

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

7:00 p.m.

September 6, 2006

MEMBERS PRESENT: Chairman John Rice, Vice-Chairman David Adams, Richard Katz, John Golumb, Ellen Fineberg; Planning Board Representative Jerry Hetjmanek, City Council Representative Ned Reynolds; Alternates Sandra Dika and John Wyckoff

MEMBERS ABSENT: none

ALSO PRESENT: Roger Clum, Assistant Building Inspector

OLD BUSINESS

- A) Approval of minutes - April 19, 2006
- Approval of minutes - May 3, 2006
- Approval of minutes - May 10, 2006

Ms. Dika made a motion to approve the minutes as presented. Mr. Adams seconded the motion. Mr. Adams asked that a few corrections be made concerning his comments. Ms. Dika made a motion to approve the minutes as amended. It was seconded by Mr. Adams. The motion passed by unanimous vote.

- Approval of minutes - June 14, 2006
- Approval of minutes - June 21, 2006
- Approval of minutes - July 12, 2006

The approval of these minutes was tabled to the September 13, 2006 meeting.

B) Petition of **Regan Electric Co., Inc., owner**, and **Bruce A. Clark, applicant**, for property located at **6 Dearborn Street** wherein permission is requested to allow exterior renovations to an existing structure. Said property is shown on Assessor Plan 123 as Lot 4 and lies within the Mixed Residential Office and Historic A Districts. *This item was tabled at the August 2, 2006 meeting.*

Request to Table

The Commission will vote on this request at the September 13, 2006 meeting.

I. PUBLIC HEARINGS

1. Petition of **7 Islington Street, LLC, owner** for property located at **7 Islington Street** wherein permission was requested to allow demolition of an existing structure (southern wing of building, garage building, house structure, and commercial building), new construction of an existing structure (new 3-4 story mixed use building), and exterior renovations to an existing structure (renovate exterior, replace windows, add exterior stair and canopy) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 51, Plan 126 as Lot 49, and Plan 126 as Lot 52 and lies within the Mixed Residential Office, Central Business B, and Historic A Districts.

Chairman Rice announced that the Commission participated in a site walk at 7 Islington Street prior to the meeting where they could look at the proposed building from the north, the south, and from the back of the building.

Ms. Fineberg stated that she would like the property at 29 Tanner Street to be removed from consideration this evening because it is not in the Historic District.

Mr. Clum said that the Planning Department decided that since this is a project that encompasses three building lots they decided to lump them together. He agreed with Ms. Fineberg that the lot in question, 29 Tanner Street, is not in the Historic District.

Chairman Rice told Ms. Fineberg that her point was well taken and that when they get to the final motion, she can amend it and take that building out of consideration.

SPEAKING TO THE PETITION

Mr. Steve McHenry spoke to the petition. He expressed his appreciation for the site walk and that it was helpful to see things on site. He said that he agreed with Ms. Fineberg about 29 Tanner Street and that they included it in the description because it is part of the project.

Mr. Adams asked if they were going to adjust their lots so that it was all one lot or keep it as separate lots. Mr. McHenry said that the idea was to consolidate the lots. Mr. Adams asked if once they consolidated the lots, would some part of that lot be in the Historic District. Mr. McHenry replied yes. Mr. Adams questioned what zone that would put the entire site in once it was consolidated.

Mr. McHenry said that he would give a brief overview of the design since there have been numerous work sessions prior to tonight. He said that the properties involved include the historic Buckminster House, a single free standing garage building, a two story structure that houses offices and a single family home on Tanner Street. He said that the project consists of renovations of the Buckminster House to include the replacement windows and repair of exterior features on the rear exit stair. He said that they are proposing a 3-4 story mixed use building. He added that the first floor will provide access to the building and two mercantile stores on Bridge Street. The upper floors will be residential units. He said that the plans include the removal of the house on Tanner Street, the two story office building on Bridge St. and the "L" addition on the Buckminster House. The vehicular entry to the site would be from Tanner Street where there will be parking spaces. There will also be parking spaces on the southern most portion of the building.

Mr. McHenry said that originally there was going to be a tenant on the first floor which required an addition on the back of the building. That tenant is no longer a part of the proposal. He pointed out that pages 4 – 9 of the plans show the existing and proposed changes on the Buckminster House. Page 10 shows the changes on the west elevation. Page 12 and Page 13 shows the railing and trim details for the canopy. Pages 14 and 15

describe the windows. He said that those are the changes to the Buckminster House. Mr. McHenry continued by explaining that page 16 showed three views of various views around the building in sketch form. Pages 19 and 20 were site plans showing shaded areas that are the lots to be developed. He pointed out that page 20 showed the combined lots and the footprint of the proposed building. He said that one thing they discovered in the site walk was that while a good portion of the northwestern corner of the site plan shows smaller scale two story wood frame residential structures, there are many other large structures in and around the site.

Mr. McHenry said in summary that he believes that the proposed building that is on the edge of Central Business B and Historic District and abuts the Mixed Residential Office zones fits the architectural style in the area. He also pointed out on page 21 of the plans the elevations of a larger context on the east and west side which includes the building masses from the old high school to further down Tanner and Bridge Streets.

Mr. McHenry said in regards to the building design, it exhibits many features that recall early 20th century row houses. He pointed out that the features included cladding and trim details that give the appearance of clapboard and shingle siding, elongated windows, wide eave overhangs and fascia trim, bay windows, flat recessed panel details and granite planters along Bridge Street. He added that other features that will add character to the exterior are custom metal patio railing, garage entry gates, street level planter bay and three part windows with transoms and a roof that features environmentally sensitive decking. He added that on page 21 it shows the elevations in a larger context. Page 22 shows the larger elevation on the Bridge Street side with two adjoining buildings and the overall heights of those structures. He continued that page 23 showed the west elevation. Page 24 and 25 show elevation views. Mr. McHenry said that it was important to note that they were trying to be responsive to discussions regarding the design as it evolved. He pointed out that they modified the window design. There are only two or three different window types. He also pointed out that the elevator shaft on the roof is hidden as best that they could hide it. Mr. McHenry stated that on page 26 shows the types of materials that are being proposed, in enlarged form. He said that they are planning to use a cementitious clapboard and shingle material. Page 28 clearly shows how the parking works. Mr. McHenry said that he would like to note that there is an error in the depiction of the boundary line. He said that it shows the building protruding over the boundary line on the back side. He stated that that is not the case. Page 29 shows the cut sheets required for the windows, doors, and store front systems. He continued that page 33 shows details that relate to the openings in the garage area. He explained that page 34 describes in more detail the roof plan, the location of the penthouse, the elevator system and the patio decks and the green grid system. Page 35 is a summary of those materials.

Mr. McHenry said that they have given the project sufficient time and energy and have come up with a building that is a background building. He said that it doesn't dominate the site and doesn't maximize the massing allowed by zoning. He said that it is scaled down. He felt it would make an excellent fit in a complicated neighborhood.

Chairman Rice asked about the penthouse for the elevator and the mechanicals. He asked how far it was from the parapet wall on Bridge Street. Mr. McHenry responded that they didn't show a dimension of that but he estimated that it is 25 feet or more back from the front face of the building.

Chairman Rice asked if there were questions for the applicant.

Ms. Fineberg asked about the entry doors on the front of the building. She pointed out that they chose a rather plain style. Mr. McHenry said they would be similar to what's

happening at 10 Congress Street. Ms. Fineberg said she did not know if they discussed this at the last meeting. She stated that she had concerns about them. She continued that for such a big structure, she felt there was no sense of “here’s the doors.” She said that she didn’t mind it so much on the right set of doors, but did on the center set of doors. She also asked about the patio doors in the back. She said in the cut sheet it looked like they had mullions in the windows. She asked if they are to be with or without. Mr. McHenry responded without. She asked Mr. McHenry why he made that choice. Mr. McHenry replied that they tried to stay consistent with the other windows. He pointed out that a good view of the windows was on page 16. Mr. McHenry pointed out that the anchor of the building is the boxed bay window. He said that he believes that this element is what defines the front door. Ms. Fineberg mentioned that the look of the gates to the parking area have more presence than the front door. Mr. McHenry said that the boxed bay recesses inward to create more presence.

Mr. Golumb asked about the material of the elevator shaft. Mr. McHenry said that on page 26 it showed the material as cementitious flat panels. He said they are flat panels of hardiplank with a series of applied moldings with a roof over that flat material. Mr. Golumb referred to page 22 and asked if the elevator shaft will be 8 feet taller than the mechanicals. Mr. McHenry said that was correct.

Chairman Rice asked if there was any mechanical structural way that the penthouse could be reduced in height. Mr. McHenry replied that he could do some more research on it but it has been his experience that that is about as low as they can make it. He said that if they are able to make it lower, they will.

Mr. Reynolds asked if the elevator shaft would be painted in one color. Mr. McHenry said yes, and that they would try to make it as unobtrusive as possible.

Ms. Dika asked what the height of the building from the grade to the top of the elevator shaft. Mr. McHenry replied 44 feet is the building height.

Mr. Reynolds stated that he would like to applaud the applicant for going with the “green” roof. He asked if this would be the first commercial building to have this. Mr. McHenry replied that to his knowledge it would be. He said that these are trays with low ground cover moss type plants.

Ms. Fineberg asked what the height allowance in the zoning area is. Mr. McHenry replied that in the Central Business B district it is 60 feet maximum height structure. It is zero lot line setbacks and 95 % lot coverage. He said that the Mixed Residential Office maximum height structure is 40 feet. Ms. Fineberg asked if that is the zone for Tanner Street. Mr. McHenry replied that it was lower Tanner Street.

Chairman Rice asked if there were any more questions for the applicant. Hearing none, he asked if anyone from the public wished to speak to, for, or against the application.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Ms. Rebecca Conway of 37 Tanner Street spoke in opposition to the application. She said that she has lived in her house for over five years. She said that what initially attracted her to the property was its close location to downtown and its neighborly feel. She said that it consists of primarily single family residences. She said that this proposal has shattered her outlook for her home and her family in the months and years to come. Ms. Conway pointed out that part of the proposed plan was to demolish 29 Tanner Street

which is right next door to her. It would be replaced with a parking lot which she feels would be an eyesore. She added that a four story building would be erected in her back yard. Her primary concern is that this would detract from the property value of her home. She added that she felt she would lose her sense of privacy as well. She continued that the four story building would take away her view of downtown. She urged the Commission to reconsider this as she feels it is a mistake.

Mr. Martin Burns stated that his house is on the corner of Hanover and Tanner Streets. He said that he is against the proposal because it doesn't seem to fit. He said that he is also against tearing down 29 Tanner Street. He said that he remembers when it was a neighborhood, before the fires. He said to punch through and put in a parking lot doesn't make sense to him. He also wonders where they will put the dumpsters. He continued to say that here goes another neighborhood. He said that he has lived here since the 1970's. He stated that if the removal of 29 Tanner Street goes through what is to keep others from buying buildings and knocking them down for parking lots.

Mr. John Conway of 37 Tanner Street spoke against the petition. He said that he was struck by what Mr. McHenry said, that he did not want the structure to dominate the space. Mr. Conway said that that is exactly what will happen. He said that from his bedroom window, he has a straight view of North Church. He wondered about the need for the structure. He said that he sees condos all over the place but he doesn't know if they have 100% vacancies. He stated that as he looked at the proposed plans, they did not accurately depict what was going to be happening in his backyard. He said that they will be losing sunlight, gaining traffic, and altering the way of life they have come to know in the last five years. He asked the Commission to give it serious thought.

Attorney Paul McEachern, representing the owner, spoke in favor of the application. He stated that he would like to make a couple of comments in regards to the Tanner Street objections and the purview of the Board. He said that he could appreciate the comments voiced and would probably feel the same way if he were living on Tanner Street. He said that as difficult as it is to deal with change, it is more difficult to deal with no change. He added that Portsmouth is dealing with change; it is not a stagnant city. He said that the people that bought property close to downtown even five to ten years ago knew that and yet it is still attractive to live near downtown. He pointed out to the Commission that their mission is to deal with what's in front of them. He said that Tanner Street is not within their jurisdiction. He continued that that is for other boards. Mr. McEachern stated that they have an architectural overview of what is being proposed and they should consider that and weigh it on its merits. He said that he has been involved with the Historic District Commission enough to know what its function is. In his opinion, it plays a very vital role in the City. Looking back, it has had a beneficial effect. He said that he was probably one of the most outspoken critics from the past but he felt that the criticism has helped them. He stated that they do their best job when they stick to the issue and the fundamental mission.

Mr. Adams asked Attorney McEachern if the represented the client. Attorney McEachern answered yes. Mr. Adams asked him what other boards this applicant had to go before. Attorney McEachern replied that it had to go before site review and probably the Zoning Board of Adjustment.

Mr. Golumb said that he understood that the building on Tanner Street was not in their purview, but he asked wouldn't the perspective be? Attorney McEachern answered that he did not know if views were in their purview. Attorney McEachern said that it's not the existence of the building but rather if the building is architecturally appropriate. Mr. Golumb said that it is the building on 29 Tanner Street that's not in their purview but the

structure itself from Tanner Street is. Mr. Golumb wanted to make sure that the audience understood that.

Mr. Raynolds asked Mr. Clum if he would speak to the lot consolidation of the properties. Mr. Clum said that the Planning Department wanted to err on the side of caution, knowing that the lots were going to be consolidated and therefore knowing that the structure that is on Tanner Street would be part of the whole project fronting on Islington Street and therefore in the Historic District. He continued that the Planning Department wanted the Commission to know that the structure was coming down.

Mr. Raynolds asked how many lots are involved with the project now. Mr. Clum replied that he thought three, 7 Islington Street, the Harbor Lights building, and the Tanner Street property. Mr. Clum stated that the Planning Department felt that it made sense to consolidate the project into one overall project because that is what it is.

Chairman Rice asked if anyone else from the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Ms. Fineberg said that for the purposes of discussion, she would like to make a motion to accept the application as presented with the removal of the demolition of 29 Tanner Street from the proposal. The motion was seconded Mr. Hetjmanek.

Mr. Raynolds said that he felt it was proper for the Planning Department to revise and include it in the proposal for the purposes of context and expectations but he also felt the motion was also the right move for what they will actually approve or not.

Ms. Fineberg said that when something is usually being demolished they like to receive a report as to whether it is in the Historic District. Since this is not in the Historic District, they did not receive a report. She added that she feels very strongly that she can't vote to demolish a building that they didn't do the proper footwork on. She said they didn't do the footwork on it because it is not in the Historic District. She continued that there are some wonderful things about the building. She felt that the firm has tried to bridge the difficult stretch of land that is in an unusual place. She said that it faces a parking lot on one side and on the other side, it is quite different. And she added that about a block away, there are some very large structures. She said that she can understand that the context is very difficult and why the people who live on Tanner Street find it very difficult. Ms. Fineberg said that it will be very hard to build something in that space that will satisfy everybody. She still feels that there are some details that need further work. She said that if the building was approved this evening, she hoped that those details would be addressed.

Mr. Adams said that he felt that the applicant working with the Commission has made a very handsome proposal. He was also impressed by the applicant's ability to put pieces of the property together to accomplish an infill project of this magnitude. He said, however, that he still sees the street as wood frame two story buildings and he finds this building awkward architecturally. He said that he finds the flat roof look of the building uncharacteristic of the pitched roof neighborhood that it is in. He also said that he found the articulation of the face of the building (the three large three story bays) unlike the other buildings on the street. He also felt that the penthouse on the roof would look out of place and out of context.

Mr. Wyckoff said that after all of the work sessions, he was satisfied with the design. He mentioned that the equipment on the top of the building was disturbing and he wished that there was a way to reduce the height. He said he was unsure of Ms. Fineberg's comments about the front doors. He felt she was talking about door handles. He concluded by saying that he would probably support the application.

Ms Dika said that she would like to speak to the problem of when you have one zone butting up against another type of zone. She said that the architect and the owner have worked hard to come up with a good plan. She said that she understands that to the people on Tanner Street it is quite a large building. She continued that it has been her experience with situations like this, that over time, they might find their property values increase. She said that she still feels it is quite a large building and would like to see it smaller.

Mr. Raynolds wanted the residents of Tanner Street to know that they have been heard and that he appreciates their concerns. He also said that it makes it very difficult when there are two different zonings next to one another. He stated that he liked the design of the building with the different bays and different treatments. He said he felt the architects did a good job of breaking up the building visually and physically.

Mr. Hetjmanek stated that in regards to height, this seemed to be a good compromise. He felt that the design was attractive and will be beneficial.

Ms. Fineberg said that she agreed with Mr. Raynolds about the building being broken up on the front facade. But she said that that is not the case on the back of the building. She pointed out page 21 and 23 to get a better perspective.

Mr. Adams said that the residents of Tanner Street are going to have a parking lot next to their house where there is a house now and over time it is just going to be a parking lot he thinks. He said he doesn't see how that is beneficial and he doesn't see how it "fosters the economic wellbeing" and "maintaining property values" that he quoted from the Zoning Ordinance. He continued to quote from Section 10 – 1004 entitled Scope of Review about "preserving the integrity of the district." He pointed out that he doesn't see the full pitched roof, the flat, smooth façade, and the scale matching or being similar to, no buildings with buildings built on top of them, or buildings with car passageways through them, or smooth stone granite veneers up to their windowsills in that neighborhood. Mr. Adams said that the proposed building is a handsome one but asked if this building maintains the special character of the area according to scale and style. He said that he feels it's a stretch. He also quoted Section 10-1004, subsection B, #1. He said that the building did not fit into the neighborhood with the rules that he sited and the Commission's requirement to review them. He said he felt that the building was an extraordinary variation from the ones around it.

Mr. Golumb stated that he feels it is a handsome building and that Mr. McHenry has done a great job. He felt that on the Bridge Street side, the building fits in quite well. He said that from the Tanner Street side, it looks like a monolithic building. He said that he feels that the building is too large for the area.

Mr. Katz said that when you stand in the Bridge Street parking lot and rotate 360 degrees, it is difficult to find a defining architectural overview. He said there is an array of architectural history in the area. He pointed out the library and other buildings in the area. He continued that if they wish to break out of the red brick category, what better place to do it than on this lot. He said that he was struck when first presented with the plans, on the rightness of the design and its content. He felt it has been aligned a bit because it is a

tiny step of breaking out of the mold of what they expect. He said that he wondered how many towns in the state or in this country would reject a thoughtful, well reasoned design simply because it is different. He went on to say that buying a house for many people is a dangerous step. He said that you have to think about what might happen to where you are, what zoning are you in, what could happen next door to you. He said that he feels for the people of Tanner Street but to deny the project because it is different and doesn't fit in with what had been previously done is not the way to go.

Chairman Rice said that there was a lot good discussion and input this evening. He said that they do their best when they stick to design review and that that is what the Historic District Commission is all about. He pointed out that they don't protect views and it is not up to them to determine whether there are too many condos in the area. He said that he agreed with Mr. Katz about the variable context of the proposed building. He continued that he felt some discomfort for the massiveness of the design in relationship to the buildings on its left and right. He also is concerned with the massiveness as it affects Tanner Street. He said that he was struck by what a neat little neighborhood it was when he went on the site walk earlier in the evening. He said that the proposed building would loom over the houses. He felt that within the context of the neighborhood, he would like to see it scaled down. He also had problems with how you get to it and with the mechanical elevator on top. He said that he can't support the application based on Section 10-1004, (B) (1). He added that he has struggled with this because he admires the effort. He feels that the building has a place there, it is just too big.

Chairman Rice recommended that they do a roll call vote.

Mr. Katz voted yes. Ms. Fineberg voted no, citing Section 10-1004, (B), (3). Mr. Golumb voted no, citing Section 10-1004, (B), (1) & (3). Mr. Adams voted no, Councilor Raynolds voted no, Planning Board Representative Mr. Hetjmanek voted no, and Chairman Rice voted no, citing Section 10 – 1004, (A). The final vote was 1 in favor and 5 opposed. The motion failed.

2. Petition of **Market Wharf Condominiums, owner and Thomas Magruder, applicant** for property located at **59 Deer Street** wherein permission was requested to allow exterior renovations to an existing structure (replace siding, decks, and railings with new composite materials) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 119 as Lot 1B and lies within the Central Business B, Historic District A and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Ms. Wendy Welton spoke to the petition. She stated that what she was presenting this evening was as a result of the prior work session. She said that they will be proceeding with the hardiplank siding with Azek trim. She said that page one of her plans shows how they will be dealing with the hardiplank. They will be instructing the builder to start in the middle and work up and down to make sure that the 5" exposure hardiplank aligns with the trim when it gets to the windows. She said that at the window heads they will start in the middle and work up and down. She also said that on the lintels of the second floor, they will be using Spectis molding and Azek under it. She added that the detail at the top of the upper windows will be retained; however, they will be giving the builder a little leeway as they go up so that everything will line up neatly. She said that the railings on the front of the building will be wood. The molding above the storefront band would

be Spectis molding and will be close to what is there. Everything below the storefront will be replaced with wood and Azek. She pointed out that they will continue a trim band on top of the crown molding above the storefront system. They will continue it along on the gable end to have a clean break. She said that they will also be adding panels under the windows to replicate what is in other places already. At this point, Ms. Welton asked if there were any questions about the front façade before she explained the back of the building.

Mr. Wyckoff asked about the band that is proposed on the side of the building. Ms. Welton said that the bottom of it will line up with the bottom of the crown. She said that they will carry the line above the crown as well. Mr. Wyckoff suggested a shadow board that would be the distance above the crown molding and continue around the building. Ms. Welton said that she could do that.

Ms. Welton said for the back of the building, with the grade changes, within broad sections, they will be holding the top line even in varying the height of the railings. She said that it is the bottom rail that will be grade. She said that they tried it different ways in elevation and sketch form and felt it would be the best way to deal with it. She pointed out that the picture in the plans shows the rail system and how it works. She said that the rest of the plans show specific conditions in the field and how they want the builder to attach the system to brick. Page 5 shows how they will deal with a corner condition. She said that there are places where they felt it would be better to use a newel instead of simply attaching the railing to the building. She said that page 7 shows how they are handling the stairs.

Mr. Adams asked about full height cladding. Ms. Welton said that they have to attach a railing and they need something substantial. She said that the premier railing system makes a cover of the same material that can accommodate a half posts and half covers. She continued that page 10 shows sonatube in the ground that is holding the railing which in some cases are degraded or not sufficient.

Chairman Rice asked if there were any questions for the applicant. Hearing none, he asked if anyone in the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion, for the purposes of discussion, to approve the application as presented. It was seconded by Councilor Raynolds.

Mr. Adams said he was initially concerned with how busy the railing part of the project was going to be. He said the architect has satisfied him with the drawings that were presented. Mr. Adams wanted to hear what others had to say about the panels below the windows and the decorative heads of the windows. He added that these details are not totally unheard of and there are many buildings with caps on their windows. He said they add a stately air to the building, one he felt this building could stand. He said when it comes to the panels along with the 12" white band, he is skeptical. He said he would like to hear more. He added that if they can pull off what they have drawn, he felt it was a reasonable solution.

Mr. Raynolds said that maybe the panels below the second story windows wouldn't work.

Ms. Dika said that she was not troubled by the panels. She also wanted to thank Ms. Welton for her detailed drawings. Mr. Adams agreed with Ms. Dika about the drawings.

Ms. Fineberg stated that she liked the panels on the first floor. She felt it gave some weight to those windows that seem to be floating. She added that since there are panels on the storefronts she felt it was a nice way to anchor it. She said that she didn't have feeling one way or the other about the second floor panels.

Mr. Katz pointed out that if the panels were discarded there would be only one row of clapboards under the window trim which he said he preferred panels to that.

Mr. Adams asked about what happens on the curved section. Ms. Welton replied that the hardiplank curves. Mr. Adams pointed out the decorative heads on the windows and panels below. Ms. Welton replied that Spectis can be curved. Mr. Adams asked if it would over time spring out at the corners. Ms. Welton said that she has selected a molding that is a fairly thin profile.

Mr. Katz said that if you try to pick up a piece of Azek you have to be careful because you will break it. Ms. Welton said that you can mill Azek. The Spectis is even more malleable than Azek.

Mr. Wyckoff asked if one of the voting members would be willing to add the addition of the shadow board to the motion. His suggestion would be to amend page HDC 2 to include a horizontal shadow board and would continue across the depth of the building. Ms. Welton submitted a drawing with the shadow board included.

Mr. Adams amended his motion to include the shadow board. It was seconded by Councilor Raynolds. The motion passed with a unanimous vote.

3. Petition of **Four Hundred Forty Six Four Hundred Fifty Two Market Street Condominium Association, owner** and **Bryan C. Pappas, applicant**, for property located at **446-452 Market Street** wherein permission was requested to allow exterior renovations to an existing structure (replace wood clapboard with vinyl cedar shakes; install building corners, and new gutters) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 120 as Lot 1-4 and lies within the Central Business A and Historic A Districts.

Mr. Adams made a motion to hear Public Hearing #10 at the same time as this Public Hearing. It was seconded by Mr. Golumb. All voted in favor.

SPEAKING TO THE PETITION

Mr. Bryan Pappas spoke to the application. He said that they are looking for approval from the Board for exterior renovations. They want to replace rotted wood with new wood clapboards, install foam board insulation, install vinyl shakes in antique gray, install 5" corners, seamless gutters, replace the rotted wood on the sills and wrap in aluminum coil, and replace the worn front steps with Trex decking. He pointed out that the current condition of the house is rough. The conditions around them, the salt piles, metal piles and the constant road traffic are making maintenance on the building difficult. He said that he felt the vinyl shakes would compliment the building and the Historic

District. He stated that he has had no resistance from the neighbors. He also added that he and the other owners have invested \$60,000 in this project.

Mr. Pappas spoke to the installation of the windows and doors. He stated that the windows and doors mimic the existing windows and doors that were there before.

Mr. Clum pointed out that the windows have been installed and that they are asking for approval after the fact.

Mr. Golumb said that he had a chance to see a sample of the vinyl shakes and he said that he was pleasantly surprised at how nice they looked. He said that for where this property is located, this is probably an appropriate solution for this particular property.

Mr. Pappas said that other options for the maintenance of the building included power washing but he said that the wood is too rotted and would further damage the exterior.

Chairman Rice asked if there were any more questions for the applicant. Seeing none, he asked if anyone from the public wished to speak.

SPEAKING IN FAVOR OF THE PETITION

Ms. Rebecca Tice of 450 Market Street spoke in favor of the application. She stated that she is one of the owners of the building. She said that the house has taken a beating. She pointed out that the surrounding environment also affects the air quality inside the house as well. She said that she has to change the furnace filter four times as often than in other homes. She continued to say that their home has to be a super structure because of the salt, the rust, and the road. In conclusion, she stated that the owners take great pride in their home and want it to look as good as it can.

Chairman Rice asked if anyone else in the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion, for the purposes of discussion, to accept Petition 3 and 10 as presented. The motion was seconded by Mr. Hetjmanek.

Chairman Rice asked for discussion. There was none. The motion passed 6 – 1 with Mr. Adams voting in opposition.

- 4. Petition of **Strawbery Banke Inc., owner**, for property located at **420 Court Street** wherein permission was requested to allow exterior renovations to an existing structure (replace roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 7 and lies with the Mixed Residential Office and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Rodney Rowland, Director of Special Projects and Facilities at Strawbery Banke spoke to the petition. He mentioned that this application had been before them before. He said that they are asking permission to replace a wood roof located on Court Street with an architectural asphalt roof, the Woodscape series in the color Driftwood. He said that one of the reasons for this is financial and that most of the properties in close

proximity to this building already have asphalt roofs. He added that this building is an office building and not a mission driven building.

Chairman Rice asked if there were any questions for the applicant. Hearing none, he asked if anyone in the public wished to speak to, for, or against the petition. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Councilor Raynolds made a motion to approve the application as presented. It was seconded by Ms. Fineberg. Ms. Dika said that she felt this was an acceptable change of material. The motion passed 6 – 1 with Mr. Adams voting in opposition.

5. Petition of **Michael J. Lacroix, owner** for property located at **lot behind 151 High Street** wherein permission was requested to allow demolition of existing structure and new free standing structure. (remove garage and construct a three story structure with deck) as per plans on file with the Planning Department. Said property is shown on Assessor Plan 118, Lot 19 and lies within the Central Business B, Historic A and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Michael Lacroix spoke to the petition. He said that the address will essentially be 145 High Street. He stated that they have been through work three sessions. He said that they have reduced the amount of windows to make it look more like an out building. He also said that they have gone from using bulky materials to using a stone base. They have also redesigned the dormer roofs and resized the cupola. He continued to explain that they have rounded the garage doors, added lattice under the porch area, and moved the front door to the side of the building. He also said that they have added a frieze board around the upper line of the house. They have placed braces on the upper deck.

Ms. Dika asked which elevation faced the Moffatt-Ladd House. Mr. Lacroix replied that the north side faces the Moffatt-Ladd House. He shared with the Commission pictures he took from his roof from all four sides.

Mr. Wyckoff asked about the area under the roof on the gable end. He pointed out that they have placed a frieze board under the gable break board. He said that he seems to have mixed up the style at the bottom. Mr. Lacroix said that they have new detail that they just worked on this evening. Mr. Wyckoff asked if anyone else was uncomfortable with the cultured stone that was chosen. He felt that larger stones might be more appropriate than the smaller ones. Mr. Lacroix said that he is open to that suggestion. He said that his plan was to have a dark, grayish black, broken ledge look. Mr. Wyckoff said that you don't see that kind of stone in New England.

Mr. Adams said that it depends on where. He said that traditionally up until the beginning of the last century in Portsmouth, they used slabs of granite that were pulled from the river in Great Bay and along through Durham. He also said that there was a lot of flinty schist when they were quarrying Henderson Point. He said that when you see it in a foundation it is relatively flat pieces with all sorts of odd angles. Mr. Adams pointed out an example - the wall next to the Counting House at the Moffatt-Ladd House which is done in granite and is relatively flat. He said that he doesn't usually get too deep in

foundation stone, but this project has significant amount of foundation stone showing. Mr. Lacroix said that the whole east and north elevations will be behind a fence. Mr. Adams suggested that they ask the applicant for a sample before final approval.

Ms. Fineberg added that perhaps two styles of stone be selected for final approval.

Mr. Golumb asked if on the south elevation did he consider, where the pediment is broken, to apply a more traditional approach by possibly moving the half round window up into the dormer. Mr. Lacroix said that would look nice and it would match the lower level.

Chairman Rice asked if there were any more questions for the applicant. Hearing none, he asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to accept the application as amended with the stipulation that the applicant present a stone veneer sample on site for final approval and make changes to the east elevation in the dormer area. It was seconded by Mr. Golumb. The motion passed unanimously.

6. Petition of **213 Pleasant Street Holdings, LLC, owner**, for property located at **213 Pleasant Street** wherein permission was requested to allow a new free standing structure (new two story house with attached garage) as per plans on file with the Planning Department. Said property is shown on Assessor Plan 108 as Lot 16 and lies within the Mixed Residential Office and Historic A District.

SPEAKING TO THE PETITION

Mr. Tom Emerson, architect for the project, spoke to the petition. He said that the house is located on Pleasant Street on the corner of Richmond St. He said he is proposing a two story, single family structure. He stated that they have changed a number of things after the last work session. They have reduced the roof slope and removed the skirt on the cupola in favor of a vertical expression. He continued that they added a second chimney on the Richmond Street side and removed the two story bay on the west side of the building; they extended the cornice on the gable end of the garage. Mr. Emerson also said they made an effort to reduce the semicircular indication at the front door in favor of a door with side lights and fan lights. They also removed the pedestals and the panels on the second story for a simpler expression. He also added that the overall height of the building has been lowered by two feet. The garage bay has come down slightly as well. Mr. Emerson said that he feels that the house is in keeping with the context of the neighborhood.

Chairman Rice asked if there were questions for the applicant.

Mr. Adams asked for clarification that Olde Port brick would be used. Mr. Emerson said yes and added that they plan to paint the brick on the chimneys. Mr. Wyckoff mentioned that a white chimney painted with a black strip indicated royalty.

Mr. Wyckoff asked why they plan to use a flat casing on the second floor windows. Mr. Emerson replied to differentiate the two floors, with a more formal expression on the

lower floor. Mr. Wyckoff said he hasn't seen a house with this style. Mr. Emerson confirmed that there are no head casings on any of the second floor windows.

Mr. Adams stated that there was a time when window frames were placed on the frame of the building so that the actual casing of the window was flush with the sheathing and a band was used to stop the clapboards.

Mr. Adams asked Mr. Emerson to describe the window sills. Mr. Emerson said there will be an express sill on the lower floor but not on the upper floor. Mr. Adams asked about height and thickness. Mr. Emerson replied 1 ½ inches. Mr. Emerson said they will be turning the trim around. Mr. Adams replied that he would lose his vote on that.

Ms. Dika asked how he would describe the period of the house. Mr. Emerson said he would describe it as being late 1790's with some Georgian elements as well. Ms. Dika said that she felt that he had incorporated some Greek Revival, some Federal, some Georgian and some Gregorian elements making it somewhat cluttered. Mr. Emerson replied that houses tend to develop over time as they get added on to. He said that if you look at the Wentworth House, change evolves. Ms. Dika said that it troubles her because you see it a lot in new subdivisions where a builder uses different styles. She said that she feels that that area is so pure. Mr. Emerson disagreed with her when considering the back area of the house.

Mr. Adams wanted to continue with the thought. He said when looking at the garage which is a classical revival complete with a little window, it made sense that the garage would be that style since it didn't show up until the automobile. He continued that the entry, which he feels is way too large, is reminiscent of things that are intruded. He said that he thinks the design might include a little too much history. He continued to say that it may be overdone, but reasonable thought out in terms of the method and the location that designs show up.

Mr. Adams asked why there is such a difference between the top of the window and the cornice. Mr. Emerson replied it is because of the ceiling heights and the desire to bring the house up since it is significantly shorter than the other houses in the area. He added that in order to make all proportions work; they would have to elongate the lower floor. They are slightly smaller on the upper floor. He said that the front of the house is 36 feet across. He said that the house would be very vertical and would stand out. Mr. Adams said that since this is on an angled corner lot, he didn't feel that you would see it that way. He felt when you square up to the building; it is still going to carry your eye up Richmond Street.

Mr. Golumb asked if any of the other Commissioners had any concerns with the second story over the portico on the front elevation. He said that it seemed heavy. Mr. Katz asked if it was historically proportionate. Chairman Rice said that you do see it on one house on Pleasant Street. Mr. Adams pointed out that one was removed on a house on Middle Street and there is a curved one on the McMaster house.

Councilor Raynolds said that he shared some of the same concerns.

Mr. Adams said that he prefers this design to the one in prior plans.

Mr. Wyckoff asked why he moved the panels on the second floor over the portico. Mr. Emerson said that without the roof it felt very squat. Mr. Wyckoff said that the second story room in question could have happened.

Mr. Adams said they had to ask themselves how this house works with the other buildings.

Councilor Raynolds asked for comments on the size of columns particularly in the front. Ms. Fineberg said that if they used a more ornate column it would be too fussy on the structure. She said that the design of the front of the house is simple and it needs a simple column.

Chairman Rice said that the entry of this entrance requires a grand column but not over the top.

Ms. Fineberg pointed out to the Commissioners that on the site plan, page 2, in regards to the courtyard, the garage, the French doors and the elongated window, she felt it was not out of character with the neighborhood. She said that she felt comfortable with the design.

Mr. Katz mentioned the fiber cement siding which means that it is a fixed exposure. He said that the trim would need to be adjusted. Mr. Katz asked Mr. Emerson if he planned to use a beveled cementitious siding. Mr. Emerson replied yes.

Chairman Rice asked if there were anymore questions for the applicant. Hearing none, he asked if anyone from the public wished to speak, to, for, or against the petition.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Mr. Jerry Thayer spoke to the petition. He stated that he learned of the public hearing about an hour ago. He said that his property abuts that back of the applicant's property. He said that years ago, his parents purchased the same lot because there was a four unit apartment building on it. He said the apartment building was significantly smaller than the proposed house. He said that he felt that the proposed house was too large. He pointed out that the abutting houses are all Georgian houses and he felt the proposed design was not close to matching the other houses in the neighborhood. He was also concerned that a house of this size would block out light. Mr. Thayer asked what the lot coverage was for the proposed project.

Mr. Emerson replied that the proposed house was smaller than most of the houses surrounding it.

Chairman Rice asked if anyone else wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to accept the application as presented with the following amendments – that the design included expressed window sills on the second floor windows matching the first floor windows and that the siding material run in smooth, unbroken lines above and below the windows. The motion was seconded by Ms. Fineberg.

Mr. Adams said that, in response to Mr. Thayer's comments, he didn't feel that the proposed house was taking up too much lot. He said he was uncomfortable with the round portico on the front and with the amount of clapboard over the tops of the windows on the second floor. He said that he wondered how this building compares to other

buildings since he felt they didn't have anything that qualifies as a streetscape. Mr. Golumb agreed with Mr. Adams.

Chairman Rice stated that if this is a critical issue, that maybe they should hold a site walk.

Mr. Adams made a motion to table the application to the September 20 meeting with a site walk with two accurate streetscapes. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

7. Petition of **Robert B. and Mary C. Cline, owners**, for property located at **395 Pleasant Street** wherein permission was requested to allow exterior renovations to an existing structure (replace windows and install brick chimney cap) as per plans on file with the Planning Department. Said property is shown on Assessor Plan 102 as Lot 67 and lies within the General Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Robert Cline spoke to the petition. He stated that he wanted to replace the windows in his home. He has lived in the home for 10 years. He stated that he would like to put in double hung Marvin windows, 9 over 6 on the ground floor and 6 over 6 on the top floor. He said that there is some rotting wood and he would replace whatever needs to be replaced as close as possible to what is there. He also would like to install a chimney cap. He added that he has some damage due to the heavy rains.

Chairman Rice asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to approve the application as presented. It was seconded by Mr. Golumb. The motion passed unanimously.

8. Petition of **Grae Garl, owner**, for property located at **61 Dennett Street** wherein permission was requested to allow exterior renovations to an existing structure (install gutters on front and back of house) as per plans on file with the Planning Department. Said property is shown on Assessor Plan 141 as Lot 9 and lies within the General Residence A and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Grae Garl spoke to the petition. She said that she would like to install seamless gutters on the front and back of her property. She stated that there has been severe water damage to the wood. She would like to remove the wood gutters and replace with seamless gutters.

Mr. Wyckoff asked how they would handle the miters. Mr. Katz answered with an outside corner clip.

Chairman Rice asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to approve the application as presented. It was seconded by Mr. Golumb. The motion passed unanimously.

9. Petition of **Harbour Place Condominium Association, owner**, for property located at **135 Bow Street** wherein permission was requested to allow exterior renovations to an existing structure (replace wood siding of dormer areas with vinyl siding) as per plans on file with the Planning Department. Said property is shown on Assessor Plan 105 as Lot 2-1-00 and lies within the Central Business A, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Ms. June O’Neil spoke to the petition. She said that the owners are requesting permission to cover the dormered areas of their building with vinyl siding. She said that the dormers get a great deal of moisture due to their proximity to the water. She stated that they have to paint every two to three years which requires renting cherry pickers to get to the area. She pointed out that the dormers are not visible from the Bow Street side and they are five stories high from the water side.

Chairman Rice asked Ms. O’Neil about the arched details on the dormers. He pointed out that she had a combination of gable roofs and barrel roofs. He asked if they could preserve the detail with the vinyl siding.

Ms. O’Neil replied that the installer did not bring that up as a concern.

Chairman Rice said that this is not a historic building; however, it is a detail that is noticeable when you drive into Portsmouth. He said he would not want to lose that detail. He felt that he thought he could approve the vinyl because of its distance away from the public.

Ms. Fineberg asked if the approval could be contingent upon the consideration that the details be preserved.

Mr. Adams felt that was not a possibility. He said he was concerned that the installer would probably have a problem with the curve. He also said that there are issues with spacing as well. He asked Mr. Golumb if cementitious siding would be a good choice for the project. He felt that was a more permanent way to go and that it did require a one time painting.

Mr. Katz said that there are color-ready hardiplank.

DECISION OF THE BOARD

Mr. Adams made a motion to table the application until September 20 and ask the applicant to bring her contractor with her to have a discussion about cementitious siding. It was seconded by Ms. Fineberg. The motion passes unanimously.

11. Petition of **Peirce Block Condominiums, owner, and Edith Wyrick and Warner's Card and Gift Shop, applicants**, for property located at **2 Market Square** wherein permission was requested to allow exterior renovations to an existing structure (addition of canvas awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 17 and lies within the Central Business B, Historic A, and the Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Robert Wyrick spoke to the petition. He said he was requesting to put up a black awning over his storefront. He said the awning would be rigid and would cover the soffit above the glass windows. He said it would be 8 feet 10 inches above the sidewalk. It would also have a flap on the front with the store name on it.

Ms. Fineberg asked about the valance being removable. Mr. Wyrick replied that were the store name to wear out, that part of the awning could be removed and replaced.

Chairman Rice asked if the awning rolled up. Mr. Wyrick replied no. Chairman Rice said that in the past the Historic District Commission has approved awnings that roll up. He said they have a problem with rigid awnings. He felt that it gives an institutional, more contemporary look.

Mr. Wyrick said that he is open to suggestions however, as he looked up and down the street, he saw both types.

Chairman Rice said that the ones that are rigid are probably ones that were not approved by the Commission. Mr. Adams added that they may have been approved at a time when the Commission did not know what they were doing.

Mr. Wyrick said he was trying to avoid having to deal with rolling it up in inclement weather and also wanted to avoid problems with the mechanisms involved with roll up awnings.

Mr. Adams asked what kind of awnings the businesses have right next to him. Mr. Wyrick replied that both are roll ups however, they are always down. He also pointed out The Gap, Worldly Goods, and Breaking New Grounds all have rigid awnings.

Mr. Katz asked if the Commission was sure that they have never approved a rigid awning. Chairman Rice replied that they absolutely had about twelve years ago and then realized their mistake. Ms. Fineberg pointed out that they have approved a rigid awning since then for Cool Jewels but it was under special circumstances.

Mr. Wyrick said he was looking for an awning that was conservative and in keeping with the square.

Chairman Rice said that he felt they could resolve the matter if he would agree to a roll up awning. Mr. Wyrick replied okay. He asked for specifics. Mr. Adams said that they are currently using a folding arm type and can even get them motorized. He said that they recently approved one for the Aroma Café.

Ms. Fineberg said that the other requirement should be that the valance be loose and not rigid.

Mr. Reynolds asked how much of the sidewalk would be covered with the awning. Mr. Wyrick replied his original plan was 34”.

Chairman Rice said that that is what they will approve. He said that if the dimensions change, then come back for an amendment.

Chairman Rice asked if there were any more questions for the applicant. Hearing none, he asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to accept the application as presented with the amendment that the awning be a roll up awning with a loose valance. The motion was seconded by Ms. Fineberg. The motion passed by a unanimous vote.

12. Petition of **Michael and Amy Quigley, owners**, for property located at **40 Mt. Vernon Street** wherein permission was requested to allow an amendment to a previously approved design (addition of two skylights) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 28 and lies within the General Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Maranhas spoke to the petition. He stated that he would like to install two skylights, one on the north side and one on the west side of the property.

Chairman Rice asked if there were any questions for the applicant. Hearing no one, he asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to approve the application as presented. The motion was seconded by Mr. Golumb. Mr. Adams stated that the skylights are architecturally simple and not offensively displayed to the neighborhood. The motion passed by a unanimous vote.

13. Petition of **March Twenty-Two, LLC, owner**, for property located at **46 State Street**, wherein permission is requested to allow exterior renovations to an existing structure (relocate downspout and expand chimney height) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 11 and lies within the Central Business B and Historic A Districts.

SPEAKING TO THE PETITION

No one was present to speak to the petition.

DECISION OF THE BOARD

Mr. Adams made a motion to table the petition to the September 13 meeting. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

III. ADJOURNMENT

At 10:45 p.m., it was moved, seconded, and passed to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Secretary

These minutes were approved at the Historic District Commission meeting on October 4, 2006.