

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

December 8, 2010

MEMBERS PRESENT: Chairman Sandra Dika; Vice Chairman Richard Katz; Members John Wyckoff, Tracy Kozak, Planning Board Representative William Gladhill; Alternates Joseph Almeida, George Melchior

MEMBERS EXCUSED: Elena Maltese; City Council Representative Anthony Coviello

ALSO PRESENT: Roger Clum, Assistant Building Inspector

I. OLD BUSINESS

A. Approval of minutes – October 6, 2010

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

Approval of minutes – October 13, 2010

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

II. PUBLIC HEARINGS

1. Petition of **Franklin C. Grossman Revocable Trust and Katherine R. Grossman Revocable Trust, owners**, for property located at **170 Mechanic Street**, wherein permission is requested to allow exterior renovations (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 7 and lies within the General Residence B and Historic Districts.

DECISION OF THE COMMISSION

At the request of the applicant, it was moved, seconded, and passed unanimously to postpone the application to the January 5, 2011 meeting.

2. Petition of **Portsmouth Historical Society, owner**, for property located at **43 Middle Street**, wherein permission was requested to allow exterior renovations to an existing structure (install gutters, install gabled roof above rear door) as per plans on file in the Planning

Department. Said property is shown on Assessor Plan 116 as Lot 2 and lies within Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Jack Kane, representing the applicant was present to speak to the application. He stated that they would like to install gutters on two rear walls to help prevent water from entering the basement. He also said that they would like to install a roof over the rear door since they have had a problem with ice buildup on the rear step. He included in his packet a picture showing that an awning existed at one time on the building.

Mr. Almeida asked what material would be used for the gutter. Mr. Kane stated that the gutter would be painted aluminum and would be white in color. He explained that the gutters were an experiment to see if they would resolve the water problem.

Ms. Kozak asked when the original awning was put on. Mr. Kane thought it was sometime around 1919.

Mr. Almeida asked if this would be a seamless gutter. Mr. Kane replied yes.

Mr. Wyckoff asked about the crown molding. Mr. Kane said that it would be in concert with the rest of the house. Mr. Wyckoff saw some discrepancies between the photo and the submitted drawing. He asked Mr. Kane if he would be willing to duplicate the look that was in the photo. Mr. Kane replied yes with the exception of the brackets. He wanted to use a simpler style of bracket for lower maintenance.

Mr. Almeida asked where the downspouts would be located. Mr. Kane said they would be on the outside corners and would drain away from the building.

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 Approval for the application as presented with the following stipulation:

- 1) That the gabled roof details (excluding the brackets) will match as closely as possible the details shown in the submitted historic photo.

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

Mr. Almeida stated that this was the John Paul Jones house and so that was why the Commission had a number of questions for the applicant. He felt that the applicant had addressed all of the details. He added that the proposal was appropriate and would preserve the building.

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 the gabled roof details (excluding the brackets) will match as closely as possible the details shown in the submitted historic photo.

3. Petition of **Helen T. Steele and Huldah Lashar, owners**, for property located at **53 Pray Street**, wherein permission was requested to allow new construction to an existing structure (extend rear dormer, extend kitchen addition, replace deck railing, replace fencing, install awning) and allow exterior renovations to an existing structure (replace misc. windows and doors, misc. renovations to the garage and boathouse) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 17 and lies within the Waterfront Business and Historic Districts.

SPEAKING TO THE PETITION

Attorney John P. McGee, Jr., representing the prospective buyers of the property, Mr. and Mrs. John Schorsch, the prospective buyers, Mr. Jack Kelley, realtor and Mr. Dean Telfer, architect of the project were present to speak to the application.

Attorney McGee stated that at a prior work session, there was concern about a two foot extension proposed on the river side of the structure. He informed the Commission that that feature had been removed and a dormer on the rear portion of the building had been added in its place.

Mr. Schorsch spoke next and said that he was looking forward to coming to Portsmouth and being a part of the community. He told the Commission that he has a background in antiquities that goes back many years. He has done quite a few restorations and so he was very much concerned about restoring the property back to the period that it was originally built.

Mr. Telfer spoke next and asked the Commission if they had any questions concerning the submitted plans. Chairman Dika stated that the Commission was familiar with the project because of the work session; however, the public was not so she asked Mr. Telfer to go through the packet. Vice Chairman Katz added that it would be helpful to the Commission if Mr. Telfer would let the Commission know what changes he has made since the last meeting.

Mr. Telfer explained that they were proposing a two foot extension onto the kitchen and a two foot extension on the living room. He said that they planned to reconfigure the deck, add a door to the boathouse, and make changes to the garage. He pointed out that the new dormer on the rear would give them additional space in the two small bedrooms. The front dormer windows would be reconfigured and the fence along the street would be simplified.

Chairman Dika noted that the proposed drawing of the fence showed no fence posts. Mr. Telfer said that he tried to take the garage and the fence and tie them together into some type of

landscape composition. Mr. Telfer pointed out that the large scale drawing included in their packet showed the fence, post, and gate details. He added that also on the sheet was the window schedule. Mr. Almeida asked if the windows would be custom made. Mr. Telfer replied yes and said that they would be divided light. He pointed out that the arched third floor window had been reconfigured and replaced because it was not an original design.

Ms. Kozak asked how far out from the building would the awning extend. Mr. Telfer thought it would extend out 15 feet. He added that details of the awning were included in the packet. Ms. Kozak asked if the mechanism would be visible. Mr. Telfer referred to the submitted drawing to answer her question.

Mr. Almeida noted that the very large dormer had only one window. Vice Chairman Katz explained that this was a result of the objections of the original presentation.

Mr. Wyckoff asked if the copper standing seam roof carried over to the kitchen addition. Mr. Telfer replied yes.

Mr. Almeida asked what the material of the foundation would be. Mr. Telfer said it would be stone. Mr. Almeida asked if it would match the existing foundation. Mr. Telfer replied yes and said it would be a stone veneer.

Ms. Kozak asked about the back steps. Mr. Telfer said that back steps would be local granite and would be the same as the front step.

Mr. Melchior asked how the roof line on the existing building would interact with the new dormer. There was lengthy discussion concerning this.

Ms. Kozak asked if there would be any work on the chimneys. Mr. Telfer replied no.

Mr. Gladhill asked Mr. Telfer if he had an idea of when the third floor arched window was put in. Mr. Telfer said that he did not know. He felt that the window looked like something that was used for a corner cabinet. He added that it was clearly a modern intrusion as there was evidence in the attic of a double hung sash.

Mr. Almeida asked if any of the windows would not be a double hung window. Mr. Telfer replied no.

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

Vice Chairman Katz stated that it was refreshing to see a renovation approached with this level of competence and willingness to go the extra mile. He was enthusiastic about the application.

Mr. Almeida added that this was a quality restoration.

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 **Peirce Block Condominium Association, owner, and True North Property Management, applicant**, for property located at **3 Market Square**, wherein permission was requested to allow exterior renovations to an existing structure (replace third floor windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 17 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Ted Alex, property manager for Peirce Block Condominium Association was present to speak to the application. He stated that this was the final phase with regard to the replacing of the windows. He explained that Mr. Don Rosella represented the other two phases.

Mr. Wyckoff stated his concern about the window sill and how it would be necessary to infill the gap that would be created with a piece of painted wood. He said he would make that stipulation as part of the motion. Mr. Alex was agreeable to that stipulation.

Mr. Almeida asked if these were the same exact windows that were on the other floors. Mr. Alex 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

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

- 1) That a piece of painted wood trim is inserted underneath the new window sill.

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

Mr. Wyckoff stated that the Commission has approved these windows before and he felt the window pattern was appropriate for the building. He added that from the street they would look fine.

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 a piece of painted wood trim is inserted underneath the new window sill.

5. Petition of **The Hill Condominium Association, owner, and Four Phoebe Hart, LLC, applicant**, for property located at **Deer Street (404 The Hill)** wherein permission was requested to allow a new free standing structure (install condensing unit) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 26 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. David McCue, one of the owners of the Four Phoebe Hart House was present to speak to the application. He stated that he was seeking approval to place a pad and a condensing unit on the property.

Mr. Almeida referred to the submitted photo and asked if the condensing unit would replace one of the items currently existing in the photo. Mr. McCue replied no, and said that it would be placed between the building and the two small towers.

Chairman Dika commented that there was quite a menagerie of items in that location. She wondered if there should be some sort of screening. Mr. McCue said that he would consider it.

Mr. Wyckoff thought a small picket fence would take the eye away from the four devices currently existing in that location. Ms. Kozak added that landscaping would work also. Mr. McCue said that he would prefer landscaping over a fence. He pointed out that landscaping was less maintenance and there was already landscaping there.

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

DECISION OF THE COMMISSION

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

- 1) That landscaping is planted to provide screening of the area.

The motion was seconded by Mr. Melchior. There was no additional discussion.

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 landscaping is planted to provide screening of the area.

6. Petition of **Northern New England Telephone Operations, LLC, Fairpoint Communications, owner, and Cellco Partnership d/b/a as Verizon Wireless, applicant**, for property located at **56 Islington Street**, wherein permission was requested to allow a new free standing structure (install generator) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 23 and lies within Central Business B and Historic Districts.

SPEAKING TO THE PETITION

Attorney Tom Hildreth, representing Verizon Wireless was present to speak to the application. He gave the Commission some revised photo simulations.

Attorney Hildreth stated that the application was to seek approval to add a back up power generator on the property. The new material submitted showed the addition of a chain link fence with slatting. He explained that he was before the Commission in 1997 with this application and received approval for the antenna on the roof, an equipment shelter and the external generator. It was approved and they did all of the work with the exception of the generator. They would like to install the generator now.

Attorney Hildreth told the Commission that they met with the Technical Advisory Committee last month and approval was recommended with the stipulation that screening of the generator was installed. He explained that the slatting within the chain link fence would serve two purposes – one was to disguise the generator and the other was to absorb the sound.

Mr. Almeida asked if that was the reason for the height difference to the fence next to it. Attorney Hildreth replied yes.

Mr. Almeida asked if it was a diesel generator and if so, would the tank be store inside or outside of the fence. Attorney Hildreth explained that the tank was self contained within the generator unit.

Mr. Wyckoff asked who required the fence. Attorney Hildreth said that it was recommended by the Technical Advisory Committee. Mr. Wyckoff commented that it was an industrial look.

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

DECISION OF THE COMMISSION

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

- 1) That a fence is added to help screen the unit from view.

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

Ms. Kozak stated that this was the back of an industrial building which already had a collection of equipment in that area. She was not concerned that adding a fence around the unit would change the nature of what was already there.

Mr. Wyckoff added that he did not think it would create any harm in that particular location. He pointed out; however, that the building fronts on Islington Street and when it was built, there was an attempt to build it in a colonial revival style with some details on the front of the building. He said that he would not like to see the building fall into industrial disrepair because of these types of improvements.

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 a fence is added to help screen the unit from view.

7. **Gregory E. and Jennifer L. Sancioff, owners**, for property located at **62 Deer Street**, wherein permission was requested to allow new free standing structures (install fencing, construct shed) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 27 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Steve McHenry of McHenry Architecture was present to speak to the application. He stated that he has been part of the ongoing restoration of the building for a number of years. He told the Commission that the original location of this building was across the street. He also said that this property was not part of The Hill Condominium Association and that was why the application was before them. The owners wished to create some privacy and security by installing a fence around the property.

Mr. McHenry stated that the key to the proposed design was driven by what was surrounding the building when it was located across the street. He pointed out the submitted photo showing the house as it appeared long ago.

According to Mr. McHenry, a driveway curb cut had been approved recently by the City with parking on the property. He added that this was the result of a long legal battle.

Mr. McHenry explained that they were seeking approval for three items – an ornamental fence along the front of the property, the solid wood fence on the two sides, and a small tool shed

which would be located inside the fenced area. He added that the ornamental fence would have a granite base with wood posts. The solid wood fence would be custom made and would be six feet tall. The tool shed would be a wood structure built with historically correct materials.

Mr. Almeida stated that this was a beautiful application that was very thorough and appropriate. He noticed that the fences along the side of the house in the historic picture were not as tall as what was being proposed. He feared that the height of the fence would block the view of a beautiful building. He asked Mr. McHenry if he had considered a lower fence.

Mr. McHenry said that they were conceding to the desires of the owner for some privacy. He stated that he could understand Mr. Almeida's concern but pointed out that the front façade was clearly open to view.

Mr. Gladhill asked if the driveway would remain brick. Mr. McHenry said that they did not provide detail on the driveway because it was a landscape feature which he did not think was within the Commission's purview. Chairman Dika said that Mr. McHenry was correct.

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

DECISION OF THE COMMISSION

Mr. Wyckoff made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Vice Chairman Katz. Chairman Dika asked for discussion.

Mr. Wyckoff stated that the building was quite open on the sides currently. He thought the board fence was the best solution. He also thought it was exciting to see them recreate the ornamental fence.

Vice Chairman Katz said that he could appreciate Mr. Almeida's concern but he felt that this setting for the house was a fabricated situation as far as the surrounding houses were concerned. He felt the fence chosen for the privacy issue had architectural and aesthetic qualities.

Ms. Kozak commented that she was happy to see the original fences come back to this house. She loved the open views of The Hill but from a historical perspective, the residences typically had fences around them and that is what they see in other historic neighborhoods. She felt it was a bit tall but it had the relief of the top detailing.

Chairman Dika agreed with Mr. Almeida but said she would vote in favor of the application. She was happy that the applicant received the curb cut.

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.

8. Petition of **Timothy K. Sheppard, owner**, for property located at **54 Ceres Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace window with door, install exhaust fan, install awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 44 and lies within Central Business A and Historic Districts.

SPEAKING TO THE PETITION

Mr. Timothy Matte of Matte Home Builders was present to speak to the application. He stated that they were proposing to make upgrades to the lower half of the building. The first proposal was to install a stage one vent hood that would be located on the water side of the building. It would protrude up beyond the roof line.

Mr. Almeida asked if an interior path was explored for the vent duct. Mr. Matte said that because there was a residence above the restaurant, it was not a feasible option.

Ms. Kozak asked if they had considered locating the vent so that it would relate more to the windows and doors on the building so that it would not have the angled jog on the face of the building. Mr. Matte said that they did but they had to maintain proper distance from the property line.

Mr. Matte pointed out that on the street side of the building, they would like to replace one window with a true divided light entrance door.

The final proposal was an awning to acquire more shade and coverage in the event of rain. Mr. Matte informed the Commission that Jessie Aikman from Back Channel Canvas Shop was present to answer any questions regarding the awning.

Mr. Wyckoff asked if there would be clear panels that would hang down from the awning. Mr. Matte said that they would like to include that as part of this package so they could be used on inclement days.

Mr. Almeida asked if the duct would be stainless steel. Mr. Matte replied yes and added that he assumed it could be painted to match the color of the building.

Vice Chairman Katz asked how old the building was. Mr. Timothy Sheppard, owner of the building stated that it was built in the late 1940's.

Chairman Dika commented that she would prefer to see the duct painted. Mr. Matte was agreeable to that.

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

DECISION OF THE COMMISSION

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

- 1) That the stainless steel duct would be painted to match the building colors behind it.

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

Mr. Wyckoff stated that he was torn with this application. This was an already existing structure that had an industrial look to it. He thought that in this location it was appropriate.

Vice Chairman Katz did not think they would consider this structure critical to Portsmouth's historic heritage. He felt the building had been well maintained and he did not see anything that was proposed that would cause any real damage to the area so he said he would support the application.

Ms. Kozak stated that she was in favor of the awning and had no objection to where the door was to be located. She felt it was unfortunate that the grills were between the glasses and not affixed but since this was not an historic structure it was not a huge issue. She said however, that she was not able to support the duct going up the side of the building. This was a building on the river and she was not convinced there were not other ways to handle this more in keeping with the architecture of the riverfront. She was troubled by the comment that the awning and duct were designed in keeping with what was on the riverfront. She hoped that this would not become the new standard. She felt a vertical chimney could be explored. She closed by saying she would not be supporting the motion.

Mr. Almeida said that this was the water view of the City and one can see historic Portsmouth from the water. He said that most people know his position on these types of ducts. He asked if they can see what is happening to the view from the river. He said it was very difficult to support the application.

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 vote of 4-3 with Mr. Wyckoff, Mr. Melchior, Mr. Gladhill, and Vice Chairman Katz voting in favor and Ms. Kozak, Mr. Almeida, and Chairman Dika voting in opposition:

- 1) That the stainless steel duct will be painted to match the building colors behind it.

Mr. Wyckoff wondered if the Commission should ask applicants prior to public hearings to explore interior ways to vent. Chairman Dika thought that if a work session had been held, there might have been a different solution.

9. Petition of **Zazloo Properties, LLC, owner, and True North Property Management, applicant**, for property located at **206 Market Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the

Planning Department. Said property is shown on Assessor Plan 118 as Lot 11 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Ted Alex, property manager for 206 Market Street was present to speak to the application. He stated that he was requesting permission to replace all of the windows in the building, 30 windows total with the exception of the storefront windows on the first floor which would remain as is.

Mr. Almeida asked if they would be replacement sashes. Mr. Alex replied yes and added that the window sills were rotted so those would be replaced in kind. Mr. Almeida asked if the current glass pane would remain the same. Mr. Alex replied yes.

Mr. Wyckoff asked Mr. Alex if he was proposing any muntin pattern. Mr. Alex said they would have the current one over one pattern. Mr. Wyckoff thought that the building should have a little more detail and maybe they should consider a two over two pattern. He wondered how old the existing windows were. Mr. Alex said they were a very thin thermal pane window. Mr. Wyckoff explained that if they are thermal pane, then they were probably installed before there was a historic district or without approval.

Vice Chairman Katz disagreed with Mr. Wyckoff. He said that he has always had a fondness for this building because it was so atypical of the standard Portsmouth building. He thought it looked like it was built at the turn of the century. He felt it had its own charm and he did not see any reason change it.

Mr. Almeida stated that he agreed with Mr. Wyckoff. He thought a change to two over two windows was dramatic.

Chairman Dika asked Mr. Alex if he would consider the change. Mr. Alex said that he could talk with the owners; however, his preference was to approve it the way it was.

Mr. Melchior said the Commission's job was to determine if the proposal was appropriate. Vice Chairman Katz agreed and said he thought they were pushing the limits.

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

Vice Chairman Katz stated that he thought the building had its own charm and integrity. He did not think the window change would do any harm.

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.

10. Petition of **Kaffee Von Solln, LLC, owner**, for property located at **79 Daniel Street, Unit 1**, wherein permission was requested to allow exterior renovations to an existing structure (replace front window with sliding window) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 9 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Yalcin Kaya, representing Kaffee Von Solln was present to speak to the application. He stated that he had already changed two single pane windows with a double pane sliding window. He explained that the windows he removed were unsafe because they were single pane. The new windows were insulated and had safety glass as well as a sliding option. The sliding option was needed in order to get equipment into the building. He said that he wanted to make everything better.

Mr. Wyckoff asked if the new sliding unit was painted or was it bare aluminum. Mr. Kaya said that it was painted white. He pointed out that the old windows had a strip of aluminum between them so that did not result in a change. The wood sill had been covered with a white covering.

Chairman Dika told Mr. Kaya that he has put them in an awkward position because he went ahead and installed the window without receiving approval. She added that it did not look the same as the previous window.

Mr. Wyckoff stated that he had trouble with the aluminum cladding and the wood sill that has been covered with metal.

Mr. Almeida commented that it was a beautiful storefront the way it was before. He said that what stood out for him was the shiny aluminum. He wondered if painting it to match the adjacent wood. He added that the details are very different to what was there before.

Mr. Kaya pointed out that two 2"x 4" pieces of wood, one on the left side and one on the right side was what was holding the prior window in place. He was surprised that an accident did not happen with a bar located right next door and another one about 20 yards down the street. Mr. Kaya said that this was not a good solid structure but the new structure was solid, very safe, and energy efficient.

Mr. Wyckoff commented that Mr. Kaya came before them three months ago to receive permission to install a vent system but yet he changed the front windows on the street without asking anyone. He felt Mr. Kaya knew the procedure. Mr. Kaya stated that when he ordered the window, he was under the impression that it would be the same look.

Mr. Almeida asked about the third pane of glass that angled back toward the entrance door. Mr. Kaya stated that it was single paned glass with a safety film on it so it was protected. It had not been changed.

Vice Chairman Katz stated that he felt that the applicant intended to replace the window in kind. He thought they could resolve the issue without having the applicant remove the window. He said it should involve a site walk where the Commission can hopefully come up with a solution.

Chairman Dika told Mr. Kaya that if the Commission were to vote tonight, she would vote against the application. She pointed out that the suggestion has been made to postpone the application to a work session/public hearing and a site walk in January. She reiterated to the applicant that he has put them in a very difficult situation.

DECISION OF THE COMMISSION

Mr. Wyckoff made a motion to postpone the application to the January 5, 2011 meeting for a work session/public hearing and a site walk. The motion was seconded by Mr. Almeida. The motion passed by a unanimous (7-0) vote.

III. WORK SESSIONS

A. Work Session requested by **233 Vaughan Street, LLC, owner**, for property located at **233 Vaughan Street**, wherein permission was requested to allow amendments to a previously approved design (misc. modifications). Said property is shown on Assessor Plan 124 as Lot 14 and lies within Central Business A, Historic, and Downtown Overlay Districts.

- Ms. Carla Goodknight and Mr. Stephen Silver of C.J. Architects were present to speak to the application. Ms. Goodknight stated that they received their approval six months ago and were now back before them with some minor modifications.
- Ms. Goodknight said that the third floor has been changed from office use to residential use. She explained that exterior space was needed to add balconies to four units. She pointed out that those four units had access to the roof top deck which was a green roof with the addition of a swimming pool. Windows have also been revised to accommodate the new balconies.
- The roof appurtenance has been revised in order to accommodate the mechanical equipment as well as egress for the residential use. Ms. Goodknight said that there would be a banding change on the tower as well. The banding color would still remain a dark gray.
- Ms. Goodknight also noted that the tower has shifted about 1'4" to the north for egress and stair configuration issues.
- Ms. Kozak asked if the roof material on the tower had changed. Mr. Silver said that it was a metal roof.
- Ms. Kozak commented that the addition of the balconies have changed the look of the façade dramatically. She said that Ms. Maltese would be happy to see the change. Mr. Almeida pointed out that the change opened up the garage more in a negative way but the

positives outweighed the negatives. Discussion ensued regarding the lighting inside the garage area.

- Ms. Kozak asked how far out the balconies projected. Mr. Silver said 14 or 16 inches. Ms. Kozak asked if the wall was recessed where the doors were. Mr. Silver said that it was recessed 8 feet.
- Ms. Goodknight pointed out that the balcony slab would be radiused but the glass panels would not be.
- Ms. Kozak commented that the addition of the balconies gave a “front” to the back of the building.
- Ms. Kozak noticed that the transom was missing from the door on the rear elevation. Ms. Goodknight said that was correct and said that they were proposing an 8 foot door. Vice Chairman Katz asked what the function of the door was. Ms. Goodknight said it was an egress door only.
- Mr. Almeida said that there would probably be a large bank of gas meters associated with the building. Ms. Goodknight explained that there were only five residential units in the building. They were still trying to determine if the first floor would be restaurant space but second floor will remain office space and the third and fourth floor would be the residential space.
- Mr. Almeida expressed his concern about the roof appurtenance and hoped that it would not end up looking like the top of Harbor Place because it would be visible. Ms. Goodknight reminded him that they were proposing a green roof so a lot of the structure would be hidden by tall greenery.
- Mr. Almeida commented that it was still a great building.

B. Work Session requested by **Donald S. and Beth S. Margeson, owners**, for property located at **24 Marcy Street**, wherein permission was requested to allow changes to an existing structure (move house to new location on lot). Said property is shown on Assessor Plan 105 as Lot 8 and lies within the Central Business B and Historic Districts.

- Mr. John Merkle of TMS Architects was present to speak to the application. Mr. Merkle stated that Mr. Margeson grew up in the house in this location. Many years ago, the house was moved to its current location from across the street.
- Mr. Merkle explained that the owners were seeking some privacy and quiet space and had explored the idea of putting an addition on the side of the house facing State Street. He said that a one floor addition just did not work with the house so they are now exploring the idea of moving the house closer to Marcy Street to allow some private space at the rear of the property. With the Prescott Park across the street, it made it difficult to enjoy any privacy.
- Ms. Kozak asked if they were thinking of putting an addition on the back of the house. Mr. Merkle replied no, not at this time.
- Mr. Almeida asked if the house would be raised up to improve the basement space. Mr. Merkle replied no. He said that same amount of foundation would be exposed.
- Chairman Dika noted that the Oracle house was moved to its present location as well.

- Mr. Almeida stated that he did not see any adverse effects to moving the house. Mr. Merkle felt it was a good solution instead of an addition. He added that the owners may want to extend the kitchen at some point.
- Mr. Wyckoff clarified that as of now there were no plans for an addition on the house. Mr. Merkle replied no. Chairman Dika explained to Mr. Merkle that if that was the plan in the future, he would have to come back before the Commission.
- Mr. Melchior asked if there were any plans for the fence. Mr. Merkle said that the fence was in disrepair and the stone wall was displaced so those were two of the reasons the addition was off of the table. There were many maintenance issues associated with the property. He added; however, that he did not want them to misunderstand him that an addition might be asked for in the future.
- Mr. John Angelopoulos, an abutter on State Street stated that the moving of the house would block a lot of sunlight from one of his rooms and a view of the river. Chairman Dika explained that views are not protected. Chairman Dika added that the Commission was charged with making sure that any change in the footprint of this structure was compatible with the streetscape and the architecture in the area and the Commission felt it was. Mr. Angelopoulos asked what type of work would be involved with moving the structure. Mr. Merkle said there would be excavation work. Mrs. Angelopoulos stated that they have had building projects all around them.
- There was discussion about the zero setbacks in the Central Business district.
- Mr. Angelopoulos stated that he felt he had no recourse. He asked if there were any other departments in the City who he could talk to. Mr. Clum reminded that Commission that the city attorney has advised them that legal precedence says that there is no guarantee of views.
- Mrs. Angelopoulos said that she felt Mr. Merkle was conscious of their concerns and understood how disturbed they were. She said that she hoped he would take their concerns into consideration. Mr. Merkle said that he was not aware that the Angelopoulos's living room was the room where the sunlight and view would be affected.
- Mr. Almeida reminded the Angelopouloses that they would have a voice throughout the entire process.

IV. ADJOURNMENT

At 9:45 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on February 9, 2011.