

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

October 3, 2012

MEMBERS PRESENT: Chairman Richard Katz; Vice Chairman Joseph Almeida; Members City Councilor Esther Kennedy; Planning Board Representative William Gladhill; Alternates George Melchior, Daniel Rawling

MEMBERS EXCUSED: John Wyckoff, Tracy Kozak

ALSO PRESENT: Nicholas Cracknell, Planning Consultant

Prior to the meeting, a work session was held from 6:30 – 7:00 p.m. to discuss miscellaneous zoning requirements. Discussion centered on the following topics: the design charette on Rock Street, the Sarah Mildred Long bridge, form based coding, building heights, and the evaluation form currently being designed to be used as a pre-review tool for the Commissioners.

At 7:00 p.m., Chairman Katz called the meeting to order. He began the meeting by acknowledging receipt of two letters: one with regards to the Wright Avenue site and the other from the U.S. Department of Transportation concerning Commission input on the Sarah Mildred Long Bridge.

I. PUBLIC HEARINGS

1. Petition of **City of Portsmouth, owner**, for property located at **1 Junkins Avenue**, wherein permission was requested to allow an amendment to a previously approved design (change to garage doors) 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. Kelly Davis of Port One Architects was present to speak to the application. He stated that they were before the Commission on May 2 and received approval for the project. The project has since been completed and turned out very well. He pointed out; however, that during the shop drawing process, a raised panel door was submitted. It should have been a flushed paneled door. He said that in retrospect, they felt that the raised panels were a better choice and so they were seeking approval from the Commission to allow them to stay.

Mr. Almeida commented that this was a minimal request.

Hearing no other questions, Chairman Katz 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 Councilor Kennedy. There was no discussion.

The motion to grant a Certificate of Approval for the application as presented passed by a unanimous (6-0) vote.

2. Petition of **Thirty Maplewood, LLC, owner, and Public Service of New Hampshire, applicant**, for property located at **30 Maplewood Avenue**, wherein permission was requested to allow a new free standing structure (install switch gear cabinet) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 2 and lies within Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Mike Busby of Public Service of New Hampshire was present to speak to the application. He stated that he would like to install a switch gear box that would feed the transformer for the site as well as provide capacity for the underground system in downtown Portsmouth. It would be a 7' x 6' green box that would be visible on the site.

Councilor Kennedy asked if any of the boxes have been installed in the historic district before. Mr. Busby replied yes and said that one was recently installed by the railroad tracks on the corner of Maplewood Avenue and Deer Street and another one on Vaughan Street. He added that this was the fifth switch gear box installed in the downtown area.

Councilor Kennedy asked if there had been any discussion about improving the look of the box. Mr. Busby replied no. He explained that it was a green, steel box.

Mr. Almeida stated that they have seen several of these in the past few years and he pointed out that they almost made the mistake a couple of times of requiring that they be enclosed with an even bigger box to try to hide it. He felt that tended to make it look worse. He asked Mr. Busby if other colors were available. Mr. Busby explained that dark green was the color the industry used to identify all of the electrical equipment.

Mr. Cracknell asked what the black boxes in Portsmouth were. Mr. Almeida thought those were boxes for traffic signals.

Mr. Gladhill wondered if there was any way of putting shrubbery around the box. Mr. Busby explained that the box opened on all four sides with two sides needing to be fully accessible so

they would need 10 feet of clearance. Mr. Gladhill asked if there was another location on the property where it could go. Mr. Busby said that they were extremely grateful to the property owner to give them this location.

Mr. Almeida commented that the Commission worked long and hard with the developer for this property and the adjoining Deer Street property. He added that at one point, the Commission was shown some very extensive landscape plans and he thought it would be helpful to see how this box fit into the overall plans for that area.

Councilor Kennedy stated that she would need to see the big picture. She wanted to know how many more of these boxes were going to go up. She thought they must have a 5 or 10 year plan. She added that they should also come up with a color for all of these types of boxes. Mr. Busby stated that the boxes are strictly driven by Portsmouth development. Mr. Almeida added that this situation was self inflicted. He pointed out that when there is improvement and the development of buildings, this becomes necessary.

Mr. Rawling asked if anything could be overlaid on it such as directional signage or event calendars so that it could have a function. Mr. Busby said that he was not sure if they could do that by code.

Hearing no other questions, Chairman Katz 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. Melchior. Chairman Katz asked for discussion.

Mr. Almeida stated that there were issues with doing things to these boxes and the last thing PSNH wanted was for people to approach them and/or go anywhere near them. He added that it was just going to be a piece of the urban landscape.

Councilor Kennedy encouraged Mr. Busby to go back to their researchers and explore other options. She said that she would also do research because she could not imagine that in other historical districts they allowed these things to pop up. She wondered if there was some sort of textured brick look that might make it look better. She encouraged them to think about the future and what could be done to minimize the effect of these boxes.

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 (6-0) vote.

3. Petition of **Windy Street, LLC, owner**, for property located at **154 Fleet Street**, wherein permission was requested to allow new construction to an existing structure (construct egress

stairs, add door, windows, and install siding on rear, left and right side elevations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 6 and lies within Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Cracknell stated that on the rear of the building, there had been a forced demolition. Mr. Bernard Pelech, attorney for the applicant interjected that several weeks ago, he spoke with Roger Clum about demolishing that wing of the building because it had been the subject of a fire and was perilously in need of repair and ready to collapse.

Attorney Pelech stated that the three sides of the structure would remain untouched with the exception of one skylight on the Fleet Street side which would be removed. He explained that the property has changed hands and the new owners wish to do extensive renovations. The proposal before the Commission was to allow egress decks to the rear of the property. Attorney Pelech then proceeded to guide the Commission through the submitted plans.

Mr. Gladhill asked the date of the approval of the demolition. Attorney Pelech said it was granted on August 31, 2012. Mr. Gladhill pointed out that the ordinance states that when a demolition is granted, the Commission should be notified immediately. Mr. Cracknell stated that he was not aware of the demolition until this morning so it was not something that was reviewed by the Planning Department. He added that he would talk with the Inspection Department about notifying him in a timely manner so that he in turn, can notify the Commission.

Mr. Gladhill asked the dimensions of the new deck. Mr. Zac Gregg, owner of the property stated that the deck would be 12' x 23'. Councilor Kennedy asked if the deck would be enclosed underneath. Mr. Gregg said that he envisioned lattice if that was acceptable to the Commission. He said that they would have to remove the chain link fence in order to access the bottom of the deck. Chairman Katz asked if the chain link fence would be removed. Mr. Gregg said it would likely be removed. He added that it was questionable as to who owned the fence. Mr. Almeida suggested giving the applicant permission to remove the chain link fence assuming that it was his fence. Mr. Gregg said that he would come back before the Commission if he decided to erect any new type of fence.

Mr. Almeida stated that he was thrilled that the building was staying. He recalled an earlier approval to demolish the entire structure. He said he would support this application.

Mr. Gladhill asked about the privacy fence located between two apartments. Mr. Gregg stated that the fence would be a six foot privacy wall with an optional gate. Mr. Gladhill said he just wanted to make sure that it was to be included in the submission. Mr. Gregg replied yes.

Hearing no other questions, Chairman Katz 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 with the following stipulation:

- 1) That approval is given to remove the chain-link fence on the site.

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

Mr. Almeida stated that the building was in desperate need of improvement. He felt it was a very straightforward application for the back of the building and would not in any way impact the historic district. He noted that the windows proposed were not something that they commonly approve in the historic district but they were told that they would not be visible on the front three sides of the building.

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

- 1) That approval is given to remove the chain-link fence on the site.

4. Petition of **Deborah M. Paul Revocable Trust 1995, Deborah M. Paul, owner and trustee**, for property located at **449 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace existing trim with composite material) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 6 as lies within Central Business B and Historic Districts.

SPEAKING TO THE PETITION

Dr. Steven Paul and Ms. Deborah Paul, owners of the property were present to speak to the application. Mr. Paul stated that they have noticed rot on all of the vertical trim. He said that they would like to replace the vertical trim with Azek which would be painted.

Chairman Katz commented that this was occurring more and more on relatively new construction. He felt this was the only logical method to approach it.

Mr. Almeida said that this was a very minimal request; however, he did not want them to be afraid of using wood as they move forward. He said he would like to see the faux grain side of the Azek facing inward with the smooth side facing out. He said that he would like to make that a stipulation of the approval.

Mr. Cracknell asked the applicant if he was asking for approval to replace all of the trim. Mr. Paul said he would like to replace all of the trim that was rotting if his carpenter discovered more. Mr. Almeida suggested adding a stipulation to allow the replacement of all trim if necessary.

Hearing no other questions, Chairman Katz 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 of the application as presented with the following stipulations:

- 1) That the smooth side of the Azek material is exposed.
- 2) That any additional replacement due to rot be in-kind in both design and dimension.

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

The motion to grant a Certificate of Approval of the application as presented with the following stipulations passed by a unanimous (6-0) vote:

- 1) That the smooth side of the Azek material is exposed.
- 2) That any additional replacement due to rot be in-kind in both design and dimension.

5. Petition of **Peter H. Jarvis and Sons, LLC and Simeon P. Jarvis Revocable Trust 1999, owners, and Keith Prince, applicant**, for property located at **5 Congress Street**, wherein permission was requested to allow new construction to an existing structure (install awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 14 and lies within Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Ms. Susan Shea, representing the owner was present to speak to the application. She submitted two additional photos to the Commission. She stated that they would like to install a new awning to keep the sun out of the front window. She pointed out that there used to be an awning in the same location. In addition, the awning would be installed by Back Channel Canvas and would have signage on it. The awning would be open on both ends to give it the appearance of a retractable awning.

Mr. Almeida asked if the pilasters would remain exposed. Ms. Shea replied yes. Mr. Almeida asked if the valance would be loose. Ms. Shea replied yes.

Hearing no other questions, Chairman Katz 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

Councilor Kennedy made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Mr. Gladhill. There was no discussion.

The motion to grant a Certificate of Approval for the application as presented passed by a unanimous (6-0) vote.

6. Petition of **Lisa A. Barnett and Melissa Scott, owners, and Suzanne Spaulding, applicant**, for property located at **36 Richards Avenue**, 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 136 as Lot 14 and lies within Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Ms. Suzanne Spaulding and Mr. Jack Spaulding, new owners of the property were present to speak to the application. Ms. Spaulding stated that they had just purchased the property and would like to replace all of the windows with Andersen 400 series windows.

Mr. Melchior asked how old the windows were. Ms. Spaulding said that the house was built in 1930 and the windows were original. Mr. Melchior asked if they had considered having them restored. Ms. Spaulding replied no.

Councilor Kennedy pointed out a smaller window on the structure and asked what was the plan for that one. Ms. Spaulding said that that window had already been replaced so they would not replace it.

Mr. Gladhill asked about the window pattern because he noted that there were two different patterns. Ms. Spaulding said they were proposing 2/2 because they wanted consistency. She said they would go with whatever the Commission felt was appropriate.

Mr. Almeida asked if the trim would remain the same. Mr. Spaulding replied yes. Mr. Almeida asked if the plane of the glass as it existed currently would be replicated with the new windows. Mr. Spaulding said they could replicate the same look.

Mr. Almeida pointed out that the location of this house was in a very prominent spot.

Councilor Kennedy stated that she liked the 6/2 window pattern for that style of house. She asked the other Commissioners their thoughts about that. Chairman Katz said that 6/1 was the standard cottage style pattern. Mr. Almeida commented that the 6/2 pattern would be difficult to achieve with the narrow windows on the house. He said it was more appropriate to have the 6/2

on the front and 2/2 everywhere else. Ms. Spaulding said they would appreciate the Commission's guidance on what was appropriate.

Mr. Melchior proposed that the Commission stipulate that the windows on the front elevation be restored. He said he did not have a problem with replacement windows on the sides and rear of the structure. Ms. Spaulding said that the ropes were all broken and the windows were not energy efficient. Mr. Melchior explained that the ropes could be replaced and added that if the windows were tight and had a storm window, they had the equivalent R value of anything that could be bought out of a factory. He pointed out that the existing windows could last another 100 years with just basic maintenance in place. Mr. Almeida agreed with Mr. Melchior.

Chairman Katz stated that this situation has been presented and at various times, he felt the argument was justified. In this case, he did not think it met the criteria. He did not feel this was the place to do it. Mr. Almeida clarified his remarks that Mr. Melchior was correct in his explanation of energy efficiency in old windows versus new windows. He did however; agree with Chairman Katz that he wanted to apply window restorations to older homes than this one. He felt that the window that was being proposed was of a very high quality and was appropriate for the home.

Councilor Kennedy stated that she would really like to see the 6/2 window configuration remain with 2/2 everywhere else. She added that she respected Mr. Melchior's comments. She said that 1930 was not as old as today but in 100 years it would be.

Mr. Rawling said that he thought that replacement windows would add a lot of character to the exterior of the building because they would restore the surface texture that the single glazed window originally had showing the divided lights. Storms on a restored window would give the effect of a large, single pane of glass without the surface texture. He added that he was wrestling with which way to go.

Mr. Almeida pointed out that the proposal asked for full screens. He said that the HDC typically likes half screens with the Andersen 400 series window. He added that he thought that what the applicant was proposing was very appropriate.

Ms. Spaulding stated that their preference was to install replacement windows and they were agreeable to the half screens but would like consistency with the window pattern. Chairman Katz said that the consistency would mean 2/2 windows and he asked the Commission if they thought 2/2 windows were appropriate to this particular house. Mr. Almeida replied yes. He added that the 6/2 windows on the front of the house would add something very nice to the house. Mr. Spaulding confirmed that they were originally proposing 6/2 windows on the front and 2/2 windows everywhere else.

Mr. Melchior said that he would not support the application unless they preserved the windows on the front façade. Mr. Gladhill added that 100 years from now, someone may appreciate the fact that the Commission kept the original windows on what would then be a 180 year old building. Chairman Katz said that he felt the Commission was over thinking the application. He

pointed out that the applicant was asking for the same approval that they have given time and time again.

Chairman Katz 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 with the following stipulations:

- 1) That the plane of the existing glass will be replicated with the replacement windows.
- 2) That a 6/2 window pattern shall be used on the front façade and all remaining windows shall have a 2/2 window pattern.
- 3) That half screens will be used.

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

Mr. Almeida stated that he felt the request was appropriate.

Councilor Kennedy noted that the side dining room window was 6/2 and she would like the applicants to have the option of keeping it 6/2 if they so wished. Mr. Almeida asked what the applicant thought. Ms. Spaulding said that they would like consistency on the first floor because the rooms were contiguous.

Mr. Almeida restated the stipulations:

- 1) That the plane of the existing glass will be replicated with the replacement windows.
- 2) That a 6/2 window pattern shall be used on the front façade and on one window on the side (south) façade. The 6/2 window pattern may be used on any other first floor windows if the applicant so chooses for consistency. All remaining windows shall have a 2/2 window pattern.
- 3) That half screens will be used.

Mr. Melchior stated that the Commission spends a lot of time on applications to try to mimic or re-create or grab some character of a structure and this was an opportunity to preserve some of the details instead of re-creating them. He pointed out that the building was in a prominent location and he did not think they were asking too much. They would be preserving a little piece of the building for the future.

Mr. Gladhill commented that this application has proven that the Commission's next internal work session needed to be about windows so that applicants coming forward will know whether it will be a 5 minute, ½ hour, or an hour discussion. He said that they needed to set up some standards and guidelines for homeowners.

Hearing no other discussion, Chairman Katz called for the vote. The motion to grant a Certificate of Approval for the application as presented with the following stipulations passed by a vote of 4-2 with Mr. Melchior and Mr. Gladhill voting in opposition:

- 1) That the plane of the existing glass will be replicated with the replacement windows.
- 2) That a 6/2 window pattern shall be used on the front façade and on one window on the side (south) façade. The 6/2 window pattern may be used on any other first floor windows if the applicant so chooses for consistency. All remaining windows shall have a 2/2 window pattern.
- 3) That half screens will be used.

7. Petition of **Richard Meyerkopf and Robin Lurie-Meyerkopf, owners**, for property located at **35 Howard Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace storm windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 83-2 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Ms. Robin Lurie Meyerkopf, co-owner of the property was present to speak to the application. She stated that she would like to replace the existing aluminum storm windows on her unit with wooden storm windows. She added that they would keep the original windows.

Mr. Almeida asked if the storm windows would rest on the face of the window casing or would they go inside of the window casing. Ms. Meyerkopf thought they would rest on the face of the casing. Mr. Almeida added that the proposed storm was becoming very popular. He said that it was a very appropriate proposal and he applauded the applicant for keeping the windows. He also pointed out that this was a very different location and age of home than the prior application.

Hearing no other questions, Chairman Katz 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

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

Councilor Kennedy stated that she was pleased with the application. She felt that it was time to have a demonstration on how to restore windows. She said that if the Commission was going to demand it then they needed support.

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 (6-0) vote.

8. Petition of **South Mill Investments, LLC, owner**, for property located at **25 South Mill Street**, wherein permission was requested to allow demolition of an existing structure (demolish house) and allow a new free standing structure (construct new house) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 16 and lies within General Residence B and Historic Districts.

Councilor Kennedy stated that she would be recusing herself from the discussion and vote.

SPEAKING TO THE PETITION

Mr. David Witham, architect for the project and Mr. Richard Philbrick, contractor, were present to speak to the application.

Chairman Katz stated that the Commission had a number of work sessions and a site walk regarding this project.

Mr. Almeida asked Mr. Cracknell about the process for demolition approval. Mr. Cracknell said that if the Commission was inclined to approve the application then they would have to include, within the approval, the demolition of the structure.

Mr. Witham stated that originally they looked into renovating the structure but were denied approval from the Board of Adjustment for the project. The project went on hold for a while. During that time, it became clear to the applicant that the building was almost beyond repair because it had been neglected for too long. There was quite a bit of rot, a crumbling foundation, and quite a bit of insect damage to the frame. There was also the added problem that the building overlapped the property line and was partially in South Mill Street. He pointed out that a report of the Portsmouth Advocates indicated that they did not believe much of the structure was original.

Mr. Gladhill asked if any photos had been taken of the building and deposited somewhere for archival purposes. Mr. Witham stated that it could be documented because he took lots of photographs. He needed the Commission to point him in the right direction as to what to do with them. Mr. Almeida explained that they have not yet developed a standard for demolition but that if the applicant was willing to submit as many that are reasonable of the inside and the outside of the property it would be appreciated.

Mr. Gladhill asked if the original floor plan would be maintained. Mr. Witham replied no since many of interior walls were removed over the years.

The discussion then moved to the new construction. Mr. Witham said there were not many changes from the last work session. He pointed out that they added a one foot jog on the left side

of the structure to break up the long lines. He then guided the Commission through the submitted plans.

Mr. Almeida asked about gutters. Mr. Witham said that they would like to do a simple rain diverter.

Mr. Witham pointed out that he was proposing a brick veneer for the replica section of the foundation. He said that he ordered a sample from the company but it did not arrive in time for the meeting but it was a tumbled brick that was one inch thick.

Hearing no other questions for the applicant, Chairman Katz asked if anyone from the public wished to speak to, for, or against the application.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Mr. Hans Ellison of 7 South Mill Street spoke to the petition. He stated that he had concern about the addition to the new structure. He said that he bought his condominium for the privacy and the view and now he would be looking at the side of a house. He also had a concern about the size of the structure; however; he felt it would be an improvement to the neighborhood.

Mr. Almeida said that this was not a comment that they haven't heard before. He pointed out that it was not within the Commission's purview to protect views.

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. Rawling. Chairman Katz asked for discussion.

Mr. Almeida stated that they have had several work sessions on the project concerning the removal and new design. He said there was a lot of discussion and the applicant has addressed every issue that has come up. He also said that the site walk was very telling. He pointed out that the Commission does not take demolition lightly and there are cases where demolition is necessary.

Mr. Almeida stated that he felt the Commission did their due diligence and the new design was very appropriate as well.

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 (5-0) vote.

9. Petition of **82-86 Congress, LLC, owner**, for property located at **82-86 Congress Street**, wherein permission was requested to allow an amendment to a previously approved design (changes to the first floor storefront) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 45 and lies within 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 they were in the last phase of the renovations which began 10 years ago. He said that they have an approved plan for the storefront and recently, during demolition, they discovered original elements of the building.

Mr. McHenry explained that they discovered leaded glass and milk glass behind the sign board on the front elevation. He said they would like to expose it as it was an original feature of the building. He added that the building was probably built in the 1920's.

Mr. Almeida commented that this was an amazing discovery and he applauded the applicant for bringing it back to Congress Street.

Hearing no other questions, Chairman Katz 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

Councilor Kennedy made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Mr. Almeida. There was no discussion.

The motion to grant a Certificate of Approval for the application as presented passed by a unanimous (6-0) vote.

10. Petition of **Edmund C. Tarbell, owner**, and **Shawn Donovan, applicant**, for property located at **75-77 Court Street**, wherein permission was requested to allow demolition of an existing structure (demolish carport) 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 20 and lies within Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Mr. Shawn Donovan, contractor for the project was present to speak to the application. He stated that a work session was held to discuss the possibility of demolishing the existing car port and erecting a fence in its place. He said that there was an existing fence next to the property and they would be replicating that fence on this property. He brought a mock up of the fence he was proposing.

Mr. Almeida commented that the Commission had discussion about the demolition at the work session and they all agreed that the structure was not a contributing structure to the district.

Hearing no questions, Chairman Katz 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. Melchior. Chairman Katz asked for discussion.

Mr. Almeida stated that the mock up was very helpful and was a very appropriate design. He added that the car port that was to be removed was not a significant structure.

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 (6-0) vote.

11. Petition of **233 Vaughan Street, LLC, owner**, for property located at **233 Vaughan Street**, wherein permission was requested to allow amendments to a previously approved design (remove parking at first floor level, adjust related windows, ramps, and planters) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 14 and lies within Central Business A, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Ms. Carla Goodknight of CJ Architects was present to speak to the application. She stated that the market demands for more interior, commercial space has taken some of the proposed parking lot. She said that they have created a new façade using the previously approved windows and details. Ms. Goodknight then guided the Commission through the submitted plans.

Councilor Kennedy commented that there were no heights of the building spelled out on the plans. She also had concern about the proposed parking. Ms. Goodknight stated that the building height had not changed as this was a previously approved design. She added that they were not revisiting any items that have already been approved. As for the parking, Ms. Goodknight stated that there would be 24 parking spaces located beneath the building.

Mr. Almeida commented that this new design was very similar to the previous concept that was presented at the beginning. He said that he appreciated the design of the building without the internal parking.

Chairman Katz asked Ms. Goodknight if she was able to inform Councilor Kennedy about the height dimensions on the building. Ms. Goodknight stated that she did not have that information with her but explained that it was based on average grade plane and was in compliance with zoning.

Hearing no questions, Chairman Katz 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. Gladhill. Chairman Katz asked for discussion.

Mr. Almeida stated that the proposal was very detailed and clear. He was happy to see the building whole again with the cars driving underneath it. He felt it was very appropriate and he was anxious to see the building built because it would be an exciting addition to the north end.

Councilor Kennedy said that she had not been a part of the process and she was uncomfortable voting for something with out the dimensions of the structure. She stated that she would recuse herself from the vote.

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 (5-0) vote.

II. WORK SESSIONS

A. Work Session requested by **City of Portsmouth, owner, and Players' Ring, applicant,** for property located at **99 Marcy Street,** wherein permission was requested to allow exterior renovations to an existing structure (replace windows, doors, masonry work). Said property is shown on Assessor Plan 104 as Lot 3 and lies within the Municipal and Historic Districts. *(This item was continued to the October 3, 2012 meeting.)*

- Ms. Barbara Newton, representing the Players' Ring was present to speak to the application. Chairman Katz informed the public that a site walk was held recently for the project and that this was the second work session.
- Ms. Newton stated that all of the windows needed to be replaced. They were looking at a 6/6 wood window with an internal storm window. She wondered if it would be possible to use Pella Architect Series wood single pane windows on the first floor and thermal pane windows on the second floor. She added that all of the doors needed some repair and that the lobby door would be replaced in kind.
- Mr. Almeida recalled that there were strong feelings for wood windows with the previous discussion but he did not recall the request for single pane windows. Ms. Newton said their first choice would be thermal pane windows.
- Mr. Rawling pointed out that they do not use thermal pane windows in Strawberry Banke. He felt this was a significant building and that a good restoration was very important. He also suggested the alternative of installing shutters and placing them in the closed position.

- Mr. Almeida stated that whatever windows are selected will have to be of a very high quality.
- Chairman Katz explained to Ms. Newton that the Commission should be reacting to and commenting on a proposal on her part. Ms. Newton said that she was thinking about single pane windows on the first floor and thermal pane windows on the second floor. Mr. Almeida and Councilor Kennedy stated that they would need to see samples of the proposed window. Mr. Rawling suggesting reproducing new windows. He added that the Commission would want to see consistency and authenticity.
- Mr. Almeida also suggested replicating the window that was to the left of the entrance.
- The Commission talked about a previous application where the windows were to be restored. Ms. Newton was encouraged to check with the Planning Department to review that file.

B. Work Session requested by **Mara K. Khavari, Suzanne M. Brown, and A.T. Michael MacDonald, owners, and Jay McSharry, applicant**, for property located at **46 Mark Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing structures) and allow new construction (construct single family home). Said property is shown on Assessor Plan 116 as Lot 52 and lies within Mixed Residential Office and Historic Districts. *(This item was continued to the October 3, 2012 meeting.)*

- Mr. Brendan McNamara, representing the applicant was present to speak to the application. Chairman Katz informed the public that a site walk was held recently for the project to determine if demolition and a rebuild were appropriate.
- Mr. Almeida commented that he has never been more convinced of the need to demolish a structure.
- Councilor Kennedy said that it was sad to see a barn come down and she would love to see it stay. She said they had to decide whether it had historical worth. Mr. Rawling said that he loved old barns too but they just get to a place where you have to replace everything. Mr. Gladhill commented that if the barn was sound, he would be against demolition but this structure was not. Mr. Melchior added that the barn was not built to last. Mr. Almeida noted that what they were calling a barn was not really a barn but actually a shed.
- Discussion moved to the proposal to clear the entire lot and construct a single family home on the site. Mr. McNamara explained that they have received Board of Adjustment approval for the project.
- Mr. McNamara said it would be a shingled home with woven corners and a brick foundation.
- Mr. Rawling stated that he was comfortable with the proposal.
- Councilor Kennedy asked if the Commission was okay with the demolition of the house. There was no objection stated by any Commissioner.
- Mr. McNamara said they would use Green Mountain windows on the structure. He indicated that he would bring a sample of the window for the public hearing.

- There was considerable discussion regarding materials with concern raised about the use of an Azek door. Mr. Almeida commented that an Azek door would be a new first for the HDC. Mr. McNamara said he could look into a wood door.
- Mr. Gladhill pointed out that the Commission had not talked about the current condition of the house. Mr. McNamara stated that the foundation was only about two feet high and was not frost protected. Mr. Almeida commented that it seemed that the house was not originally built as a house. It was more likely built as a shed and was turned into a house sometime later. He pointed out that other houses in that area that were built around the same time had substantial foundations.
- Mr. McNamara stated that he would be back for a public hearing.

C. Work Session requested by **Eport Properties 1, LLC, owner**, for property located at **173-175 Market Street**, wherein permission was requested to allow new construction to an existing structure (construct addition) and allow exterior renovations to an existing structure (misc. renovations). Said property is shown on Assessor Plan 118 as Lot 4 and lies within the Central Business A, Historic, and Downtown Overlay Districts.

- Ms. Carla Goodknight and Mr. Bill Bartell of C.J. Architects and Mr. Ken Erickson and Mr. Chris Erickson, owners of the property were present to speak to the application.
- Ms. Goodknight showed the Commission a panoramic view from the water of the buildings on the waterfront, an aerial view, and a view from Market Street.
- Ms. Goodknight said that they did quite a bit of research on the building and found various footprints at that location, some extending toward the water. She then guided the Commission through the rest of the plans. She stressed that what they were presenting was very preliminary.
- Councilor Kennedy asked how close the building would be to the water. Ms. Goodknight said that they were within the 100 foot buffer and so they have already had preliminary discussions with the Department of Environmental Services concerning that.
- Ms. Goodknight stated that they were planning to remove the paint like substance on the building and restore the original brick façade. They would also like to restore the storefront and add dormers to the fourth floor. They also planned to treat the addition as a separate structure. In closing, she told the Commission that they had been unsuccessful in finding old photographs of the building.
- Mr. Melchior stated that he thought the addition was large. He said that it was a break from the norm where additions are subordinate to the original structure. He added that he was having trouble with the overall massing.
- Mr. Almeida added that the addition appeared to be swallowing the original structure. Councilor Kennedy commented that there was no historical building left. She added that the whole streetscape was swallowed up as well because of extending into a new area.
- Mr. Melchior said that the historic structure should be the anchor of the building.
- Mr. Gladhill stated that the way the building exists today had caused it to become the fabric of Portsmouth in a way. Mr. Almeida added that the building was amazingly interesting the way it was right now so he did not want to discount its elements.

- Mr. Almeida also stated that in all of his time on the HDC, he has never been so uncomfortable with an application than with this one. He continued to say that did not mean that this project would not evolve and become something successful but at first glance, it completely removed a building that everyone sees every day and has become a very real anchor to the end of Market Street. Councilor Kennedy agreed that this was an anchor building.
- Mr. Rawling said that he agreed with most of the comments. He said that he was struggling with the change in character of the building. He felt the addition completely changed the building and the streetscape. He added that of all of the streets in the City, this street was the most consistent with the row of buildings.
- Chairman Katz noted that page 16 showed unrelieved, flat paned windows that were subordinate to the structure. He thought that using bays and arches was a disruptive aspect of the character of the building. He said his discomfort was the overwhelming mass of it but he was not unwilling to be convinced and they were a long way from that now. He added that he was also concerned about the building dominating the riverfront. If it was going to dominate the riverfront, it had better be special.
- Ms. Goodknight pointed out that they would be the first to build out into this area.
- Mr. Almeida asked what the building use would be. Ms. Goodknight said it would be residential on the upper floors, commercial on the first floor with parking underneath. Mr. Almeida commented that something of this size and mass looked like a hotel.
- Ms. Goodknight stated that a conversation on the front façade of the building would be helpful. She suggested the Commission look at page 11 and give their comments. Councilor Kennedy said that she liked the fact that the existing buildings did not have a lot on the front of them. She also liked the existing recessed areas on the front. But she felt simplicity was the name of the game. Mr. Almeida agreed and he liked the recessed areas as they were unique to Market Street.
- Ms. Goodknight said she would be back for another work session.

D. Work Session requested by **Wright Avenue, LLC, owner**, for property located at **Wright Avenue**, wherein permission was requested to allow demolition of an existing structure (demolish existing building) and allow a new free standing structure (construct 4-5 story mixed use building). Said property is shown on Assessor Plan 105 as Lot 18 and lies within Central Business B and Historic Districts.

- Ms. Jennifer Ramsey of Somma Studios was present to speak to the application. She stated that they were waiting for a decision on the Connie Bean Center as to whether an easement might go with the sale of the property. She also set up a lap top computer that showed a continuous sun study of the building.
- Ms. Ramsey said that they have been looking at the building with first floor parking off of Wright Avenue, first floor retail and residential on the upper floors. She added that they were trying to keep as many trees at the back of the property as possible.
- Ms. Ramsey explained that the materials would consist of a granite base, brick façade, slate roofs, copper details, and copper bays.

- Mr. Almeida stated that he was excited about the project. He said he was now seeing a very contemporary extension. He also said he did not want there to be a back of the building. He added that he was a lot more comfortable with the building now.
- Mr. Gladhill asked the height of the structure. Ms. Ramsey said that the tower portion of the building was 60 feet and the rest of the building was 49 feet.
- Councilor Kennedy commented that she did not like the tower. She felt it looked like Cinderella’s castle.
- Mr. Almeida stated that this was a gateway site into the historic district and so whatever went there needed to be very prominent. He said it needed to greet people coming into Portsmouth.
- Mr. Melchior agreed that they needed to establish some discreet differentiation with the building.
- Mr. Rawling had questions about the detailing on the center bays and what was happening on the dormers. Ms. Ramsey said that the dormer faces were the only thing on the building that would probably be wood or Azek. The side walls and the roofs would be in slate. He added that he was feeling tension with the fenestration patterns, particularly on the tower. There was discussion about the variation of the window grill patterns.
- Mr. Almeida stated that he wondered if the contemporary feel of the building would go away as the building gets detailed. He said he hoped it would not.

- Mr. Melchior noted that whatever goes in the place of the Connie Bean building will still have to marry the original building, turn a corner, and then meet this building.

III. ADJOURNMENT

At 11:45 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 13, 2013.