz Sauk-Schubert and Margot Doering

**MEMBERS EXCUSED:** Martin Ryan

**ALSO PRESENT:** Nick Cracknell, Principal Planner, Planning Department; Juliet Walker, Planning Department Director

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Chairman Lombardi took a roll call of attendees. Mr. Cracknell explained that the meeting was held via the Zoom public broadcast method due to the coronavirus.

**I. APPROVAL OF MINUTES**

**A. March 04, 2020**

*It was moved, seconded, and **passed** by unanimous vote to approve the March 4, 2020 minutes as amended.*

**B. March 11, 2020**

Chairman Lombardi recused himself from the vote.

*It was moved, seconded, and **passed** by unanimous vote to approve the March 11, 2020 minutes as presented.*

**II. ADMINISTRATIVE APPROVALS**

*Note: Items 1 and 7 were removed from the list for a separate discussion after the other items were reviewed. The Commission began with Item 2.*

**1. 403 Deer Street, Unit 13**

Mr. Cracknell reviewed the changes, noting that City Land Use Compliance Agent Vincent Hayes discovered 13 items that were inconsistent with the site plan approval and the HDC's prior approval. He said twelve of those items related to the HDC, which included the following:

- There were adjustments to the rear deck and stairs;

- The ramp was different;
- The windows had full screens added that had not been requested originally;
- There were minor door changes;
- The dormer dimensions were different;
- The wall lights were different; and
- The applicant had requested copper faux caps originally but they were not installed.

Mr. Cracknell said the only item added to the list that had not been already installed or done was the black seamless gutter. Mr. Rawling said he visited the site and that the screens seemed to flatten the windows. He also recommended that the gutters be gray to match the siding color. Vice-Chair Wyckoff said he was disappointed with the applicant's package because all the changes couldn't really be seen. He agreed that full screens were a shame, and he recommended postponing the request to the May meeting. Ms. Ruedig said she couldn't make any comments without photos. Mr. Cracknell said the applicant submitted the full report from Mr. Hayes and that all the photos were included and listed on the permit. He said he would send it out to all the Commissioners as well as a link to the previously-approved plans.

*Vice-Chair Wyckoff moved to **continue** the Administrative Item to the May 6, 2020 meeting, and Ms. Ruedig seconded.*

The gutters and screens were further discussed. Ms. Ruedig said that whatever color was least obtrusive was fine for the gutter. Vice-Chair Wyckoff asked that the video of the original petition presentation be reviewed to see whether the screens were discussed.

*The motion **passed** by unanimous roll call vote, 7-0.*

## **2. 20 Partridge Street**

The request was to add a generator within 10 feet of the side yard. Mr. Cracknell noted that the applicant would appear before the Board of Adjustment (BOA) for approval as well. He said it was a ground-mounted condenser and asked whether a screen should be necessary. Vice-Chair Wyckoff said he was willing to accept the unit as a standalone, and Ms. Ruedig and City Council Representative Trace agreed, noting that it would have to be approved by the BOA.

*It was **stipulated** that the request would have to receive BOA approval in order for the applicant to proceed.*

## **3. 40 Howard Street**

Mr. Cracknell said the petition had been before the Commission several times and that significant work was done behind the structure relating to the fencing and retaining walls, with additional lights and five granite steps added to the back of the building. He said cobblestones would replace the brick driveway and that the sconce lights would be dark sky-compliant and match what was already approved.

## **4. 410-430 Islington Street**

Mr. Cracknell said there were some changes on the multi-building development that had come from Mr. Hayes' quality assurance review during construction, but that most of the changes had not been done yet. He reviewed the changes, which included the following:

- A trash enclosure was added;
- The back of Building 430 was determined to be unsound, and significant work was done to remove a few walls and put a new roof on;
- A screen was requested for the condenser on Building 412; and
- A new deck was proposed over the rubber roof for Building 412.

Architects Rob Harbeson and Sarah Howard representing the applicant were available for comment. City Council Representative Trace asked why the back looked different from the drawings. Ms. Howard said the portico was drawn much larger than designed. Ms. Trace said it changed the entire pitch of the roof and raised it up off the ceiling. Mr. Harbeson explained that it was framed slightly higher so that everything seen head-on was the same except that the roof had been raised. It was further discussed. Ms. Trace said the triangle's aspect was raised by 3-4 inches. Chairman Lombardi said it caused it to look like pork chops on the rakes and didn't fit the house at all. Mr. Harbeson agreed but said the three front buildings faced the public and the addition was behind them, and the portico was part of that addition and wasn't visible to the public. Vice-Chair Wyckoff said it was oversimplified and made no sense because as drawn, the peak was below the window sill. He said the pork chop eave should be removed and that some kind of return should be constructed on that roof as a smaller version of what was on the back of the red building. Ms. Ruedig said it was a new addition on the back of the building, and while it wasn't ideal, she would not make the applicant rip it down and redo it. Mr. Rawling and Mr. Beer agreed that putting returns on it would make it blend in fine. Ms. Doering asked about the addition in the back of the 430 building not being structurally sound. Mr. Harbeson said a lot of work was previously done without a permit, so they had been correcting those things, which included removing a dormer, and that a lot of wood rot was found.

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

1. *The pork chop sides of the portico shall be removed and returns shall be added to match the design of the main house.*

*Ms. Doering seconded. The motion passed by unanimous roll call vote, 7-0.*

## **5. 36 Richmond Street**

The request was to replace the second-floor window with a louver-style widow. Mr. Cracknell said the request was consistent with what the Commission previously asked for.

## **6. 73 Daniel Street**

The request was to install an intake vent on the Daniel Street façade that would be painted red to match the brick wall behind it. Mr. Cracknell said the vent was like a drier vent for an interior room and that there was no other place to locate it.

City Council Representative Trace asked if the vent could be made out of copper so that it could oxidize, or if there could be a wood surround to it. It was further discussed. Mr. Rawling suggested that it be moved or centered over the arch like a keystone effect that would make it look more organized and less noticeable than just having a square off to the side. Vice-Chair Wyckoff agreed. Ms. Ruedig said a copper vent would turn green eventually, and she thought the wood trim would draw attention to it, so she asked that it be just left as a metal utility vent. Mr. Rawling agreed that changing the material to wood or copper would just accentuate the vent and that a painted metal would be better, but he still preferred changing the location. Chairman Lombardi agreed. Ms. Doering said painting it red might work but an alternate location would be preferable. Vice-Chair Wyckoff said galvanized metal didn't paint very well. Ms. Trace thought that part of the building was part of the condominium association for the Customs House and said she liked the idea of painting the vent the color of brick and making it disappear.

Mr. Cracknell said the Commission needed more information and that other location options had to be explored. He noted that Mr. Sauk-Schubert had texted that the size of the unit should be more commensurate with the brick pattern. He also thought the role of the condominium association and the former use of the room should be explored.

*Vice-Chair Wyckoff moved to **continue** the item to a future meeting to allow the applicant to provide more information and other options. Ms. Doering seconded. The motion **passed** by unanimous roll call vote, 7-0.*

*Vice-Chair Wyckoff then moved to **approve** Items 2, 3, 4 and 5, with the following stipulations on Items 2 and 4:*

*Ms. Doering seconded. The motion **passed** by unanimous roll call vote, 7-0.*

## **7. 28 Chestnut Street**

Mr. Cracknell said that significant renovations were done to the inside of the Music Hall to deal with the brick walls and install interior supports. He said severe water damage was also found on the Porter Street side of the building and that the bricks, mortar, and windows had been failing for a long time. He said the applicant wanted to make alterations to the interior steel beam and needed approval for the bolts and washers. He said the brick shelf would be parged and that a 4"x4" metal plate in a diamond pattern for each of the bolts was preferred.

The applicant Ben Auger was available to speak to the request. He explained that there was so much damage that the bolts would have to go through the brick. Ms. Doering said the bolts she had seen were shiny. Mr. Auger said they were painted black. Ms. Doering said one of the bolts interfered with the brick detail and wasn't well placed. Mr. Auger said they were limited with the placement. Ms. Ruedig said she had no problem with the bolts but asked whether there the window openings could be covered more attractively instead of using plywood panels. Mr. Auger said they would use a smooth cement board in four vertical panels.

*Vice-Chair Wyckoff moved to **approve** the item as presented, and Mr. Beer seconded. The motion **passed** by unanimous roll call vote, 7-0.*

**8. 70 Congress Street**

The request was to install two third-floor egress windows on the back of the building. Mr. Cracknell said the windows would not be visible to the public and would be Green Mountain double-hung 6/3 windows due to the sill having to be raised because of water problems.

**9. 105 Daniel Street**

Mr. Cracknell said the petition was approved a few months prior for the replacement of 4-5 windows, but that the applicant forgot to include the two windows at the ends of the porch. He said a double-hung replacement and a fixed-pane window were needed.

**10. 249 Pleasant Street**

The request was to restore the garage's slate roof and rebuild its windows. Mr. Cracknell said new Douglas-fir garage doors would be installed to match the historic appearance of the building. The doors were further discussed and clarified to be sliding doors.

**11. 673 Middle Street**

Mr. Cracknell explained that the petition was before the Commission previously and that the applicant intended to replace the wood clapboard but discovered that the house was too close to the property line, so the applicant wanted to keep the wood siding on the main house and add Hardiplank to match existing on the left side of the new addition.

*Ms. Ruedig moved to **approve** Items 8, 9, 10, and 11 as presented, and City Council Representative Trace seconded. The motion **passed** by unanimous roll call vote, 7-0.*

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

Chairman Lombardi read each postponed petition by street address and asked that they be postponed to the May 6 meeting.

*Vice-Chair Wyckoff moved to **postpone** the petitions to the May 6, 2020 meeting, and Mr. Rawling seconded. The motion **passed** by unanimous roll call vote, 7-0.*

1. (Work Session/Public Hearing) requested by **Maheo Family Revocable Trust of 2018, John R. and Sky W. Co-Trustees, owners**, for property located at **50 Austin Street**, wherein permission is requested to allow exterior renovations to an existing structure (add an enclosed porch on the rear of the structure) as per plans on file in the Planning Department. Said property is shown on Assessor Map 136-26-1 and lies within the General Residence C (GRC) and Historic Districts.

**DECISION OF THE COMMISSION**

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

2. Petition of **John S. Guido Jr., owner**, for property located at **35 Howard Street, #35**, wherein permission is requested to allow exterior renovations to an existing structure (replace (10) existing windows on the structure) as per plans on file in the Planning Department. Said property is shown on Assessor Map 116 as Lot 83-2 and lies within the General Residence B (GRB) and Historic Districts.

### DECISION OF THE COMMISSION

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

3. Petition of **Hoerman Family Revocable Trust of 2019, Walter A. and Mary Ellen Hoerman Trustees, owners**, for property located at **56 Bennett Street**, wherein permission is requested to allow new construction to an existing structure (construct rear addition) and exterior renovations to an existing structure (replacement windows and clapboard siding) as per plans on file in the Planning Department. Said property is shown on Assessor Map 140 as Lot 13 and lies within the General Residence A (GRA) and Historic Districts.

### DECISION OF THE COMMISSION

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

4. Petition of **Topnotch Properties, LLC and JJCM Realty, LLC, owners**, for property located at **232 Court Street**, wherein permission is requested to allow exterior renovations to an existing structure (remove (1) chimney and replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Map 116 as Lot 32 and lies within the Character District 4-L1 (CD4-L1) and Historic Districts.

### SPEAKING TO THE PETITION

The applicant Gary Beaulieu said he was the property manager for Top Notch Properties and owner of 232 Court Street. He said they wanted to remove the chimney on the southern end of the Pleasant Street unit because it was in disrepair, noting that it was previously used for the heat duct. Ms. Ruedig asked if the applicant would consider building a chimney. Mr. Beaulieu said there was no real need for it and that they would have to find a way to reroute all the heating ducts. He said the chimney wasn't an exterior one. Ms. Ruedig suggested building a chimney box on the roof to replicate what was once there. Mr. Beaulieu said it wasn't out of the question.

City Council Representative Trace said the historic house was one of the earliest two-family homes in Portsmouth and that the chimney was as important as the other two because it was the only one to support that wing of the house. She said the house was also listed as a contributing one in the National Historic District and should be dealt with using the Secretary of the Interior Standards of Rehabilitation. She said removing the chimney would remove the original meaning and intent of that wing, and there would be no proof that it used to be an entirely independent single-family home. She said there was plenty of restoration brick available and said the wing

should have a chimney stack because it was an integral part of the structure. Vice-Chair Wyckoff agreed, but also agreed with Ms. Ruedig that a chimney stack could be represented instead because the chimney looked like it was rebuilt a hundred years ago and wasn't original. Mr. Rawling said he supported a reconstruction representation also because the chimney had been used for venting and duct work, which would be coming through the roof and would need screening. Chairman Lombardi said he agreed that the chimney was an important structure of the house but also knew that the Commission's purview didn't include the interior of the house. He said the only part of the chimney that showed was above the roof, so he wanted to see a chimney replacement on that location. He asked whether there were older images of the house available. Ms. Trace said the house was included in the Architectural Heritage of the Piscataqua. Ms. Doering said it was important that the chimney stay for the reasons Ms. Trace discussed and that it would be eventually seen from Pleasant Street once the tree that was hiding it died. Vice-Chair Wyckoff looked up the old photo and said it didn't show the top of the roof but had the earmarks of being very old. Ms. Ruedig said the existing dimensions could easily be replicated. It was further discussed, and the applicant said he would look at the photos.

Mr. Beaulieu next discussed the windows and said some of the existing windows were ruined. He said he met with several window contractors and discussed how to repair the windows that were visible on Court and Pleasant Streets, and that one contractor had said it was better to just replace all the windows because of the extent and cost of the repairs.

City Council Representative Trace noted that the original request was changed from the side and back windows being replaced to replacing the front windows on Court and Pleasant Streets. Chairman Lombardi verified that the applicant wanted to take good sash from other areas of the house and use them in the front. Mr. Beaulieu said he wanted to take 40 out of 80 sashes and use them for the first and second floors of the façade to save the front of the building and that he would get quality new windows for the rest of the openings. Mr. Cracknell explained that the original intent was to restore all the windows on the building but that the applicant was having difficulty doing so, and that he had encouraged the applicant to come up with a proposal to retain the historic windows on the front and two windows on the side on Court Street, which would leave the rear windows. He said the Commission had supported the Green Mountain double-hung SDL windows as a sash replacement in the past, which was what the applicant was requesting. Vice-Chair Wyckoff said any of those windows could be restored and that some would need new parts. He said the replacement sash in the back of the building windows was fine with him and that he supported restoring the front windows and installing Green Mountain windows on the back. Mr. Rawling said the goal was to keep the principal facades as historic as possible, and he recommended going with the highest quality manufacturer that could replicate the historic window. He said he would support a change on the rear elevations as well. Mr. Beer agreed. Ms. Ruedig also agreed, noting that Green Mountain was a trustworthy company and that new windows for the back and sides would be fine. City Council Representative said she understood the intent and the reasoning and agreed 100 percent.

Mr. Cracknell reviewed the stipulations. There was no public comment.

## **DECISION OF THE COMMISSION**



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

- 1. The Pleasant Street chimney shall be replaced with a faux chimney of the same dimensions as the existing. The design shall correspond to the 102 State Street chimney and all rooftop vents shall be located within the chimney stack.*
- 2. All the street-facing windows on Pleasant and Court Street as well as the two side windows adjacent the Court Street driveway shall be restored in-place or by using the existing windows from the rear and side elevations. The size of the openings, trim details, and the muntin patterns shall be maintained on all windows. The rear windows may be replaced with a Green Mountain sash replacement window that is a double-hung, SDL, with concealed jamb liners. Any substitute window manufacturer or assembly shall be reviewed and approved prior to installation.*

*Vice-Chair Wyckoff seconded.*

Ms. Ruedig said she was fine with the Green Mountain windows and said the applicant could return for an administrative approval if a different window manufacturer was chosen. She said the project would preserve the integrity of the building. Vice-Chair Wyckoff said it would conserve and enhance property values, maintain the special character of the District, and would be consistent in the special and defining character of surrounding properties.

*The motion **passed** by unanimous roll call vote, 7-0.*

5. Petition of **Jeffrey L. and Dolores P. Ives, owners**, for property located at **44 Gardner Street**, wherein permission is requested to allow new construction to an existing structure (remove rear porch and replace with sunroom and expand kitchen bay) as per plans on file in the Planning Department. Said property is shown on Assessor Map 103, Lot 42 and lies within the General Residence B (GRB) and Historic Districts.

## **DECISION OF THE COMMISSION**

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

## **IV. WORK SESSIONS (OLD BUSINESS)**

A. Work Session requested by **Vaughan Street Hotel, LLC and Stone Creek realty, LLC, owners**, for properties located at **299 Vaughan Street and 531 Green Street**, wherein permission is requested to allow the partial demolition of an existing structure and the construction of a new free-standing commercial structure (5-story Hotel) as per plans on file in the Planning Department. Said properties are shown on Assessor Map 124 as Lot 10 and Assessor Map 119 as Lot 2 and lies within the Character District 5 (CD 5), Downtown Overlay, and Historic Districts. *(This item was continued at the March 04, 2020 meeting to the April, 2020 meeting.)*

## **DECISION OF THE COMMISSION**



*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

B. Work Session requested by **132 Middle Street LLC and 134 Middle Street, LLC, owners**, for property located at **132-134 Middle Street**, wherein permission is requested to allow exterior renovations to an existing structure (repointing brick, roof replacement, add ADA accessible entry, and front entrance renovations) as per plans on file in the Planning Department. Said property is shown on Assessor Map 127 as Lots 11 and 12 and lies within the Character District 4- L1 (CD 4-L1) and Historic Districts. *(This item was continued at the March 11, 2020 meeting to the April, 2020 meeting.)*

#### DECISION OF THE COMMISSION

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

C. Work Session requested by **GBK Portsmouth, LLC, owner**, for property located at **134 South Street**, wherein permission is requested to allow new construction to an existing structure (add roof deck) and renovations to an existing structure (update lower façade, entrances, decks, and exterior lighting) as per plans on file in the Planning Department. Said property is shown on Assessor Map 101 as Lot 64 and lies within the General Residence B (GRB) and Historic Districts. *(This item was continued at the March 11, 2020 meeting to the April, 2020 meeting.)*

#### DECISION OF THE COMMISSION

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

D. Work Session requested by **KWA, LLC, owner**, for property located at **165 Court Street**, wherein permission is requested to allow renovation to an existing structure (renovate store-front with new glazing and new canopy system) as per plans on file in the Planning Department. Said property is shown on Assessor Map 116 as Lot 27 and lies within the Character District 4 (CD 4), Downtown Overlay, and Historic Districts. *(This item was continued at the March 11, 2020 meeting to the April, 2020 meeting.)*

#### DECISION OF THE COMMISSION

E. Work Session requested by **Bow Street Theatre Trust, owner**, for property located at **125 Bow Street**, wherein permission is requested to allow new construction to an existing structure (replace roof, add insulated cladding on two walls) as per plans on file in the Planning Department. Said property is shown on Assessor Map 105 as Lot 1F and lies within the Character District 4 (CD 4), Downtown Overlay, and Historic Districts. *(This item was continued at the March 11, 2020 meeting to the April, 2020 meeting.)*

#### DECISION OF THE COMMISSION

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

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

A. Work Session requested by **St. John's Church, owner**, for property located at **105 Chapel Street**, wherein permission is requested to allow new construction to an existing structure (construct new addition for ADA compliant entrance) as per plans on file in the Planning Department. Said property is shown on Assessor Map 106 as Lot 62 and lies within the Civic, Downtown Overlay, and Historic Districts.

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

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

B. Work Session requested by **Todd and Jan Peters, owners**, for property located at **379 New Castle Avenue**, wherein permission is requested to allow new construction to an existing structure (construct 2<sup>nd</sup> story additions) and exterior renovations (rebuild existing chimneys) as per plans on file in the Planning Department. Said property is shown on Assessor Map 207 as Lot 4 and lies within the Single Residence B (SRB) and Historic Districts.

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

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

C. Work Session requested by **3A Trust, Guy D. and Elizabeth R. Spiers Trustees, owners**, for property located at **241 South Street**, wherein permission is requested to allow new construction to an existing structure (remove rear porch and replace with new attached garage and porch) as per plans on file in the Planning Department. Said property is shown on Assessor Map 111 as Lot 36 and lies within the General Residence B (GRB) and Historic Districts.

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

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

D. Work Session requested by **Donna P. Pantelakos Revocable Trust, G.T. and D.P. Pantelakos Trustees, owners**, for property located at **138 Maplewood Avenue**, wherein permission is requested to allow new construction to an existing structure (add 2<sup>nd</sup> story addition over existing garage) as per plans on file in the Planning Department. Said property is shown on Assessor Map 124 as Lot 6 and lies within the Character District 4-L1 (CD4-L1) and Historic Districts.

**DECISION OF THE COMMISSION**

*It was moved, seconded, and passed by unanimous vote to **postpone** the petition to the May 6, 2020 meeting.*

E. Work Session requested by **Patrick Beat and Egle Maksimaviciute Diggelmann, owners**, for property located at **137 New Castle Avenue**, wherein permission was requested to allow new construction to an existing structure (add roof over existing rear patio) as per plans on file in the Planning Department. Said property is shown on Assessor Map 101 as Lot 55 and lies within the General Residence B (GRB) and Historic Districts.

Architect Sarah Hourihane representing the applicant reviewed the petition, noting that the applicant wanted to cover the patio for summer use. She said the patio would be left as it was and would be covered by using a column to pull the roof over. Mr. Rawling said the column was a heavy size for the building and for the intended use, and that its placement seemed to be set back from the edges quite a bit. Ms. Hourihane said they would look at pulling it in and could do a smaller column. Ms. Ruedig said it was a simple design that would tie the one-story addition more nicely into the entire building and improve it.

There was no public comment.

**DECISION**

*The applicant stated that she would return for a public hearing at a future meeting.*

The Commission briefly discussed the Zoom meeting method.

**VI. ADJOURNMENT**

*The meeting was adjourned at 9:20 p.m.*

*Respectfully submitted,*

*Joann Breault  
HDC Recording Secretary*