

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 p.m.**

**June 3, 2009  
to be reconvened on June 10, 2009**

**MEMBERS PRESENT:** Chairman Sandra Dika; Vice Chairman Richard Katz; Members, John Wyckoff, Tracy Kozak; City Council Representative Eric Spear

**MEMBERS EXCUSED:** Planning Board Representative Paige Roberts; Elena Maltese; Alternates Joseph Almeida, George Melchior

**ALSO PRESENT:** David Holden, Planning Director

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A site walk was held prior to the meeting at 6:30 p.m. at 33 Hunking Street.

**I. PUBLIC HEARINGS**

1. Petition of **Paul S. and Kristin L. Ford, owners**, for property located at **816 Middle Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 152 as Lot 44 and lies within the General Residence A and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. Paul Ford, owner of the property, was present to speak to the application. He stated that the house, which was built in 1896, had 42 windows of which at least 35 were original. They were in deplorable condition so they would like to replace them with JELD-WEN wood, aluminum clad windows which will be identical in look to the ones they are replacing and will have a four over 1 grid pattern.

Mr. Wyckoff asked how the screens would be handled. Mr. Ford said that some of the current windows had screens and some did not. The new screens would be made of a high tech mesh and would not be visible from the street. Vice Chairman Katz said that they were called phantom screens.

Mr. Wyckoff asked Mr. Ford if he had considered a half screen instead of a full screen. Ms. Ford said that they did but because of their baby, they wanted to be able to open the top windows instead of the bottom windows for the child's safety.

Councilor Spear asked what the difference was between a pocket unit and a sash unit. Mr. Wyckoff explained that a pocket unit was pre-hung in its own small frame. The sash unit comes as a kit and is assembled in the opening.

Mr. Ford added that the current windows are white and the new windows would be white as well.

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**

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

Vice Chairman Katz stated that he was familiar with the house and pointed out that it had been in the Wade family for a long time. It then went through a succession of owners and he was happy to see the progress that the current owners have made in bringing the house back to the prominence it should have.

Ms. Kozak added that it was a magnificent house and she was glad to see that it was being improved. It was one of her favorite houses on that stretch of the road. She felt the windows were appropriate.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (5-0) vote.

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2. Petition of **Harbour Place Group, LLC, owner**, for property located at **1 Harbour Place**, wherein permission was requested to allow new construction to an existing structure (construct two stair towers on roof, construct rooftop deck, install metal railing surrounding deck, install lighting, replace fixed windows with operable windows, construct storage shed on roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 2 and lies within the Central Business A, Historic A, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Attorney Bernard Pelech, representing the applicant, was present to speak to the application. He stated that Oscar Morales and Dann Batting from Dann Batting Architects and Dan Plummer from Harbor Place Group were present as well.

Attorney Pelech explained that this was a two part application with the first part seeking a Certificate of Appropriateness for some amenities which they wished to place on the existing roof. The plan was to place a roof top deck using paving stones on the existing flat roof and surround it with a four foot high railing to restrict access to only that portion of the roof. They were also proposing to add two stair towers that would go from existing stair towers to the

existing roof and a storage area. He said that they were required to go before the Board of Adjustment and have received all of the necessary approvals.

Attorney Pelech said that the second part of the request was to amend a Certificate of Appropriateness that was granted in 2006 for the arched green windows on the fifth floor. He explained that the units are being converted from office to residential space. He pointed out that it became evident that the prospective purchasers of the units might want windows that opened instead of fixed units. He added that the exterior appearance would be much the same and the color would remain the same.

Attorney Pelech explained that they were proposing two alternatives for the railing of which one was more preferable than the other based upon the cost. He also informed the Commission that when they went before the Board of Adjustment, it was asked why they needed two sets of double doors into the storage shed. He explained that they have to deal with some very high winds on the rooftop so they needed a place where patio tables and chairs could be stored when they are not being used so that they do not blow off of the roof.

Mr. Dann Batting stated that because of the nature of the homes that they are creating there, it would be desirable to have a rooftop area that owners could use on occasion.

Chairman Dika asked what materials they were planning to use. Mr. Batting said that they would be using a concrete paving material that would be sitting on the roof deck. It would never be seen because it was below the existing parapet wall. It was also of a weight to resist window uplift.

Mr. Batting explained that they were proposing two types of railing systems. Scheme A consisted of three horizontal rails on the top with vertical posts that would be fastened to the roof structure of the building. Scheme B had a vertical baluster. Mr. Batting said that from a cost standpoint they would prefer to go with Scheme B with the vertical baluster railing. It would be a pipe rail system and would match the existing balcony railings.

Mr. Batting said that the two stair towers would be ten feet above the roof deck. They would have a sloping roof and would be clad in a stucco system to match what was there already.

The storage shed would be built up against the elevator structure. Mr. Batting said it would only be visible from the neighboring condominium rooftop.

Vice Chairman Katz asked if any of the proposed additions would be higher than the original structure. Mr. Batting replied no, the original structure would be at least 3 to 4 feet higher than the original structure.

Ms. Kozak noted that the plans showed "new recessed balconies". She asked if that was part of this proposal. Mr. Batting replied no and said they were approved in 2006.

Mr. Wyckoff asked about the existing antennas. Mr. Batting said that they were antennas that related to the commercial aspects of the building. Mr. Wyckoff asked if any of it would be moved. Mr. Batting said that they may have to be relocated in some instances. Attorney Pelech spoke up and said he did not believe that any antennas needed to be moved at this time. He

added that if it was determined that they needed to, they would come back before the Commission.

Mr. Batting explained that they were proposing a window from a different manufacturer. He said that they were looking at a window that was made in Germany that was called a tilt turn window.

Mr. Wyckoff asked if the approved windows were a standard commercial storefront system window. Mr. Batting said that was what was in the existing building. He said that what was approved was an Eagle brand operational window. He pointed out that the first windows that were installed were in the model unit that can be seen from Bow Street.

Mr. Batting explained that the German windows were a wood window with an aluminum cladding. He said that the cladding would match the exterior of the windows that have already been put in. He felt they were more compatible with the existing window and gave a better function.

Chairman Dika asked where the windows would be placed. Mr. Batting said that they would be placed anywhere on the fifth floor. Chairman Dika wondered how these proposed windows would look with those windows that have currently been installed. Mr. Batting said that there were differences but he felt it would not be that noticeable but it would be something that would have to be looked at.

Mr. Batting clarified that the proposed windows are called Unilux and are manufactured in Germany.

Councilor Spear asked if there was a submitted plan that showed which windows would be replaced and which would not. Mr. Batting replied that ultimately every window would be replaced. Councilor Spear asked that when they are finished some would have the new product and some would have the Eagle product. Mr. Batting said yes, that was what they were proposing. Councilor Spear said that he would like to see a plan showing which windows would have which product.

Chairman Dika felt she needed more information on the windows. Mr. Batting said that they could get a profile of what the window would look like. Mr. Wyckoff pointed out that there was no spec sheet on the Unilux windows.

Councilor Spear stated that he would need more information as to which windows were to be replaced with the Unilux product. Mr. Batting said that he could provide building elevations to show that.

Chairman Dika asked Mr. Holden if they could separate out the window proposal from the application. Mr. Holden suggested the Commission act on the application as presented which meant if they needed more information, he said they should wait until they get that information rather than do a partial approval. Chairman Dika said that they could put them on the agenda for next week.

Chairman Dika asked about the lighting proposal. Mr. Batting explained that the lighting fixture chosen throws light downward. It would be mounted on the sides of the structures away from the railing edge of the deck. He said that the light spread would probably not go beyond the edge of the decking. Attorney Pelech added that the lights would be on a motion sensor which was a stipulation of the Board of Adjustment.

**DECISION OF THE COMMISSION**

Mr. Wyckoff made a motion to postpone the application to the June 10, 2009 meeting when the presenter can bring elevation drawings showing which windows would be the Eagle windows and which would be the Unilux windows. The motion was seconded by Councilor Spear. There was no discussion.

The motion to postpone the application to the June 10, 2009 meeting passed by a unanimous (5-0) vote.

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3. Petition of **Michael B. Myers and Stephanie G. Taylor, owners**, for property located at **700 Middle Street**, wherein permission was requested to allow demolition of an existing structure (remove existing fence) and allow a new free standing structure (install new fence) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 29 and lies within the General Residence A and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. Michael Myers, owner of the property, was present to speak to the application. He explained that they have a four foot picket fence which was in poor repair and they would like to replace it with a six foot fence along the front and side of the property.

Chairman Dika asked if they were proposing three different heights. Mr. Myers said there were just two heights, six feet along the front and side until it runs into an existing neighbors fence where it will drop down to four feet. He pointed out that page 3 of his plans showed the transition.

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**

Mr. Wyckoff made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Councilor Spear. Chairman Dika asked for discussion.

Mr. Wyckoff stated that the fence was an appropriate style for the Historic District.

Chairman Dika asked the applicant if he planned on painting the fence. Mr. Myers replied no, mainly because of the splash back from the sidewalk.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (5-0) vote.

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4. Petition of **Hunking Holdings, LLC, owner**, for property located at **33 Hunking Street**, wherein permission was requested to allow demolition of an existing structure (demolish front porch) and allow new construction to an existing structure (construct new front and side porches, rear addition, and shed dormer) and allow exterior renovations to an existing structure (replace windows, doors, and siding) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 38 and lies within the General Residence B and Historic A Districts. (*Work Session / Public Hearing*)

The Commission conducted a work session prior to the public hearing.

- Ms. Whitney gave the Commission two handouts. The first sheet showed the average building coverage in the neighborhood. The second sheet showed other two story additions from New Castle Avenue to Hancock Street.
- Ms. Whitney explained the proposed changes – removing the front porch and steps and adding a smaller front porch with side steps, a one story addition porch that transitioned into living space and a two story addition off the rear of the house.
- On the front elevation, Ms. Whitney pointed out a detail above the attic windows that would be added to the application. She added that they would be replacing windows and removing siding. She said that she found two existing window openings on the porch. The windows will be two over one pattern, beveled siding up until the eave level and then shingles in the gables which follows the existing details. The porch would have vertical skirting underneath.
- On the right side elevation, they would be replacing the existing two awning windows with a triple window. The dormer on the second floor would step back 6” from the existing dormer.
- The rear addition would be 16x16 and would match the roof line on the porch side.
- Mr. Wyckoff asked if would be a continuous roof on the side elevation. Ms. Whitney replied yes.
- The left side elevation was less exposed to view. There would also be a small skylight in the attic to let light into a small interior bathroom.
- Chairman Dika asked the Commission how they felt about the mass. Mr. Wyckoff said he was fine with it. Ms. Kozak stated that the addition was smaller than the house and proportionate to the open space.
- Mr. Wyckoff asked about the trim and the beveled siding. Ms. Whitney explained that it was a wood beveled siding, not a composite. She pointed out that on the last page of her submissions she included a typical trim detail for around the windows. She said that the trim would be either wood or Azek.
- Ms. Whitney pointed out that the rear doors would be switched to #7506. It was a six light door with a panel below.
- Mr. Wyckoff stated that he was not comfortable with the dormer. He said that they have approved this design before and it was good that it was set back 6” from the gable dormers. Ms. Kozak was not too concerned because it was difficult to see the back edge of the roof.

- Ms. Whitney said that they would have a brick appearance foundation.
- Ms. Kozak wondered why the “H” windows were a four light instead of a single or a two light. Mr. Wyckoff suggested just a one over one window. Ms. Whitney said they were amendable to that.

The Commission moved into a public hearing.

### **SPEAKING TO THE PETITION**

Ms. Whitney stated that she would like to make the following changes to her application – the addition of a band line above the attic window, the change of the door to a six light with a panel below, and the small “H” windows would be one over one casements with a thicker meeting rail.

Ms. Whitney presented the Commission with a list of abutters who were in favor of the project and a single letter written by an additional abutter in support of the project.

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.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

Mr. Pete Morin, owner of the property, spoke in favor of the application. He said that he has been a resident of the South End for over 14 years and not a day goes by that he does not appreciate living in this unique neighborhood. He purchased the home in 1995 and the renovation of that property earned him an award from the Portsmouth Advocates. Since then, he has been involved in two other projects both of which remain true to the historic South End era and in both properties, the total footprint has not increased but decreased. He said that when they purchased 33 Hunking Street, it was their intention to relocate elderly family members so they would be closer to them. He pointed out that the project did not require a variance. Mr. Morin said that he spoke to abutters looking for feedback on the project. He mentioned that they did decrease the size of the addition due to abutter’s concerns.

Mr. Morin stated that there are direct abutters who object to the proposed addition. He did not feel that his request was unreasonable. At a prior public forum, inaccurate statements were made by the opponent of the proposed addition. Chairman Dika informed Mr. Morin that the Commission has not heard those statements. He requested of the Commission that they allow him to respond if there are inaccurate statements made this evening. Chairman Dika said that they would allow that.

Mr. Hugh Jencks of 25 Hunking Street spoke in opposition to the application. He stated that he has lived and worked in Portsmouth since 1986. He was a direct abutter of the property in question. He said that the City has a law to protect its architectural heritage call the Historic District ordinance. It was written to safeguard the intentional destruction of what was unique and irreplaceable about Portsmouth’s built environment. He said that the statute was a model for the State. Under the terms of Portsmouth’s ordinance, the Commission has a duty to defend the Historic District as a vibrant real estate market, as a must-see tourist destination and as a

rewarding place for people to live and work. The work of the Commission was to educate the public about this and to enforce the rules that were made to preserve it.

Mr. Jencks read from Section X, 1001. He pointed out that Dr. Dorothy Vaughan, past City librarian and noted historian warned them in a famous speech at the Portsmouth Rotary Club 50 years ago to guard against allowing real estate speculators to tear down the historic structures of the town and turn Portsmouth into “anywhere USA.”

Mr. Jencks said that the applicant who lives on a street one street over from 33 Hunking Street was no respecter of the Historic District. His purchases of properties in the South End have resulted in complete or partial demolition of three historic structures in a five square block area, including the house he lives in. When he reviewed the application for 33 Hunking Street, it made him want to ask the applicant “Why do you hate our neighborhood so much?” He continued to say that the applicant acquired this home through the misfortune of a neighbor’s health and he now threatens the architectural integrity of the home they maintained for the last 50 years. He said that the applicant applied for relief from the zoning laws to construct a non-conforming two story addition, a non-conforming two bay garage, and two huge attic dormers. Chairman Dika interjected and told Mr. Jencks to please stick to this property alone and not the history of what he has observed. Mr. Jencks went on to say that the Board of Adjustment voted down 7-0 all of the requests. Chairman Dika told the applicant that this Commission will not be dealing with the Board of Adjustment decision.

Mr. Jencks said that when looking at 33 Hunking Street, you see a New England style structure, circa 1902, the last house on a street whose houses go back to 1740. It was a classic piece of vernacular regional architecture and one that has served admirably as a home to generations of families for over 100 years. He pointed out that the builders of 33 Hunking Street could have built it bigger or placed it in the middle of the lot but they did not in keeping with the style and custom of the neighborhood. He felt it was not just the buildings that determine the character of the neighborhood but the streetscape also. He also pointed out that 33 Hunking Street was built between a 1742 house and 1740 National Register of Historic Places property. Mr. Jencks gave detailed information regarding the history of these two properties.

Mr. Jencks stated that the changes requested in the massing, the scale, the fenestration, the roof line, the footprint of 33 Hunking Street render the structure incompatible with the historic context of the surrounding area. He added that the interior plans for the 16’ two story addition showed that it was intended to house a cathedral ceiling great room. Chairman Dika told Mr. Jencks he was talking about interior structures. Mr. Holden interjected and said that the Chair was correct and that they should only be looking at the exterior changes and how those affect the property to and from that site.

Mr. Jencks said that the east facing wall appeared to contain more window than wall and the proposed 16’4” dormer runs practically the entire length of the roof. He did not think either of those elements seemed to be compatible in the meeting of the ordinance with the scale and design of the existing house much less the special character of the neighborhood. He felt this application failed the standards of approval by the HDC and he respectfully requested that the Commission deny the project.



Mr. Glenn Normandeau of 15 Pickering Avenue spoke in favor of the application. He said that he was not a direct abutter but it was within view from his property. He was listening to the proceedings on Channel 22 and had to come down and speak to Mr. Jencks comment that Mr. Morin was destroying his own home. Chairman Dika reminded Mr. Normandeau to stick to the design of the project. Mr. Normandeau said that he did not see the problem with the proposal. He felt the house needed expansion and he urged the Commission to approve the changes.

Chairman Dika asked if there was anyone else wishing 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 amendments:

- 1) That a band line is added above the attic window on the front elevation.
- 2) That the two rear doors will be style #7506.
- 3) That the "H" windows will be a one over one casement window with a thicker meeting rail.

The motion was seconded by Mr. Wyckoff. Chairman Dika asked for discussion.

Vice Chairman Katz stated that a lot of opinions had been presented and yet again, another history of the Historic District Commission and their duties. He said that he did not see the damage with this addition. He thought it was a sensitive and appropriate enhancement of the house done in an appropriate manner. He continued to say that sometimes there is a conflict between Commission members that everything in the Historic District is a museum that it does not change and anything that has been around for 300, 200, or 100 years cannot be changed and that it should be frozen in time. He pointed out that Footnote #1 in the ordinance speaks to the frozen in time attitude. He said the Commission was here to arbitrate an appropriate conclusion between an owner's wishes and the wishes of people living in the area. He concluded by saying that they have seen many instances where additions have improved a building immensely. He said that he saw no reason to reject the application.

Mr. Holden encouraged the Commission to quote or use Section 10-1004 B for the findings that they will make.

Mr. Wyckoff quoted Section 10-1004 B.3. and said he felt that the wood clapboard siding, the addition, appropriate for the style of building, and melding into the neighborhood, and the new front porch were reasons for him to vote in favor of the motion.

Chairman Dika stated that she would prefer that this house had never been built there. This was a charming colonial streetscape; however, the house was there. It was built after the turn of the century, it is what it is, it has many mixed character buildings, and she personally felt that the renovation was appropriate to the building. She added that she would be voting in favor of it.

Vice Chairman Katz added that the application met all of the requirements as stipulated in the ordinance. He cited Section 10-1004 B.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application with the following amendments passed by a unanimous (5-0) vote:

- 1) That a band line is added above the attic window on the front elevation.
- 2) That the two rear doors will be style #7506.
- 3) That the "H" windows will be a one over one casement window with a thicker meeting rail.

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5. Petition of **James Sparrell and Katie Towler, owners**, for property located at **125 South Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows, replace side door, add new window configuration to rear elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 110 as Lot 9 and lies with the General Residence B and Historic A Districts.

**SPEAKING TO THE PETITION**

Ms. Anne Whitney, architect for the project, was present to speak to the application. She stated that the property had a South Street address but it was located on a little side road. She added that the property abutted the South Mill Pond. She said that they were proposing to replace the existing windows, replace a single door and add new windows on the rear elevation. Six over one window patterns would be used for a more cottage look. Ms. Whitney pointed out a picture window on the front elevation which would have just a single row of muttons that would match the top row on the double hung windows that flank it.

Ms. Whitney said that she was proposing Andersen Woodright windows. She pointed out that on the rear elevation, they would be replacing the three windows on the left side. On the right side, the existing four double hung windows would be replaced with two casements and a single picture unit with the mutton profile matching the height of the double hung with a single row of muttons. She felt that this was an appropriate use of the windows since the house has a cottage look to it and it was set back and somewhat tucked away at the end of a lane.

Ms. Whitney explained that they would be replacing the side door with a six light with a panel below.

Mr. Wyckoff asked if the new kitchen window would be trimmed out. Ms. Whitney explained in detail how that would be done and considerable discussion followed.

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**

Mr. Wyckoff made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Kozak. Chairman Dika asked for discussion.

Mr. Wyckoff cited Section 10-1004 B.3. and said that the windows were compatible with regards to arrangement and that the kitchen window was appropriate for the style of the home in its setting.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (5-0) vote.

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6. Petition of **Dilorenzo Real Estate, LLC, owner**, for property located at **33 Bow Street, 2 Ceres Street, and 37 Bow Street**, wherein permission was requested to allow demolition of an existing structure (remove existing deck) and to allow new construction to an existing structure (construct outdoor dining structures) and allow exterior renovations to an existing structure (misc. renovations associated with the relocation of the deck) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lots 48 & 49 and lies within the Central Business A, Historic A, and Downtown Overlay Districts. (*Public Hearing*)

### **SPEAKING TO THE PETITION**

Mr. Rob Harbeson of DeStefano Architects was present to speak to the application. He passed out an additional letter from an abutter in support of the project.

Mr. Harbeson explained that the project had been before the Commission a number of times over the years. A site walk and a work session were held recently. He said that the bulk of the package has remained unchanged from the last meeting so he would try to focus on what has changed.

At this point in the meeting, Mr. Harbeson walked the Commission through the submitted plans and explained in detail the scope of the work. He pointed out that page 4 showed existing awning and awning frames in the area. Page 9 showed what the awning structure would look like when it was in the down position. He also pointed out the materials that would be used for the bar enclosure. He explained that they would be using an acrylic product for the glass panels that would have some texture to it. The top of the bar would be a paper stone material.

Ms. Kozak asked if the awnings, when they are up and out of the way, folded back against the half wall and if they obscured the view of the half wall. Mr. Harbeson said that it was his understanding that the awning would come down seasonally when the patio was closed. The aluminum frame would remain in place during the winter months.

Mr. Wyckoff stated that he would like more information on the operable panels. Mr. Harbeson showed the Commission a sample of the panel. He said that they wanted light to be able to penetrate it to add additional light into the bar area during the winter months. He added that it would be very similar to a frosted glass window.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from public wishing 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 as presented. The motion was seconded by Councilor Spear. Chairman Dika asked for discussion.

Vice Chairman Katz stated that he felt the applicant has made every effort to meet the concerns of the Commission. It was not a traditional application but he could not see a situation where any of this runs counter to the criteria that was set in Article X. He pointed out that there was a concern as to what it would look like in the winter. Vice Chairman Katz said it would look like all of the other summer time structures that are down by the water.

Mr. Wyckoff cited Section 10-1004 B.2. as his reason for supporting the application. He said that the structure goes across two separate buildings and he had a problem with the proposed structure going right across the end building that was just renovated. He also had a concern as to how it would look in the winter time but for the greater good of the City, it was appropriate in that area. He added that he would reluctantly be supporting it.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (5-0) vote.

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7. Petition of **Gunter Seelhof, owner**, for property located at **379 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove and replace clapboards with composite material, remove and replace window frames, sills, and misc. trim with composite material) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 4 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Ms. Sarah Hourihane of DeStefano Architects and Mr. Neil McKinnen, representing the manufacturer of NuCedar were present to speak to the application.

Ms. Hourihane stated that the applicant has owned the property for eight years and has done substantial renovations to the interior as well as the mechanical and plumbing systems. He has re-pointed the brick and has also redone the landscaping.

Ms. Hourihane said that the applicant would now like to replace the siding and trim with a sustainable and maintenance free product called NuCedar. She explained that it was a cellular PVC product. They were proposing to remove all of the clapboards and replace them with the new product which will match the existing exposure. They would also remove and replace the window frames and sills, corner boards, mud sill, and the frieze to match the existing. She added that they have chosen this NuCedar product because of its sustainable features: it was 100% recyclable and it required no maintenance. It comes pre-finished as well.

Mr. Wyckoff asked how the window sills would be replaced when the windows were not being replaced. He also wondered how the frieze would be replaced. There was considerable discussion regarding this.

Mr. McKinnen stated that he thought the applicant would retain the existing frieze board. Mr. Wyckoff pointed out that the plans showed that it would be replaced but he thought retaining it would be a good thing.

Vice Chairman Katz asked to see a sample of the siding. Mr. McKinnen passed the sample to the Commission and explained in detail how they would replicate it. There was more discussion as to how it would be installed.

Mr. Wyckoff asked if the product had been applied over older sheathing. Mr. McKinnen replied yes and showed the Commission a picture of a home in Stockbridge, Massachusetts where that application had been done.

Chairman Dika asked how the product weathers. Mr. McKinnen said that it had a lifetime warranty on the finish as well as the substrate. He informed the Commission that they had the product tested at the University of Massachusetts and the University put out a report that said that nothing in nature could destroy the product's finish.

Mr. McKinnen explained that the finish was developed 25 years ago by Sherwin Williams for military use. The military wanted a tough finish to put on their fighter jets and artillery.

Mr. Wyckoff asked about how the corners would be applied. Mr. McKinnen said that the corners were one piece and would be the appropriate size for the building. He said that they would be custom made.

Chairman Dika asked if there was any asbestos in the product. Mr. McKinnen replied no.

Ms. Kozak asked what lengths the boards came in and how the expansion and contraction was dealt with. Mr. McKinnen explained that the expansion and contraction was accommodated into the trim boards and corner boards. He added that the product and its installation have been very heavily tested. Chairman Dika commented that it was a very lovely building and it was important.

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**

Ms. Kozak made a motion to grant a Certificate of Appropriateness for the application as presented with the following amendment:

- 1) That the removal and replacement of the frieze board was removed from the application.

The motion was seconded by Mr. Wyckoff. Chairman Dika asked for discussion.

Ms. Kozak commented that it was a cool product. She said that it was a product related to vinyl but it was a solid product. She was not worried about the cupping that one sees with vinyl siding or the horrendous trim details that one would also see with vinyl siding. She was glad that they were matching the existing graduated exposure and she added that it complied with Article X.

Mr. Wyckoff cited Section 10-1004 B. 3.4. He felt it encouraged the use of new technology. He added that it was an extremely clean product and if it was proposed on a building right on the sidewalk, he would not be for using it in that instance. He felt in this situation where the building sits back and sits tall, he felt it was a good use.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented with the following amendment passed by a unanimous (5-0) vote:

- 1) That the removal and replacement of the frieze board is removed from the application.

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8. Petition of **Christopher E. Muro, owner**, for property located at **293 Marcy Street**, wherein permission was requested to allow demolition of an existing structure (remove back deck) and allow exterior renovations to an existing structure (replace clapboards and trim with composite materials, relocate rear door to north elevation and replace with window, add window to north elevation, replace all existing windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 47 and lies within the General Residence B and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. Christopher Muro, owner of the property, was present to speak to the application. He stated that they have lived in the neighborhood for about 8 years and that they wanted to keep the house looking almost exactly like it does now.

Mr. Muro explained that they would like to replace the siding with a fiber cement hardiplank composite. They would keep the same exposure. The trim and corner boards would be replaced as well with Azek. The look would remain the same.

Mr. Muro continued to say that they would like to remove the back deck located on the east side of the property. He said that the deck was not large enough to be usable and the steps were dangerous. They would just like to remove it all together. Once the deck was removed, the rear door would be useless so Mr. Muro proposed moving the back door, replacing it with a window and relocate the door on the north side of the house. He pointed out that there was an existing window on the north side and they would like to restore that window. In addition, they would like to replace all of the windows in the house with Pella Pro Line double hung windows maintaining the styles and sizes.

Ms. Kozak asked if they would be keeping the shingles on the upper gable of the house. Mr. Muro said that they would like to bring the clapboards up to the top of the gable. Mr. Wyckoff felt that was a problem. Vice Chairman Katz did not see it as a problem. Mr. Muro explained that they have looked at other New Englanders in the area and it did not seem to be a prevalent detail. Vice Chairman Katz pointed out that there are many New Englanders that have the clapboards that go all the way up the gable. Mr. Wyckoff agreed but this one had the shingles. Chairman Dika felt it was a shame to lose that detail.

Mr. Wyckoff asked about the detail in the rake going up the gable. He asked if they would be replacing that in that style. Mr. Muro said that they would consider matching that style. He added that the brackets would stay.

Mr. Wyckoff asked what type of material would be used to replace the window sills. Mr. Muro said they would be using Azek. Mr. Wyckoff asked about the bay window. Mr. Muro explained that they would be using Azek panel board. Mr. Wyckoff asked about the mud sill around the whole house. Mr. Muro stated that they would maintain the same size, proportions, and dimensions when replacing it.

Ms. Kozak asked if the front stoop would be rebuilt. Mr. Muro said they would just repair it. They would also be re-pointing the brick.

Ms. Kozak asked if there was an option to have the jam liners in the new windows. Mr. Muro did not think the window he was proposing had that option.

Mr. Wyckoff asked about the kitchen casement windows. Mr. Muro said that he was just trying to replace the windows with what was there originally. Vice Chairman Katz asked what the preference of the applicant was. Mr. Muro replied that he would go with no pane if that was okay with the Commission. Vice Chairman Katz felt that was appropriate. Mr. Muro pointed out another small casement window on the west side elevation. He suggested doing the same thing in that location. Mr. Muro was amendable to that.

Mr. Wyckoff asked about the new location of the back door. Mr. Muro said there would be about one step to the ground and they would like to re-grade the area and brick pave it.

Ms. Kozak stated that if they do use clapboards in the gable on the front elevation, she would like to see them keep the horizontal band which separates the upper from the lower sections of the house. Ms. Kozak stated that they make a square hardiplank shingle if they were to keep the shingle detail. Mr. Muro said that he had hoped to get away from the shingles. Mr. Muro pointed out that the back side of the house was clapboard all the way up. Chairman Dika asked if the shingles were in poor condition. Mr. Muro said that the shingles were probably salvageable. Mr. Wyckoff suggested just leaving them. Chairman Dika added that it would be a cost saver. Mr. Muro responded that there would still be the maintenance of them. Vice Chairman Katz said that shingles did not weather very well. And he added that at the peak it was three stories up and it would be a constant maintenance. The applicant was trying to avoid that.

Mr. Wyckoff stated that he was willing to accept the clapboards on the upper part as long as the eave detail was retained. Vice Chairman Katz thought that was reasonable. Mr. Muro was willing to do that.

Hearing no other questions, Chairman Dika asked if there was anyone from the public wishing 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**

Mr. Wyckoff made a motion to grant a Certificate of Appropriateness for the application as presented with the following amendments:

- 1) That the gable trim, bay window trim, mud sill, and the horizontal board on the front gable is replicated.
- 2) That the casements windows will be single paned.

The motion was seconded by Vice Chairman Katz. Chairman Dika asked for discussion.

Chairman Dika stated that she was very sad to lose the scallop shingles on the gable; however, this was a very important project and she appreciated that they were going to invest the effort into it and they were happy to have a nice family in the neighborhood.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented with the following amendments passed by a unanimous (5-0) vote:

- 1) That the gable trim, bay window trim, mud sill, and the horizontal board on the front gable is replicated.
- 2) That the casements windows will be single paned.

In additional business, Vice Chairman Katz visited the “little green house” on Lawrence Street during an open house recently. He said that there will be another one in July and that the owners were amenable to discussing the design of the house and everything that was involved in putting it together. He felt that there might be some design features that might come before the Commission at some point and it would be helpful to understand them better.

#### **IV. ADJOURNMENT**

At 9:45 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 July 1, 2009.