

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

July 1, 2009

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

MEMBERS EXCUSED: Planning Board Representative Paige Roberts

ALSO PRESENT: Roger Clum, Assistant Building Inspector

I. OLD BUSINESS

A. Approval of minutes – June 3, 2009

It was moved, seconded, and passed unanimously (7-0) to approve the minutes as presented.

B. Request for Rehearing – 33 Hunking Street - 33 Hunking Holdings, LLC, Certificate of Appropriateness granted on June 3, 2009.

Chairman Dika asked for discussion concerning the request. Hearing no discussion, Chairman Dika asked for a motion.

Ms. Kozak made a motion to grant the request for a re-hearing. The motion was seconded by Vice Chairman Katz. Chairman Dika asked for discussion.

Ms. Kozak felt it was a valid request because the Commission did not specifically identify the clauses in the ordinance to support the discussion and decision. She felt they could do a better job of that at a re-hearing.

Vice Chairman Katz said there were a number of situations presented in the re-hearing request that need to be addressed.

Chairman Dika added that in the past, the Commission has attempted to allow a re-hearing when people have been concerned.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a re-hearing passed by a unanimous (7-0) vote.

B. Request of one year extension of the Certificate of Appropriateness granted August 6, 2008 for 195 Hanover Street, Lot 2

Mr. Wyckoff made a motion to grant a one year extension of the Certificate of Appropriateness. The motion was seconded by Councilor Spear. Chairman Dika asked for discussion.

Mr. Wyckoff stated that it was standard procedure to grant a one year extension when construction has not started. He did not see a reason not to do it at this time.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a one year extension of the Certificate of Appropriateness passed by a unanimous (7-0) vote.

II. PUBLIC HEARINGS

1. Petition of **City of Portsmouth, owner**, for property located at **280 Marcy Street**, wherein permission is requested to allow exterior renovations to an existing structure (replace damaged wood trim with composite trim) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 48 and lies within the Municipal and Historic A Districts.

Mr. Almeida stated that he would be recusing himself from the discussion and vote.

SPEAKING TO THE PETITION

Mr. Dan Hartrey, representing the Public Works department, was present to speak to the application. He explained that this was a repair and maintenance project intended to protect the shell of the existing structure. He said that the intention was to put a new slate roof on the main building and add snow guards to match the existing snow guards on one of the eaves. He also said that there was significant work to be done on the bell tower which was exposed to very extreme weather. Currently it was protected by wood cladding which has failed. There are also problems where water gets behind the siding and sheathing and goes down into the clockworks below. Mr. Hartrey said that they would like to strip all of the wood cladding off of the bell tower beginning at the upper most bracket down to the bottom of the arched opening. He explained that they would apply proper flashing and waterproofing and install Azek type trim boards to match existing profiles.

Mr. Hartrey pointed out that there are three clock faces and a double hung window on the back side. He added that other items would be assessed when they got up there. There was also sill work to do and minor carpentry repairs to the roof trim, clapboards, and painting.

Vice Chairman Katz asked if there were any prior renovations attempts with this structure. Mr. Hartrey said that his research showed that in 1979, this as it exists today was done through the charity of a local person. Before that, it was done in 1967. In twelve years, it has failed a second time. Mr. Hartrey felt it has been leaking since 1979.

Vice Chairman Katz commented on the vinyl cove base flashing.

Ms. Maltese asked if the building currently sits under any historic registries at this time. Mr. Hartrey replied no, it did not.

Chairman Dika asked what condition the appliqués and the trim pieces were in. Mr. Hartrey replied that it was their hope that they were in good condition and might be salvageable. Chairman Dika asked what they would do if they find that those pieces are damaged and cannot be replaced. Mr. Hartrey explained that they would be replaced exactly as they look now. Chairman Dika told Mr. Hartrey that if it was their intention to change them for any reason, he

would have to come back before the Commission. Vice Chairman Katz asked that if they decided to replace them with like materials, would they have to come before the Commission. Chairman Dika said no, if they replaced it with wood.

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. Guy Marshall of 27 Gardner Street stated that he was a member of the three person steering committee for the funds of the South End that worked with the City to put this project together. He said that the committee supported the use of the materials. He explained that the tower takes a beating in bad weather. He did not feel that wood would hold up. He pointed out that the framework was in excellent shape so it was just the façade that needed work. Mr. Marshall said that now that funds are available for the repair, he encouraged the Commission to approve it.

Chairman Dika asked if anyone else 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 Ms. Kozak. Chairman Dika asked for discussion.

Ms. Maltese stated that with any architectural point that sticks out like this does, she gets nervous about changing material. She said that the way the project was being approached was very respectful to the building. She pointed out that it was in an important place in Portsmouth, a building in need of love but clearly getting love. She also stated that this material being proposed was something that could easily be changed back to the original material.

Mr. Wyckoff said that he remembered the repairs when it was done in 1979. He said that the bell tower was on the front lawn. He commented that this really shows how the City maintains buildings by waiting thirty years, doing nothing and then spending a pile of money on it rather than maintaining it.

Ms. Kozak stated that she felt this was a very sensitive approach to maintaining and restoring the building. She did not think anyone would realize that the bell tower was not wood.

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 (7-0) vote.

2. Petition of **City of Portsmouth, owner, and Public Service of New Hampshire, applicant**, for property located at **Maplewood Avenue and Hanover Street**, wherein permission was requested to allow a new free standing structure (install manhole and above ground switch cabinet) as per plans on file in the Planning Department. Said property is shown on Assessor Plan as 126 as Lot 59 and lies within the Central Business B and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Mike Coffey, representing Public Service of New Hampshire, was present to speak to the application. He stated that they were seeking permission to install a manhole and an above ground switch. He said it was very similar to what was installed on Deer Street about a year ago.

Mr. Coffey walked the Commission through the submitted plans. Exhibit A showed the corner of Hanover Street and Maplewood Avenue where there was currently a small park with benches and a trash can. Exhibit B was a memorandum from David Holden to John Bohenko with regards to the City's referral of this matter to the Planning Department. He pointed out that there were stipulations and they have met all of those stipulations. Exhibit C showed the relocation of the two existing park benches. He said this was done under the direction of the City. Exhibit D showed a similar cabinet at the rear of the Hilton Garden Inn which was contained in a wood fence structure. The Deer Street cabinet had some minor screening around it as well.

Mr. Coffey said that he has received the easement document from the City. The easement was for a little over 400 square foot parcel. He added that another stipulation was to meet with the City and to work with Art Speak for guidance on appropriate screening and buffers.

Mr. Coffey gave the Commission a copy of a lot plan from the Department of Public Works showing the general area of the parcel.

Mr. Wyckoff asked if the benches were existing benches. Mr. Coffey responded yes, and they have agreed to relocate them to a location of the City's choosing which would be south a short distance. Mr. Coffey said they also agreed to purchase a new type of trash receptacle that the City thought would be more aesthetically pleasing. He added that this plan was supportive of the infrastructure improvements in the area and that this was necessary to meet the demands of the developments in the area.

Ms. Maltese said that she remembered past discussion where it was preferred to not try to hide the unit in any way. She wondered if there was a reason why the unit could not go in the location where the benches would be located instead of on the corner where pedestrians sit and rest. Mr. Coffey responded by saying that they felt the proposed area had the least amount of impact to the area. He said that they wanted to preserve the mature trees.

Ms. Maltese pointed out that there are not many of these major units sitting on a corner. Mr. Coffey said that one of the reasons for the location was that it gave them the best access to the piping system. Ms. Maltese said that she understood that but that her charge was to deal with historical realities. She added that this location may be the easiest route but that there might be a better route. Mr. Coffey replied that this was not the easiest location. It took quite a bit of deliberation between PSNH and the City to pick a spot that suited both parties' needs. He said that they wanted to minimize impact on the property.

Mr. Wyckoff said that at the rear of the easement, there was a path and a tree. He wanted to know where the unit would be going in relationship to that path and tree. Mr. Coffey said that one of the concerns was the tree. He said that he had an arborist look at the site. He pointed out that the manhole will be away from the root structure enough that the tree will not be affected. The switch will sit to the rear of the manhole. The switch will be as far back as they can put it on that parcel of land. Mr. Coffey passed around a plan to show the exact location.

Mr. Coffey stated that the arborist thought that the root structure was pretty close to what the tree canopy was. He said that the arborist would be on site when the digging was undertaken to make sure that they do not get into the roof structure more than they have to.

Mr. Almeida stated that he would speak in favor of the application. He said that they have seen the one on Deer Street and the cabinets do truly hide in the shadows. He felt the location of this particular site was well thought out. He added that the loss of the tree would be far worse than seeing the switch cabinet on the corner. The applicant has reached out to Art Speak and the City and they are trying hard to address all of the concerns. Mr. Almeida closed by saying it was a

necessary piece of equipment and he was not as sensitive to the exact location of it as other Commissioners were.

Mr. Wyckoff asked what the final plan with Art Speak was. Mr. Coffey explained that working with Art Speak was a suggestion by the Planning Department. He said that the final decision was that the Director of Public Works, Steve Parkinson, would be the person whose direction they would work under.

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. Almeida 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. Almeida stated that it was a necessary piece of equipment for existing and future development in the area. He said that the application was sensitive to the site lines, the vegetation on the site and other landscaping. He did not see how it would in anyway devalue any abutting or surrounding properties.

Ms. Maltese said that she would not be voting in favor of the motion. She did not find the application to be respectful of the location where it would be placed especially knowing that Port Walk is going to be built in the area.

Mr. Wyckoff stated that he agreed with Ms. Maltese. He felt it was an important corner. He also said that if this motion passed then it would be even more important to involve Art Speak. In that case, more benches and low shrubbery would be a good idea. He closed by saying he would not support the motion.

Vice Chairman Katz said that he agreed with Mr. Almeida. He too, felt that the cabinet would fade into the background. He felt that the traffic light structures were much more massive and more overbearing.

Ms. Maltese pointed out the Commission has to take into consideration the pedestrian nature of the Historic District. She felt this project affected that.

Chairman Dika commented that it would have been appropriate to have a work session with the Commission prior to presenting as a public hearing. She was concerned that they had disrespected the Commission's position in it and did not bring it to them earlier. She said she would support the motion but she felt the applicant should go back and rethink where the benches will be located.

Ms. Kozak stated that she was happy to see that the location was moved further towards the tree. She said that the tree had a strong visual presence and it would take precedence. She felt the boxes would fade away. She added that she did not think that the park benches needed to be at the corner of a busy intersection.

Mr. Wyckoff cited Section 10-1004 B.3 as the reason for voting against the motion.

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 5-2 vote with Ms. Maltese and Mr. Wyckoff voting in opposition.

3. Petition of **Seventy-Two Federal Estates Condominium Association, owner, and Jeff Semprini, applicant**, for property located at **72 Islington Street, Unit # 2**, wherein permission was requested to allow exterior renovations to an existing structure (remove and replace ten windows on second floor) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 24 and lies within the Central Business B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Jeff Semprini, owner of the condominium unit was present to speak to the application. He stated that he would like to replace the windows of his unit. He said that they would be aluminum clad simulated divided light with the same grid pattern, two over two, as the first and second floors of the building. He added that the grid would be permanently affixed to the exterior of the window and that the trim on the exterior would remain intact.

Mr. Wyckoff asked if the storm windows would be removed. Mr. Semprini replied yes.

Mr. Almeida stated that he did not see drawings showing how the window would sit within the opening. He felt the Commission was getting a little too relaxed on some of the windows details. He said that they haven't been seeing the details of how the windows are going in. He thought it might be a perfectly acceptable window to put in but how it was put in was just as important. Mr. Semprini responded by saying that his contractor told him that the sash would be coming out along with the window and that nothing would be touch on the exterior. Mr. Almeida said that they have heard that before with good intentions but sometimes replacement windows actually sit out proud of the trim. He thought they did need to see how the window sits in the opening.

Ms. Maltese agreed and pointed out that this was not affecting the whole house. She felt they needed to look at the full exterior. Mr. Semprini said that the best information he could give was that the exterior would not be touched. Ms. Maltese reminded the Commission that the storm windows would be removed on this floor only. Mr. Almeida added that whatever was approved for this group of windows would eventually be carried throughout the rest of the building. He also said that this was a very significant and beautiful building so it worth taking the time to get it right.

Chairman Dika asked the applicant if there was someone he could call and consult with as it was still early in the evening. Mr. Semprini stated that an owner on the first floor was planning on doing his windows soon and would use the same windows as the ones he was proposing.

Chairman Dika stated that she thought they needed to have the contractor present to explain the installation. Mr. Melchior added that at the very least, information on the jam, head, and sill detail would be helpful. Mr. Almeida interjected and said that he would not want them to be generic details. He felt the building called for a true drawing of the exact casement conditions and the sill and how the new window would sit in it. Mr. Wyckoff agreed that it was an incomplete application because they did not have a cross section. He pointed out that because these units have a screen built within them, the screen sticks out about 1 inch. Mr. Wyckoff stated that he agreed that a cross section was needed but he did not agree with Mr. Almeida's concern.

Ms. Kozak suggested that they stipulate that the face of the window unit match the face of the existing windows. If they could not do that, then they would have to come back with more details showing what they were proposing. Mr. Wyckoff said that made sense but now they were putting other criteria on replacement windows that they have never done before. Ms. Maltese

pointed out that the issue was not with the window, it was with the exterior appearance once the window was replaced.

Chairman Dika asked Mr. Almeida if the suggestion Ms. Kozak made was adequate. Mr. Almeida replied that it was a good suggestion; however, any additional thought that can be put into the placement of the window would be well served. Chairman Dika said it sounded like they were looking for a postponement to next month's meeting.

Mr. Semprini asked the Commission what they would like to see. Mr. Almeida said that they needed someone to document the jam, head, and sill conditions of the existing window and how a new modern window would sit within an older style, traditional wood frame. He pointed out that a brand new window in a building of this quality and era can look very awkward. Then when other owners come forward with window proposals, the Commission will have set a good example.

Vice Chairman Katz stated that one of the critical aspects of an application like this was how the new window was reconciled with the sill. Does it sit on top of the sill? Does it butt up to the sill? He said that sort of detail would be very helpful to the Commission.

DECISION OF THE COMMISSION

Ms. Maltese made a motion to postpone the application to the August meeting. The motion was seconded by Councilor Spear. There was no discussion.

The motion to postpone the application to the August meeting passed by a unanimous (7-0) vote.

4. Petition of **Calvin L. Wels and Jane M. Vacante, owners**, for property located at **291 South Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove and replace porch and stair railing system) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 24 as lies within the General Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Calvin Wels, owner of the property was present to speak to the application. He stated that they were undergoing some remodeling and so as part of that project, they would like to replace the rod iron railing currently on the porch with a wood railing. They would also like to remove the existing railing on the stairs and replace it with a wood railing on the right hand side of the stairs.

Ms. Maltese asked when the rod iron railing was put in. Mr. Wels said that they purchased the house in 1992 and it was already in place. He felt it has probably been there about 40 years.

Ms. Kozak asked how the top rail would butt into the round posts. Mr. Wels explained in detail how the contractor would do that.

Hearing no other discussion, 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 Mr. Almeida. Chairman Dika asked for discussion.

Mr. Wyckoff stated that the type of rail system being proposed was appropriate for a historic structure.

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 (7-0) vote.

5. Petition of **Robert W. Bryant, owner**, for property located at **330 New Castle Avenue**, wherein permission was requested to allow an amendment to a previously approved design (change entryway window, add window on garage) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 207 as Lot 34 and lies within the Single Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Robert Bryant, owner of the property was present to speak to the application. He stated that he would like to amend his approval. He explained that he would like to change the oval window on the porch to a rectangular window. He said that the oval window was not available. Mr. Bryant also said that they would like to add a window over the garage door to give light and ventilation to the storage area above the garage.

Mr. Almeida asked if this was the same specifications as the other windows in the house. Mr. Bryant replied yes.

Hearing no other discussion, 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. Almeida made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Maltese. Chairman Dika asked for discussion.

Mr. Almeida stated that this was a minimal request and the applicant was using the same specification of window that was approved for the overall project. He added that the placement of the windows was 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 (7-0) vote.

6. Petition of **Nicolas Johnson Investment Trust, Nicolas Johnson, trustee, owner**, for property located at **37 Franklin Street**, wherein permission was requested to allow exterior renovations to an existing structure (repair existing rear deck) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 59 and lies within the General Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Nicolas Johnson, owner of the property was present to speak to the application. He said that he had a porch in need of repair. He also would like to improve its appearance and safety. The

porch has three sides of which one side faces the South Mill pond. He would like to replace the supporting posts on the south side. The lattice would also be removed and replaced with vertical 2" x 2" balusters spaced 4 inches apart. The top rail would be raised to 36" to meet the safety standards. Mr. Johnson pointed out that on the east side of the porch there was a panel of plywood which would be replaced with a tongue and groove board to add privacy from the street. On the west side, Mr. Johnson said that the existing bench would be repaired as is with like materials.

Chairman Dika commented that there was not a lot of detail in the application.

Mr. Wyckoff asked Mr. Johnson if he intended to cantilever the existing bench. Mr. Johnson said that was the way it was originally built.

Mr. Wyckoff asked if the intent was to use tongue and groove boards. Mr. Johnson said that the appearance was tongue and groove. He added that he took the idea from the board fences in and around the Historic District. Mr. Wyckoff pointed out that those fences are made out of tongue and groove boards.

Mr. Almeida stated that he felt the descriptions in the application indicated what the applicant wants to do. He agreed with Mr. Wyckoff that the boards should be tongue and groove boards. He said that he understood the application well enough and felt it was going to be an improvement to what was there. Vice Chairman Katz agreed with Mr. Almeida and Mr. Wyckoff about the need for the boards.

Mr. Almeida asked Mr. Johnson if he was planning on putting a cap on top of the tongue and groove panel. Mr. Johnson explained that there was going to be a rail. Mr. Almeida asked if the tongue and groove panel was going to fasten on the deck side or the outside of the rail. Mr. Johnson was not sure. Mr. Wyckoff asked if a carpenter would be doing the construction. Mr. Johnson replied yes. Mr. Wyckoff said that he would want a stipulation stating that the tongue and groove board was attached within the top and bottom rails.

Ms. Kozak asked about the posts on the railing system. She explained that the way the posts are shown, continuous across all of the posts, was a more contemporary construction. Typically in the district, the rail stops and the posts and the rail goes into the side of the posts. Mr. Johnson said that he thought a flat rail would be more attractive. Mr. Wyckoff agreed with Ms. Kozak but the current design was a flat rail and he was not sure it needed to be done, especially on this location at the back of the house.

Mr. Almeida stated that this was one of his favorite houses in the South End. He said that he did not know the porch existed on the back so he did not think the raised posts needed to be done.

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

Ms. Sophia Contino, granddaughter of the applicant spoke in favor of the application. She pointed out that the railing currently does not have posts rising above the railing. She also said that the raised post design was more of a fence design and this was not a fence. She did not think it would look correct. She added that the porch was not very big so having raised posts would make the porch look smaller by adding a different dimension to it.

Chairman Dika asked if there were any other comments from the public. 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 stipulation:

- 1) That the east and west sides of the deck have tongue and groove wood boards placed within the top and bottom rails.

The motion was seconded by Councilor Spear. Chairman Dika asked for discussion.

Mr. Wyckoff stated that the design was appropriate for the style of the building. In that location, he did not think it would affect any other historic structures and would be a good improvement.

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 stipulation passed by a unanimous (7-0) vote:

- 1) That the east and west sides of the deck have tongue and groove wood boards placed within the top and bottom rails.

7. Petition of **Frank M. and Kiska B. Alexandropoulos, owners**, for property located at **699 Middle Street**, wherein permission was requested to allow new free standing structures (install two condensers) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 35 and lies within the General Residence A and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Chris Wright, representing the property owner, was present to speak to the application. Mr. Wright explained that they were replacing air conditioning condensers for units 2 and 3. He said that the proposed location was on the back side of the garage, between the garage and a fence that Mr. Pesik was given approval for a while back. The fence was currently in place and the condensers would not be visible from anywhere.

Mr. Wyckoff asked if the condensers were already in place. Mr. Wright replied yes and explained that it was an embarrassing oversight. As soon as they realized that they needed HDC approval, they scrambled to make this meeting. Ms. Maltese pointed out that it has happened before. Chairman Dika agreed but added that the Commission does not like it to happen.

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. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Wyckoff.

Ms. Maltese said that she found the location of the condensers to be appropriate. She did not think any historical value would be lost in their placement.

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 (7-0) vote.

8. Petition of **DiLorenzo Real Estate, LLC, owner**, for property located at **47 Bow Street**, wherein permission was requested to allow exterior renovations to an existing structure (renovation to and relocation of existing mechanical units, structures, and storage structures) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 50 and lies within the Central Business A, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Rob Harbeson of DeStefano Architects was present to speak to the application. He stated that the Commission was familiar with this property as they have been before them a number of times for the relocation of the Poco's Bow Street Cantina deck. He said that this application was related to that work. He said that the tenant was upgrading the mechanical systems for efficiency and to reduce the number of mechanical units on the building. In addition, the City and the City Manager's office have requested that the area have mechanical equipment screened to the extent possible to enhance the appearance. The Health Department has requested that all exterior storage structures be removed from the back of the building.

Page two of the submitted plans showed the extent of the work. Mr. Harbeson explained in detail the new locations of the mechanical equipment and platforms. He also pointed out that all of the storage units below the platforms will be removed. He also said that the City originally planned to relocate the recycling bins but due to the space allocated for them, there would not be enough room for the recycle bins at this time. It was part of the City's future goals, just not right now.

On the rear elevation, all of the storage cabinets would be removed. The two large platforms would remain. Two new columns would be added to support a new mechanical platform. A metal mesh screen would block the view of the condensing units and the various hoses and cables going into them. All of the metal work including the existing large blue condenser would be painted black to match the rod iron staircase located close by.

Mr. Almeida if there were any existing openings behind the sheds that are to be removed that would need to be patched. Mr. Harbeson said there was one existing opening that was a louver and that would remain.

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

Mr. Almeida said that the applicant was going through a big effort to not only upgrade the mechanical systems but to clean the alley up as well. He felt the plan was well thought out and would be an improvement to the alley.

Ms. Maltese said that she appreciated the very detailed application as she was able to understand every detail about it. Chairman Dika added that it was a good improvement.

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 (7-0) vote.

9. Petition of **Streetscapes Properties, LLC, owner**, for property located at **110 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove and replace first floor storefront windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 53 and lies within the Central Business B and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Cindy Dodds, owner of the property was present to speak to the application. She explained that she was requesting to replace the current multi-paned windows with an energy efficient single pane window with no grill pattern, similar to the storefront next door.

Ms. Kozak asked what kind of window she was proposing. Ms. Dodds said that she would be happy to follow whatever the board specifies. She indicated that she had not been to any window vendors yet to get quotes.

Mr. Almeida asked why the applicant was looking to change the look of the window. He wondered if it was because of the energy efficiency aspect or the existing window pattern. Ms. Dodds explained that a woman's clothing store would be going into the space and the new tenant wanted visibility for the store. Mr. Almeida stated that the current window style and pattern was much more appropriate to the building than the one the applicant was proposing. He added that that type of window was very prevalent up and down State Street.

Chairman Dika stated that she was clearly not in favor of changing the window. She felt the existing window was very appropriate to the architecture. Mr. Almeida told the applicant that she could replace it with an energy efficient window with the same pattern.

Ms. Maltese stated that the discussion felt like a work session because the applicant did not have a specific window in front of the Commission that she was asking approval for. She agreed with Mr. Almeida and Chairman Dika that the single pane window was not appropriate. Mr. Melchior pointed out that the Commission did not enough detail because they do not have a product to look at.

Chairman Dika said that it appeared to her that if the Commission took a vote on this application it would be defeated. Ms. Dodds asked if the Commission would be agreeable to fewer numbers of panes or would it have to have the same amount of panes. Mr. Wyckoff suggested no less than nine panes of glass as a compromise. Chairman Dika and Ms. Maltese liked the current proportion of panes. Mr. Wyckoff also said that he would like to see a cross section of the window showing how it would be installed.

Mr. Almeida pointed out that at one time there was a storefront there because it was evident from the brickwork and the structure over the windows. He thought that probably at one time, there was a mirror image of what was currently on the right side of the building. Chairman Dika interjected and said that would not sway her decision.

Ms. Dodds said that she would like to come back for a work session/public hearing at the next meeting.

DECISION OF THE COMMISSION

Ms. Maltese made a motion to postpone the application to a work session/public hearing at the August meeting. The motion was seconded by Councilor Spear.

The motion to postpone the application to a work session/public hearing at the August meeting passed by a unanimous (7-0) vote.

10. Petition of **Lawrence P. McManus and Mary Elizabeth Herbert, owners**, for property located at **40 Pleasant Street**, wherein permission was requested to new construction to an existing structure (install awning on front façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 81 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Alex Dittami, president of Sign A Rama and Al Silva, also of Sign A Rama were present to speak to the application. He stated that the Sakurbana Restaurant was requesting an awning over two front windows. The reasons for the awning were to offer relief from the afternoon sun for the patrons sitting at the windows and to identify the restaurant as a Japanese restaurant.

Mr. Dittami explained that submitted pictures showed a beautiful building with an extension on the end of the building. The extension was the area where the restaurant was located. He explained that at one time, all of the windows on the entire building had awnings that were identical. He pointed out that the current awning on the restaurant part of the building was different, as different as that portion of the building was from the rest of the building. Mr. Dittami stated that the awning they were proposing was consistent with the awning that was currently over the restaurant door. He also pointed out that the windows on the building are recessed whereas the windows on the extension portion are not.

Ms. Maltese asked Mr. Clum if the writing on the awning was within the Commission's purview. Mr. Clum said that the signage was regulated by the Sign Ordinance and not within the Commission's purview.

Mr. Almeida asked if it was possible to align the tops of the awnings so that the top of the proposing awning was at the same elevation and the apron and lettering were the same as the existing awning, he felt it would go a long way to make the two awnings consistent with each other. Mr. Dittami thought it was possible. Other than that, he did not have any other issues with it. He felt it was appropriate. Mr. Almeida asked if the fasteners would be stainless steel. Mr. Dittami said that it was an aluminum frame awning with stainless steel fasteners with separators.

Chairman Dika stated that she was in agreement with Mr. Almeida concerning the alignment of the two awnings, however, she pointed out that the Commission had a tradition of approving retractable awnings. Ms. Maltese commented that the awning next to it was not retractable. Mr. Almeida thought that was all the more reason to match it. Chairman Dika said that the tradition of keeping awnings retractable was to use them for what they are intended for, to shield from sun or rain and not primarily signage.

Mr. Wyckoff agreed with Mr. Almeida about consistency but he felt the signage lettering was very large and that the apron was awkward.

Ms. Kozak pointed out that this awning was linking two separate windows and covering part of a wall which was inconsistent with the awnings on the rest of the building. She wondered if they could achieve the same signage goal by having two separate awnings.

Mr. Dittami explained that the awnings on the rest of the building in the recessed openings are retractable. The awning over the restaurant door was not retractable and they wanted to maintain the consistency of the style. He said that they could put two separate awnings and still do the same construction and have the words "Japanese Restaurant" on the two of them. Mr. Dittami added that they had considered two awnings but they thought the look was not going to be as aesthetically pleasing as a single awning over two windows. The single awning would also help to mask some of the rust on the building and the conduit that is running across the building. He also said that the type could be reduced in size to be more consistent with the existing awning.

Mr. Almeida stated that he thought the applicant had brought up some good points. He felt the new awning needed to play off of the existing awning in dimension, design, and elevation.

Chairman Dika commented that she believed the size of the awning was being driven by the signage which she objected to. She said she would approve either two smaller awnings in the proportions of the one over the door but she would not vote in favor of the elongated awning.

Ms. Maltese wondered if the white printing on the proposed awning was making the type stand out so clearly. She pointed out that the type on the existing awning was done in yellow.

Chairman Dika asked if the applicant had a measurement for the valance. Mr. Silva said that the valance would be 16" to maintain the balance of a larger awning. Mr. Dittami explained that the size could be reduced.

Mr. Dittami also stated that if the Commission was in strong agreement to the use of two awnings instead of one, then they would be willing to go back, redesign it, and come back before the Commission. He said that it was not his customer's preference but he understood the Commission's review process.

Mr. Wyckoff thought all of the Commissioners should weigh in as to their preference for one awning with adjusted measurements or two awnings.

Mr. Almeida suggested that the Commission look at the photograph of the entire front of the building and look at the retractable awnings marching down and then the change to the contemporary wedge awning.

Mr. Melchior pointed out that one long awning would cast a significant shadow on the façade for most of the day, most certainly between April and October. He supported Ms. Kozak's suggestion of two awnings. Mr. Almeida also pointed out that the intent of the awning was to shade the windows. He felt the long awning would cut down on a lot of the solar gain the restaurant was experiencing.

Chairman Dika asked the Commission if there were any Commissioners who were in favor of the awning as proposed. Vice Chairman Katz stated that he was opposed to the awning because he felt the sign was driving the awning instead of the other way around.

Ms. Maltese asked Mr. Clum if the Commission could stipulate whether there could be signage on the awning. Mr. Clum explained that signage was not within the Commission's purview as long as it meets the signage guidelines which it does. He added that if it is too big of signage for the Commission, that is not their purview. Councilor Spear interjected and said that they can say that the valance is too big. He added that he saw validity in both arguments so he would support either one. He said he would insist on an 8" valance and that the height would match the existing awning.

Mr. Almeida thought they should request a nicer font on the new awning or awnings to better match the existing font on the other awning.

Mr. Dittami requested a continuance which would allow them to produce new drawings which would show two awnings with the changed font.

DECISION OF THE COMMISSION

Ms. Maltese made a motion to postpone the application to a work session/public hearing at the August 5, 2009 meeting. The motion was seconded by Councilor Spear. The motion passed by a unanimous (7-0) vote.

Chairman Dika asked that the applicant come with a couple variations for discussion at the August 5, 2009 meeting.

III. WORK SESSIONS

A. Work Session requested by **Unitarian Universalist Church, owner**, for property located at **292 State Street**, wherein permission is requested to allow exterior renovations to an existing structure (fence and awning) and to install a new awning (page). Said property is shown on Assessor Plan 116 as Lot 8 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

This item was postponed to the August 5, 2009 meeting.

B. Work Session requested by **Pier II, LLC, owner**, for property located at **10 State Street**, wherein permission was requested to allow a new free standing structure (revisions to a previously approved design). Said property is shown on Assessor Plan 105 as Lot 4 and lies within the Central Business A, Historic A, and Downtown Overlay Districts.

Ms. Maltese recused herself from the discussion.

- Ms. Lisa DeStefano and Rob Harbeson of DeStefano Architects were present to speak to the application. She explained that they started on this project ten years ago. Since then, there have been changes in ownership. The project has been before the Historic District Commission a couple of times since receiving initial approval. She explained that they were before the Commission again to bring some amenities to the project.
- Ms. DeStefano stated that they have a building permit in hand.
- Ms. DeStefano showed the Commission some renderings of the previously approved design. It was a three story building for the most part with a two story wing located closest to State Street. She acknowledged that the Commission had gone through a lot of work sessions and efforts to get to this point.
- Sheet 1 of the plans showed the approved footprint with a new bump-out piece located on the inside corner of the building. The entryway has been pulled forward to bring more attention to the entry.
- Ms. DeStefano stated that they were presenting a green roof with the project. She said that when one is walking over the bridge or looking down from Harbor Place, one is not looking at a flat roof. The green roof would provide an amenity to the users. She said that Woodburn and Company are the landscape architects. She told the Commission they should identify what items on the roof would be within their purview.

- Mr. Almeida pointed out that mechanical units and roof penetrations would be. Ms. DeStefano explained that the mechanicals would be tucked inside a bay and would not be on the roof. There will be small vents. Mr. Almeida asked about PVC vents for plumbing. Ms. DeStefano said they have not integrated those yet with the final design. Mr. Harbeson added that he felt if they do have some of those vents, they could be screened by plantings.
- Mr. Almeida pointed out that the sail awning located in an interior corner of the roof would require review. He said that he liked the idea of the sail awning.
- Mr. Wyckoff asked about another sail awning that was approved on another property about two years ago. He wondered if it had been installed. Ms. DeStefano answered that they were just starting work on that project.
- Ms. DeStefano explained that at the next meeting, they would see renderings of the area showing the sails and the vertical posts. Mr. Harbeson added that the sails would be no higher than the appurtenances on the roof.
- Vice Chairman Katz commented that it would be interesting to see how the Commission will apply their criteria to this feature.
- Ms. DeStefano pointed out that they are proposing higher floor to floor heights. As a result, they were able to add in more detailing. They are looking to have a heavier base of recessed brick coursing. The remainder of the building would be brick. She also pointed out that the parapet would end up being part of the guardrail on the roof. She also explained that the stairwell that sits above the two story structure would be glass to allow daylight into the unit below.
- Chairman Dika commented that it was interesting to see the modifications after having sat through the original discussion of the building. She said that the earlier Commission felt the building should look like a waterfront building, very factory like. Ms. Kozak added that a lot of the warehouses in Portsmouth have a lot of detail on them. She added that she was thrilled with the changes.
- On the State Street side, they are proposing just one garage with a 16' garage door. Ms. DeStefano felt it would provide for easier maneuvering of cars in and out of that area.
- On the Prescott Park side of the building, Ms. DeStefano pointed out the one story area which would serve as marina use which was a requirement of the State permit. She also pointed out that instead of the wood/Azek structure for the deck system; they were proposing something with a metal and glass rail. She felt it would have a cleaner and lighter look. Mr. Almeida pointed out that this would be a first for Portsmouth. Mr. Melchior added that this type of rail system was becoming the rage in Boston. He felt it was a great system affixed to masonry facades. Mr. Almeida thought it could work; however, it was contemporary and was something new for the Historic District. Chairman Dika said she would like to see the railing in reality and asked the applicants to let her know where one was within a couple hours drive of Portsmouth.
- On the waterside, the upper floors would have applied Juliet balconies with in-swinging French doors. Ms. Kozak asked why they were not using the same metal railing system on the balconies. Ms. DeStefano said that they could look at that. Mr. Wyckoff thought it would block the fresh air. Chairman Dika stated that she was somewhat uncomfortable with the glass balconies and the Juliet balconies. Ms. DeStefano explained that the approvals from the State only allow the building to go out to that plane so they cannot project out any further.
- The last page of the plans showed details. This page also showed the detail of the fence and gate that surrounds the building.
- Vice Chairman Katz thought that with regards to the glass and metal rails, the glass would disappear and all you would be seeing visually would be the rails and the posts which he thought was a neat idea.
- Mr. Wyckoff commented that this was a very sophisticated new building.
- Ms. Kozak asked with regards to the glass railing, would they propose the stainless steel finish or paint it. Ms. DeStefano said they were leaning toward the stainless steel for a

lighter look. Ms. Kozak liked the idea of the glass and metal railing but would have a problem with a stainless steel structure. Ms. DeStefano asked Mr. Melchior what was seen most in Boston. Mr. Melchior replied that he saw mostly brushed stainless.

- Vice Chairman Katz commented that this was the perfect venue for this type of project.
- Chairman Dika told the Commission to let their feelings be known now in order to give the applicants direction.
- Mr. Wyckoff stated that he would vote for the project. He added that he liked the stainless steel.
- Vice Chairman Katz said that except for the possibility of another treatment for the Juliet balconies, he would vote for it.
- Mr. Melchior was okay with everything except he had additional questions concerning the green roof, particularly in regards to drainage.
- Mr. Almeida thought the green roof was a great feature. He said he would like to see more detail. He added that he would not be opposed to the glass railings, but he would have to see how it would be handled.
- Mr. Wyckoff asked for 3-D drawings. Ms. DeStefano explained that they already have those drawings underway.

In other business, Vice Chairman Katz wanted to discuss the Unitarian Church fence. He stated that at their last meeting, Ms. Roberts said that cost could not be used as consideration in their decision. Vice Chairman Katz said he reviewed the ordinance extensively and could not find that language in it. In addition, he said that there was no permission to use cost in a decision. He would like to see some determination on this issue. Chairman Dika said that she would talk with the City attorney concerning it. Councilor Spear added that he would like guidance on that as well. Mr. Almeida stated that there are huge benefits to owning buildings in the City. It requires a higher level of review. Vice Chairman Katz wanted to know if the Commission could expand upon their criteria stated in the ordinance. He thought probably not. Councilor Spear pointed out that their reviews, with siding for example, always involve some comment on cost when making their decisions. Vice Chairman Katz thought it should be made clear.

IV. ADJOURNMENT

At 10:15 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 August 5, 2009.