

**MINUTES FROM THE HISTORIC DISTRICT COMMISSION MEETING
PORTSMOUTH, NEW HAMPSHIRE
1 JUNKINS AVENUE
City Council Chambers**

7:00 p.m.

AGENDA

July 10, 2002

MEMBERS PRESENT: Chairman John Rice, Vice-Chairman David Adams, Members Rick Becksted, John Golumb, Ellen Fineberg; City Council Representative Joanne Grasso; Alternates Maija Hibbard and Richard Katz

MEMBERS ABSENT: Paige Roberts

ALSO PRESENT: David Holden, Planning Director

.....
I. OLD BUSINESS

A) Work Session/Public Hearing for KSC LLC, owner, for property located at 141 Congress Street wherein permission is requested for exterior renovations to an existing structure (to reduce the soffit from 12" to 6" on the front façade and to install an awning on the rear façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 005 in the Central Business B and Historic A districts.

This application was tabled to a Work Session/Public Hearing from the June 12, 2002 meeting.

Since there was no one present to speak to the application, Vice-Chairman Adams made a motion to table to the end of the Agenda; Mr. Becksted seconded. All agreed and the motion passed unanimously with a 7 – 0 vote.

.....
II. PUBLIC HEARINGS

1) Petition for Philip Hodgdon, owner, for property located at 65 Bow Street wherein permission is requested to allow exterior renovations to an existing structure (to install two retractable awnings on front façade and a non-retractable awning over entrance on the rear facade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 052 and lies within the Central Business A and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Ms. Jessie Aichman, of Back Channel Canvas, and representing Mr. Cavanaugh, stated that three awnings were being proposed, two for the front of the building that will be recessed and one for the rear façade over the rear door. The two awnings on the front will be retractable 6'3" awnings over the front windows and 24" deep. The awning over the rear door will be 75" wide x 36" projection and 24" in height that will be non-retractable and will not have a valance. Ms. Aichman presented a sample of the fabric that would be used for the awnings in a moss green and beige stripe that was very attractive and subtle and will have no advertising on them. She stated the existing awnings have rotted and because of windy conditions and inclement weather. The proposed frames will be better-mounted on a welded frame and sturdier to withstand inclement weather conditions.

Chairman Rice stated he feels the proposed awnings seem to fit in with the surrounding awnings on Bow Street.

Vice-Chairman Adams asked if any of the existing materials will be changed on the front of the building. Ms. Aichman replied that none of the existing materials will be changed.

There being no further speakers, the Public Hearing was closed.

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to grant the application as presented and advertised; Mr. Becksted seconded. Vice-Chairman Adams stated that he finds the awnings in front of the building as well as the awning in the rear to be acceptable in scale for the location to the building. The motion passed unanimously with a 7 – 0 vote.

.....
2) Petition for City of Portsmouth, owner, and Players' Ring Theater, applicant, for property located at 99-102 Marcy Street wherein permission is requested for installation of a freestanding structure (to install two external compressors at the rear of building for two interior wall mounted air conditioners) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 003 and lies within the Municipal and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Joe Domingo stated that three meetings were held with David Holden, the Planning Department Director to discuss this project to address the City's concerns as well as the Trustees of Prescott Park. The current building is being used as a theatre and can experience temperatures of 105. We have concluded that there are three options for air conditioners that will have a power supply. The back of the building has green space; the left side yard has a sidewalk and the right side yard is the preferred are of the Trustees and added that it is the only logical place to put the air conditioners.

Mr. Holden, the Planning Director stated that this building is a City structure and requires a sign-off by the City as well as follow the Rules and Regulations. The staff review determined felt that the compressors should be located in the back because it would be less disruptive for street review; however, after meeting with the Prescott Park Trustees, their concern was that the back of the building is often used as a stage for weddings, etc. and they preferred that this area be kept pristine. The Trustees did not have a concern that the air conditioners be located on either side of the structure.

Mr. Holden suggested that the Commission go into a work session. The motion was made and seconded and agreed unanimously to go into a work session mode.

Mr. Holden stated that Option II is the preferred location of the City, but it is not supported by the Trustees

Mr. Michael Warhurst, the Prescott Park Superintendent, stated he has reproduced the sizes on photographs of the air conditioners and gave a brief explanation why the Trustees prefer the right façade. On the right façade, the existing fence could be incorporated and used for this plan. He placed boxes on the property to show where the units would be placed so that the Commission members could review. The Trustees prefer that the air conditioners be on the right side of the building inside the existing fence and added that there is electric power available on this side as

well. John Lanoie, the City Plumbing Inspector has approved of the units because they are high efficiency and very quiet. The location for the air conditioners work out better because there will be less duct work in the building. Everything seems to work out that the right side is a plus.

The Commission then moved back into a Public Hearing

The Commission members all agreed that the right side yard be used for the air conditioners.

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve the petition as presented and advertised; Ms. Grasso seconded and added the following stipulations:

- that the air conditioners be placed on the right side yard;
- that landscaping or shrubs be placed around the utilities; and,
- that final approval be obtained from John Rice, the Chairman or David Adams, the Vice-Chairman of the Commission.

The motion passed unanimously with a 7 – 0 vote.

.....

3) Petition for Franklin S. & Barbara S. Roth, owners, for property located at 84 Gates Street wherein permission is requested for a new freestanding structure (to install an air compressor near the rear of building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 075 and lies within the General Residence B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Franklin Roth, the owner of the structure, stated they were proposing to install a 34” high x 24-1/4” x 28-1/4” central air equipment with a compressor located in the middle of the building on the back side of the house within the inside edges of the center windows. The equipment will be screened in with lattice work.

There being no further speakers, the Public Hearing was closed.

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve the application as presented and advertised; Mr. Becksted seconded with the stipulation the compressor be located in between the inside edges of the windows at the rear of the building and that lattice work be used to screen the equipment.

Mr. Holden stated that there is note in the file from the Plumbing Inspector indicating that the air conditioner meets the noise standard in this particular location.

The motion passed unanimously with a 7 – 0 vote.

.....

4) Petition for Getman Realty LLC, owner, for property located at 82 Fleet Street wherein permission is requested to allow exterior renovations to an existing structure (to replace on the front façade the upper and lower plywood panels with glass windows to match existing and to

raise door and sidelight 1' 0" and move forward 3' 0") as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 041F and lies within the Central Business B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. McNamara, the designer for the project, stated he would like to raise the door and replace the plywood panels with glass. The existing building was renovated in the 1980's. The openings will not be enlarged, we will take the panels out and replace with glass. Copper sheeting will be placed on the roof and will have a flat seam copper edge to protect the existing roof. The whole application will take place inside the foyer and will not protrude onto the street. The existing door will be re-used, moved forward and re-use the side light.

Mr. Newell Keenan, the President of McIntosh Condo Association, agreed the plywood needs to be replaced and added they do have some say in this application as an organization. He stated there have been some minor squabbles about maintaining the plywood. He added that he was not sure that he liked the look of the proposed glass; however, there are nine people in the Condo Association and this will be discussed.

Mr. McNamara stated he was following a process.

There being no further speakers, the Public Hearing was closed.

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve the application for discussion; Mr. Becksted seconded. Vice-Chairman Adams stated he was a little uncomfortable about the staircase with the entry on the stairs off the sidewalk as well as the replacement of lower panels under the windows with glass. This is not a common treatment and is traditionally not done with glass. Mr. Becksted stated he agreed and added that his initial reaction was that a panel is needed rather than glass. He would like to see a configuration that would be more appropriate.

Ms. Fineberg stated she was concerned about moving the glass door forward and up. We need more information before making a determination on this project.

Ms. Grasso made a motion to table the application to a work session at the next scheduled meeting on August 7, 2002 and come back with some altered plans for a work session/public hearing; Mr. Golomb seconded and asked that a Site Walk be scheduled prior to the meeting.

All agreed with a 7 – 0 vote.



5) Petition for Heads Up Real Estate, owner, and Michael Brown/Neil Robbins, applicants, for property located at 97 Chestnut Street wherein permission is requested to allow new construction to an existing structure (to construct a shed dormer to the left side of roof) and to allow exterior renovations to an existing structure (to restore chimney with bishop cap) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 025 and lies within the Mixed Residential Office and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Michael Brown, the owner of the property, presented photographs of the property to Commission members. He added that the brick chimney will be rehabbed and a Bishop top will be used using old port brick. He presented a letter from his direct abutter Eric Weinrib at 133 Court Street who indicated he was in favor of the application and had no objections.

Mr. Brown stated the dormer will be setback 1' from the existing roof edge and will shingled with architect shingles.

Vice-Chairman Adams asked if the trim would be the same as the existing structure? Mr. Brown replied that was correct. Mr. Brown stated the windows will be Brosco two over two with true divided lights that will also match the existing building.

There being no further speakers, the Public Hearing was closed.

DECISION OF THE COMMISSION

At this time, Ms. Fineberg recused herself from voting on this application and alternate Mr. Katz sat in.

Vice-Chairman Adams made a motion to approve the application as presented and advertised; Mr. Becksted seconded and added the following stipulations:

- That Old Port Brick be used on the chimney
- That the trim be the same as the existing structure; and,
- That the windows be Brosco, two over two with true divided lights.

The motion was approved unanimously with a 7 – 0 vote.



6) Petition for 55 Congress Street Condominium Association, owner, for property located at 55 Congress Street wherein permission is requested for a new freestanding structure (to add a 4th Ericsson cabinet to an existing telecommunications facility) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 009 and lies within the Central Business B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Attorney Lauren Weston, representing AT&T Wireless, stated they were proposing to place another cabinet being 53 x 21 x 28 for a total of four cabinets on the roof and will fit right in line with the existing cabinets. None of the cabinets are visible from the street. The added cabinet will give customers a 35 miles radius in connecting to their calls.

There being no further speakers, the Public Hearing was closed.

DECISION OF THE COMMISSION

Mr. Becksted made a motion to approve the application as presented and advertised; Ms. Grasso seconded and all approved with a 7 – 0 vote.



7) **Petition for Worth Development Corporation, owner**, for property located at 103 Congress Street wherein permission is requested to allow exterior renovations to an existing structure (to install six mosaic planters with glass panels on front and right façades of the property and to replace 6' x 6" plywood panel with mosaic tiles along front façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 006 and lies within the Central Business B and Historic A districts.

Chairman Rice read a letter received from Attorney Pelech, representing the owner and the applicant, stating that due to a conflict, he cannot be present for the meeting and asked that it be tabled to the next scheduled meeting.

Ms. Grasso made a motion to table the application to the next scheduled meeting on August 7, 2002 for a work session/public hearing. Ms. Hibbard seconded and added that more information is needed to make a determination on this application and that a work session would be in order.

The motion to table passed unanimously with a 7 – 0 vote.



8) **Petition for Dennis Casey/Maryka Ford, owners**, for property located at 73 Daniel Street wherein permission is requested to allow exterior renovations to an existing structure (to replace nine window units on the third floor of building with nine vinyl double hung windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 0011-6 and lies within the Central Business B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Ms. Maryka Ford, the owner of the property, stated she wanted to replace eight of the existing wood windows with vinyl replacement sashes as well as a single window on the second floor. The curved window in the corner will be custom made of wood and with true divided lights,

Chairman Rice stated the existing windows are three over three windows with true divided lights and asked if the vinyl replacement sash would be three over three? Ms. Ford replied the vinyl window replacement sash will be three over three with snap-in grills.

Mr. Becksted advised that the Commission does not approve windows that have snap out grills.

Chairman Rice stated that the Historic District Area could be allowed to have vinyl clad over wood windows.

Vice-Chairman Adams stated this building has enough of an architectural icon and warrants a different level of consideration. He asked that a work session/public hearing be scheduled for the next meeting with a different kind of window.

Ms. Ford asked that if they came back with a vinyl clad wood window with true divided lights you would approve it? Chairman Rice stated that was correct as long as it didn't compromise with what is there now.

Vice-Chairman Adams stated that he feels this will encourage applicants to have other curved windows in this building replaced and would result in the building having many kinds of sashes installed.

Mr. Golomb asked if all the existing windows are wood with true divided lights. Ms. Ford replied that was correct; however, the cost of replacing the windows will be split with the Condo Association.

Ms. Hibbard asked if the curved window in the corner will be wood with true divided lights and custom made. Ms. Ford replied that was correct.

Vice-Chairman Adams stated the kind of window replacement they are talking about will not be in kind. This building has enough of an architectural icon and a work session/public hearing should be scheduled using a different kind of window with true divided lights.

Ms. Ford asked about a vinyl clad window with true divided lights? Vice-Chairman Adams replied this building has many different kinds of sashes and suggested they should talk to the Rockingham Condo Association to find out about receiving a blanket approval for the windows.

Chairman Rice stated that we need to preserve the architectural value of the building.

Mr. Becksted stated he was concerned about the snap-out grills and will not approve this application. He added that the second problem is using true divided lights with energy panels is that the window grows and window lights shrink. Mr. Becksted suggested to look at the windows from the outside and come as close as you can to duplicate that.

Vice-Chairman Adams made a motion to table the application to the next scheduled meeting on August 7, 2002 to a work session/public hearing to allow for other options to be explored. He also suggested that the Condo Association President should also attend; Mr. Becksted seconded.

The motion to table the application to the next scheduled meeting on August 7, 2002 for a work session/public hearing passed unanimously with a 7 – 0 vote.

Chairman Rice suggested to the applicants that they come to the meeting with different kinds of window options.



9) Work Session/Public Hearing for the Heine Family Revo Trust of 1998, owners, for property located at 292 South Street wherein permission is requested to allow new construction to an existing structure (to construct a shed dormer on rear façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 009 and lies within the Single Residence B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

At this time the Board members went into a Work Session mode.

Mr. Heine, the owner of the property, presented plans showing the proposed dormer and added that he is proposing to take down the back ell of the house. Mr. Heine presented photographs of the house to the Commission members and he added that it would not be feasible to add onto the house because of the head height. To add the dormer will increase the roof height 2 degrees that will create an additional 2' to allow for more headroom and extra space for insulation.

After much discussion on the application, Vice-Chairman Adams made a motion to table the application to the next scheduled meeting on August 7, 2002 for a work session/public hearing; Mr. Golomb seconded and all agreed unanimously with a 7 – 0 vote.

.....

A) Work Session/Public Hearing for KSC LLC, owner, for property located at 141 Congress Street wherein permission is requested for exterior renovations to an existing structure (to reduce the soffit from 12" to 6" on the front façade and to install an awning on the rear façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 005 in the Central Business B and Historic A districts. This application was tabled at the beginning of the Agenda to the last item on the Agenda.

The motion was made to take the application off the table and was seconded and approved unanimously with a 7 – 0 vote.

SPEAKING IN FAVOR OF THE PETITION

Mr. Larry Dukes, the contractor for the project, stated he was seeking approval for a retractable awning on the rear façade. The awning will be attached to the brick doorway since it is large as well as the wall. However, he would like to withdraw the request to reduce the soffit on the front façade until a later date

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve the retractable awning part of the request only and accepted Mr. Dukes request to withdraw the section on reducing the soffit; Mr. Becksted seconded.

The motion passed unanimously with a 7 – 0 vote.

.....

III. APPROVAL OF MINUTES -

The motion was made and seconded to approve the minutes from the meetings of June 5, 2002 and June 12, 2002 and were approved unanimously with a 7 – 0 vote.

IV. ADJOURNMENT

There being no further business to come before the Commission, the Commission members acted unanimously to adjourn to the next scheduled meeting on Wednesday, August 7, 2002 the City Council Chambers.

Respectfully submitted,

Joan M. Long
Secretary

/jml