

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

March 4, 2009

MEMBERS PRESENT: Members John Wyckoff, Elena Maltese; City Council Representative Eric Spear; Planning Board Representative Paige Roberts; Alternates Joseph Almeida, George Melchior

MEMBERS EXCUSED: Chairman Sandra Dika; Vice Chairman Richard Katz; Tracy Kozak

ALSO PRESENT: Roger Clum, Assistant Building Inspector

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In the absence of both the Chairman and Vice Chairman, Commissioner Wyckoff conducted the meeting.

I. OLD BUSINESS

Approval of minutes – February 4, 2009

It was moved, seconded, and passed unanimously (5-0) to approve the minutes as presented.

II. PUBLIC HEARINGS

1. Petition of **Noble’s Island Condominium Association, owner**, for property located at **500 Market Street**, wherein permission was requested to allow exterior renovations to existing structures and new free standing structures (install miscellaneous signage and a canvas awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 120 as Lot 2 and lies within the Central Business A and Historic A Districts.

SPEAKING TO THE PETITION

Mr. David Choate, a member of the executive board of Nobles Island Condominium Association and authorized agent for the project was present to speak to the application. He explained that this site was in a unique part of the Central Business District and as such, the sign ordinance did not anticipate this kind of a project. He said that there was virtually no signage at Nobles Island and it was difficult to locate the businesses or residences within it. He said that under the current sign ordinance, they were limited to 75 square feet of signage. He informed the Commission that they received Board of Adjustment approval recently for the project and that was why they were before the Historic District Commission this evening.

Mr. Choate explained that Noble’s Island was also known as 500 Market Street. He said that it was the City’s largest Central Business District mixed use complex. There are 50 units of which

25 are residential and 25 are commercial scattered in seven different buildings on 2.42 acres. He added that the Chamber of Commerce signage was also tied into this project.

Ms. Roberts arrived at this point in the meeting.

Mr. Clum explained to the Commission that they do not normally review signage but because this application went before the Board of Adjustment, it was remanded back to the HDC because the site was in the Historic District.

Mr. Boyd Gamble of Gamble Designs stated that there were three major problems with the Noble’s Island complex. One was that people do not know it is there because of the innocuous signage. Another is that the Chamber of Commerce is not clearly defined so people have a tendency to drive by it. He added that the Chamber handles 25,000 visits a year. And finally, once people penetrate into the site, there is nothing to give them any direction. They would like to go from general directions to specific directions. He said they were planning to use the existing architecture and express some graphic elements into it using historical materials. He showed the Commission all of the areas where signage was proposed. He pointed out the kiosk and explained that it would have a map as well as a guide with an LED light. It would be made of a copper material and would sit on matte black metal posts. The size would be 6’ 6” by 4’.

Mr. Gamble explained that the Chamber of Commerce building was a freestanding structure. He said that the new signage would be placed in the notched area of the building which would serve as a unifying element. An awning would be added to the building as well.

Ms. Roberts asked about illumination and asked for clarification regarding it. Mr. Gamble replied by saying that the signs would not be illuminated. He explained that the kiosk would have a concealed LED light that would shed a low amount of light to read the signage.

Ms. Roberts asked about whether the entrance signs would be illuminated. Mr. Gamble said that originally they were illuminated but in the end it came down to cost. He pointed out that ground lighting would be difficult because of the snow.

Mr. Doug Bates, of the Chamber of Commerce said that he did not believe there was any spotlight illumination on the Chamber signs at this time.

Mr. Almeida complemented the applicant on a well put together presentation. He said it had no negative impact on the Historic District and would have a very positive impact on the immediate neighborhood and buildings.

Hearing no other questions or comments, Mr. Wyckoff 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

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

Ms. Maltese said that she too, found the application completely thorough and felt the City would benefit from signage at the entrance to the City. She felt the signage was being respectful to the

area that it was in and was also consistent to the area. She found it appropriate to the Historic District.

Hearing no other discussion, Mr. Wyckoff called for the vote. The motion to approve the application as presented passed by a unanimous (6-0) vote.

2. Petition of **March Twenty Two, LLC, owner, and Donna White, applicant,** for property located at **56 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (install awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 12 and lies within the Central Business B and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Donna White, owner of Dancestuff, was present to speak to the application. She explained that the awning used to be at 123 State Street but she has since moved to 56 State Street and would like to put the awning up over her front door and window.

Ms. Maltese pointed out that there was down lighting right above where the applicant was proposing to put the awning. She felt that the awning would interfere with the lighting. She also said that the issue for her was that this building was set up to receive signage to go in a certain location. The awning was very different from that. Councilor Spear and Mr. Almeida agreed with Ms. Maltese.

Mr. Clum stated that the existing down light was over the door and the sign will be also partially over the door so he felt it could be considered a back lit sign. Ms. White said that they could eliminate that by not lighting the light.

Mr. Almeida said that the awning was made for one specific location and now the applicant wants to bring it to a place where it was not made for and force it into the location. Ms. White explained that the new location has about the same measurements as the old location. Mr. Almeida reminded the Commission how they labored over approving the light fixtures and to now cover them up or to create an awkward situation over the door was troublesome for him.

Mr. Almeida asked if they could see if the applicant was open to a work session to be conducted at the next meeting. Mr. Wyckoff said that was possible. He asked Ms. White if she was interested in a work session/public hearing to explore the options. He said that they would need measurements of the sign band.

Ms. Maltese said that it would be difficult for her to approve the projecting sign but asked Ms. White to think of ways to incorporate the sign into the sign band. Ms. White commented that she did not think that this sign could be adapted. It would mean making a whole new sign.

DECISION OF THE COMMISSION

Mr. Almeida made a motion to postpone the application to the April 1, 2009 meeting for a work session/public hearing where other options could be explored. The motion was seconded by Councilor Spear. The motion to postpone the application to the April 1, 2009 meeting for a work session/public hearing passed by a unanimous (6-0) vote.

3. Petition of **Brina Lampert Revocable Trust, owner**, and **Aaron Jones, applicant**, for property located at **212 Islington Street**, wherein permission was requested to allow exterior renovations to an existing structure (allow signage) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 137 as Lot 21 and lies within the Central Business B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Neil Vaccaro, general manager and partner at Mojo's BBQ Shack was present to speak to the application. He said that they recently got permission from the Planning Board [sic] for the flush attached sign that was previously approved in 2003 when the business was King Chef. He pointed out that all other signage has been removed.

Mr. Clum explained that the reason this application was before them was because it was remanded to the Historic District Commission from the Board of Adjustment. The Board of Adjustment approved it but felt that the HDC needed to review it.

Mr. Wyckoff asked how this sign fell within the HDC's purview since it was not a projecting sign. Mr. Clum said that was correct but the Board of Adjustment has remanded it back to them. He added that in his opinion, the sign meets the requirements of the HDC.

Ms. Maltese commented that it was the exact same sign that was there with the previous business and all that has been done was to reface it with the current occupant's logo.

DECISION OF THE COMMISSION

Ms. Maltese made a motion to approve the application as presented. The motion was seconded by Ms. Melchior. There was no further discussion. The motion to approve the application as presented passed by a unanimous (6-0) vote.

III. WORK SESSIONS

A. Work Session requested by **Hunking Holdings, LLC, owner**, for property located at **33 Hunking Street**, wherein permission was requested to allow demolition of an existing structure (remove existing porch) and allow new construction to an existing structure (construct new front and right side porches, construct rear addition, add shed dormer on right side elevation, replace windows and doors). Said property is shown on Assessor Plan 103 as Lot 38 and lies in the General Residence B and Historic A Districts.

- Ms. Anne Whitney, architect for the project and Mr. Peter Morin, owner of the property were present to speak to the application.
- Ms. Whitney pointed out that there is an existing front porch that overlaps the front setback. She said they were proposing to remove the porch and replace it with a smaller porch.
- Ms. Whitney explained that on the right side of the house, she was proposing a dormer with a small porch. On the rear of the house, she was proposing a one story addition. A new chimney would be added to the proposed addition. All windows and doors would be replaced as well.
- Mr. Wyckoff asked about the porch detailing on the proposed side porch. Ms. Whitney said she would show porch detailing at a later date.
- Ms. Whitney pointed out the rear elevation would have an internal chimney and it would match the existing chimney.

- Ms. Whitney said that the left side elevation was a very odd elevation and was very hard to see from the street. Ms. Maltese asked about the skylight. Ms. Whitney replied that it was a proposed skylight. She added that it would be letting light into an attic bathroom.
- Mr. Melchior asked about the shed dormer and how it intersected with the existing dormer. Ms. Whitney said that it would probably be easier to bring the shed dormer right to the peak and add a ridge. Mr. Wyckoff felt that was appropriate. Mr. Almeida agreed.
- Ms. Whitney suggested stepping the proposed dormer back between six and nine inches. Mr. Almeida thought that was a good idea as it allowed the existing dormer to be more prominent. Ms. Maltese agreed. Ms. Whitney pointed out that she would probably have to adjust the window heights to accommodate the change but that it would not be a problem.
- Mr. Melchior asked what would be under the side porch. Ms. Whitney replied that it would be a concrete foundation with vertical board skirting.
- Mr. Almeida asked if the foundation on the existing house was brick. Ms. Whitney replied that it was a combination of brick and stone. Mr. Almeida asked what the material would be for the foundation on the new addition. Ms. Whitney said it would be concrete.
- Mr. Almeida asked the Commission what they thought of the window patterns on the first floor. Ms. Wyckoff said he would rather see the four mullied windows separated to two and two. Ms. Maltese did not think it was odd.
- There was considerable discussion concerning the existing windows and the proposed window opening sizes of the existing house.
- Mr. Almeida asked what the current siding on the house was. Ms. Whitney said that it was vinyl siding but that they were proposing to change it to wood siding.
- Mr. Almeida asked why the change from the six over six window pattern to the two over one window pattern. Ms. Whitney thought that originally the windows were probably two over ones as that is what a typical New Englander has.
- Mr. Almeida asked why the front porch was being removed. Ms. Whitney said that she did not think that the porch was original to the house and was probably added later. It was also in very poor condition.
- Mr. Wyckoff asked if anyone from the public wished to comment on the project.
- Mr. Hugh Jencks and Ms. Dennett Page of 25 Hunking Street were present and spoke as abutters of the property.
- Mr. Jencks stated that they did not believe that the size, scale, and design of the project were in keeping with the building, the neighborhood, and the Historic District ordinance. He encouraged the Commission to consider the project in its entirety and invited them to view the proposed construction project from the perspective of their backyard as well as from 44 Gardner Street and from the grounds of the historic Tobias Lear house. He thought they would share their concerns once they viewed it from their perspective.
- Ms. Whitney said that she was going to request a site walk. She added that these concerns came up during the Board of Adjustment hearing and so she took a quick look at some of the properties around it. When she looked at lot coverage, she said she threw out the three highest percentages. She pointed out that the average lot coverage was 25% and with this project, it would be 24%. She also said she looked at the sizes of the residences and again, threw out the three largest residences and determined that they were just a little bit over the average size of residences in the area. She did not feel they were overly intensifying the lot. They did receive a variance for the front porch.
- Mr. Wyckoff asked if they needed a variance for any of the other additions. Ms. Whitney replied no.
- Mr. Wyckoff suggested that they schedule a site walk. Mr. Almeida also suggested another work session. He said that the views from the abutting grounds should be considered.

- Mr. Clum pointed out that the city attorney has told the Commission on numerous occasions that views are not within the HDC purview. Mr. Almeida thought that referred to blocking someone's view but this issue is the view of this building from all directions.
- Ms. Whitney commented that they would be improving the view of the building from all directions.
- Mr. Melchior felt that the argument of massing and context was a valid argument that warranted a site walk.
- Ms. Maltese stated that she was not convinced that another work session was needed. Mr. Melchior and Mr. Wyckoff felt another work session would be helpful. Mr. Almeida added that a change of this magnitude in this area should take more work sessions.
- Mr. Wyckoff said if the issue is massing and they go and look at the site and then come back for a public hearing, the vote is either yea or nay. Mr. Almeida pointed out that they were missing some key members this evening and they might not want to see this for the first time at a public hearing. He felt that was another reason for a work session.
- Mr. Jencks stated that if there were to be another work session, he wondered what kind of input would be allowed at a second work session.
- Mr. Clum said that the public is always welcome to speak at a work session. He pointed out that it was possible that the next work session might be advertised as a work session/public hearing and abutters would be notified again.
- Ms. Whitney said she would need to decide how she would like to proceed. She said that she would definitely like to do another work session but she would need to decide if she would like to go for a public hearing that same night as well.

IV. ADJOURNMENT

At 8:25 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 April 1, 2009.