

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

**June 20, 2007
reconvened from June 13, 2007**

MEMBERS PRESENT: Chairman Sandra Dika, Vice-Chairman John Golumb; David Adams, Ellen Fineberg, Richard Katz; City Council Representative Edward Raynolds, Planning Board Representative Jerry Hejtmanek; and Alternates Elena Maltese and John Wyckoff

MEMBERS EXCUSED: None

ALSO PRESENT: Roger Clum, Assistant Building Inspector

IV. OLD BUSINESS

Approval of Minutes – May 9, 2007

A motion was made, seconded and passed by unanimous voice vote to approve the minutes as presented.

V. PUBLIC HEARINGS

9. Petition of **Parade Office, LLC, owner**, for property located at **195 Hanover Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing building) and to allow new free standing structures (construction of a four building mixed use development consisting of retail, office space, residential units, and a hotel) as per plans on file in the Planning Department. Said property is shown as Assessor Plan 125 as Lot 1 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

Ms. Maltese stepped down for this petition.

SPEAKING IN FAVOR OF THE PETITION

Jeff Johnston of Cathartes Private Investments introduced the members of the presentation team and stated their goal was to revitalize this special part of the City. The mixed use development of shops, office space, restaurants and an extended stay hotel will include features such as a new broad walk connecting the northern tier, pedestrian walkways, and larger than required open space and trees. He stated the team had incorporated into their final presentation the input from the past 5 meetings with the Commission.

Lisa DeStefano stated that she was the architectural consultant. In their approach to urban planning, cars would be hidden and a streetscape would be created that would be inviting to pedestrians. They had considered all aspects of integrating the project so that it met the requirements of the ordinance, with no need for a variance. They felt one of the keys to the project's success is the pedestrian link and their hope is that it would serve as a connector between parts of the City.

Mr. David Manfredi stated that their development would be replacing a single-use building which had outside parking. He reiterated their goals and intents, including connecting back to the surround as well as the existing and envisioned future contexts. He listed a number of changes that had occurred over the past 5 meetings, many of which had been spurred by the Commission, and he felt the project had improved over the process.

He indicated the site on the exhibits on display. There would literally be a new street through the site, with parallel parking. Stressing that there would not be a back side to the buildings, he stated there would be a strong street wall on all sides of three public streets, but also on the edge of the Hill. Addressing the material palette, he stated there would be diversity of material but in the context of the Portsmouth palette, texture, etc. The project relates to new construction across street and the Hill. He stated the lobbies will be narrow as they tend to be interruptions to the flow of the street. When above the ground floor, the scale is very compatible with surrounding buildings. He intended to touch on recent design changes and point out on exhibits what he will be describing, which the Commission could follow in their packets. The Commission could refer to the displayed material boards for each building, on which there were metal samples for the storefront, window, the panel at the entrance and the trim at top. The brick for all the buildings, also on the display boards, would be in a red palette, but in a range of tones.

Building #1 – Residential

HDC 4b and 4c - residential elevations. They had talked about the creation of the base in Ariscraft and about defining the windows. They adjusted the windows after comments from the Commission and the new alignment calms the elevation. He noted that sheet HDC 4g was the opposite elevation facing the Harbor Hill Condominium and showed the truly residential entrance.

Building #2 – Hotel

Mr. Manfredi stated that the hotel, shown on the Deer Street and Broad Walk Elevations, had been completely redesigned several times. The group had felt the building should be strong with an identifiable entrance. There would be a clearly defined base at street level and three middle floors. There would be a secondary cornice and definition to the top of building.

The materials were shown on HDC 4B1 and the display board. At the Hill side elevation, they had discussed what the base should be and they revised it to transparent glazing. The rest was the same material palette. The base of the building will feel alive and he felt that side matched the activity on the Hill.

Building #3 – The South End Office Building.

Mr. Manfredi stated the entrance would be on Deer Street. After the work sessions, they made a little more out of the Maplewood corner, stronger, higher, with a strong cornice at the top. He noted

the pattern of fenestration was different in the hotel, residential and office buildings and reinforces the mix of uses. As shown on HDC-4a, they kept to the same rhythm and fenestration for about half a block going down the street. Comments had been made that they were making a masonry wall too flimsy and creating a vertical proportion that made people uncomfortable. They changed that to brick with precast heads and sills and set the panels back a little bit. The metal cornice that had been discussed now has web stiffeners that are coordinated to the rhythm of the column covers. The look is changed as you come down the street. The further building is in the Ariscraft and has a slightly different window rhythm and cornice.

Building #4 – further down Broad Walk, rounding the corner and then extending down Hanover Street.

Mr. Manfredi stated the building was defined by the base and upper floors and was broken into two parts by the setback piece (HDC 4c1). There would be retail at the base, perhaps with awnings.

He stated the last major elevation showed Maplewood Avenue. Building #4 is at the right and #3 at the left and the middle is “ghosted out” back in the distance. On the ground level, they had created bigger openings for access to parking and loading docks. At the entrance to the parking, they had extended the masonry up and ran continuous railing to give it an edge and presence. There was a slightly different material palette for the interstitial piece, as indicated on the display board. The brick would be a little more orange in tone.

In response to questions from the Commissioners, Mr. Manfredi indicated the brick was slightly distressed for texture. He reviewed various views on display, referencing them with the numbered sheets in their exhibits.

Chairman Dika suggested that this would be a good time for the Commissioners to ask further questions.

Ms. Fineberg asked that Mr. Manfredi review the reason for the interruption in the flow of the building on Maplewood Avenue.

Mr. Manfredi stated it had to do, first, with the size of individual floor plates relative to the scale of the building and the surroundings. It would be less expensive to build as a single building with a single core and less stairs. Second, a larger floorplate is not as effective to lease. The smaller floorplate allows you to accommodate multiple tenants on a single floor with greater access to daylight. From a central core, you can divide a single floor into a greater number of tenants and have enough perimeters to support it. With really big floor plates, you’re almost always looking at a corporate headquarters. They wanted flexibility to accommodate full floor tenants, but also multiple tenants on a floor. Third, they felt there was a kind of implied view corridor through there and to separate the two buildings reinforces that corridor. He demonstrated with blow-ups of views which are in the exhibit packet.

There was some additional discussion of changes made as a result of the work sessions, and which were now incorporated in the final plans, with references to the exhibits which were on display and provided in the packet. A list of all the materials, by building, was submitted.

The Commissioners then suspended the regular meeting to gather around the material boards and models of the project and ask questions of the presentation team. After a ten minute session, the Chairman called the meeting back to order.

Mr. Manfredi asked if they would have to come back if a retailer wanted the approved metal on the storefronts painted and Ms. Fineberg responded that they would only have to do so if the material changed.

Chairman Dika suggested that they take each exhibit page separately and ask questions relevant to it and Ms. Fineberg suggested, rather, going building by building so that materials and perspectives could be integrated.

There followed a period during which each building was discussed, with Commissioners asking about specific features and Mr. Manfredi and Ms. DeStefano describing the features and materials which had been detailed in the exhibits, and why they were chosen for these final plans. For building #1, the issues discussed included the setbacks of the windows and sills and the degree of shadow created. For building #2, they discussed perspectives HDC-4f and HDC-2n, in particular the scale of the windows on the Hill side of the hotel and ways to maximize light while maintaining privacy in the pool/gym area. The discussion also touched on how to create vertical definition, and use brick to create a sense of substance. It was noted that the development team had met with the Hill abutters to address their concerns that the materials not make the side facing the Hill seem like the back of a building.

For building #3, the Commission referred to sheets 4a and 4b and perspective 2f. They briefly discussed the awnings, which the Historic District Commission traditionally likes to see operable. The developer explained their reasons for them to be fixed, non-rigid. The sheets referenced for building #4 were 4a and 4c with 2g as perspective. A favorable change to the storefront was noted and the palette, textures and method of choosing the brick were outlined. Returning briefly to building #3, the top of the building was discussed and how the appearance of a differentiation in height has been created to provide a subtle, important line against the sky.

Chairman Dika asked for any additional questions and then asked if there was anyone from the public wishing to speak.

SPEAKING TO, FOR, OR AGAINST THE PETITION

A representative from Jamer Realty submitted and read a letter of support of the project from Legends, an abutter.

Mr. Dick Ingram identified himself as President of the Chamber of Commerce and also submitted a letter of support.

A resident of 77 Hanover Street stated she was also in support of the project, which was a great improvement over the current building. She reviewed all the plans and believed it would bring economic growth and vitality to the community.

Attorney Sharon Somers stated she was there representing the members of the Hill Condominium Association. Attorney Somers stated that they appreciate the efforts the developers made to work

with them and their recognition that the project should not have a “back side.” In this regard, she wanted to make note of one of the plans referenced that evening which she wasn’t sure it was in the packet. Should the Board take action that evening, she wanted to ensure that the record contains what is referred to as the Building #2 – Enlarged Elevation from Harbor Hill. This shows that the building materials on the Hill side of the hotel are identical to that of the Broad Walk.

Attorney Somers stated that, essentially, they have worked through their issues with regard to the HDC component of the application and they are in support of the plans that are before the Commission tonight. In addition to the issue raised in her opening remarks, the points of agreement on which the Association is going forward include the following:

- That the transparent glazing referred to that evening, which she believed was clear glass, will be used on the project.
- That light fixtures will be installed on the building face itself, on the side facing the Hill. Final approved plans should show correct type of light fixture, the Nyhavn model.

The remaining issue, which they will follow to its final forum, is that the developer understand the importance of having consistency on all sides of the building in the formatting of the signage and awnings, which will have to go through a separate approval process. As a final note, in response to some of the questions raised about the windows in the pool and gym area, if the applicant and the Commission want to pursue having some sort of frosted glass in those particular windows or some sort of screening, she believed she could state on behalf of the condominium association that they would not be opposed.

Chairman Dika requested that Attorney Somers bring forward the view that they want to be sure is included in the packet. Attorney Somers stated it should be there. She just wanted to reference it as part of the discussion.

Ms. Smith, of 298 Myrtle Avenue, stated she was a resident of the northern tier, a Deer Street business owner and also there to speak as the voice of the Deer Street Merchants Association. They love the project. The developers have worked very closely with the Deer Street merchants, taking time to address their concerns about construction and whether business would be blocked off. They also took into consideration having businesses come in that would complement what is already there and help brand Deer Street as a destination.

Ms. Lee Ann Skeyes (spelled as spoken), Regional Manager of the First National Bank of Ipswich, stated that their Portsmouth branch is located at 77 Hanover Street, directly across from building #1. They are tenants in the Harbor Hill building and, in the interest of full disclosure; their landlord is 77 Hanover Street LLC, which is fully owned by the Cathartes Private Investment firm. She stated that they have reviewed plans and believe the design and materials of the buildings will be attractive and in character with Portsmouth. She listed particular features they like and stated the project will create a sense of place in their neighborhood.

Mr. Don Peterson stated he represented HarborCorp, LLC, the developer of the Westin Hotel and parking garage. He praised features of the project, stating that they have similar goals. They do have some practical concerns. They request that the Commission, before whom they recently appeared on these issues, ask for details on the location of HVAC units and any screening that would affect the streetscape. Some may be in the plans, but some may need further presentation.

HarborCorp's primary concern is the impact of vehicular circulation in and around the site. They would like to ensure that the right hand turn pattern that has been represented before other boards be maintained.

Chairman Dika asked if he understood the Commission has no purview in this particular area.

Mr. Peterson stated he understood. The location of the private way impacts what happens to that site in terms of the massing of buildings. A left hand turn onto a private way will cause a traffic problem in and around the entry to their parking garage. They had expressed concern to the developer and to the Traffic and Safety Committee. Ensuring that the project works for everyone is dependent on the basic footprint the HDC has been considering and he hoped they would request appropriate information.

Chairman Dika stated they would stay in touch with the City on that.

Mr. Steve Scott, of 377 Richards Ave and another resident at 77 Hanover Street stated they were pleased with the well thought out design, like the differentiation in the brick and applaud the pedestrian orientation.

Mr. Fred Attala, representing Points Nor'East Properties stated their concerns with the positioning of the hotel and parking had been addressed and they were now in favor of the plan.

Mr. Dick Duchard stated it was an impressive design. Individual elements are nicely spaced. He listed a number of positive aspects of the project and its impact on the neighborhood and community and encouraged the Commission to approve the application.

Chairman Dika thanked the members of the public who spoke and stated that the design team had worked very hard. It's been impressive how quickly they've come forward with changes after the many work sessions. She noted the Commission has also worked diligently and, before going to motion, asked if the members had any serious concerns. With no response, she asked if they were ready to vote.

DECISION OF THE COMMISSION

Mr. Katz made a motion to approve the application as presented, which was seconded by Councilor Raynolds.

Mr. Katz stated that they were creating a neighborhood so to speak. He was impressed by the quality of the materials and the time spent trying to integrate these buildings into the site. The thing that impressed him the most was that there's no "showboating" here - no making a statement as far as one building working off of another. As viewed in the helpful perspectives, the buildings seem to be part of the site, giving the impression of having been there for a period of time, an integrity, a solidity.

Mr. Adams stated that, in looking at the project, he felt he wasn't getting something, which comes down to why the people in the drawings seem so small in front of the buildings. He believes it's an issue of scale and that parts of these buildings are too big, yet wonderfully proportioned. He used as an example the windows in the section of the hotel that were divided into six lights. The scale of

the 5'6" by 6'8" size seemed apparent reading the specifications, but not when looking at it. Mr. Adams showed some photographs he had taken of the Button Factory and how he had compared it to one of the 4-story business sections of the proposed buildings.

In response to a question from Ms. Fineberg regarding what they should pay particular attention to in the photographs he was circulating, Mr. Adams stated he was trying to demonstrate that even with the huge scale of the turn-of-the-century factory building, the third floor windows of that building are far below the windows of the proposed building. He also wanted to get some sense of the first floor height of the storefronts. He showed another photograph of the Customs Building and other buildings, comparing them to the proposed project. He felt the given perspectives did not always lead them to the best position and questioned how the scale of the project would fit in.

Mr. Adams stated, as additional concerns the material in the ground floor plates; the heaviness of the 150'-200' long sides of the buildings, with the same or similar storefront material or glazing; and the window materials. The window and storefronts for the restaurant seem bare and cold. These items take an otherwise exciting project and make it questionable.

Mr. Hejtmanek stated that he found the strong base attractive and noted that the buildings comply with all the zoning regulations. As far as repetitiveness, it was not the storefronts that draw people, but what is in there. The project is walkable and will draw people.

Mr. Golomb stated that he agreed with Mr. Katz that the project was exciting. The team made a tremendous effort and the mass and scale were appropriate. This would be designing a new city block and he felt it would warrant taking the time to nail down details not yet addressed, such as – window patterns and storefronts. He found the repetitive nature of the storefronts of concern and would like to look at those in the Jardiniere and some other buildings he listed.

Chairman Dika asked if there were any other Commissioners who felt they needed another work session before the vote.

Mr. Katz stated that one of the things that needs to be reconsidered is the attitude or supposition that any new construction has to, not only meet the spirit of the Historic District, but also reproduce or replicate the details of the district. There had been talk about the northern tier being a transition area and he felt this team had treated the Portsmouth historic architectural heritage well. You have to allow the creative process to work. To meddle with this and that little detail doesn't accomplish much and he would like to see this come to a vote

Ms. Fineberg stated that there was a lot in the project that she admires. She liked having buildings that come up to the street and recreate the feeling of being downtown and was pleased to see underground parking. She had lobbied for no parking on the Broad Walk and felt it was much better served as a place where people can walk through. The Broad Walk connecting to the rest of the City is also important and they had worked hard over the years to ensure that there was the opportunity to create those passages. She did caution that, based on her long experience with the Historic District Commission, the windows discussed earlier are not the best designed for that spot. She understands that the people on the Hill are very happy with them, but thought that, once they are there, people are going to feel that the scale is off.

With no one further commenting, Chairman Dika called for the voice vote.

The “ayes” carried the vote, with those voting in opposition waiving their right to a roll call vote.

The motion to approve the application was passed by a voice vote of 5 to 2, with Messrs. Adams and Golumb voting against the motion.

VI. WORK SESSIONS

B) Work Session requested by **Elizabeth G. Fichera Revocable Living Trust, owner**, for property located at **47 Howard Street** wherein permission was requested to allow new construction to an existing structure (new addition to rear of house). Said property is shown on Assessor Plan 103 as Lot 84 and lies within the General Residence B and Historic A Districts.

- Mr. Mark Fichera stated that he and his wife purchased the house in March. He said that he needed to be renovated significantly. He presented the Commission with “as is” and “proposed” drawings. Most of the renovations need to be done in the rear of the house. He pointed out that the current additions on the back of the house are sinking. Mr. Fichera also pointed out that a chimney, which was added at a later date, runs right through the kitchen and leaves very little kitchen space.
- Mr. Fichera explained that they would like to join the two ell additions and create a straight wall in the back. The front of the house would remain the same however, because they are adding a bath on the first floor, there would be a change in the configuration of the window on the left side elevation.
- Mr. Wyckoff pointed out that the window on the second floor was awkward. Mr. Fichera explained that that was a mistake in the plan as there is no room for a window there.
- There was additional discussion about windows on the second floor. Mr. Fichera said that the window configuration was being driven by internal plans.
- Mr. Katz explained the Commission’s guidelines for skylights as one was being proposed in the bathroom upstairs.
- Ms. Maltese said that she was concerned about removing a historic chimney. Mr. Katz said that if the applicant wanted to remove both chimneys he would have a problem with it. He also pointed out that they did not know how old the chimney was. Mr. Fichera explained that it was not the original chimney.
- Vice Chairman Golumb stated that he felt the two sets of French doors on the rear elevation were too dominant. Mr. Wyckoff thought that maybe the four light fixtures by the French doors were what the problem was.
- Mr. Fichera pointed out a storage building on the property. He wondered if it would be possible to put a door on it to use it as a garage. Chairman Dika felt it could be done. The Commission would have to approve the door.
- Ms. Maltese thought a site walk would be helpful.

C) Work Session requested by **Clyde C. Logue, owner**, for property located at **210B South Street**, wherein permission was requested to allow new construction to an existing structure (enclose back porch). Said property is shown on Assessor Plan 101 as Lot 35-B and lies within the Single Residence B and Historic A Districts.

- Mr. Logue stated that he has owned the property since 2000 and had two dormers approved in 2003. He said that they would like to enclose a portion the porch, leaving the end open. He added that they would clapboard the bottom portion of the porch and redo the lattice on the bottom. He asked the Commission if they recommended casement windows or double hung windows. Double hung windows were recommended.
- Mr. Wyckoff stated that he did not like to see clapboards placed underneath windows on a porch. He said he would like to see the applicant work the windows into the existing posts.
- Mr. Logue replied that the two large posts are original and the other smaller one was replaced during a 1980's renovation.
- Mr. Wyckoff pointed out that posts resembling the original ones can still be purchased. Mr. Logue said that they could do that. Mr. Wyckoff suggested paneling underneath the windows.
- Mr. Katz asked about the clapboard privacy screen. Ms. Maltese said that she felt that Mr. Wyckoff's suggestion would work with that area as well.

D) Work Session requested by the **M.H. Wentworth Home for the Chronic Invalids, owner**, for property located at **346 Pleasant Street**, wherein permission was requested to allow an amendment to a previously approved design (extensive correctional work, adjustments to the façade). Said property is located on Assessor Plan 109 as Lot 10 and lies within the General Residence B and Historic A Districts.

- Mr. Bob Iafolla stated that when they started to do demolition inside the building, they discovered significant water damage and thus had a mold problem. He said that it was so bad that the exterior wall board was completely deteriorated, the brick ties were gone and the wall was barely standing. He added that it is not structurally sound.
- Mr. Todd Hanson said that they were proposing to replace the existing brick base with a cementitious clapboard base but with a larger profile. They also plan to use two color dimensions.
- Mr. Hanson pointed out that there would be no change at all to the existing change at all to the original plan of the historic mansions. He also mentioned that they would be proposing banding and clapboarding since they will not be saving the brick.
- Mr. Wyckoff asked if the window pattern would stay the same on the first floor. Mr. Hanson replied that the window pattern would stay the way it was previously approved.
- Mr. Iafolla said that the configuration of the steel and the slabs are already in place so they will have to do it the same way.
- Chairman Dika asked the Commission how they were feeling about the loss of the brick. Mr. Wyckoff asked how everyone was feeling about the 6" clapboards on the first floor. Mr. Katz replied that he was very skeptical. Mr. Wyckoff said that he was also. He added that he would rather see it a three story building with all 4" clapboards. Mr. Katz said that a site walk might be in order.
- Mr. Golumb asked what other options would be available.
- Ms. Maltese stated that the brick has failed so she was not going to be in favor of replacing it with like, as it was.
- Chairman Dika stated that they would need a site walk and it could be scheduled before their next work session.
- Mr. Wyckoff commented that he was not happy with the location of the banding. He pointed out that where the bricks were originally divided does not come into play anymore.

- Mr. Iafolla asked if they could do a work session and public hearing in one night. Chairman Dika replied that they have been trying to stay away from that. She suggested that they talk with the Planning Department about the work session/public hearing.
- Mr. Wyckoff suggested coming with back with a couple options for the Commission to look at and choose from.

E) Work Session requested by **Warren W. Kelly Revocable Trust and Michael J. and Martha A. Mulhern, owners**, for property located at **132 Chapel Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove aluminum siding, replace with vinyl siding, replace windows and doors, replace fence, replace front steps). Said property is shown on Assessor Plan 106 as Lot 6 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

- Mr. Mike Mulhern stated that he would like to remove the vinyl siding proposal. He said that they would like to replace all 22 windows with the Trimline aluminum clad wood exterior replacement windows. He showed the Commission a sample. Mr. Katz stated that he would not have a problem with the windows. Mr. Mulhern added that they would also like to replace the roof with architectural shingles. He would also like to replace the front and back door with fiberglass doors.
- Mr. Golumb asked about the divisions in the existing windows. Mr. Mulhern replied that they are 6 over 1.
- Chairman Dika asked if the proposed door was appropriate to that style of house. Mr. Wyckoff replied that he was uncomfortable with the proposed style. He said that the style below it on the spec sheet was more appropriate. Mr. Mulhern stated that he was agreeable to that style.
- Mr. Mulhern added that he removed a white picket fence on the property because it was a hazard. He said that he was proposing to replace it with granite stone wall. Mr. Golumb asked how high the granite wall would be. Mr. Mulhern replied that it would be about four feet and there would be a black iron gate. He added that he would like to match the front stoop with the same granite stone with a black iron handrail.
- Mr. Mulhern said that they were planning to keep the aluminum siding. Mr. Wyckoff told him that it could be successfully painted.
- Chairman Dika reminded Mr. Mulhern that they would need dimensions of the windows when coming before them for a public hearing.

VI. ADJOURNMENT

At 10:45 a.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 July 18, 2007.