

**MINUTES OF THE
HISTORIC DISTRICT COMMISSION
PORTSMOUTH, NH**

Remote Meeting Via Zoom Conference Call

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Per NH RSA 91-A:2, III (b) the Chair has declared COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor’s Executive Order 2020-04, Section 8, as extended by Executive Order 2020-5, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

6:30 p.m.

June 10, 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:

ALSO PRESENT: Nick Cracknell, Principal Planner, Planning Department

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I. ADMINISTRATIVE APPROVALS

1. 678 Middle Street

The request was to replace a 4-ft wooden picket fence with a 6-ft horizontal slat fence that would surround the sides of the house toward the rear of the property.

2. 105 Chapel Street

The request was for approval to install rooftop mechanical equipment. A guard rail would be placed along the edge so that maintenance workers could go on the roof.

*Vice-Chair Wyckoff moved to **approve** Administrative Approval Items 1 and 2, and Mr. Beer seconded. The motion **passed** by unanimous vote, 7-0.*

II. CERTIFICATE OF APPROVAL - EXTENSIONS

1. Request by **Deer Street Associates, owner**, for property located **161 Deer Street, “Lot 5”**, for a second one-year extension of a Certificate of Approval originally granted by the Historic District Commission on July 11, 2018. Wherein permission was requested to allow the demolition of an existing structure on the lot and allow the construction of a new free-standing structure (construct 5-story mixed use building) as per plans on file in the Planning Department. Said property is shown on Assessor Map 125 as Lot 17-3 and lies within the Character District 5 (CD5), Downtown Overlay, and Historic Districts.

SPEAKING TO THE PETITION

Attorney Tim Phoenix was present on behalf of the applicant and reviewed the petition. He stated that the previous extension granted by the Commission would expire in July, but there had been delays in construction due to economic and other reasons, so Lot 5 could not be worked on. He said the extension was needed so that the buildings on Lots 3 and 6 could be built, and then the applicant could begin work on Lot 5.

Chairman Lombardi asked if any progress at all had been made. Attorney Phoenix there had been building and plan revisions for Lots 3 and 6 over time, but construction had not started due to the economic climate and the area being used for other construction projects. He said nothing had really changed since the Commission granted their 2018 approval.

SPEAKING TO, FOR, OR, AGAISNT THE PETITION

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

DECISION OF THE COMMISSION

*Mr. Beer moved to **approve** the request for extension as stated, and Mr. Ryan seconded.*

*The vote **passed** by unanimous vote, 7-0.*

III. PUBLIC HEARINGS (NEW BUSINESS)

1. Petition of **Peter and Morgan Caraviello, owners**, for property located at **366 Islington Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove vinyl siding and replace with cedar, repair and replace trim, remove two heat pumps and replace with one, and re-roof and re-trim rear porch) as per plans on file in the Planning Department. Said property is shown on Assessor Map 145 as Lot 17 and lies within the Character District 4-L2 (CD4-L2) and Historic Districts.

SPEAKING TO THE PETITION

Project architect Anne Whitney was present on behalf of the applicant. She reviewed the petition, pointing out that her client decided not to replace the windows and that two heat pumps would be combined into one, with the piping rerouted within the wall system.

Vice-Chair Wyckoff said it was a great project but cautioned that there would be a lot of damage to the trim. Ms. Whitney said the main roof trim hadn't been touched. She said the original corner boards were rounded and asked whether they could be switched for a five-quarter corner board. Vice-Chair Wyckoff said it would be heavier and suggested that the applicant return for administrative approval for the corner board after the siding was taken off. Mr. Rawling suggested keeping the narrow dimension but also keeping the blockiness. Ms. Ruedig asked if there were still clapboards under the siding. Ms. Whitney said they hadn't demolished much yet but would match any clapboards. She said she preferred to recreate the round corner board or match the dimension with a square one instead of having to come back for an administrative approval. Vice-Chair Wyckoff and Mr. Rawling agreed as long as Ms. Whitney could recreate the original or something similar.

SPEAKING TO, FOR, OR, AGAINST THE PETITION

No one was present 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, with the following stipulation:*

- 1. The corner boards shall match the original dimensions and profile. Any changes will require Administrative Approval.*

Mr. Rawling seconded.

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

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

- 2. Petition of GBK Portsmouth, LLC, owner, for property located 134 South Street, wherein permission was 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.**

SPEAKING TO THE PETITION

Project architect Brandon Holben was present on behalf of the client, and the client Ben Kelly was also present. Mr. Holben stated that there were only a few changes from what was reviewed at the previous work session. He said they added a Marvin door product for the rooftop elements and decided on a metal railing for the rear decks. He reviewed the petition in detail.

Vice-Chair Wyckoff said it was a good project, noting that the Commission had looked at it a number of times. Mr. Rawling said he supported the project but was disappointed that there wasn't more detail on the front balcony. He said painting the brick at the base would tie the building together more. Ms. Ruedig suggested leaving the brick alone, noting that it was tricky to paint brick and hard to undo once it was painted, and that it couldn't really be seen. She asked what type of storm windows would be used. Mr. Kelly said they would get an appropriate black storm window. Mr. Rawling suggested reducing the amount of black so that it wouldn't present a heavy outline. Chairman Lombardi said he thought it would be better to leave the brick alone in case anything went wrong. Mr. Sauk-Schubert said the building presently looked appealing with a single color and white band and cautioned against using a huge pallet of color.

SPEAKING TO, FOR, OR, AGAINST THE PETITION

Gary Lowe of 105 South Street said the design would fit in nicely with his house. He asked if there was a precedent in the District for a rooftop recreational deck. Mr. Rawling said a few buildings in the District had rooftop decks. Mr. Lowe said the deck would look right into his bedroom. He said he also didn't see where the sewer pipe was relocated and that the chimney outputting carbon monoxide for twelve units was at eye level and seemed toxic. He said he had been told years before that he couldn't put anything on his roof that would be seen from the street, like solar panels. Vice-Chair Wyckoff said times had changed and that Mr. Lowe could go before the Commission to ask approval for solar panels. He also said that the Commission did not set precedents because every decision made was related to the building's context.

After verifying that the tenants were currently prohibited from going on top of the roof, Ms. Doering said Mr. Lowe's point about a possible change of use in on the building's roof might be pertinent. Mr. Kelly said there would be rules for the tenants relating to noise once the roof deck was open and that he hadn't spoken to the Building Inspector about the chimney height.

No one else was present 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, with the following stipulation:*

- 1. Half-screens shall remain.*

Ms. Ruedig seconded.

Vice-Chair Wyckoff said the project would preserve the integrity of the District and be consistent with the special and defining character of surrounding properties. He also noted that

Mr. Lowe brought up problems that had nothing to do with the Commission's design review, and he urged Mr. Lowe to check with other land boards or individuals responsible for those issues.

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

3. Petition of **KWA, LLC, owner**, for property located at **165 Court Street**, wherein permission was requested to allow renovations 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 (CD4) and Historic Districts.

SPEAKING TO THE PETITION

Project architect Brandon Holben was present on behalf of the applicant and reviewed the petition, noting that there were a few changes from the previous work session. He discussed the storefront gazing pattern and the canopy and said they decided on a black anodized storefront frame to retain the metallic look. He said they would paint the upper level windows and expand the bracket size at the corner to make it more substantial.

Ms. Ruedig said the design was very attractive and thought the applicant did a great job with all the little tweaks and changes. Chairman Lombardi said the canopy looked better but noted that one of the doors looked strange without a step. Mr. Holben said there wasn't a lot of space on the sidewalk due to the power pole. Ms. Ruedig said she had used the doorway before when the building was a salon and that it was fine.

SPEAKING TO, FOR, OR, AGAINST THE PETITION

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

DECISION OF THE COMMISSION

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

Ms. Ruedig said the project would preserve the integrity of the District and would relate to the historic and architectural value of the existing structure.

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

4. Petition of **Bow Street Theatre trust, owner**, for property located at **125 Bow Street**, wherein permission was requested to allow new construction to an existing structure (replace roof and add insulated cladding on walls) as per plans on file in the Planning Department. Said property is show on Assessor Map 105 as Lot 1F and lies within the Character District 4 (CD4), Downtown Overlay, and Historic Districts.

SPEAKING TO THE PETITION

Project architect Tracy Kozak was present on behalf of the applicant. She reviewed the petition, noting that a few minor changes were made from the previous work session based on the Commission's feedback, which included:

- A two-color system on the roof would be a regal blue flat metal panel instead of the slate blue color that was previously proposed. She said her client thought the color was a closer match and looked like the sky reflected on the glass;
- The trim banding on the side of the building was cleaned up to better align; and
- More glass was added above the rear doors up to the top.

She referred to the previous discussion with the Commission regarding adding illumination to the roof and said it couldn't be done due to budget constraints, but that the roof was designed so that it could have decorative lighting added in the future. She said the siding panel would be medium gray with some texture to it. She said the trim material was better than AZEK or wood because it was dimensionally stable and wouldn't rot or peel.

Mr. Beer said he supported the project and thought it was a great compromise that would allow a fire suppression system. Mr. Ryan asked if the steel would remain exposed. Ms. Kozak explained how they would wrap the top beam supporting the roof on the Bow Street façade but that the columns below it would stay exposed steel to complete the thermal envelope. Vice-Chair Wyckoff said he fully supported the project, especially if the roof solved the thermal problems. Mr. Sauk-Schubert said he was also in full support. Mr. Rawling said he was very pleased with the roof's color and texture and supported the project.

Mr. Ryan said the modernism wouldn't be able to be recreated again and wished that there was more preservation of the building's design. He noted that there was high-efficiency glazing that dealt with thermal issues. He said losing the original design would be a real loss and that the building would be almost completely wrapped and mummified in insulation and metal. He said the Commission would not be okay with wrapping a brick building in town and that there should be more effort to restore the building. City Council Representative Trace agreed and said she would reluctantly approve the project but that something would be gone forever. She said that just because it was modern architecture didn't make it less important than 18th Century architecture and that it was the only example of a glass atrium in Portsmouth, noting that there was something mesmerizing about seeing the light come through the glass at night. She said the building was representative of a generation of architecture that Portsmouth didn't have a lot of.

Vice-Chair Wyckoff said the beauty of the 1980s design was its angularity, the basic shape, and the dramatic roof, and he felt that the shape was still maintained. Ms. Ruedig said that, as an advocate for preserving good architecture from the recent past, she was sad to see the atrium go, but she pointed out that the Commission saw a lot of things that had been altered for practical reasons or restored. She said she hoped there was money available in the future to restore the building back to its original design. Chairman Lombardi said he would miss the glowing atrium but that he understood the issue.

SPEAKING TO, FOR, OR, AGAINST THE PETITION

Katelyn Kwoka, Treasurer for the Bow Street Theater, said a lot of work had gone into the project from a design and financial perspective. She said they would all miss the glass atrium but that the roof continued to leak year after year. She noted that they had spent \$20,000 dollars in the past year to fix the leak but it had only worked for a short time.

No one else was present 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, and City Council Representative Trace seconded.*

Mr. Beer said the project would preserve the integrity of the District and enhance property values.

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

IV. WORK SESSIONS (NEW BUSINESS)

A. Work Session requested by **Jason Lander and Justus C. Burgweger Jr., owners**, for property located at **34 Highland Street**, wherein permission is requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Map 135 as Lot 10 and lies within the General Residence A (GRA) and Historic Districts.

WORK SESSION

The applicant and owner Jason Lander was present and stated that it made sense to replace and repair broken windows before the painting job to make the building more esthetically pleasing. He said the chosen windows were Andersen ones that would mimic the existing windows. He apologized for misunderstanding the process for approval from the Commission, explaining that he thought he could file for the window permit based on a previous work session with the Commission several years before, but that Home Depot applied for a permit in March and was denied, so the renovations were delayed. He said Mr. Cracknell had recommended replacing the window in the front of the building right away. He said he found out that the preferred window replacement was a Green Mountain one, and he asked if he could replace the window on the front of the building with a Green Mountain simulated divided light (SDL) wood window and get rid of the aluminum storm windows altogether.

Mr. Beer said the Commission's guidelines encouraged retaining existing historic windows and that documented evidence had to be provided. Mr. Cracknell said the windows were removed without a permit and that it was a case of misunderstanding on the applicant's part as to what the Commission had said before. Chairman Lombardi asked if the original windows could be retrieved, and Mr. Lander said they could not. He said the side and back windows were okay to replace but that he hadn't known that the contractor would not have approval to move forward.

Vice-Chair Wyckoff said he only saw the window on the front behind the porch and asked what other windows were removed and thrown away. Mr. Lander said they were Andersen 100 Series

windows. Vice-Chair Wyckoff noted that those were the least expensive window series. Mr. Lander said some windows were replaced and the other new windows were in the basement. He said he didn't have enough windows for the front and had just done the two windows above the porch. He said he had enough windows to do the sides and the rear of the building and that he would preserve the windows on the rounded bays and the attic window. Vice-Chair Wyckoff said it was an unfortunate situation but that he was willing to support the project. Mr. Rawling said he would not support Andersen windows as a replacement window in a historic building and that the front of the building required restoration windows. In response to Mr. Ryan's questions, Mr. Lander said the windows being replaced were full windows and not sash replacement kits. Mr. Ryan said he had to see the house and the windows to judge them better.

Mr. Cracknell clarified that Mr. Lander had only put in one replacement window on the front façade and not two windows over the porch, that he considered doing a different replacement window in the space where he already put a Green Mountain SDL window, and would use the Andersen series on the sides and rear of the building. Mr. Cracknell asked whether Home Depot would agree to take back the windows that the Commission didn't want installed. Mr. Lander said he wasn't sure. Vice-Chair Wyckoff said Home Depot wouldn't take the windows back because they were manufactured to fit each opening. He explained why the house shouldn't even be in the District and said the Commission shouldn't judge the applicant for making a mistake. He noted that the front of the house would have the original windows, so the 'back-of-the-house' standards for the back and sides of the house could be used.

It was decided that Mr. Ryan and Vice-Chair Wyckoff would meet with Mr. Lander at his home to look at the house and all the windows before the next work session.

PUBLIC COMMENT

Rick O'Donnell, sales consultant with Home Depot, said the Andersen 100 Series window was a much better window than the 200 Series one and maybe the 400 Series, and said it was odd that the house fell into the District because the house across the street had vinyl siding and windows. He said Mr. Jason was trying to do the right thing for the home's age and that Home Depot was working with Mr. Jason and the project manager to help him do so.

DECISION OF THE COMMISSION

*It was moved, seconded, and passed by unanimous vote to **continue** the work session to the July 1, 2020 meeting.*

B. Work Session requested by **K.C. Realty Trust and Keith and Kathleen Malinowski Trustees, owners**, for property located at **84 Pleasant Street**, wherein permission is requested to allow exterior renovations to an existing structure (renovate wood structure fronting Pleasant Street and allow the partial demolition and replacement of the Church Street masonry addition) as per plans on file in the Planning Department. Said property is shown on Assessor Map 107 as Lot 77 and lies within the Character District 4 (CD4), Downtown Overlay, and Historic Districts.

WORK SESSION

Project Architect Michael Keane was present on behalf of the applicant. He said the adjacent property on 84 Pleasant Street was under agreement and would be merged into the State Street property as one large project, so they wanted to be true to the previously-approved application from two years ago. He reviewed the petition and said there were some differences from the previous work sessions, including that the back side of the Church Street elevation would have a vehicle access door to underground parking and that some previously-approved doors would be changed to windows and mechanical louvers. He said a major change was the addition of a fourth living level to allow a living unit on the roof. He said the 10-ft setback from the Church Street side would lower the building elevation and step the building down better. He said there was an alternative roofline for the addition, namely a mansard roof that would meet code but would add volume to the building and introduce other challenges. He reviewed the automated parking system and said the mechanical equipment wouldn't be seen from the street.

Mr. Rawling encouraged the applicant to retain the pediment doorway that was over the former restaurant entrance to bring back more of the building's historic appearance and give more emphasis to the retail unit. He said it could be done by continuing the flat entablature on the side. He said he supported the flat roof scheme because the other option created so many complications that the flat roof seemed appropriate and fit into the neighborhood context. He said he wasn't sure what could be done to enhance the bays but felt that being able to step into the bay and look up and down the street would enhance the experience. He said there were three pedimented entrances to the building originally and thought it would be better to start fresh with those three pedimented entrances in their original locations, allow for the extra glazing in the retail unit, and play down the entrance to the residential units. Mr. Keane said he could shift the right-hand pediment over into the recess between the two buildings, which was something previously discussed relating to the State Street project, and Mr. Rawling said that would be fine.

Ms. Ruedig said the present design was acceptable. She said it would simplify things if the applicant didn't want to deal with rearranging the walls and glazing at the front entrance of the former restaurant and rework the entire façade, especially since the two buildings would be joined. She asked that historic photos be found to ensure that the façade restoration was done right. She said she could support putting the residential entrance in that recess, which was common with storefronts. She agreed that the recessed flat roof fourth-story was preferable and that the massing worked better. Mr. Ryan agreed and said the Pleasant Street elevation was fine the way it was, noting that what the Commission approved earlier worked well with the rest of the building. He said the parking strategy was genius and the massing in the back was fine.

Vice-Chair Wyckoff said he agreed with all the comments, especially the Church Street side keeping the flat roof with the setback fourth story. He recommended that the Pleasant Street side be left alone and not overly designed. Chairman Lombardi said that keeping the design simple was the way to go. He suggested that the window in the alley be a single pane window instead of a double pane one pressed up against the side of the 84 Pleasant Street building.

There was no public comment.

DECISION OF THE COMMISSION

*It was moved, seconded, and passed by unanimous vote to **continue** the work session to the July 3, 2020 meeting.*

V. ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Joann Breault
HDC Recording Secretary