

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 p.m.**

**November 2, 2011  
to be reconvened on November 9, 2011**

**MEMBERS PRESENT:** Chairman Sandra Dika; Vice Chairman Richard Katz; Members Tracy Kozak, Planning Department Representative William Gladhill; Alternate Joseph Almeida

**MEMBERS EXCUSED:** John Wyckoff, Elena Whittaker; City Council Representative Anthony Coviello; Alternate George Melchior

**ALSO PRESENT:** Roger Clum, Assistant Building Inspector

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**I. OLD BUSINESS**

A. Petition of **John R. Maher, owner**, for property located at **240 Middle Street**, wherein permission is requested to allow exterior renovations to an existing structure (replace windows, replace front door with composite material, renovate rear porch and gable roof, remove rear east chimney, lower two front chimneys) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 136 as Lot 10 and lies within Mixed Residential Office and Historic Districts. *(This item was postponed at the October 5, 2011 meeting to a work session/public hearing at the November 2, 2011 meeting.)*

Request To Postpone

Ms. Kozak made a motion to postpone the application to the December 7, 2011 meeting. The motion was seconded by Mr. Gladhill. The motion passed by a unanimous (5-0) vote.

**DECISION OF THE COMMISSION**

B. Petition of **Michael R. and Denise Todd, owners**, for property located at **254 South Street**, wherein permission was requested to allow a new free standing structure (install fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 4 and lies within the Single Residence B and Historic Districts. *(This item was postponed at the October 5, 2011 meeting to the November 2, 2011 meeting.)*

**SPEAKING TO THE PETITION**

Ms. Denise Todd, owner of the property was present to speak to the application. She stated that she would like to put a partial fence along the left side of her house.

Vice Chairman Katz asked if the fence would be identical to the one in the submitted photo. Ms. Todd replied yes. She added that it would be six sections of six foot high fencing.

Ms. Kozak asked where the fence was located in relation to the street. Ms. Todd said that it was approximately 60 feet from the end of the fence to the road. She explained that the fence stopped at approximately the back of her house and would create more privacy for the two properties.

Mr. Gladhill asked if there was any other fencing on the property. Ms. Todd replied no.

Chairman Dika asked which side the finished side would face. Ms. Todd explained that there would not be a good side or a bad side; both sides would look the same.

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 this was an easy application. The site plan showed the location of the fence and it was appropriate for 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 (5-0) vote.

**B. Petition of T.J. Martin and Christopher S. Martin, owners,** for property located at **508 Marcy Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows, reconfigure windows on north and west elevations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 57 and lies within General Residence B and Historic Districts. *(This item was postponed at the October 5, 2011 meeting to a work session/public hearing at the November 2, 2011 meeting.)*

Chairman Dika pointed out that there were two applications for this property so she explained that they would discuss both proposals at this time but would vote separately on each one.

Mr. Gladhill stated that he would be recusing himself from the discussion and vote on the first proposal.

## **WORK SESSION**

- Mr. Christopher Martin and Mr. T.J. Martin were present to speak to the application. Christopher Martin stated that the proposed width of the kitchen window was a problem at last month's meeting. He explained that they were now proposing to keep

the existing width of the window but would bring the height of the window to its maximum height to accommodate the kitchen counters inside.

- Christopher Martin stated that the windows would be the Andersen Woodright 400 series windows with equal divided light with a spacer bar and permanently affixed interior and exterior grills. The sill would sit at an angle of eight degrees.
- Mr. Almeida asked about the exterior material of the window. Christopher Martin explained that it was a wood core window with a fibrex material on the exterior.

Chairman Dika asked if there were any more questions. Hearing none, she stated that they would move into a public hearing.

### **SPEAKING TO THE PETITION**

Mr. Christopher Martin stated that the proposal was to replace all of the windows with the exception of modifying the single window on the north elevation. The new window dimension would be 3'x 4'5 1/2". They were also proposing to board up one window on the west facing elevation.

Chairman Dika asked if there was anyone from the public wishing to speak to, for, or against the application. Seeing no one rise, she declared the public hearing closed and awaited a motion.

### **DECISION OF THE COMMISSION**

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

Mr. Almeida stated that the applicant recognized the issues that the Commission had and made the changes which made a big difference.

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 (4-0) vote.

## **II. PUBLIC HEARINGS**

1. Petition of **Christopher S. Martin and Thomas W. Martin, Jr., owners**, for property located at **508 Marcy Street**, wherein permission was requested to all demolition of an existing structure (remove chimney) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 57 and lies within General Residence B and Historic Districts.

### **SPEAKING TO THE PETITION**

Mr. T. J. Martin and Mr. Christopher Martin were present to speak to the application. Christopher Martin stated that they were seeking approval to remove the chimney that was currently deteriorating and leaning. He said that the chimney was no longer in use.

Chairman Dika asked if they would like to replace it. Christopher Martin explained that it would need to be replaced from the ground up.

Ms. Kozak stated that chimneys are important features to the historic district because they are important to the skyline. She said that there have been situations where the Commission has approved chimney demolitions but only when it could not be seen from a public way. She pointed out that this chimney could be seen. She also said that she understood the expense but she wondered if the applicant would be willing to create the effect of a chimney from the roof up.

Christopher and T.J. Martin both stated they were amenable to the idea.

Vice Chairman Katz commented that it was the only chimney on the house and he felt that beneath the aluminum siding, there were some nice features on the house. He said that other faux chimneys have been very successful and he thought the cost would be reasonable.

Mr. Almeida explained that faux chimneys could be used for venting as well. He also said that they would need to see the details of the materials.

It was suggested to schedule a work session/public hearing at next week's meeting. Mr. Almeida told the applicants that they would need to see the dimensions, the type of thin bricks they were using as well as the mortar color and how it would be topped off.

## **DECISION OF THE COMMISSION**

Ms. Kozak made a motion to postpone the application to the November 9, 2011 meeting. The motion was seconded by Mr. Gladhill. The motion to postpone the application to the November 9, 2011 meeting passed by a unanimous (5-0) vote.

2. Petition of **Timothy J. Andrews and Sarah Ann Raboin, owners**, for property located at **647 Middle Street**, wherein permission was requested to allow new free standing structures (install fencing, install retaining wall) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 31 and lies within General Residence A and Historic Districts.

## **SPEAKING TO THE PETITION**

Mr. Timothy Andrews, owner of the property was present to speak to the application. He stated that they received approval from the Board of Adjustment for the footprint of the fence. He was now seeking approval for the design. He said that he was trying to mimic the neighboring fence because he thought it would balance out the area and would help it to blend in. Mr. Andrews also explained that he was seeking approval for a retaining wall inside the fenced area that would not be seen from any public way.

Mr. Gladhill asked what the height of the fence would be. Mr. Andrews said that his fence would be the same height as the neighbors; just under 6 ½ feet.

Mr. Almeida commented that he felt the applicant had done a great job of conveying the project and he thought it was very appropriate. He added that it was a beautiful fence.

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

Mr. Almeida stated that the proposal was well presented, clear and appropriate. Chairman Dika added that the applicant had nice photo shop skills.

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 (5-0) vote.

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3. Petition of **Old City Hall, LP, owner**, for property located at **126 Daniel Street**, wherein permission was requested to allow new construction to an existing structure (add dormer to roof to accommodate elevator override) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 1 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Mr. Richard Johnson of Pine Brook Corporation was present to speak to the application. He stated he included all of the elements discussed at the work session. He explained that the dormer would have hardiplank with Azek trim. It would be painted to blend in with the roof. He also said that it would have a flat rubber roof with brown metal curb flashing. The bottom edge flashing that tied the dormer into the existing roof would be sixteen ounce lead.

Chairman Dika informed the public that an extensive work session was held prior to this public hearing.

Mr. Almeida commented that this was another straightforward and clear application. He thought the dormer looked like a mechanical vent that was minimal in height and would blend in nicely with the roof.

Ms. Kozak asked how tall the brown metal curb flashing was. Mr. Johnson said it was approximately five inches. Ms. Kozak asked if there was a smaller option available. Mr. Johnson said he could make it 1 ½ inches.

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 the height of the metal curbing will be 1 ½ inches.

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

Ms. Kozak stated that this was a discreet addition to the roof and would not impact any substantial City skylines. She also pointed out that it was well hidden and was a necessity for the building.

Mr. Almeida commented that it also encouraged the re-use of an historic building that needed modern amenities. This application proved that it could be done.

Chairman Dika said that the placement of the dormer was very appropriate.

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 (5-0) vote:

- 1) That the height of the metal curbing will be 1 ½ inches.

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4. Petition of **Portsmouth Navigation Corp., owner**, for property located at **34 Ceres Street**, wherein permission was requested to allow demolition of an existing structure (remove porch overhang, landing, and door) and allow exterior renovations to an existing structure (clapboard over existing door opening) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 45 and lies within Waterfront Industrial and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. Robert Stewart, representing the owner stated that they have already removed the rotted porch overhang and landing but would rebuild it if the Commission requested it. He said that he would also like to remove the existing door and clapboard over the opening. He pointed out that the door was not functional.

Mr. Almeida felt that the building was important but he did not think the porch feature was important. Mr. Stewart said that it was probably adding in the 1970's.

Chairman Dika asked if there was a door in that location originally. Mr. Stewart did not know. Ms. Kozak did not believe it was original since it was an odd size and was in a peculiar place. Chairman Dika said that it would be nice to see historic photos when presented with proposed changes to a building like this one.

Mr. Almeida asked if there was another door that could be used. Mr. Stewart said there was another door on the side of the building.

Vice Chairman Katz said that he did not see any great loss if the door were removed and clapboarded over. He thought it would look better. Mr. Almeida did not have a problem with it either. Mr. Gladhill agreed as well. Mr. Almeida pointed out that there was a large base trim along the bottom and he wondered if that would be replaced. Mr. Stewart 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. Kozak made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Mr. Gladhill. Chairman Dika asked for discussion.

Ms. Kozak stated that she did not believe the current porch was original to the building. She had no issue with removing those items.

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 (5-0) vote.

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5. Petition of **Jeffrey H. Marple, owner**, for property located at **10 Market Square**, wherein permission was requested to allow exterior renovations to an existing structure (add frosted vinyl material to storefront windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 22 and lies within Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Mr. Peter DiZoglio and Mr. Joe Massidda, two of the owners of Michelle’s on Market Square were present to speak to the application. Mr. DiZoglio stated that this was an after the fact approval for decorative frosted glass window dressing. The frosting was a depiction of the town and square. He explained that there was some confusion with the sign company because they have done a few of these frosting techniques on other windows in the downtown area. Chairman Dika said that she suspected that other businesses would be coming in for after the fact approvals

as well. She added that this was a new feature that now needed HDC approval. Mr. Massidda stated that he felt the frosting was a way to add some privacy for the dining customers.

Chairman Dika asked the Commission their feelings about reviewing frosted glass.

Mr. Gladhill asked if the frosting was within the glass or adhered to the glass. Mr. DiZoglio said that it was applied to the exterior of the glass and could be removed.

Ms. Kozak asked Mr. Clum where do they draw the line on what is signage and what was a window. Mr. Clum informed the Commission that the Planning Director, Rick Taintor felt the application should come before the Commission. Ms. Kozak asked if there was a percentage amount of how much of a window can be covered with an obscure covering. Mr. Clum said that there was a limit to how much of the storefront could be signage but he did not think they were calling this signage.

Chairman Dika commented that since the frosting was on the exterior of the glass that it might be treated similar to an awning. She wondered if it was on the interior of the lass would it be any different than curtains hanging.

Vice Chairman Katz said that he felt the depiction of a cityscape on the windows was artistic expression and as such was protected. He did not see any reason that the HDC would have control over it.

Chairman Dika stated that it seemed that they were starting a discussion for the future.

Mr. Almeida thought the frosting was very well done and did not detract for the historic district or the storefront.

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

Chairman Dika stated that they were not setting precedence with this application and that they would review the applications as they come.

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 (5-0) vote.

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6. Petition of **Nancy H. Alexander, owner**, for property located at **44/46 Market Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace two rear second floor windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 31 and lies within Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Mr. Paul Charles of Bradley Construction and Mr. Melvin Alexander, owner of the building were present to speak to the application. He stated that they would like to replace two windows on the rear of the building. They were proposing Harvey Majesty replacement windows that had a wood core and aluminum exterior cladding. Mr. Charles said that there might some sill damage that would need to be replaced as well.

Mr. Gladhill asked if the grill pattern would be two over two. Mr. Charles replied yes and said they would have permanently affixed grills.

Ms. Kozak asked and received clarification as to the grill patterns on other windows in 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**

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

Ms. Kozak stated that this seemed like an appropriate application. She said that it was replacing some badly worn materials with new materials which would mimic the existing details. She also did not think the area was highly visible.

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 (5-0) vote.

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7. Petition of **Portsmouth Housing Authority, owner**, for property located at **444 Pleasant Street**, wherein permission was requested to allow new construction to an existing structure (extend roof over existing deck stairs) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 54 and lies within General Residence B and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. Geoffrey Aleva of Civil Consultants was present to speak to the application. He stated that the proposal was part of a larger project and involved the construction of an extension over the rear decks. He explained that because they were not covered, snow and ice build up was making it hazardous to use the stairways. The materials would match what was existing.

Mr. Almeida pointed out that the roof was currently draining onto the deck which was making a very awkward condition.

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

Mr. Almeida stated that it was a very straightforward and clear application that was trying to correct a safety issue.

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 (5-0) vote.

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**III. WORK SESSIONS**

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

Mr. Almeida made a motion to postpone the application to the December 7, 2011 meeting. The motion was seconded by Ms. Kozak. The motion passed by a unanimous (5-0) vote.

B. Work Session requested by **Brian J. Bednarek, owner**, for property located at **10 Humphreys Court**, wherein permission was requested to allow new construction to an existing structure (add shed dormer to rear facade, add dormers to front facade) and allow exterior renovations to an existing structure (replace siding and windows, reconfigure second floor window). Said property is shown on Assessor Plan 101 as Lot 43 and lies within General Residence B and Historic Districts.

- Mr. Brian Bednarek and Ms. Sophie Bednarek, owners of the property, and Mr. Rick Jones, architect for the project was present to speak to the application.

- Mr. Jones explained that they were seeking to make modifications to the second floor. They would like to add three small gable dormers to the front of the house and a shed dormer on the rear of the house. He added that the windows would be true divided light windows and cedar shingles would be proposed as well.
- Chairman Dika stated that the 34 Salter Street house was almost identical to this one but was then reconstructed into a saltbox. She suggested this as another option to gaining second floor space. Mr. Jones said that they looked into doing shed dormers on both the front and the back of the structure but there were cost concerns associated with that approach.
- Ms. Kozak commented that she thought this was an appropriate solution for this building. She said it was very typical to see the dormers on the front and the shed dormers on the back.
- Vice Chairman Katz pointed out that there was no strong identity on Humphreys Court with regard to house styles.
- Mr. Almeida told Mr. Jones that the Commission looked to maximize the amount of roof left when review applications like this one.
- Ms. Kozak asked about window patterns. Mr. Jones said that they would match what was currently on the house which was a six over six pattern. On the back of the house, they were not sure yet. He said that they were also looking to enlarge the second floor window on the side facing the water.
- Ms. Kozak also advised that the gable dormers on the front of the house should not be bigger or wider than the windows below them.
- Ms. Bednarek asked the Commission if the siding and roofing was appropriate. Ms. Kozak commented that the products that were chosen were fantastic.
- Mr. Bednarek stated that he has spoken to the neighbors about the project and they were on board.

In other business, Mr. Jones gave the Commission the name of a woman who restored windows. Her name was Alison Hardy of Window Woman of New England.

The Commission discussed upcoming meetings and work sessions. It was decided to set the date of December 7, 2011 at 6 p.m. for a work session on design standards with staff from the Planning Department in attendance.

#### **IV. 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 14, 2011.