

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

**October 6, 2010
to be reconvened on October 13, 2010**

MEMBERS PRESENT: Chairman Sandra Dika; Vice Chairman Richard Katz; Members Tracy Kozak, Elena Maltese; City Council Representative Anthony Coviello; Alternate Joseph Almeida, George Melchior

MEMBERS EXCUSED: John Wyckoff

ALSO PRESENT: Roger Clum, Assistant Building Inspector

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I. OLD BUSINESS

A. Approval of minutes – August 4, 2010

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

Approval of minutes – August 11, 2010

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

Chairman Dika stated that she received a request to postpone Petition #9 (131 Congress Street) to the October 13, 2010 meeting. Councilor Coviello made a motion to postpone the application to the October 13, 2010 meeting. The motion was seconded by Mr. Melchior. The motion passed by a unanimous (7-0) vote.

B. Request for Re-hearing – 20 Ladd Street (3rd floor) – submitted by Orion Seafood International, Inc.

Chairman Dika and Councilor Coviello recused themselves from the discussion and vote. Vice Chairman Katz conducted the discussion.

Vice Chairman Katz stated that no testimony from the applicant would be heard this evening. The Commission would reach a decision based on the materials submitted. Vice Chairman Katz asked for discussion. There was no discussion.

DECISION OF THE COMMISSION

Vice Chairman Katz made a motion to grant the rehearing. The motion was seconded by Ms. Kozak.

Vice Chairman Katz stated that the materials submitted provided a persuasive argument that they should rehear the application again.

Ms. Maltese asked if they were just voting on whether or not to have a rehearing. Vice Chairman Katz replied yes.

Hearing no other discussion, Vice Chairman Katz called for the vote. The motion to grant the rehearing passed by a unanimous (5-0) vote.

Vice Chairman Katz stated that the application would be heard at the November 3, 2010 meeting.

II. 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 (relocate and replace garage doors to side elevation, relocate windows to rear elevation, relocate lighting, add two windows, add cupola) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 152 as Lot 44 and lies within Single Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Paul Ford, owner of the property was present to speak to the application. He stated that he had a two car garage that was in excellent structural shape and he wanted to make it more appealing. It was of fairly new construction and was approximately 40 years old. He explained that he has received approval to realign the driveway and place the garage openings on the Lawrence Street side of the structure. The windows on the Lawrence Street side would be moved to where the garage doors are now. He would also like to install two wood round windows and a cupola with a copper topper.

Mr. Almeida asked about the garage doors. Mr. Ford said that they would be steel doors with four windows panes. The size would be 7 feet by 9 feet.

Vice Chairman Katz commented that the garage migrated across the driveway to its current location when the lot was subdivided. He felt the applicant has put a great amount of effort into the property. He said that the garage was going to be much more visible and he wondered if they had considered a faux wood door.

Mr. Ford told the Commission that the garage doors would have a simulated wood grain and would be painted with a matte finish. He said that they looked into real wood. The simulated

wood doors were very costly. He added that maybe down the road they could invest in something better.

Ms. Maltese noted the small lights above each existing garage door. Mr. Ford explained that they would use the same lights and would place them above the garage doors in the new location.

Vice Chairman Katz clarified that he would not withhold his approval for the application based on the garage doors. He said that he knows how expensive wood doors are.

Councilor Coviello pointed out that the perimeter of the garage had a frost wall but at the current openings, the frost wall drops down in order to be able to drive into the garage. He wondered how he would handle that situation in the new location. Mr. Ford explained how that detail would be handled. Councilor Coviello asked if the black board shown in the photo would block the view of the old concrete drops. Mr. Ford replied yes.

Mr. Almeida asked about the cupola. Mr. Ford said that the cupola was 24” square and 28” tall with the copper topper. He said that he did not have a photo of the copper topper but it would be identical but slightly smaller than the one on the house.

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

DECISION OF THE COMMISSION

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

Vice Chairman Katz stated that the applicant has expended quite a lot of effort maintaining the property and it was one of the showpieces on Middle Street in Portsmouth. He thought that reorienting the garage would add to the appearance of the property.

Ms. Maltese said that she was in favor of the project and her reason was because this was not a historic garage. She was pleased that the applicant was using historical details to dress it up.

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 **Adam Warwick Bell, owner**, for property located at **284 New Castle Avenue**, wherein permission was requested to allow exterior renovations to an existing structure (remove and replace siding, add corner boards, replace windows, replace trim with composite material) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 207 as Lot 73 and lies within the Single Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Don Cook of DD Cook Builders was present to speak to the application. He stated that the exterior of the structure was in need of attention. He said that he would like to strip the exterior siding and replace it with clapboard and corner boards. He added that originally they were proposing to use Azek for the trim but would now like to stay with wood trim. The clapboards would be cedar with a 4” exposure. Mr. Cook stated that they would like to replace all of the windows with a simulated divided light Andersen window, 400 series. He brought a sample window to show the Commission. It would have a white exterior.

Councilor Coviello asked Mr. Cook if he planned to clapboard right to the bottom of the structure. Mr. Cook replied yes.

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 Approval for the application as presented with the following stipulation:

- 1) That all trim would be wood instead of Azek.

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

Ms. Maltese stated that they could not ask for anything more of the applicant. She was thrilled to see a historic home being brought back.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Approval for the application as presented with the following stipulation passed by a unanimous (7-0) vote:

- 1) That all trim would be wood instead of Azek.

3. Petition of **Aurora Properties, LLC, owner**, for property located at **342 Islington Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove and replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 145 as Lot 15 and lies within Mixed Residential Business and Historic Districts.

SPEAKING TO THE PETITION

Mr. John Craig, owner of the property was present to speak to the application. Mr. Craig stated that he was requesting to replace the existing wood windows with aluminum clad Majestic windows with simulated divided lights and permanently affixed exterior grids.

Chairman Dika asked if there were any 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 Approval for the application as presented. The motion was seconded by Councilor Coviello. Chairman Dika asked for discussion.

Ms. Maltese stated that the applicant was asking for something that would not even be noticed and would not change the appropriateness of its location in the Historic District.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Approval for the application as presented passed by a unanimous (7-0) vote.

4. Petition of **Alison L. and Christopher J. Pyott, owners**, for property located at **774 Middle Street, Unit #4**, wherein permission was requested to allow new construction to an existing structure (construct addition with misc. renovations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 153 as Lot 9-4 and lies within the General Residence A and Historic Districts.

SPEAKING TO THE PETITION

Ms. Alison Pyott and Mr. Chris Pyott, owners of the property were present to speak to the application. Ms. Pyott stated that they have submitted plans showing the existing conditions and the proposed project. She reminded the Commission of the work session that was held in August.

Mr. Pyott explained that it would be a 700 square foot addition off of the back of the house with a wrap around deck. Ms. Pyott added that the farmer’s porch was new since the work session and they were changing some windows for egress and privacy.

Ms. Maltese asked if any part of the addition was visible from Middle Street. Ms. Pyott stated that the farmer’s porch was somewhat visible from Middle Street as one was heading out of town. Mr. Pyott added that it would be visible from Aldrich Road, especially in the winter.

Mr. Almeida asked if the porch was the only addition since the work session. Ms. Pyott said that the windows on the deck have changed, the skylights have been shifted over a bit, and the small square window had been adjusted.

Mr. Almeida commented that all of the window openings seemed appropriate for the building. He also pointed out that the applicants had addressed all of their concerns.

Councilor Coviello asked what the materials would be on the porch and deck railing. Ms. Pyott said the railing would match the existing railing on the house and would be wood. Mr. Pyott said that the decking would be Trex.

Chairman Dika asked how many work sessions were held for this project. Mr. Pyott said that they have wrestled with the project for five years, resulting in about 4 or 5 work sessions.

Chairman Dika asked if there were any 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 Approval for the application as presented. The motion was seconded by Ms. Maltese. Chairman Dika asked for discussion.

Ms. Kozak stated that it was a very thorough application. She thought that all of the improvements were within the scale of what was there and the details were in keeping with the language that was established with that property. It was not in a high visibility area and she thought it would improve the area.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Approval for the application as presented passed by a unanimous (7-0) vote.

5. Petition of **Theodore M. Stiles and Joan Boyd, owners**, for property located at **28 South Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove and replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 43 and lies within General Residence B and Historic Districts.

Councilor Coviello stated that he would be recusing himself from the discussion and vote.

SPEAKING TO THE PETITION

Mr. Adam Butler of River House Carpentry and representative for the property owner was present to speak to the application. He stated that the owner would like to replace the existing sashes with Marvin Ultimate aluminum clad simulated divided light windows with applied grills. The frame of the window would be white and the sashes would be black. The storms would be removed.

Mr. Almeida asked if there would be a spacer bar between the two grills. He did not see it noted on the specification sheet. Mr. Butler said yes, that there would be a spacer bar.

Mr. Almeida commented that it was an excellent window and the color choice was appropriate.

Ms. Kozak asked if they were replacements windows and if so would the trim remain. Mr. Butler replied yes, they were replacement windows with no change to the trim.

Chairman Dika asked if there were any 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 Approval for the application as presented with the following stipulation:

- 1) That the windows have a spacer bar.

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

Chairman Dika stated that it was a very straightforward application and they have approved many applications like it.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Approval for the application as presented with the following stipulation passed by a unanimous (6-0) vote:

- 1) That the windows have a spacer bar.

6. Petition of **Peter W. and Janet D. Dinan, owner**, for property located at **278 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace roof, replace windows and doors, other misc. renovations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 108 as Lot 13 and lies within Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Mr. Steve Bedard of Bedard Preservation and Restoration was present to speak to the application. He stated his credentials and told the Commission that his company has been involved with several projects of a very high historic nature. He said that they would like to return the house to its 1795 look. He would also like to remove the poorly constructed 1840s ell and replace it with a smaller ell and more appropriate trim.

Mr. Jeff Hopper of Strawberry Banke spoke and read a prepared statement concerning the preservation easement on the house. He said that Strawberry Banke has prepared and signed a preservation agreement with the owners.

Mr. Bedard asked the Commission for some flexibility with the project because he explained that sometimes when a board is removed, they find evidence of other details that may change the overall plan.

Ms. Maltese stated that if they find a material and design in their uncovering, as long as it is replaced "in-kind" then it does not require HDC review.

Mr. Bedard assured the Commission that it would be museum quality work.

Mr. Almeida noted that the roof and copper detailing would be removed. He asked if he would reintroduce a drip edge. Mr. Bedard said he was not planning on it because it was a later addition to the roof. His plan was to use a 35 year architectural asphalt roof with no banding or gutters.

Chairman Dika asked if the City gave him permission to demolish the chimney. Mr. Bedard replied yes and said it would be replaced in kind.

Mr. Bedard stated that the existing ell was built around 1840 or 1850 and has no foundation underneath it. He said that they would like to do a new foundation that would be brick ledge with stone. He added that they would like to change to 3 inch clapboards that are graduated at the bottom along with simple trim detailing.

Chairman Dika asked if there were any 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 Approval for the application as presented. The motion was seconded by Ms. Maltese. Chairman Dika asked for discussion.

Mr. Almeida stated that he had a high level of confidence that this will be a beautiful restoration and he was excited to see the building brought back.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Approval for the application as presented passed by a unanimous (7-0) vote.

Councilor Coviello recused himself from the rest of the applications of the evening.

7. Petition of **Worth Development Corporation, owner, and Portsmouth Bakery Company, applicant**, for property located at **121 Congress Street**, wherein permission was requested to allow exterior renovations to an existing structure (modify storefront elevation and rear elevation) as per plans on file in the Planning Department. Said property is shown on

Assessor Plan 126 as Lot 6 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Tom House of THA Architects was present to speak to the application. Mr. House pointed out that the name of the business was Portsmouth Baking Company and not Portsmouth Bakery Company.

Mr. House stated that there were two portions to the project, the changes to the Congress Street façade and the changes to the rear of the building.

Mr. House explained that on the Congress Street elevation, they would like to remove the metal awning, the existing storefront windows, and some of the tiling. They would like to introduce a new storefront that would go down to the last course of tiling.

Mr. House pointed out where the signage would be. Mr. Clum explained that signage was not within the HDC's purview.

Mr. House stated that they would be replacing the existing awning with a blue canvas awning. Chairman Dika asked if the awning was retractable. Mr. House replied yes and added that they would be using the existing frame. Mr. Almeida pointed out that the awning did not need HDC approval as well since it was just a change of color on the existing frame.

For the rear of the building, there was a May 12, 2010 approval. He said that the only change on this elevation was the addition of a storefront door to provide handicap accessibility. Mr. Almeida asked if the proposed door would match the door that was previously approved. Mr. House said that was his intention.

Chairman Dika asked if there were any 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 Approval for the application as presented. The motion was seconded by Mr. Almeida. Chairman Dika asked for discussion.

Ms. Maltese stated that the door should be same as the one that was approved.

Ms. Kozak added that she was glad to see the double metal awning removed.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Approval for the application as presented with the following stipulation passed by a unanimous (6-0) vote:

- 1) That the proposed rear door matches the rear door that was previously approved May 12, 2010.

8. Petition of **Nicole R. Gregg Revocable Trust, Nicole R. Gregg, trustee and owner**, for property located at **13 Salter Street**, wherein permission was requested to allow demolition of an existing structure (remove rear portion of structure, previous approval expired) and allow new construction to an existing structure (construct left and right side and rear additions, previous approval expired) and allow exterior renovation to an existing structure (add privacy fence and other misc. associated renovations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 28 and lies within the Waterfront Business and Historic Districts.

SPEAKING TO THE PETITION

Mr. Rob Harbeson of DeStefano Architects was present to speak to the application. He stated that the project was previously approved about two years ago. In that time, the economic climate has been such that the project was not able to move forward. So they are back for a re-approval with a couple of amendments to the original application. He pointed out that a number of work sessions were held.

Mr. Harbeson told the Commission that he submitted two separate packages. The first package was the project as it was previously approved. The second package was what they were proposing to amend. He pointed out that the red notes on the pages indicated the changes. Mr. Harbeson explained the window changes to the rear elevation, a foundation change, and the proposal of fences. They were proposing a picket fence, a privacy fence, and a rail fence. Mr. Harbeson showed them from the submitted plans where they would be placed. He said that they were intending for the lattice to be vertical and horizontal.

Vice Chairman Katz asked if they were proposing wood fencing. Mr. Harbeson replied yes and added that it would be painted.

Mr. Harbeson stated that the cable rail fence was being proposed for the rear of the property and would allow good visibility of the water.

Ms. Kozak asked about the stone base foundation. She wondered if it would be real stone. Mr. Harbeson said that they would like to use a thin stone that would be applied with grout. There was additional discussion concerning the stone foundation.

Chairman Dika asked if there were any 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 Approval for the application as presented. The motion was seconded by Ms. Maltese. Chairman Dika asked for discussion.

Mr. Almeida stated that this was an incredibly thorough application and they were all familiar with it. He thought the new changes further improved all of the work that has been done. He felt the stone addition was nice and the fences were appropriate.

Ms. Maltese agreed and said that this project has been a labor of love for the owner.

Chairman Dika said that this was a very historic property and they were excited that someone was taking the time and investing the money to preserve it.

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

9. Petition of **Worth Development Corporation, owner, and Friends of the Music Hall, applicant**, for property located at **131 Congress Street**, wherein permission was requested to allow exterior renovations to an existing structure (renovations to storefront elevations and rear elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 6 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

DECISION OF THE COMMISSION

This item was postponed at the beginning of the meeting. It would now be heard at the October 13, 2010 meeting.

10. Petition of **7 Islington Street, LLC, owner**, for property located at **40 Bridge Street**, wherein permission was requested to allow demolition of an existing structure (demolish building, previous approval expired) and allow new construction to an existing structure (construct 3-4 story mixed use building, previous approval expired) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 52 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Steven McHenry of McHenry Architecture was present to speak to the application. He stated that he brought the project to them last month in a work session in order to revisit the project as it had approved. He explained that it went through a series of work sessions and public hearings in 2006 and 2007.

Mr. McHenry said that there were two primary aspects of the design that he felt need reiterated – one was the sensitivity into the site context which was a big issue when they first brought the design forward. It sat on the edge of zoning districts and the edge of a neighborhood. It was difficult to judge the scale. Mr. McHenry said that the designs of the building's exterior exhibited early 20th century row house look.

Mr. McHenry guided the Commission through the submitted packet. He said that all they have done with the packet was to update the date and titles. The design was exactly as they approved it a couple years ago.

Mr. Almeida asked if the corners would be mitered where the cementitious shingle wrapped the bay. Mr. McHenry replied yes.

Chairman Dika asked what the material was on the northeast corner of the fourth floor. Mr. McHenry said that it would be shingled.

Hearing no more questions, Chairman Dika asked if anyone from the public wished to speak to, for, or against the application.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Mr. William Brassil, secretary of the 7 Islington Street Condominium Association spoke to the application. He stated that his building, the Buckminster house was built in 1720. He asked the Commission if they had given thought to what this new building would look like in comparison to a very historic building. He also said that the residents of the condominium association had three deeded parking spaces and with the new building, they did not know where those three spaces would be located. Chairman Dika stated that the Commission could not deal with their parking issues.

Mr. Ed Carrier, also a resident of the 7 Islington Street Condominium Association asked if it would be possible to get a copy of the plans. He said that he has been trying to get that information from the builder and added that they have no idea what the structure will look like. Mr. Clum told Mr. Carrier that he should have come to City Hall because all of the information was there and it was a matter of public record. Mr. McHenry gave Mr. Carrier a copy of the plans. Mr. Almeida reminded the public that there was also a copy of all plans to be reviewed that evening in a binder at the back of the Council Chambers. Mr. Carrier finished by asking the Commission to consider what type of impact this building would have on the neighborhood.

DECISION OF THE COMMISSION

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

Mr. Almeida stated that he wished to speak to the neighbors. He told them that when the Commission first saw the application, they all had the initial thought of how this building was going to relate to the Buckminster house. He said that the height of the building has been

significantly reduced and it respects the Buckminster house in that way. It does not compete with it by creating a false sense of history. Mr. Almeida added that he was confident that the Buckminster house would continue to shine as a historic property.

Mr. Almeida pointed out that the building to the far right of the new structure was historic as well. He said that the Commission struggles with new buildings tucked in between old buildings. He felt this building was very successful in doing that.

Ms. Maltese agreed with Mr. Almeida and added that they want to make sure that what is next to a historic structure would not falsify the history. She commented that the Buckminster house has been beautifully preserved and they would not want to take away from that.

Chairman Dika stated that there were many work sessions with a great deal of input from neighbors. She pointed out that there has been an interruption in the progress probably due to the economy and so consequently, new neighbors are now coming forward. She added that this was not a perfect building but the Commission worked very hard to keep the height and the massing down to such a degree that it would not interfere with the Buckminster house.

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

III. ADJOURNMENT

At 8:30 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on December 8, 2010