

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

CONFERENCE ROOM "B"

7:00 p.m.

May 2, 2012

MEMBERS PRESENT: Chairman Richard Katz; Vice Chairman Joseph Almeida; Members John Wyckoff, Tracy Kozak, Elena Whittaker; Planning Department Representative William Gladhill; Alternate George Melchior

MEMBERS EXCUSED: City Council Representative Jack Thorsen

ALSO PRESENT: Nick Cracknell, Planning Consultant

I. OLD BUSINESS

A. Approval of minutes – February 1, 2012

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

II. PUBLIC HEARINGS

1. Petition of **City of Portsmouth, owner**, for property located at **1 Junkins Avenue**, wherein permission was requested to allow exterior changes to an existing structure (renovations to the boiler house) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 110 as Lot 1 and lies within the Municipal and Historic Districts.

SPEAKING TO THE PETITION

Mr. Evan Mullen, of Port One Architects was present to speak to the application. He stated that the project involved interior and exterior renovations to the boiler house. It involved the replacement of the overhead garage doors, the windows, the addition of snow guards, and minor repairs to the roof. He said that the goal was to improve the thermal envelope of the building while maintaining its historical integrity. He explained that they chose products for their durability and longevity because they would be used quite frequently. The snow guards were being installed as a safety precaution because the walkway next to the building was treacherous because of falling snow and ice. He added that the any slate that was removed on the roof would be repaired and replaced.

Mr. Mullen brought a sample of the Marvin Infinity window that he was proposing to use. He explained that they would be keeping the existing wood frame but would be removing the sash. The windows would have simulated divided lights with permanently affixed muntins and a

spacer bar. The muntin width was 7/8". He added that the window was chosen because of the need for low maintenance and performance.

Mr. Almeida asked if they were planning to do gutter replacement. Mr. Mullen pointed out that the one rain gutter was currently hanging off of the building. Additionally, it was not serving any function so there were no plans to replace it. He also told the Commission that they would be removing the vegetation that was currently growing on the sides of the building.

Mr. Melchior asked if they had looked into wood windows and storms as an alternative. Mr. Mullen explained that they were looking for thermal performance. He added that installing storm windows would alter the aesthetic look of the building. Mr. Melchior asked if the windows would be used. Mr. Mullen replied no but said that the windows upstairs might be opened and closed regularly. Mr. Melchior informed Mr. Mullen that they would get the same performance with a wood window when using an interior storm window. He also said that the type of window that was proposed would lose its argon after fifteen years so as for the low maintenance goal, it was really just deterred maintenance. He encouraged Mr. Mullen to do a cost analysis. Mr. Mullen said that it was a team decision to go with the Marvin Integrity windows and added that some of the frames were in bad shape.

Mr. Almeida explained that this was the logic that the HDC has been applying to window replacement. He wanted the applicants to at least pause and think about losing wood windows. He felt that they needed this type of dialog and to suggest these types of studies. He added that they had guidelines from the Department of the Interior about restoring windows and it may not be any more expensive than replacements.

At this point in the discussion, Chairman Katz polled the Commission as to which way they might be leaning with the proposal.

Ms. Whittaker stated that she disagreed with Mr. Melchior. She said she was hard pressed to look away from the current economy which was part of the Commission's review criteria. She said this would not stop her from approving the application.

Mr. Wyckoff said that he agreed with Ms. Whittaker. He pointed out that the City has had a problem with maintaining its buildings so he felt this approach would be beneficial. He added that the windows would last.

Mr. Gladhill commented that he would like to see the research on preserving them so he was withholding his final opinion.

Ms. Whittaker stated that the HDC guidelines do not state that an applicant must show a cost analysis. Mr. Melchior interjected that an applicant could use a cost analysis to determine the best choice.

Ms. Whittaker commented that she has heard low maintenance as a main reason for the window choice. She pointed out that the City was currently laying people off so cost was a consideration.

Ms. Kozak stated that she was a big proponent for keeping windows but she was trying to look at this application objectively. She said that maintenance and cost were down the line as to how the Commission looks at these types of applications unless it was a severe case of cost and hardship. She pointed out that this location was not in the same league as Market Street so she was okay with the proposal. Mr. Rawling and Chairman Katz agreed with Ms. Kozak.

At this point, the discussion moved to the proposed garage doors. Mr. Mullen explained that the proposed door was a flush panel door with a simulated wood grain finish. It would be painted to match the color of the windows which would be Sierra White. The glazing pattern would match the existing doors. He pointed out that these doors were the primary means of getting in and out of the building.

Ms. Kozak asked if they looked at any other options. Mr. Mullen replied yes but said they were trying to match what currently existed. He also pointed out that the current doors were not functioning properly.

Ms. Kozak asked if there would be any renovations to the chimney stack. Mr. Mullen replied no and said it was not part of the project.

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

DECISION OF THE COMMISSION

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

Mr. Wyckoff stated that it was his opinion that the windows would look historic to the district and that the garage doors were very close to what was currently in place. He also appreciated the fact that they were making every effort to save the slate. He felt it was a good renovation for a public works building.

Ms. Kozak felt it was a valiant attempt to keep a building and she felt it was tucked away enough from direct view.

Hearing no other discussion, Chairman Katz called for the vote. The motion to grant a Certificate of Approval for the application as presented passed by a 5-2 vote with Mr. Almeida and Mr. Melchior voting in opposition.

2. Petition of **Middle Street Townhouse Association, owner, and Brian T. and Melissa J. Maguire, applicants**, for property located at **774 Middle Street**, wherein permission was requested to allow a new free standing structure (install shed) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 153 as Lot 9 and lies within General Residence A and Historic Districts.

SPEAKING TO THE PETITION

Mr. Brian Maguire, owner of the property was present to speak to the application. He stated that he would like to install a shed at the rear of his property for storing bikes. He pointed out that it would be located behind an existing garage. The style of shed was Victorian cottage with vinyl siding, black shutters, and gray shingles. The shed would allow access on the side and would be assembled on site.

Ms. Whittaker asked how tall the shed was. Mr. Maguire was not sure of the exact height but thought it was around nine feet tall.

Mr. Almeida noted that the specification sheet showed that the siding was offered in pine or cedar clapboards as well. He asked Mr. Maguire if he had considered those options. Mr. Maguire replied yes but thought the vinyl would last longer and noted that it would be located behind a garage.

Mr. Rawling commented that it was a nicely detailed shed but he took issue with the shutters since it poorly represented the way shutters are used. He felt the shed would look better without the shutters. Ms. Whittaker and Mr. Wyckoff agreed. Mr. Maguire was agreeable to remove the shutters from the application.

Mr. Gladhill asked what the shed would be sitting on. Mr. Maguire said it would be sitting on crushed rock.

Mr. Almeida pointed out that the wood clapboards were less expensive than the vinyl. Mr. Maguire said that he was aware of that but he would have to paint every 4 to 5 years if they went with clapboard siding. Chairman Katz commented that he was hard pressed to think of a situation, with the exception of a Market Street extension application, where they had approved vinyl siding. Mr. Wyckoff recalled approving a shed on Middle Street with vinyl siding. Mr. Maguire reiterated that the shed would not be very visible.

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

DECISION OF THE COMMISSION

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

- 1) That no shutters shall be installed.

The motion was seconded by Mr. Wyckoff. Chairman Katz asked for discussion.

Ms. Whittaker stated that she has seen many sheds and this one was one of the better looking ones. She said she was not thrilled with the vinyl but it would be a good distance from the road so she did not think it would be visible.

Mr. Wyckoff agreed. He pointed out that this property was not deeply buried in the most historic area of the city. He felt it was appropriate for its area.

Mr. Melchior stated that he would not be supporting the application. This property was in the historic district and the Commission does not approve vinyl siding in the Historic District. He did not want to set precedence.

Ms. Whittaker said that the fact that this was not a main structure did not give them support in the future for major structures. She did not feel it would be setting precedence.

Mr. Almeida stated that he could not support vinyl siding in the Historic District. He pointed out that the specification sheet showed that wood siding was available. He said that it is a fact that buildings in the Historic District are more difficult to maintain.

Ms. Kozak agreed that no one wants to see vinyl in the Historic District but she pointed out that no one was going to see it.

Chairman Katz stated that he lived in this neighborhood and he has seen instances where vinyl siding is taken off. He pointed out there was no hardship here and that there was an alternative.

Mr. Maguire informed the Commission that he would be willing to switch to pine clapboarding.

Ms. Whittaker removed her motion and made a motion to grant a Certificate of Approval for the application as presented with the following stipulations:

- 1) That no shutters shall be installed.
- 2) That the siding material shall be changed to pine.

The motion was seconded by Mr. Wyckoff. There was no additional discussion. The motion passed by a unanimous (7-0) vote.

3. Petition of **Kearsarge House Association, LP, owner**, for property located at **104 Congress Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 8 and lies with the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Rob Harbeson of DeStefano Architects was present to speak to the application. He stated that this application was the next step in the refurbishing of the building. He said that they were

proposing a shed awning in place of the existing rounded awning. The dimensions would remain the same. He added that on the Chestnut Street side of the building, they were proposing to change the fabric sign band but the existing canopy would remain as is.

Mr. Gladhill asked why the change from the rounded shape to the square shape. Mr. Harbeson said that they thought the square shape related better to the rest of the street.

Mr. Almeida asked if the valance was a loose one or a fixed one. Mr. Harbeson said that it was a fixed valance. He added that they were open to whatever the Commission preferred. Mr. Almeida stated that loose awnings were preferred.

Mr. Almeida asked if the masonry would be repaired where the old awning was removed. Mr. Harbeson replied yes. Mr. Almeida also asked how the new frame would be affixed to the building. Mr. Harbeson said that stainless steel fasteners would be screwed into the masonry wall.

Chairman Katz asked if there was a preference between the fixed or flexible awning. The Commission stated no objection to the fixed awning.

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

DECISION OF THE COMMISSION

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

Ms. Whittaker stated that the awnings were appropriate for the building and for the area.

Hearing no other discussion, Chairman Katz 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 **Norman B. Olsen and Tasha D. Kostantacos, owners**, for property located at **70 New Castle Avenue**, 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 101 as Lot 31 and lies within Single Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Norman Olsen and Ms. Tasha Kostantacos, owners of the property were present to speak to the application. Ms. Kostantacos stated that they would like to install a fence, 32 feet in length along the east property line of her property. She explained that her property abutted a paper street that currently served as a driveway and additional parking for her neighbor. The reason for the fence was for privacy and appearance, as well as to soften the view. She said that she was

proposing a six foot space board fence because she felt it was a friendlier look. It would be stained white and would sit between existing landscaping. Ms. Kostantacos stated that she has spoken with her neighbors and submitted a petition of support with many of their signatures. She added that she did not take the fence lightly and had tried to integrate it with other surrounding elements.

Ms. Whittaker asked Ms. Kostantacos if she had considered a lower fence, perhaps a four foot fence. Ms. Kostantacos replied that she did not think it would give the coverage she was seeking. Ms. Whittaker stated that this was like looking at a 35 foot wall. Ms. Kostantacos pointed out that there were other properties in the area that had fences between properties. She added that one neighbor suggested removing some shrubbery and rounding the corner with the fence. Ms. Whittaker said that she liked the choice of fence but she felt the four foot height was more appropriate.

Mr. Wyckoff stated that he did not have a problem with the height but with the fact that it started and stopped in the middle of the yard. He felt the way it was designed and sited was inappropriate and it did not make any sense with the property.

Ms. Kozak asked how far back from the road pavement would the fence sit. Ms. Kostantacos said that it was probably five or six feet back. Ms. Kozak asked what the grade change was from the edge of pavement to where the fence would end. Ms. Kostantacos said she did not know but she did talk with the fence company about the grade change. Ms. Kozak said that it would be helpful to know what it was.

Mr. Almeida felt that this was a very straightforward application. The fence would be sitting in a low area and he felt it was appropriate, especially given the number of other fences that are in the neighborhood.

Mr. Gladhill said that the fence height did not bother him but the length of fence did. He said he would like to see the fence go more to the property line.

Mr. Rawling stated that it did not seem like a free standing fence. The shrubbery on both ends of the fence acted as a terminus.

Chairman Katz asked if there were any more questions for the applicant. Hearing none, he asked if anyone from the public wished to speak to, for, or against the application.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Mr. Graham Openshore, the abutting neighbor spoke to the application. He stated that he felt the fence was too high. He did not like the patchiness of the fence but instead would like to see the fence extended where the arborvitae shrubbery was. He was happy with the four foot height and the design of the fence. He did not want to see it stepped down where the grade changed.

There was discussion about how the fence would accommodate the grade. Ms. Kostantacos told the Commission that the top of the fence would remain level.

Mr. Bruce Boley of 88 New Castle Avenue spoke next. He stated that he lived across the paper street from the applicant so his view would be the fence. He felt it was too high and that 4 to 4 1/2 feet high was more reasonable. As presented, he thought the fence was offensive.

Mr. Norman Olsen, one of the owners of the property pointed out that the shrubbery at the corner of the property by the street was seven or eight feet tall. Next to that would be the arborvitae that was about six feet tall. He pointed out that there was a series of greenery and they were just trying to fill in a small area.

Mr. Almeida stated that as much as he supported the application, he felt they should have a site walk because there were abutters with concerns.

Ms. Kostantacos said that she welcomed a site walk and would be open to the Commission's ideas for the site.

DECISION OF THE COMMISSION

Ms. Whittaker made a motion to postpone the application to a work session/public hearing and a site walk at the May 9, 2012 meeting. The motion was seconded by Mr. Almeida. The motion passed by a unanimous (7-0) vote.

5. Petition of **Stone Creek Realty, LLC, owner, and Deena Berry, applicant**, for property located at **53 Green Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove existing garage doors, replace with faux door panels and windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 119 as Lot 2 and lies within Central Business A, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Brendan McNamara, designer for the project was present to speak to the application. He explained that the reason for this project was being driven by changes to the interior of the space. In order to get some light into the interior space, they were proposing to replace the existing garage doors with windows within the panel system. He pointed out it was a faux wall with a door skin.

Mr. Wyckoff complemented Mr. McNamara on a good plan. He said that it made sense.

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

DECISION OF THE COMMISSION

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

Mr. Almeida stated that it was very appropriate and was a clever repair of the building.

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

6. Petition of **Katie C. and Jason R. Jenkins, owner**, for property located at **35 Mark Street**, wherein permission was requested to allow a new free standing structure (remove existing fencing, install new fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 50 and lies within Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Mr. Jason Jenkins, owner of the property was present to speak to the application. He stated that there was currently fencing all around the property but it was a mix of styles and several sections were falling apart. He said they would like to replace the fence with a similar design. The material would be cedar and would be stained. He explained that he was proposing two different styles, the five foot tall baluster that would run along Mark Street and the space board fence that would run along the side and back portion of the property.

Mr. Almeida asked if the applicant submitted an image of the fencing that currently exists. Mr. Jenkins replied no.

Ms. Kozak asked if the heights would be changing. Mr. Almeida pointed out that the small section in the front would be changing from 42” to 48”. The other sections would all be the same height as existing.

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

DECISION OF THE COMMISSION

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

Mr. Wyckoff stated that it was a very appropriate fence for the lot.

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

7. Petition of **Theodore M. Stiles and Joan Boyd, owners**, for property located at **28 South Street**, wherein permission was requested to allow a new free standing structure (remove existing fencing, replace with new fencing) 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.

SPEAKING TO THE PETITION

Ms. Liz Levey Pruyn, representing the applicants was present to speak to the application. She stated that they would like to replace a section of chain link fence with the type of fence that currently existed on both sides of the property.

Ms. Kozak asked how tall the fence was. Ms. Levey Pruyn said it was six feet high and the height would be the same all the way around.

Mr. Wyckoff stated that he was grateful for the photographs but he was upset with the casual drawings the Commission was receiving. Mr. Almeida agreed and added that documentation was lacking.

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

DECISION OF THE COMMISSION

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

Mr. Almeida stated that it was a very appropriate fence that currently existed on the site and it was just a continuation of the design.

Ms. Whittaker commented that this was an example of how to use a six foot fence – between two private locations.

Hearing no other discussion, Chairman Katz 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 **Nancy J. Ratliff Revocable Trust 2000, Nancy J. Ratliff, trustee and owner**, for property located at **180 New Castle Avenue**, 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 101 as Lot 23 and lies within Single Residence B and Historic Districts.

SPEAKING TO THE PETITION

Ms. Anne Whitney, representing the applicant was present to speak to the application. She stated that the owner would like to locate a small HVAC unit behind the new addition as it seemed to be the best out of the way location for it. She added that it could not be seen from the street.

Mr. Wyckoff noted that there was not a photograph of where the unit would be located. He clarified the size of the unit, roughly 25 feet square and 32 inches high.

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

DECISION OF THE COMMISSION

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

Ms. Kozak stated that the unit could not be seen from the road and was not a detriment to the Historic District.

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

9. Petition of **Lea H. Aeschliman Trust, Lea H. Aeschliman, trustee and owner**, for property located at **314 Middle Street**, wherein permission was requested to allow new construction to an existing structure (construct rear addition) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 136 as Lot 6 and lies within Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Ms. Anne Whitney, architect for the project was present to speak to the application. She stated that a work session was held last month regarding the project. The proposal was to construct a 7' x 12'6" addition on the rear of the building to provide stairs to a second floor apartment. She pointed out that they would be losing two windows above the bulkhead. The condensing unit would be relocated to the other side of the building.

Ms. Whitney explained that on the rear elevation, they would construct a two story structure with a brick foundation. The mud sill, corner boards, and trim would match what currently existed on the structure. The roof would be a hip roof. She went on to say that the proposed windows would be Marvin clad windows.

The left side elevation showed two awning windows that were of a smaller size. The right side elevation showed the proposed door which was a fir door with a series of lights above it. She added that some of the trim materials would be Azek but would match the existing trim.

Mr. Almeida commented that this was one of the nicest applications he has seen in a long time. He said that the little details that were focused on made a huge difference.

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

DECISION OF THE COMMISSION

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

Mr. Almeida stated that the project was very well done and very well thought out. He reiterated that the details would make a huge difference on the finished look.

Hearing no other discussion, Chairman Katz called for the vote. The motion to grant a Certificate of Approval for the application as presented passed by a vote of 6-1 with Mr. Gladhill voting in opposition.

10. Petition of **Basil A. and Louise Richardson, owner, and Ryan Cronin, applicant,** for property located at **150 State Street**, wherein permission was requested to allow new construction to an existing structure (install awnings) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 60 and lies within the Central Business B and Historic Districts.

SPEAKING TO THE PETITION

Ms. Jessie Aikman of Back Channel Canvas Shop was present to speak to the application. She stated that the first plan was to repaint the outside of the building. She then said that heat was a big issue with the storefront windows and so they were proposing a simple awning to block the sun as well as to dress up the exterior of the building. She added that the awning would hide the existing air conditioning unit currently over the front door.

Mr. Almeida asked if the valance was a loose valance. Ms. Aikman replied yes and added that it was a loose frame awning that was retractable with a rope.

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

DECISION OF THE COMMISSION

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

Mr. Almeida stated that this would be a nice addition to the building. He felt the awnings would serve the purpose intended.

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

11. Petition of **Norman T. Ohr, Jr. and Jane A. Ohr, owners**, for property located at **69 New Castle Avenue**, 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 101 as Lot 49 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Norman Ohr, owner of the property was present to speak to the application. He stated that they would like to install central air conditioning and it would require the installation of two small condensing units. He said the units would be located on the right side of the house. He explained that they would be fenced in and the fencing would match what currently existed. He pointed out that they did not currently meet the setback requirements so the application would require BOA approval.

Mr. Gladhill asked about the proposed fencing. Mr. Ohr said it would be a solid board fence that would be tall enough to just cover the units. Mr. Wyckoff asked if the fence would open. Mr. Ohr said yes but it would only be opened to perform maintenance on the units.

Mr. Almeida asked if lines would be seen on the exterior of the building. Mr. Ohr explained that there would be lines running up the side of the structure but they would travel up along the corner board. Mr. Almeida commented that at some point, the line would have to travel horizontal.

It was determined that the Commission needed additional information on how the lines would travel up the side of the structure and how they would be disguised. A postponement to the May 9, 2012 meeting was suggested.

DECISION OF THE COMMISSION

Ms. Whittaker made a motion to postpone the application to the May 9, 2012 meeting. The motion was seconded by Mr. Wyckoff. The motion passed by a unanimous (7-0) vote.

12. Petition of **Donovan-Hess Family Revocable Trust, Jane M. Donovan and William Hess, owners and trustees**, for property located at **54 Rogers Street**, wherein permission was requested to allow demolition of an existing structure (remove rear sunroom, remove portion of

shed) and allow new construction to an existing structure (construct two story addition, construct two porches, construct shed) and allow a new free standing structure (install fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 44 and lies within the Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Mr. Charles Hugo, designer for the project was present to speak to the application. He stated that they would like to remove the existing sunroom and construct a two story addition in its place. He said that they would also like to take the existing garage and reduce its size by half. Lastly, they would like to install fencing.

Mr. Gladhill asked if the chimney was to be removed. Mr. Hugo replied yes. Mr. Gladhill said that it would be hard for him to see the chimney removed.

Ms. Whittaker stated that she felt the same way as she did at the work session. She felt the design was very appropriate but she could not justify the removal of the chimney. It was a problem for her.

Mr. Melchior asked why the chimney was proposed to be removed. Mr. Hugo said that it was currently not a heat source and it was taking up space internally. Mr. Melchior said that he did not have a problem with its removal.

Mr. Wyckoff pointed out that the Commission has approved faux chimneys in the past and referred to one on Pleasant Street. He said that he was very much against removing that chimney at the time but after seeing it constructed, he thought it was very authentic looking.

Mr. Almeida stated that he was not against removing the chimney. Ms. Kozak said that she would like to see some semblance of a chimney remain. Mr. Rawling agreed and added that a house without a chimney changes the look of the house. He felt it was a significant chimney.

Mr. Hugo asked about the possibility of installing a simulated chimney. Ms. Whittaker asked why they would fake it. Mr. Wyckoff pointed out that it did not work with the floor plan. Ms. Whittaker reminded the Commission that they did not have purview over floor plans. Mr. Almeida stated that he thought it would create a hardship for the applicant to keep the chimney that they did not even use. Mr. Wyckoff and Chairman Katz agreed to a faux chimney.

At this point in the meeting, Chairman Katz asked if anyone in the public wished to speak to, for, or against the application.

Mr. Bill Hess, owner of the property stated that the chimney was made of a couple different types of bricks and the structural shape of it did not appear to be in very good condition. He pointed out that an HDC approval that he received in 2008 included the removal of the chimney. He said that he could consider a faux chimney but he would really like to remove it because internally, it created a big problem for them.

Chairman Katz took a straw vote to get a sense of the Commissioners stance on the removal of the chimney. Mr. Melchior, Mr. Wyckoff, Mr. Almeida, and Chairman Katz were okay with the removal of the chimney. Mr. Gladhill, Ms. Whittaker, and Ms. Kozak were not.

Seeing no one else rise to speak to the application, Chairman Katz closed the public hearing 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. Melchior. There was no additional discussion.

The motion to grant a Certificate of Approval for the application as presented passed by a vote of 4-3 with Mr. Gladhill, Ms. Whittaker, and Ms. Kozak voting in opposition.

13. Petition of **Northern New England Telephone Operations, LLC, c/o Fairpoint Communications, owner, and Cellco Partnership d/b/a Verizon Wireless, applicant**, for property located at **56 Islington Street**, wherein permission was requested to allow new construction to an existing structure (replace existing antennas) 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

Mr. Tom Hildreth of McLane Law Firm was present to speak to the application. He stated that the proposal was to remove twelve antennas and replace them with twelve new antennas. He showed the Commission various photos which explained the process. He said that the new antennas going up were a little larger, by about 20 inches, in length than the existing. The reason for the antenna change was to make the site compatible with new technologies.

Mr. Almeida commented that typically as technology advances, these devices get smaller. He wondered if this was something they would see more of. Mr. Hildreth could not be certain as to what types of changes they would see in the future.

Mr. Hildreth stated that the condition of the entrance door to the building has been brought to their attention and he informed the Commission that those improvements were on their work list for early 2012.

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

DECISION OF THE COMMISSION

Ms. Whittaker made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Mr. Melchior. Chairman Katz asked for discussion.

Ms. Whittaker stated that the effect from the changes would be minimal because the tower was already in place. She said that the changes were staying within the range that was already in place.

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

III. ADJOURNMENT

At 10:20 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 July 11, 2012.