

Site Walk – 295 Maplewood Avenue – May 7, 2003 @ 6:00 p.m.  
Site Walk – 103 Congress Street – May 7, 2003 @ 6:30 p.m.

**PLEASE NOTE:** Due to the length of the Agenda, Old Business and Public Hearings #1 thru #7 will be heard at the May 7, 2003 meeting; however, Public Hearings #8 thru #10 will be heard the following Wednesday, May 14, 2003 at 7:00 p.m. in the City Council Chambers.

**MINUTES OF THE May 7, 2003 HISTORIC DISTRICT COMMISSION MEETING  
PORTSMOUTH CITY HALL  
PORTSMOUTH, NEW HAMPSHIRE  
City Council Chambers**

7:00 p.m.

May 7, 2003

**MEMBERS PRESENT:** Chairman John Rice, Vice-Chairman David Adams, Rick Becksted, Paige Roberts; John Golomb, Joanne Grasso; and, Alternate, Richard Katz

**MEMBERS ABSENT:** Ellen Fineberg; and, Maija Hibbard

**ALSO PRESENT:** Roger Clum, Assistant Building Inspector

Let the record reflect that Mr. Golomb had not yet arrived.

**1) Petition for Olde Harbour Condominiums, owner, and Jill Gallant, applicant,** for property located at 135 Market Street to allow exterior renovations to an existing structure (installation of Kas-Kel all season vinyl double hung windows with six over six permanent lite grids, trim casings, and sill covers) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 034 and lies within the Central Business B and Historic A districts.

Due to a conflict, Attorney Bernard W. Pelech presented a letter to the Commission requesting that the application for 135 Market Street be tabled to the reconvened meeting on May 14, 2003.

Vice-Chairman Adams made a motion to table to the May 14, 2003 meeting; Ms. Grasso seconded and approved unanimously with a 6 – 0 vote.

**I. OLD BUSINESS**

**A) Work Session/Public Hearing for Deborah Campbell, owner, and Brian Rodonets, applicant,** for property located at 295 Maplewood Avenue wherein permission is requested to allow exterior renovations to an existing structure (replace and expand existing deck and stairs) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 141 as Lot 35 and lies within Mixed Residential Office and Historic A districts. This application was tabled at the April 2, 2003 for a Work Session/Public Hearing to this meeting.

Mr. Becksted made a motion to take the application off the table; Ms. Grasso seconded and approved unanimously with a 6 – 0 vote.

**Chairman Rice opened the Work Session**

Mr. Rodonets, the architect for the project presented a revised version of the proposed deck. The existing deck and railing are in serious need of repair and very dangerous. He presented an elevation drawing showing how the proposed deck was changed adding that it is more compliant and in code. Cedar screening will be placed in front of the bulkhead to obscure the view of the adjacent neighbors property. A small roof is being built over the stairs to protect it from inclement weather. The deck will be painted green and cream and the flooring of the deck will be mahogany. Storage space underneath the deck will be created and will have wood latticework to obscure any view of the storage underneath the deck.

Mr. Rodonets presented photographs of other properties in town that were of similar design.

Chairman Rice felt the deck was massive.

Ms. Roberts felt that by painting the deck would make it stand out more and be obtrusive.

Mr. Katz stated that he wanted to commend the applicant on his research and effort of what is existing in the City and added there will be no overall negative impact to the neighborhood to allow the petition.

Vice-Chairman Adams made a motion to close the Work Session and open he Public Hearing; Ms. Roberts seconded and all approved with a 6- 0 vote.

**SPEAKING IN FAVOR OF THE PETITION**

Mr. Rodonets stated the balusters will be 3/4" x 3/4" and will be within code specifications.

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; Ms. Grasso seconded.

Mr. Becksted stated he did not care very much for the design of the deck; however, he would vote to approve the application.

The motion to grant passed unanimously with a 6 – 0 vote.

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Let the record reflect that Mr. Golomb arrived.

**B) Work Session/Public Hearing for Petition of Worth Development Corporation, owner, and Pesce Blue Restaurant, applicant,** for property located at 103 Congress Street wherein permission is requested to allow an exterior renovation to an existing structure (replace existing retractable awning with fixed frame awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 6 and lies within Central Business B and Historic A districts. This application was tabled at the April 2, 2003 meeting to a Work Session/Public Hearing to this meeting.

Mr. Becksted made a motion to take the application off the table; Ms. Grasso seconded and the motion was passed unanimously with a 6 – 0 vote.

**SPEAKING IN FAVOR OF THE PETITION**

Ms. Jessie Aikman, the designer of the awning, stated the goal is to enhance the look of the building. She presented a model of the property to Commission to view how the awning and the door application below would fit.

Chairman Rice stated that if this awning is approved, we will be setting a precedent. Ms. Aikman stated this awning will appear as a retractable awning and will be open on the sides; however, it will be a fixed frame awning.

Mr. Becksted stated he did not like the tight awning look and preferred the loose awning look. He asked how tight the canvas would be. Ms. Aikman described the process on how to obtain the loose awning look and this is the look we are trying to achieve.

At this time, Chairman Rice stated he would like to combine applications B and C because without receiving approval for application B, there would be no sense to go on with application C.

Chairman Rice closed the work session made and went into the public hearing phase.

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

**DECISION OF THE COMMISSION**

(See Decision of the Board under application C)

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**C) Work Session/Public Hearing for Petition of Worth Development Corporation, owner, and Pesce Blue Restaurant, applicant,** for property located at 103 Congress Street wherein permission is requested to allow an exterior renovation to an existing structure (the installation of a 4' x 6' temporary structure to be used as a windbreak for winter use only) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 6 and lies within Central Business B and Historic A districts. This application was tabled at the April 2, 2003 to the May 7, 2003 meeting for a Work Session/Public Hearing.

Mr. Becksted made a motion to take the application off the table; Ms. Grasso seconded and was approved unanimously with a 7 – 0 vote.

**SPEAKING IN FAVOR OF THE PETITION**

Ms. Atkins, the designer of the structure, stated that during the winter months, when the door has been opened, it is very drafty and cold for customers entering or leaving the restaurant. The owner is proposing this temporary structure for the winter months only and can be zippered off during the summer months. This will allow protection for customers during the inclement weather coming in as well as customers that have been seated and are eating their meals.

Ms. Atkins stated that the design of the structure together with the awning will enhance the building. She added that her model of the two petitions (awning and structure at door) address the concerns of the owner of the restaurant.

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

## DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve applications B and C as presented. Vice-Chairman Adams stated he was not in favor of a non-functional awning; however, this application is a far better solution than what was originally presented and he added, this is a test case.

Ms. Grasso stated that she wanted to make it very clear that each petition that comes before the Commission is judged on its own merits.

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

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## II. PUBLIC HEARINGS

**1) Petition for Olde Harbour Condominiums, owner, and Jill Gallant, applicant,** for property located at 135 Market Street to allow exterior renovations to an existing structure (installation of Kas-Kel all season vinyl double hung windows with six over six permanent lite grids, trim casings, and sill covers) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 034 and lies within the Central Business B and Historic A districts.

Please see comments made at the beginning of the minutes for Olde Harbour Condominiums.

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**2 Petition of Susan Mennell Revocable Trust, owner, and, Nickerson-Remick, applicant,** for property located at 187 Marcy Street to allow exterior renovations to an existing structure (remove existing wood roofing and replace with Certainteed Architectural shingles) as per plans on file in Planning Department. Said property is shown on Assessor Plan 103 as Lot 001 and lies within the General Residence B and Historic A districts.

## SPEAKING IN FAVOR OF THE PETITION

Chairman Rice stepped down from this application leaving six members voting.

Mr. Remick, representing the owner, stated he is proposing to remove the existing roof and replace the existing shingles with Certainteed Architectural shingles. The existing roof has deteriorated and is leaking. He presented a sample of the proposed shingle for the Commission members to review. The color of the shingle will be “weathered wood”.

Vice-Chairman Adams asked if there would be any changes to the gutters, clapboards and chimney, etc.? Mr. Remick replied that the whole project has not been completely reviewed; however, if anything needs to be replaced, it will be replaced in-kind.

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

## DECISION OF THE COMMISSION

Mr. Becksted made a motion to approve the application; Mr. Roberts seconded. Mr. Becksted stated he realized the financial burden for home owners to replace their shingles.

Vice-Chairman Adams stated he would like to caution Commissioners that this house has a visible roof that can be seen from many different locations in Portsmouth. There are many homes in the district that have wood shingles.

The motion to approved passed with a 4 – 2 vote with Mr. Golomb and Vice-Chairman Adams voting in the negative.

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**3) Petition of Captain John Moses Condo Association, owner and Richard Miller, applicant,** for property located at 118 Maplewood Avenue, Units B-1 and C-2 to allow two (2) new free-standing structures (installation of two air conditioner compressor units - Unit B – a 30" x 20" x 10" and Unit C – a 25" x 25" x 33" located on pads adjacent to the other units that service other offices in the complex) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 005 and lies in the Central Business A and Historic A districts.

**SPEAKING IN FAVOR OF THE PETITION**

Mr. Richard Miller, the President of the Condominium Association, stated the air conditioning units in condominiums B-1 and C-2 are old and deteriorated and no longer energy efficient. He added that the site plan in the Commission members' packets show where the existing three units are located and that there is room to add two additional units.

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

**DECISION OF THE COMMISSION**

Vice-Chairman Adams made a motion to approve the application; Mr. Golomb seconded. Vice-Chairman Adams stated the units are discriminately located on the property; therefore, this application can be approved. Mr. Golomb stated that he agreed.

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

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**4) Petition of Bettye and Bruce Pruitt, owners,** for property located at 81 Dennett Street wherein permission is requested to allow exterior renovations to an existing structure (one window to be removed and three (3) new Pella custom wood double hung to match existing adjacent windows added at the shed-roofed addition in the rear; add three (3) 30-5/8" x 38-1/2" Velux Model VS Venting Skylights on rear ell) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 141 as Lot 007 and lies within the General Residence A and Historic A districts.

**SPEAKING IN FAVOR OF THE PETITION**

Chairman Rice asked if the sky-lights would be smaller and narrower than the windows below since this is a criteria that the Historic District Commission follows. Mrs. Pruitt replied that she would be happy to comply with this criteria since the proposed sky-lights are not smaller, but larger. She added that all the work will be done on the back of the house on the shed addition and will not be seen from the street.

Ms. Pruitt stated that the proposed window replacement on the side of the building will be smaller to allow for counter space in the kitchen.

Chairman Rice asked if there would be any casement windows? Ms. Pruitt replied there would not be.

Mr. Golomb asked if the three sky-lights would be placed between the chimneys. Mr. Golomb asked if one of the sky-lights could be removed and only have two smaller sky-lights.

Chairman Rice stated that because the windows are not facing the street, the Commission could live with it. The Pruitts stated they could agree with that.

Chairman Rice asked the applicant if they would withdraw the sky-lights and propose using smaller sky-lights.

Vice-Chairman Adams asked how the new window would be encased? Ms. Pruitt replied they will match the remainder of windows.

Mr. Pruitt stated the top floor is extremely dark and light is needed for the area to be functional and he added he would try his best to center the window plus he would return to City Hall to discuss other options with Mr. Clum.

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

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

Vice-Chairman Adams stated that for the purposes of discussion he will make a motion to approve the application as amended using smaller sky-lights; Mr. Becksted seconded. Vice-Chairman Adams stated it is difficult to support an application requesting multiple sky-lights in the Historic District and decided that with some difficulty, he will not support the motion because of the skylights. Mr. Becksted stated he agreed.

Mr. Katz stated it was unfortunate that the applicant has to withdraw the sky-lite portion of the application with so many sky-lights within the City. The Commission does allow sky-lights sometimes and added this decision of the Commission makes absolutely no sense.

Ms. Roberts stated she agreed with Mr. Katz's comments. The sky-lights are in the rear of the building and will be unobtrusive and it is true that the Commission has approved sky-lite fenestration and realizes that sometimes it is difficult to discuss this topic.

Mr. Becksted stated we have made many compromises on the subject of sky-lights; and in the past, applications were for a sky-light here and a sky-light there; however, it now seems that this issue is out of control.

Ms. Grasso stated she was opposed to the application. She feels that the Commission members are all individuals and should speak for ourselves.

Chairman Rice asked the Commission members how they would feel if one (1) sky-light was permitted? The owners of the property replied they would prefer two sky-lights; however, they added they were flexible.

Vice-Chairman Adams asked if the applicant would be willing to withdraw the sky-lite portion of the application and request a worksession to work out a solution and come back with an

amendment. The applicants stated they agreed. Vice-Chairman Adams withdrew his motion as well as Mr. Becksted.

Mr. Becksted made a motion to approve the application minus the sky-lite portion of the application; Vice-Chairman Adams seconded and approved unanimously with a 7 – 0 vote.

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**5) Petition for Michael Flynn and Laurin Kenny, owners,** for property located at 334 Maplewood Avenue wherein permission is requested to allow exterior renovations to an existing structure (replace existing two over one window in the rear with a smaller Anderson casement two over one to allow for counter space in kitchen; replace existing metal front entry door with an identical in appearance new fiberglass door; and, installation of mud sill around the perimeter of house) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 141 as lot 1-1 and lies within the General Residence A and Historic A districts.

**SPEAKING IN FAVOR OF THE PETITION**

Mr. Michael Flynn, an owner of the property, explained the smaller window would allow for counter space in the kitchen. He is requesting to place a mudsill that will be 5/4" x 8" around the bottom of the house. This will allow for two rows of clapboard to be used in-kind on the house where needed when repairing the clapboards. He then presented a sample of the window (a two over 1) that will be used.

Vice-Chairman Adams asked what will be used for a casement. Mr. Flynn presented a photograph showing what he would like to do. The Commission placed the photograph on file.

Ms. Roberts asked that the front door be clarified. Mr. Flynn stated the front door will be the same size and style as existing; however, it will be fiberglass rather than a metal door. He feels the new front door will look more authentic than what is existing. Mr. Flynn stated that sometime in the future he would like to return to the Commission to allow for a more elaborate casing around the door.

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

**DECISION OF THE COMMISSION**

Vice-Chairman Adams made a motion to approve as presented; Mr. Becksted seconded. Mr. Becksted feels the window is a pretty fair compromise. The motion passed unanimously with a 7 – 0 vote.

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**6) Petition of Todd and Amy Spencer, owners,** for property located at 37 Sheafe Street wherein permission is requested to allow exterior renovations to an existing structure (remove existing asphalt siding and replace with cedar clapboards; and, remove all existing windows and replace with Harvey Majesty Custom Clad Wood replacement windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 019 and lies within the Central Business B and Historic A districts.

**SPEAKING IN FAVOR OF THE PETITION**

Mr. Spencer, the owner of the property stated he would like to remove the existing shingles; replace existing windows with Harvey Majesty windows and presented a photograph showing the property to the Commission members.

Mr. Golomb asked about the gable ends? Mr. Spencer replied the windows are smaller than the other windows and will use two over two on the gable ends and six over six windows will be used on the remainder of the windows.

Vice-Chairman Adams asked Mr. Spencer if it was his intention to duplicate the molding and trim as well as restore the clapboards? Mr. Spencer replied that his intention was to restore the clapboards and duplicate the molding and trim. He added the clapboards would line up with the bottom or the top of the windows.

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

### **DECISION OF THE COMMISSION**

Mr. Becksted made a motion to approve as presented; Mr. Golomb seconded and approved unanimously with a 7 – 0 vote.

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**7) Petition of Daniel DiCesare, owner, and Robert Fulmer, applicant, for** property located at 18 Market Street wherein permission is requested to allow exterior renovations to an existing structure (replace existing slate roof with 30 year Architectural Asphalt shingles, and, replace parapet wall caps and flashing with copper) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 23A and lies within the Central Business B and Historic A districts.

### **SPEAKING IN FAVOR OF THE PETITION**

Mr. Robert Fulmer, the applicant, stated that basically the slate roof is being requested to be removed and replaced with 30 year Architectural Asphalt shingles as well as replace parapet wall caps and flashing with copper. The existing gutters also need to be repaired or replaced. He added that to replace the slate roof with slate is very costly being in the vicinity of approximately \$40,000.

Vice-Chairman Adams stated that the cost of slate is costly because it is very labor intensive. Mr. Fulmer replied he had discussed with the owner the options of using the rubber look alike slate shingles as well as slate. The owner found that either materials would be well over what he could afford and would not be able to justify the cost. Mr. Fulmer added that he will be using a lime base mortar.

Mr. Fulmer stated the proposed copper will be pre-patterned and will become dull within two weeks to six months.

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

### **DECISION OF THE COMMISSION**

Mr. Becksted made a motion to approve for discussion purposes; Mr. Golomb seconded. Mr. Becksted stated the owner of the property is in a real dilemma because it is very expensive to put on a new slate roof.



Vice-Chairman Adams stated that there is a wood shingle roof underneath the slate that is rotten making the slate totally trashed and to replace the slate would not be economically feasible.

Chairman Rice stated the roof cannot be seen from across the street and added that most roofs in the area are asphalt.

The motion to approve passed with a 5 – 2 vote with Mr. Becksted and Mr. Golomb voting in the negative.

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**V. ADJOURNMENT**

There being no further business to come before the Commission, the Commission acted unanimously to adjourn at 9:45 p.m. and reconvene on the following Wednesday at 7:00 p.m. in the City Council Chambers to complete the Agenda.

Respectfully submitted,

Joan M. Long,  
Planning Department

/jml