

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

CITY COUNCIL CHAMBERS

7:00 p.m.

January 3, 2007

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

MEMBERS EXCUSED:

ALSO PRESENT: Roger Clum, Assistant Building Inspector

Chairman Rice began the meeting by making a couple of announcements. He stated that there would be an opening soon on the Commission and that the Committee on Committees was seeking applications for those individuals interested in being considered to fill the vacancy. He said that the Mayor will not fill the position with just anyone. He will wait for the right person. Chairman Rice pointed out that this is an opportunity to serve on a land use board.

Councilor Raynolds stated that he serves on the Committee on Committees. He said that it is a rare opportunity to have an opening on the Historic District Commission. He also pointed out that this is a board where experience, expertise, and commitment are very important so the Mayor and the Committee on Committees will be looking very carefully to the qualifications of each applicant.

Ms. Dika asked if there was a specific application to complete. Councilor Raynolds replied that the application is available on the City website as well as in the City Clerk's office.

Ms. Fineberg asked if there was a deadline that individuals should be working toward. Councilor Raynolds pointed out that Chairman Rice would probably be serving through February. He said that the City Council will be meeting several times before then and will discuss the applicants. He said that time would be of the essence.

I. NEW BUSINESS

A) Election of Officers

Vice Chairman Adams made a motion to table the election of officers to the March meeting due to the upcoming changes with the Commission. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

Chairman Rice announced that there would be an extra meeting of the Historic District Commission this month for the purposes of holding a public hearing on the Sheraton/Westin, Harbor Corp. application. The meeting will be held on January 31, 2007 at 7 p.m. in the Council Chambers. The entire evening will be devoted to this project.

II. OLD BUSINESS

A) Approval of minutes – December 6, 2006

Vice Chairman Adams made a motion to approve the minutes as presented. The motion was seconded by Mr. Hetjmanek. The motion passed by a unanimous vote.

B) Motion for Rehearing – 12-32 Porter Street – submitted by Porter Street Townhouse Homeowners Association

Chairman Rice stated that he did not consult the City attorney on this request as he felt it was pretty straight forward.

Ms. Fineberg made a motion to rehear the application. Councilor Raynolds seconded the motion. Chairman Rice asked if there was discussion on the matter.

Mr. Hetjmanek asked why they would rehear it. He thought the vote was almost unanimous.

Mr. Katz pointed out that he abstained from voting on this application. He added that he thought the application was exempt because of Section 10-1002 (f) of the zoning ordinance. He felt they should rehear it.

Mr. Clum stated that his reference to the 27 cubic feet involves something on the roof. The one foot out from the wall plane involves something attached to the building. Mr. Clum said that the gate is a free standing unit much like an air conditioning compressor and so, it was the City staff's position that it needs to be reviewed by the Commission.

Mr. Katz said that he did not see why one gate was approved and the other was not. He said that he would still like to have it reheard.

Ms. Fineberg stated that she made the motion because in the Motion for Rehearing, #9, it says that they will present additional evidence as to how the existing gates may be modified to make them more appropriate. In other cases like this, the applicant has not stated that they would present new evidence, so that is why she made the motion to rehear the application.

Vice Chairman Adams and Mr. Golumb said that they agreed with Ms. Fineberg regarding #9 of the Motion for Rehearing.

The motion passed by a unanimous vote.

Chairman Rice said that the rehearing would take place at the February meeting.

- C) Request for one year extension of approval received on January 11, 2006 for property located at 99 Bow Street – Martingale Wharf, LLC

Mr. Clum stated that the Planning Director instructed him to mention that past practice as been that the City does not consider the one year “clock” to start until after all litigation has cleared the court system. He said that the Planning Director and the City attorney felt it was safest to, in this case for the Commission to grant the extension if they would like to do so.

Mr. Hetjmanek made a motion to grant the request for a one year extension on the Certificate of Appropriateness. The motion was seconded by Mr. Golumb.

Ms. Fineberg asked Mr. Clum for additional clarification concerning the litigation. Mr. Clum replied that the Planning Director and the City attorney thought there could be a gray area and if the Commission was of a mind to approve the extension, then it was probably best to do so.

The motion passed by a unanimous vote.

Ms. Fineberg asked when 7 Islington Street’s appeal to the Board of Adjustment would be heard. Mr. Clum did not know the date but said that he would get the date to them.

- D) 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. *This item was tabled at the November 1, 2006 meeting.*

SPEAKING TO THE PETITION

No one was present to speak to the petition.

DECISION OF THE BOARD

Vice Chairman Adams made a motion to table the application to the January 10, 2007 meeting. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

- E) 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. Plans on file in the

Request To Table

Planning Department. Said property is shown on Assessor Plan 123 as Lot 4 and lies within Mixed Residential Office and Historic A Districts. *This item was tabled at the November 1, 2006 meeting.*

DECISION OF THE BOARD

Vice Chairman Adams made a motion to table the petition to the March 7, 2007 meeting. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

F) Petition of **414 State Street Condominium Association, owner, and Timothy S. Wheelock, applicant**, for property located at **414 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (repoint chimneys, install stainless steel chimney caps, apply chimney saver water protection to both chimneys) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 13-2 and lies within the Central Business B, Historic A, and Downtown Overlay Districts. *(This item was tabled at the December 13, 2006 meeting.)*

SPEAKING TO THE PETITION

Vice Chairman Adams made a motion to remove the petition from the tabled status. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

It was then determined that no one was present to speak to the petition. Vice Chairman Adams made a motion to table the petition to the January 10, 2007 meeting. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

At the end of the meeting, a representative of 414 State Street Condominium Association arrived.

Vice Chairman Adams made a motion to remove the petition from the tabled status. The motion was seconded by Mr. Golumb. The motion passed unanimously.

The representative stated that the condominium association needed to address water damage from leakage around the right chimney into an upper condominium. She mentioned that a proposal by the Merry Chimney Sweeps of Stratham to install chimney caps should solve the problem.

Chairman Rice stated that they had a problem with the metallic cap. He said that that type of chimney cap on that type of building in the historic district is a very institutional solution to a very common problem. He added that they would like to see something along the lines of a bluestone or slate cap.

The representative stated that she thought the estimated cost of repairs which was \$2,200.00 was a substantial cost for a five unit building. She though that a stone cap would add significantly to the cost of their renovations. Ms. Fineberg asked if they had priced the cost of a stone cap. The representative thought that it would be another \$1,000.00, but she did not know that for sure.

Ms. Fineberg made a motion to table the application to next week’s meeting to give the applicant time to get an estimate. The motion was seconded by Vice Chairman Adams. The motion passed by a unanimous vote.

Chairman Rice added that the applicant might find that the cost of a stone cap would be worth it in the long run as it would last a long time.

III. PUBLIC HEARINGS

1. Petition of **Cristina J. Ljungberg, owner**, for property located at **180 Newcastle Avenue**, wherein permission was requested to allow new construction to an existing structure (new two-story rear addition and new front entry porch) and renovations to an existing structure (replace windows on front and left side elevations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 23 and lies within the Single Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Anne Whitney, architect for the project, spoke to the petition. She stated that a work session was held with the Commission in September. She said that there will be three changes on the exterior of the building – a front entry porch, a right side addition, and a rear addition.

Ms. Whitney said that the rear addition would be built over the existing shed addition and will extend out another three feet. She said that that part of the shed addition would come down and they would build the two story addition up to peak with a similar roof pitch. She added that they would be using a combination of double hung and casement windows. Ms. Whitney said that there is a 6’2” ceiling height on the second floor so she was going to use a little smaller window. There is one skylight on this addition to give a little light to a back hallway.

Ms. Whitney stated that the comments that she got from the work session on the front porch addition were favorable. She said that she changed to a round column instead of the tapered column.

Ms. Whitney said that the third addition has changed a bit. She stated that the concept was to build it so that it looked like an infill porch. She added that they have eliminated the second floor deck. One of the issues with the deck originally was that it was difficult to get furniture into the house because the stairway is very narrow. Ms. Whitney said that with the deck, they had planned to put a door up there. Instead, on the west elevation, she has put a French casement window that opens up without a mullion in the middle. It allows them to get a queen size mattress and box spring through that opening.

Ms. Whitney stated that on the porch there would be simple crown molding and trim around the windows. She said they would be replacing all of the windows in the building. The double hung

windows would be Brosco tru-divided light and the casements would be Marvin wood windows also with tru-divided light.

Chairman Rice asked Ms. Whitney about a notch on window “G”. Ms. Whitney replied that the corner board will run by and the casing will sit next to the corner board as it wraps the corner. She added that the sill comes with a wooden casement. The edge of the sill will butt up to the corner boards. She stated that they would be putting a new roof on and will be using asphalt shingles.

Chairman Rice asked if there were any questions.

Ms. Fineberg said that the window that bothers her is the “K” window. She said that she understands it usefulness and can probably live with it.

Ms. Dika asked what the age of the house was. Ms. Whitney replied that she did not know but a house that she is working on a few doors down might possibly be the Ware house. Ms. Dika said that she did not care for the more formal entry. Ms. Whitney replied that the thought was to have shelter there. Chairman Rice added that it would have a more elaborate look.

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

Ms. Fineberg made a motion to approve the application as submitted. The motion was seconded by Mr. Hetjmanek. Chairman Rice asked if there was discussion.

Vice Chairman Adams stated that he agreed with Ms. Dika’s comments that the house has made a rapid shift from an early federal house to a larger more established house. He felt it was the five window façade on the front elevation and the single file of the sashes on the gable end that made it simple. He also was transfixed by the size of the casement window on the second elevation. He said he would have a difficult time supporting the application.

The motion passed by a 6-1 vote with Vice Chairman Adams voting in opposition.

- 2. Petition of **KRS Realty, LLC, owner**, and **Kim Buxton, applicant**, for property located at **78 Market Street**, wherein permission was requested to allow exterior renovations to an existing structure (install awning over entrance) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 36 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Ms. Jesse Aikman for Back Channel Canvas spoke to the petition. She showed a model of what they are proposing to do. She said that she was aware that this was not what they typically like to see around town but she felt the rounded awning would compliment the building's window design.

Chairman Rice stated that the Commission might have a problem with the fact that a rounded awning would most likely have to be a fixed structure. He said that in trying to create a sense of character in the district, when they look at awnings, they ask themselves what works, what doesn't work, and why it doesn't work. Chairman Rice said that have deferred to roll up awnings over the years. He said they did not feel that an awning should be a permanent part of the structure.

Ms. Aikman said that she understood what Chairman Rice was saying. She said that she brought some pictures of rounded awnings in the district for them to look at. She felt that they added to the look of the building because they too were over rounded windows. The pictures were of the Bank of America building on Pleasant Street and the retail store Isis on Penhallow Street.

Ms. Fineberg asked if it was possible to create a retractable rounded awning. Ms. Aikman replied that she would really have to put some thought into how it might be created. She said she might be able to do something with a boat top frame; however, using a welded frame would be much easier.

Ms. Fineberg asked if there was a way to come to a compromise. She pointed out that the Bank of America awning had a fixed valance. She said that the one at Isis had the lines that they are more likely to favor. Ms. Aikman replied that she planned to have a valance on the awning.

Vice Chairman Adams said that he did not recall approving the Bank of America awnings. Ms. Fineberg said that she did remember them and they did approve them.

Ms. Dika stated that it was such a pretty window. Ms. Aikman agreed and said that it would be a shame to put a square awning over it.

Councilor Reynolds asked why cover the window at all. He said great effort was made to make that window and it lets a lot of light in in the afternoon. He pointed out that the owner has the right to do what they want with their building but it would be obscuring a nice window and would block the entire function of the window.

Mr. Wyckoff stated that the door under the window is swinging out so there is no rain protection for the door and that may be why they are pursuing the awning idea.

Councilor Reynolds said that he could see that as an issue. He wondered if it would be possible to fix that problem with a less intrusive remedy by using the space below that window to place something that would offer rain protection and shade.

Ms. Dika asked what the purpose of the awing was. Ms. Aikman replied that the owner wants to identify her entryway and have the building number imprinted on it. Also, she would like it to

provide some shelter. Ms. Aikman said that she advised her client that a rounded awning would look the best there and would compliment the entry.

Ms. Dika stated that it sounded like the purpose of the awning was to achieve visibility and she found that objectionable. She added that she found the doorway very attractive.

Mr. Golumb said that he agreed with Ms. Dika. He felt that the awning would detract from it.

Ms. Aikman asked if it would be more agreeable if it was something that retracted whether it was rounded or square. Mr. Golumb replied that a retractable awning might be something he would consider however, he felt the loss of the window would take away from the prominent entrance.

Ms. Dika said that the half round window has architectural interest and the awning does not.

Chairman Rice pointed out that the half round window has a history and he remembers when it was approved.

Ms. Fineberg asked about how the awning would fit. She pointed out that the Isis awning fits inside the window. Ms. Aikman said that it is just outside of it. Mr. Adams commented that you can see both courses of brick. Ms. Fineberg asked if most of the brick would be showing. Ms. Aikman said it would be about halfway into the bricks. She said there would be a rounded circle of bricks that would show. Ms. Fineberg asked if the awning could be mounted inside the brick. Ms. Aikman replied that she was concerned about going into the window frame with something so large. She felt it would be more stable if they attached it to the bricks.

Ms. Fineberg asked about the piping that was on the Isis awning. She felt that the piping breaks up the mass.

Chairman Rice suggested that the application be tabled to a work session to give the applicant a chance to come back with more ideas.

DECISION OF THE BOARD

Vice Chairman Adams made a motion to table the application to a work session at the January 10, 2007 meeting. The motion was seconded by Mr. Golumb. The motion passed by a unanimous vote.

Vice Chairman Adams told Ms. Aikman that she should explore an inside the brickwork mounting, piping detailing, and a better description of the valance.

Councilor Reynolds suggested that if possible, the client should attend next week's meeting as well.

3. Petition of **DiLorenzo Real Estate, LLC, owner**, for property located at **33 Bow Street**, wherein permission was requested to allow an amendment to a previously approved design (change French door and triple window at rear elevation and raise third floor height to meet structural requirements) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 48 and lies within the Central Business A, Historic District A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Golumb recused himself from the discussion and vote.

Mr. Steve McHenry of McHenry Architecture spoke to the petition. He said that he was seeking the approval of three minor changes to the previously approved design. The first change was a change in the configuration of the French door on the rear elevation. He said that the overall openings of the doors would remain the same; however the client would like to have the large two center doors and two narrow sidelights.

Mr. McHenry stated that during the course of construction, the floor structure was deemed insufficient and also too low for the owner’s taste. They would like to create a new floor and to raise it up seven inches. He said that the only impact it has on the approval is that it would raise the threshold of the proposed doorway and balcony seven inches. Vice Chairman Adams asked if there was any reflection of the seven inch difference in the frame of the building. Mr. McHenry replied no, and he pointed out in the plans how it would be addressed on the exterior of the building. He commented that the floor structure that was there was bowed. It was a ceiling that was clad in wood and that floor structure was hung from the floor above and it was deemed dangerous.

Mr. McHenry added that because of the change in the French doors on the upper floor, it was thought to be more appropriate to have a different window pattern on the second level. They are proposing one window on the left and four gang windows on the right. He also noted that there was a mistake on pages 2 and 3. He said that they are not changing the trim.

Chairman Rice stated that he liked the change. He thought it would add interest.

Chairman Rice 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

Vice Chairman Adams made a motion to approve the application as presented. The motion was seconded by Councilor Raynolds. The motion passed by a unanimous vote with Mr. Golumb abstaining.

4. Petition of **Guy Marshall, owner**, for property located at **27 Gardner Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove rear door, replace with three new windows, remove two side windows, replace with new door and two new windows) as per plans on file in the Planning Department. Said property is shown as Assessor Plan 103 as Lot 15 and lies within the General Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Guy Marshall, owner of 27 Gardner Street spoke to the petition. He stated that the areas that they are proposing to change are the existing right elevation and the existing back elevation. He said they are proposing to remove the existing entry door on the right elevation and replacing it with three 9 over 6 windows which will match the rest of the windows on the first floor. They are also proposing to remove the two Brosco windows on the lower section of the back elevation and replace them with two 9 over 6 windows and an entry door.

Chairman Rice asked if the back elevation was facing north. Mr. Marshall replied yes. He added that a portion of the house faces the street. The right elevation very closely faces the apartment building beside it with 10-15 feet between them.

Mr. Marshall stated that all of the Marvin windows that they have replaced on the house have the authentic sills with appropriate band molding.

Ms. Dika stated that she appreciated what he has done to the house already. She asked if the exterior changes that they are proposing are in response to the changes they have made on the interior. Mr. Marshall replied yes, they are changing the floor plan. He said that the part he is changing is in an addition that was added in the early 1980's. They plan to open up this addition and increase the kitchen size and add a laundry/bathroom. Mr. Marshall said they would be putting cedar clapboard on the exterior.

Councilor Reynolds asked for clarification that the changes proposed would be taking place in the 1980's addition part of the house. Mr. Marshall replied yes. He said they are not changing anything on the exterior of the original house.

Ms. Fineberg stated that she felt there were a couple of places where there were too many windows placed together. One area was on the right side elevation. She would like to only see one window there. She also said that next to the back door, only one window on the left side would suit the space better.

Chairman Rice asked Ms. Fineberg if she would be agreeable to taking out the middle window on the right elevation. Ms. Fineberg replied that she had thought about that and yes, she could live with that. She just thought three windows in that space was over embellishing that space.

Mr. Marshall brought pictures of the view from the door looking at the area where the three windows are proposed. He said that this was a darker section of the house. He added that if he went with one window, he would need to line it up with the second story window above it.

He said that he was not opposed to compromising if that is what it takes. Mr. Marshall stated that they are not getting a lot of light on the right side of the house because of the apartment building.

Chairman Rice suggested that they go with two windows on the right side elevation and one window on the left side of the door. Ms. Fineberg added that they should be centered. Mr. Marshall added that the right side window should be lined up with the second story window.

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

Ms. Fineberg made a motion to approve the application with the following amendment: two windows on the right side elevation with the right side window aligned with the window above it and that the back elevation have a single window to the left of the door, centrally located between the door and the left hand corner board. The motion was seconded by Councilor Raynolds. The motion passed with a unanimous vote.

Vice Chairman Adams asked Mr. Marshall asked if he would make a new sketch of the plans and drop it by the Planning Department. Mr. Marshall replied yes, he would.

- 5. Petition of **160 Middle Street Trust, owner, and Catherine Stone, applicant**, for property located at **160 Middle Street** wherein permission was requested to allow an amendment to a previously approved design (add two windows to right side of structure, add transom lights over garage doors, and change design of garage door openings) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 9 and lies within the Mixed Residential Office and Historic A Districts.

SPEAKING TO THE PETITION

Chairman Rice stated that he would be recusing himself from the discussion and vote.

Ms. Catherine Stone spoke to the petition. She stated that in November the Commission approved the design of the garage. She said that it has no windows and she would like to add windows which would be Brosco full divided light windows.

Ms. Fineberg asked if she was requesting transom lights over the garage door as well. Ms. Stone replied yes.

Vice Chairman Adams asked if there were questions for the applicant.

Ms. Dika asked if the property had just changed hands. Ms. Stone replied that next week the sale would be finalized.

Ms. Fineberg showed Ms. Stone two transom light designs, one in the door and one above. Ms. Stone replied that she preferred them above the door but if the Commission had a preference she would be amendable to that.

Vice Chairman Adams asked if the trim on the windows and transom would be of the same dimension as the doors. He also asked if she would be centering the transom lights over the doors and that the two windows would be placed, equally spaced, on the sidewall after the door. Ms. Stone replied yes.

Vice Chairman Adams 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

Ms. Dika made a motion to approve the application as presented. The motion was seconded by Mr. Katz.

Vice Chairman Adams asked if there was any discussion.

Councilor Raynolds asked about the vent above the garage doors and if it was something they should be considering this evening. Vice Chairman Adams stated that he believed that it was something that was included in the last application but he was not certain. Ms. Fineberg interjected that it was approved in November.

Ms. Fineberg mentioned that she thought they could do better on the doors but the doors have already been approved. She would like to see the doors look more carriage like.

Mr. Wyckoff said that he liked the transom lights over the garage doors. He stated that with the inclusion of the transom lights, the garage will be a foot higher.

Vice Chairman Adams stated that they can only assume that the applicant will build what is presented. He suggested that they stay close to this project. He said that he was skeptical that the transom lights could be inserted in the frame and still pass code. Mr. Wyckoff added that they may have to use trusses.

Councilor Raynolds stated that the prior exchange showed the value of having members on the Commission who have practical experience in this area. He said that they have pointed out that there could be problems down the road and cautioned the applicant to consider whether it will work. He wondered if they should table the application.

Mr. Katz stated that he did not know whether it was within their purview to question the structure of an application. He said he did not see the problem with it. He added that the gable end is non-bearing anyway. Mr. Katz said that the ceiling joists are tied into the rafters and it looked like it would work.

Vice Chairman Adams stated that in favor of moving the application along, it was just a garage, there was no third floor over it; it was not a dwelling. He said that if there was a delay because of it not being able to fit into the envelope that had been described, it would only hold up the construction of it.

The motion passed by a unanimous vote with Chairman Rice abstaining.

6. Petition of **Stone Creek Realty, LLC, owner, and Axis Business Solutions, applicant,** for property located at **53B Green Street,** wherein permission was requested to allow exterior renovations to an existing structure (install awning over entrance) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 119 as Lot 2 and lies within the Central Business A, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Peter Estes, of Axis Business Solutions, spoke to the petition. He stated that they were seeking approval to install an awning over their entrance for protection from the elements when entering and leaving the building. He pointed out that they are proposing the same type awning that was previously approved for their neighbor, the Du Da Spa.

Chairman Rice asked if the Commission remembered approving the awning for the Du Da Spa. They replied yes. Chairman Rice said that it was not a roll up awning. He wondered if they thought since this was an industrial building that it did not require a roll up awning. Chairman Rice said that in this case, they are making a distinction between Market Street and other parts of downtown and Green Street, which is more industrial in nature. Councilor Raynolds pointed out that the historic district does not mean that it is a historic building.

Chairman Rice 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. Katz made a motion to approve the application as presented. The motion was seconded by Vice Chairman Adams. The motion passed by a unanimous vote.

Chairman Rice stated that they have established precedence for this neighborhood.

7. Petition of **Blair W. and Janet B. McCracken, owners,** for property located at **212 Pleasant Street,** wherein permission was requested to allow new construction to an existing structure (single bay garage with arbor connection to house) and exterior renovations to an existing structure (removal of solar panels at rear of house) as per plans on file in the Planning

Department. Said property is shown on Assessor Plan 109 as Lot 26 and lies within the Mixed Residential Office and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Julie MacDonald of DeStefano Architects with Blair and Janet McCracken spoke to the petition. She stated that they have submitted an addendum to their submittal. She was also submitting a sheet tonight that was to be a substituted for the second sheet of the submitted plans.

Ms. MacDonald pointed out that they had a zoning issue and needed to make some changes to accommodate an abutter. She said that the proposed garage has been moved forward toward the street to allow for a larger setback at the property line. She stated that page one of the addenda shows the garages new location. They have also added a storage area to the rear of the structure and have continued the saltbox roof down to cover the storage area. They are now 9 feet from the property line with an 8 foot setback to the side property line. Ms. MacDonald said that they have moved slightly closer to the house. They are now 8 feet from the house from the arbor location. She stated that the garage door shown on the addenda is not the door they are submitting. The doors they are proposing are in the spec package. She added that they want to do a six panel door that matches what is inside of the house. They will use wood clapboards and corner boards as well.

Vice Chairman Adams asked that by extending the roof line over the storage area have they lost one of the windows in the rear. Ms. MacDonald replied yes, but the applicants are avid gardeners and will welcome the storage space.

Mr. Wyckoff asked if the keystone arched trellis was something that the applicants felt strongly about. Ms. MacDonald replied that they felt that the garage needed to be attached to the house and it was felt that the trellis was a good way to anchor it. Mr. Wyckoff said that he felt that the connection should be a little higher up, connecting with the eaves of the garage. He did not feel that the way it was proposed, that it connects well with the house. He did not feel that it had enough mass. Vice Chairman Adams that in elevation, the arched entryway that is created by the arbor is in scale with the arched opening of the garage door. He felt that that was the motivating factor. Mr. Wyckoff stated that that could be right. He wondered if maybe it was the drawing that was causing the discrepancy. Councilor Reynolds noted the arch on the garage and the keystone matches the neighbors. He said that it did not match the arch over the applicants' door and wondered if that should be rethought. Ms. Fineberg asked Councilor Reynolds if he was suggesting taking out the keystone. Councilor Reynolds replied no, he was just throwing it out there. Mr. Wyckoff pointed out that the garage is now being placed closer than originally thought so that may have something to do with the perspective.

Vice Chairman Adams said that the garage mimics the arched openings of the building next to it except that it much more a sense of a colonnade. He said it also mimics the highly developed carriage shed and outbuildings that are on the Wendell house next door in its arched shape and its scale but because of the lot size, it looks very juvenile.

Chairman Rice stated that he liked the connector. He thought it added an inviting feeling.

Vice Chairman Adams said he still felt there was a sense of awkwardness with the garage but looking at the applicant's property and the fact that they have used someone else's garage for some time, he felt that the attempt that the applicant has made is the best that he can imagine.

Ms. Dika said that she felt the project has been very sensitively handled. She added that she liked the detail on the garage and the garage doors.

Councilor Reynolds stated that he is appreciative of the effort that has been made. He thought that maybe there should be a slightly less attempt at decorum in regards to the garage. He wondered if the use of transom lights would help.

Chairman Rice stated that he was getting the feeling that they were spending too much time on this issue. Ms. Fineberg said that she favored the arched expression of the garage.

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

DECISION OF THE BOARD

Vice Chairman Adams made a motion for the purposes of discussion to approve the application as revised. The motion was seconded by Ms. Fineberg.

Vice Chairman Adams stated that the use of transom lights would change the height of the door opening. The building is already narrow and tall and the transom light would require that the building be even taller. He said that he felt the applicant has made a good effort to match the garage to the garages next to it.

Ms. Fineberg and Mr. Katz stated that they were in support of the application.

The motion passed by a unanimous vote.

- 3. Petition of **Market Wharf Condominiums, owner, and Thomas Magruder, applicant,** for property located at **33 Deer Street**, wherein permission was requested to allow exterior renovations to an existing structure (new siding, trim, railings, and windows) 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 A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

No one was present to speak to the petition.

DECISION OF THE BOARD

Mr. Golumb made a motion to table the application to the January 10, 2007 meeting. The motion was seconded by Mr. Hetjmanek. The motion passed with a unanimous vote.

Mr. Wyckoff asked about the one foot projection from the walls and projection of the roof line when they were talking earlier about the parking gate. He asked how the stainless steel chimney cap related to those requirements. Mr. Clum said that the exemptions in the ordinance are pretty clear. He quoted from Section 10 – 002, (C), f. Mr. Clum said that because the chimney cap is more than 4 feet above the roof plane, it is not exempt.

Councilor Raynolds pointed out that they are in the process of revising the ordinance and he wondered if there was any discussion taking place regarding possible changes with the Historic District Commission. Mr. Clum responded that he was not aware of any Historic District Commission related issues. He said that there has been talk about whether the Commission wants to exempt certain things. He stated that it has always been the opinion of the Commission that they would rather see them than exempt them.

V. ADJOURNMENT

There being no other business to come before the Commission, at 9:15 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Secretary

These minutes were approved at the Historic District Commission meeting on February 7, 2007.