

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

**November 5, 2008
to be reconvened November 12, 2008**

MEMBERS PRESENT: Chairman Sandra Dika; Vice Chairman Richard Katz, Members John Wyckoff, Tracy Kozak, Elena Maltese; Alternates Joseph Almeida, George Melchior

MEMBERS EXCUSED: City Council Representative Eric Spear, Planning Board Representative Paige Roberts

ALSO PRESENT: Roger Clum, Assistant Building Inspector

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I. OLD BUSINESS

A. Approval of minutes – October 1, 2008

It was moved, seconded, and passed unanimously to approve the minutes as presented.

II. PUBLIC HEARINGS

1. Petition of **Gisela H. and Ellen B. Garvey, owners**, and **Bill Southworth, applicant**, for property located at **39 Pickering Street**, wherein permission was requested to allow new construction to an existing structure (install gates on right and left sides of house) and allow a new free standing structure (install air conditioning unit) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 5 and lies within the General Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Bill Southworth was present to speak to the application. He stated that he would like to put central air conditioning in his house so he was proposing to place two condensers at the rear of the house. He did not think that they would be visible by the neighbors. He also said that he would like to put a small gate on the right side of the house. In addition, he would like to put a small fence around the condensers.

Mr. Wyckoff asked Mr. Southworth where the plans for the gates on the left side of the property were. Mr. Southworth explained that they did not want to put a gate on the left side of the property.

Mr. Almeida asked about the fence. Mr. Southworth stated that it would be a 3 foot high picket fence.

Ms. Kozak asked if they could approve the fence even though it was not part of the application. Vice Chairman Katz said that they could amend the application.

Mr. Southworth explained in detail what the fence would look like. He pointed out that the rest of the property was surrounded by a tall fence.

Mr. Almeida stated that to be fair to all other applicants that come before them, he felt that the fence needed to be defined a bit more. Vice Chairman Katz asked Mr. Almeida if he would be satisfied with a verbal description of the fence. Mr. Almeida replied yes. Mr. Southworth showed Mr. Almeida on the submitted plans where the fence was proposed. Mr. Southworth explained that they decided to put a fence in after the HDC application had already been submitted.

Ms. Maltese stated that she had some concern as there was no detail of the fence and that it was an addition to the application. She did point out that it would have a 6 foot high fence around it so it would not be a visual addition to the district other than to the owner. Mr. Southworth said that the fence was to help keep his dog out of the garden.

Mr. Wyckoff thought they were taking a casual attitude toward the fence. He said it was going over quite a distance. Mr. Southworth replied that it would be about 16 feet long.

Mr. Almeida stated that as much as he wanted to make it easy for the applicant, it was a little too loose for him. He pointed out that the fence was not advertised and so he felt they could not proceed forward with it. In addition, there were no drawings.

Vice Chairman Katz stated that documentation was lacking. Ms. Maltese asked if the application could be tabled to next week so that the applicant could bring in the details.

DECISION OF THE COMMISSION

Ms. Maltese made a motion to postpone the application to the November 12, 2008 meeting to allow the applicant time to submit further details. The motion was seconded by Mr. Wyckoff. The motion passed by a unanimous (6-0) vote.

2. Petition of **Richard A. Porzio, owner**, for property located at **56 Salter Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows in boxed bay) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 33 and lies within the Waterfront Business and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Richard Porzio was present to speak to the application. He stated that the existing windows in the box bay were in need of repair. He would like to replace them with the proposed windows presented in the plans.

Ms. Kozak asked if only the box bay windows would be replaced. Mr. Porzio replied yes.

Vice Chairman Katz 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 and awaited a motion.

DECISION OF THE COMMISSION

Mr. Almeida made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Melchior. Vice Chairman Katz asked for discussion.

Mr. Almeida stated that the applications do not get any more straightforward than this. He felt that the proposed pattern of windows would be an improvement to the façade.

Mr. Wyckoff said that he was finding the windows to be more of a cottage style window. He commented that he was not 100% pleased but he did not find them any less appropriate than the existing windows that were previously approved by a previous Commission. He added that he would support the motion.

Hearing no other discussion, Vice Chairman Katz called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (6-0) vote.

3. Petition of **Norma B. Willard and Kimberly W. Faustino, owners**, for property located at **12 Dennett Street**, wherein permission was requested to allow new construction to an existing structure (construct stairs at rear elevation) and allow exterior renovations to an existing structure (replace two rear windows with doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 140 as Lot 8 and lies within the General Residence A and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Norma Willard was present to speak to the application. She explained that her insurance company has insisted that a second means of egress from the upstairs apartments be established. If it isn't, her insurance will be canceled. She said that the stairs would be on the back of the structure and would not be seen by anybody.

Ms. Maltese asked what the dimension of the doors would be. Ms. Willard said that the doors would be 5 feet high but she did not know the width. She pointed out that the dormers on both

sides of the house were different sizes. Vice Chairman interjected that there were spec sheets in the submitted plans.

Mr. Wyckoff stated that he was having a lot of trouble with the application because there were details missing from it. He was not even sure if the plan would work.

Ms. Willard said that they had spent time with Mr. Rick Hopley and Mr. Roger Clum to try to find a plan that would work well. She felt confident that it would work.

Vice Chairman Katz asked what the specific objection to the plan was. Mr. Wyckoff said that there was no detail on the decks; it was out of proportion, and there was no detail on the trim around the doors. He asked Mr. Clum if there was any difference between a five foot door and an egress window. Mr. Clum replied that the building code was not requiring that this be done but the insurance company was. Mr. Wyckoff felt that a window would accomplish the same thing.

Ms. Kozak pointed out that the submitted plans showed the stairs and railing quite clearly. She felt that the application was fairly complete.

Vice Chairman Katz stated that the door trim needed to be clarified. He asked Ms. Willard if the door trim would mimic the window trim. Ms. Willard replied yes.

Mr. Almeida pointed out that the doors showed different mullion patterns. He added that it would be very awkward to see a five foot door. Ms. Willard said that the mullion pattern would be the same as what was shown on the spec sheet. Ms. Maltese asked if they intended to use the optional wood grills. Ms. Willard replied yes. Ms. Willard pointed out that no one will be able to see the stairs and door for the backyard vantage point. Vice Chairman Katz commented that once the doors are installed there would be three different light patterns.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise she declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Vice Chairman Katz made a motion to grant a Certificate of Appropriateness for the application with the following stipulation:

- 1) That two six light doors with wood grills are installed.

The motion was seconded by Ms. Kozak. Chairman Dika asked for discussion.

Vice Chairman Katz felt the application was relatively straight forward. He said it was a means to an end for the applicant to meet particular stipulations by her insurer. He felt it was the best way to approach the situation.

Mr. Wyckoff stated that he disagreed. He said that if they were asked to approve these doors in any other place they would be talking a lot more about the plans. He pointed out that having 42” high railings with a five foot high door was totally inappropriate. Even though the stairs would not be seen it was still a major change to an early 1800 colonial. He added that once the doors were in, that was it. He did not think it was the best change for the house and he felt there were other ways to approach it.

Hearing no other discussion, Chairman Dika called for a roll call vote. The motion to grant a Certificate of Appropriateness for the application with the following stipulation passed by a 4-3 vote:

- 1) That two six light doors with wood grills are installed.

Chairman Dika, Vice Chairman Katz, Ms. Kozak, and Mr. Melchior voted in favor with Mr. Almeida, Ms. Maltese, and Mr. Wyckoff voted in opposition.

4. Petition of **Emile R., Jr. and Allison K. Bussiere, owners**, for property located at **678 Middle Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing garage) and allow new construction to an existing structure (construct addition with garage and room above) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 30 and lies within the General Residence A and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Emile Bussiere, owner of the property and Ms. Amy Dutton, architect were present to speak to the application. Mr. Bussiere explained that a work session was held a couple months ago and the suggestions from the Commission at that time had been incorporated into the newly submitted plans. Included in the plans were drawings showing the street view, side view, and rear view of the proposed addition.

Mr. Wyckoff asked if the porch panels would be raised panels. Ms. Dutton replied yes and that it was a very simple design.

Mr. Almeida asked about the lattice detail beneath the porch. The drawings did not show any trim around it. He asked if it would match the existing lattice of the existing porch. Ms. Dutton replied yes.

Ms. Kozak pointed out the brackets on the existing house were quite ornate yet the brackets on the proposed addition were not. Ms. Dutton said that homeowner wanted something more simplistic so they chose to go with a cleaner line.

Chairman Dika complimented the applicant and the architect on a very thorough application.

Hearing no other questions, Chairman Dika asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise she declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Ms. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Vice Chairman Katz. Chairman Dika asked for discussion.

Ms. Maltese stated the applicant took the request for details from the work session and applied them very well to the final design. She said that the addition compliments the house and defines itself as a new addition. Vice Chairman Katz agreed and said that it was an excellent presentation and it should serve as a model of the way all presentations should be.

The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

5. Petition of **LBJ Properties, LLC, and American Financial Realty Trust, owners**, for properties located at **26 Market Square and off Daniel Street**, wherein permission was requested to allow new construction to an existing structure (construct rear stairs with roof at 26 Market Square) and allow exterior renovations to an existing structure (replace rear window with door) as per plans on file in the Planning Department. Said properties are shown on Assessor Plan 107 as Lots 30-1 and 27 and lie within the Central Business B, Historic A, and Downtown Overlay Districts.

DECISION OF THE COMMISSION

At the applicant’s request, the Commission vote unanimously to postpone the application to the November 12, 2008 meeting so that additional material may be submitted.

III. WORK SESSIONS

A. Work session requested by **51 Islington Street, LLC, owner**, for property located at **51 Islington Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing structure) and allow new free standing structures (a mixed use, multi-story building and a residential multi-story building). Said property is shown on Assessor Plan 126 as Lot 33 and lies within the Central Business B and Historic A Districts.

- Ms. Jen Ramsey was present to speak to the application. She explained that they would not see any drawings of the front elevation as nothing has changed since last month’s meeting. She said that last month she introduced a new phasing strategy which was to build the back building first. She told the Commission that it made sense financially and

the building would also serve as a buffer for the neighborhood with the continuing construction.

- Vice Chairman Katz asked how the demolition would take place. Ms. Ramsey said that the demolition would happen all at once.
- Ms. Maltese asked to talk about the phasing of the project. She said that she was comfortable with Phase A first and Phase B second but she was not comfortable adding Phase C. She was not in favor of splitting up the front building into two structures. Mr. Wyckoff agreed with Ms. Maltese. Chairman Dika wondered if the phases should be separated into different applications. Ms. Ramsey stated that she would have to speak with the client because in order to get the financing it might have to be for the whole lot. Ms. Maltese said that she did not feel that the project should be split; she just highly recommended having the front building be one phase and not two. Mr. Clum pointed out that after the HDC, the applicant would be working with other boards and those boards might weigh in differently on the phasing concept. Ms. Ramsey informed the Commission that the City is working with them currently on the phasing.
- Ms. Kozak pointed out that they have not spent a lot of time on the parting wall if Phase B and C were to happen. Ms. Ramsey said that the client has said that if he builds A and B, he has to build C because all of the profit is in the third project.
- Mr. Wyckoff commented that he was not entirely comfortable with the phasing concept in this economy. He was afraid that they might end up with a 4 to 5 story blank wall facing Islington Street.
- Mr. Clum pointed out that there was a concern that there have been a lot of work sessions with this project and suggested that the applicant think about moving forward with their proposal soon.
- The Commission reviewed drawings of the buildings showing how they would look in a phased situation. There was discussion about using spandrel glass as a way to work with the phasing process. The Commissioners were comfortable with the use of the spandrel glass.
- Page 4 of the plans showed the completed three phases of the project.
- Ms. Ramsey stated that the Planning Department was reviewing where the meter boxes should be located. Mr. Clum said that there will be numerous boxes so it should be something the Commission reviews.
- Ms. Ramsey said that the Tanner Street elevation had not changed on the front side and but had changed slightly on the back side. She pointed out that the two units on the end did not have access to the common hallway or the elevator so they needed handicap access from the sidewalks.
- Mr. Almeida commented that the eave overhangs seemed very large. Ms. Ramsey pointed out that some New Englanders have large overhangs and she was trying to capture that feature.
- Page 7 showed the back of the Tanner Court building which included a ramp and some egress stairs. She thought the meters would be located there as well.
- Mr. Almeida commented that he liked the details of the chimneys.
- Mr. Wyckoff said that the only way he would approve Phase B and C would be to use the spandrel glass. Ms. Ramsey replied that she would talk to the client about it.
- Ms. Maltese pointed out that they have not seen the front Islington Street structure for a while. Ms. Ramsey said that it had not changed.

- Mr. Almeida suggested that instead of using the spandrel glass, he wondered if the developer could use an actual window with clear glass but have it blacked out so that the window could be reused. Mr. Wyckoff thought that was an even better idea.
- Ms. Maltese stated that she was still not sold on the fact that if you take away the left side of the building that the right side building would stand as its own structure.
- A unidentified neighbor spoke and asked about the parking garage. He asked if it would be under the entire site. Ms. Ramsey replied that it was primarily under the front building. She also explained how the traffic flow would work.
- Mr. Almeida pointed out the location of the transformer. He wondered if there were any alternate locations for it. Ms. Ramsey said that that was the preferred location of Public Service of New Hampshire. She said they would try to conceal it the best that they could. Ms. Maltese asked Mr. Clum if the Commission could request to have the transformer located underground. Mr. Almeida added that it is done all the time. Mr. Clum said that PSNH does not do underground transformers. The unidentified neighbor stated that he was not happy about having the transformer in front of his house.
- Ms. Ramsey informed the neighbor that an abutter's meeting would be held before the next meeting.
- Ms. Ramsey stated that she could bring up the transformer issue at the next TAC meeting.

B. Work session requested by **Touati and Barnes, LLC, owner**, and **Robert Dockham, applicant**, for property located at **198 Islington Street**, wherein permission was requested to allow exterior renovations to an existing structure (renovate existing building) and allow new construction to an existing structure (construct new addition). Said property is shown on Assessor Plan 137 as Lot 20 and lies within the Central Business B and Historic A Districts.

- Ms. Carla Goodnight, architect, and Mr. Bob Dockham, applicant, were present to speak to the application. Ms. Goodnight gave the Commission a brief review of the two prior work sessions.
- She explained that some of the Commissioners thought the existing building and the new addition should have their own identities. She said that they have addressed that with the new plans. She also said that they have rearranged the interior so that the connector could be brought down. They have also brought the roof down and have brought the ground up. She showed the Commission a 3-D imagery. Page 3 showed the new changes.
- Mr. Almeida thought the changes were great. Ms. Maltese said that she was much happier with it and Mr. Wyckoff pointed out that the connector was now in better relationship to the original structure.
- Ms. Goodnight stated that she did not bring the other elevation drawings with her because she wanted to see what the Commission thought of the current changes first.
- Vice Chairman Katz commented that any reservations that he had previously have been put to rest.
- Mr. Wyckoff commented that he would like to see the existing building put back to the way it was. He said he would like to see six over six windows used.

- Ms. Goodknight said that they would have one more work session to go over details.

Mr. Wyckoff pointed out that the Commission is obligated to make a decision within 45 days unless the applicant asks for a work session. He said it was up to the applicant to state whether they want another work session.

C. Work session requested by **Joe M. and Pamela Hunt, owners**, for property located at **75 State Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing building) and allow a new free standing structure (construct mixed use, multi-story building). Said property is shown on Assessor Plan 105 as Lot 18 and lies within the Central Business B and Historic A Districts.

Ms. Maltese that she would be recusing herself from the discussion.

- Ms. Jennifer Ramsey was present to speak to the application. She explained that she brought the project before the Commission two months ago. She said they were just seeing what might be welcome on the lot and to get a better sense of the massing in the area. Ms. Ramsey gave a brief review of the last work session.
- Ms. Ramsey said that they were looking at how best to pare down the massing and still make it work from a development standpoint. She explained that they were now looking at a building that looks like two buildings. One of the buildings would be 42 feet long with three floors in one area and then up to four floors at the corner of the building. The partner building would be a taller structure with four floors and a hipped roof. She added that the access to the below grade parking would be off of the parking lot.
- Mr. Almeida stated that he was more comfortable with the massing. He wondered if there was a way to reduce the height next to the residential home to the left of the site. Ms. Ramsey said that they could look at that. Mr. Wyckoff suggested using a similar material. Mr. Almeida liked that idea.
- Chairman Dika said that she was still uncomfortable with the height next to the historic residential home.
- Ms. Kozak pointed out that the height was almost in line with the entire street. Mr. Melchior mentioned that he did not have a problem with the massing.
- Ms. Kozak was not sure the building should be split. Ms. Ramsey explained that the logic for dividing it was that this might be a good location for a boutique hotel. She said it would be easier to sell if it was a separate structure. Mr. Almeida commented that he liked how the structure was broken up. He said he would like to see a clean break of the structure.
- Vice Chairman Katz stated that he personally could not see any objections and felt the project was headed in the right direction.

D. Work Session requested by **Nicole R. Gregg Revocable Trust, owner**, for property located at **13 Salter Street**, wherein permission was requested to allow new construction to an existing structure (construct addition) and allow exterior renovations to an existing structure (misc. exterior changes to convert from multi-family dwelling to single family dwelling). Said property is shown on Assessor Plan 102 as Lot 28 and lies within the Waterfront Business and Historic A Districts.

- Mr. Rob Harbeson, architect, and Mr. Zach Gregg, property owner were present to speak to the application. He reminded the Commission of the prior site walk and work session.
- Mr. Harbeson said that on the rear elevation, they have removed the bay window and have revised the dormer on the right side of the structure. On the front elevation, they are proposing a simpler design for the porch.
- Vice Chairman asked the Commission if the porch on the gable end preserves enough of the original impact of building. He felt it did. Ms. Maltese, Mr. Almeida, and Mr. Wyckoff all agreed.
- There was considerable discussion concerning the size and alignment of some of the windows on the sun porch addition to the rear of the house.
- Ms. Kozak stated that she was comfortable with that elevation but uncomfortable with the perspective drawing. Mr. Wyckoff felt it was successful also.
- There was significant discussion concerning the columns on the open porch.
- Mr. Almeida suggested that a second look be given to the windows to try to make them a bit more uniform.
- Chairman Dika thanked Mr. Harbeson and Mr. Gregg for their hard work. She said the project has come a long way.

E. Work Session requested by **Mill Gate Condominium Association, owner**, and **Kristin Goodwillie, applicant**, for property located at **17 South Street**, wherein permission was requested to allow revisions to a previously approved design. Said property is shown on Assessor Plan 102 as Lot 53 and lies within the General Residence B and Historic A Districts.

Chairman Dika stated that she would be recusing herself from the discussion.

- Ms. Anne Whitney, architect, and Ms. Kristin Goodwillie, property owner were present to speak to the application.
- Ms. Whitney stated that after they got all of the approvals for the original project, the economy changed and so they are re-thinking the project. She said that they have decided to leave the stair where it was. They have also decided to keep the main living space on the upper level.
- On the street elevation, there would be three single windows with a French door. On the Mill Pond side, they originally proposed eleven windows. She said that they have decided to go with few windows but to use larger size windows. On the upper level, three of the windows will stay in their original locations but they would be adding two new windows on the right side. She said she was simplifying it and going with a 6 over 6 window pattern.

- Ms. Whitney explained that the chimney would be moved from its existing location to a more centered location.
- On the right side elevation, the window sizes would increase and two new window openings would be created. On the left side elevation, the approved double French door would now be replaced with a single French door.
- The Commissioners were in agreement with the changes. Ms. Whitney stated that they would be back in December for a public hearing.

IV. ADJOURNMENT

At 9:40 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on December 3, 2008.