

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**April 3, 2013  
to be reconvened on April 10, 2013**

**MEMBERS PRESENT:** Chairman Joseph Almeida; Vice Chairman Tracy Kozak;  
Members John Wyckoff, George Melchior; City Council  
Representative Esther Kennedy; Planning Board Representative  
William Gladhill; Alternates Dan Rawling, Reagan Ruedig

**MEMBERS EXCUSED:** Richard Katz

**ALSO PRESENT:** Nick Cracknell, Principal Planner

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Chairman Almeida acknowledged the receipt of letters from Richard Nylander, Clare Kittredge, Barbara Renner, and Richard Candee with Discover Portsmouth. Chairman Almeida said reference to the letters might be made during the course of the meeting and he thanked the public for their comments.

Chairman Almeida read a description of the HDC. He said Principal Planner, Nick Cracknell and HDC Secretary, Liz Good assist applicants and prepare reports on each application. He said members of the public could contact them, but under no circumstances were they to contact any members of the Commission directly as it was a quasi-judicial board and it was not allowed. He went on to say the Commission conducts two processes – informal work sessions and public hearings, noting that work sessions were non-binding and there may be several work sessions before an application went to public hearing. He said public comment during work sessions was limited to written letters or note cards. He said public hearings were formal and all abutters within 100’ of Downtown properties, and 300’ in the rest of the Historic District were sent written notice, and public comment was welcome during the public hearing.

**I. OLD BUSINESS**

A. Approval of minutes – November 14, 2012

*Mr. Wyckoff made a motion to postpone approval of the November 14, 2012 minutes to the April 10, 2013 meeting. Mr. Melchior seconded, and the motion passed unanimously, 7-0.*

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B. Petition of **Josh R. Gagnon and Nicole S. Bandera, owners**, for property located at **152-154 South Street**, wherein permission was requested to allow demolition of an existing structure (remove solarium, decks), and allow new construction to an existing structure (construct addition, construct decks) and allow exterior renovations to an existing structure

(replace windows, doors, siding, and trim) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 65 and lies within the General Residence B and Historic Districts. *(This item was continued at the March 6, 2013 meeting to the April 3, 2013 meeting so that a site walk could be scheduled.)*

### **SPEAKING TO THE PETITION**

Mr. Roe Cole, builder for the project and homeowner, Mr. Josh Gagnon came before the Commission with their proposal.

Chairman Almeida said he and Mr. Gladhill attended the site walk on Saturday, April 3, 2013. Mr. Cole said the big concern during the site walk was with the window trim being flush with the outside trim. He noted that the sash was not the original and had been replaced. He said there was one piece of wavy glass in one window, and the majority of the windows had been replaced. Mr. Cole passed out a CAD drawing of the window replacement proposal.

Mr. Wyckoff asked if they went inside during the site walk, and Chairman Almeida said they did not, but they could see inside. He said they did a thorough inspection, however and said the windows were not original, but the replacements were very well done. Chairman Almeida said he was confident the applicant knew what was expected.

Mr. Wyckoff said he arrived at 11:30 a.m. and walked around the site. He asked what they would do with the door surround. Mr. Cole said they would leave it intact.

Vice-Chair Kozak asked what evidence they found for dating the windows. Mr. Wyckoff said most of the front band molding had been replaced, along with the clapboards; however, the casings appeared to be old. He said the band molding near the roadside was over an inch thick with quite a bit of depth and appeared to be original. He said the side replacements were short in length, chamfered together and well done, and the left side had original clapboards 200 years old. He said he was not sure how that related to the project, however.

Chairman Almeida said they saw a patchwork of clapboards on the front. He asked Mr. Cole what their intentions were for the siding. Mr. Cole said there were many places where you could put your fingers through the siding. He said they wanted to blow in insulation, reside it, and paint the cedar clapboards. Chairman Almeida said painting cedar could be tricky and recommended they research it thoroughly. Mr. Cole said it would be pre-finished at the factory, and then they would do another finish after putting them on.

Chairman Almeida asked if they would use beveled siding, and Mr. Cole said they were looking at butt joints.

Mr. Rawling said there was often a problem with trapped moisture inside older buildings. Mr. Cole said they would use a green board sheathing that was designed to allow the building to breathe.

Chairman Almeida asked how the sketch would match the proposed window plane, and Mr. Cole said right now the storm windows stuck out an inch, and they would be trying to make the replacements more flush against the building.

Mr. Rawling said the frames on the replacement windows looked like they created a sash framework at the bottom that was heavier than the framing on the existing sash. Mr. Cole said the frame on replacement window needed to sit down in that pocket. He said the original intention was to remove the sills and use Azek. Mr. Rawling said it created a heavy framing that seemed to reduce the glass size and Mr. Cole said the current storms hid more of the window than the replacements would. He said they chose Marvin replacements because they offered the narrowest profile.

Mr. Wyckoff said the sills were very heavy on the front of the house, and asked why they were replacing them. Mr. Cole said some were rotten, but he said they could leave them if they were in good shape. Mr. Wyckoff said he was having trouble with the amount of Azek they were proposing to use for a house that sat right on the street. He said he felt Azek could be used to replace wood in most conditions, but he found it didn't sand well after cutting, and it was challenging to match the finish. Mr. Cole asked if they would prefer painted wood and Mr. Wyckoff said he would. Mr. Wyckoff said the sills would last a long time if installed correctly with the right kind of wood. Mr. Cole agreed.

Chairman Almeida asked if they were replacement windows with a sill or newly built windows. Mr. Cole said they were replacement windows because the Indian shutters were making it difficult to do replacement windows from the outside in because they didn't want to disturb any of the interior trim. He said they would also be able to insulate the old weight pockets from the outside and install the new windows from the inside.

Mr. Rawling said he did not see any details on the sash or framing thicknesses. He said they had seen these windows installed and he felt it was a mistake to use these windows because the framing would be too heavy for the windows. Mr. Cole said he thought the side jamb thickness was 5/8 of an inch. Mr. Rawling said there was a significant difference between the existing windows and the proposed windows.

Mr. Wyckoff said he replaced six over six windows on his house and saved the old sash. He said the glass size was 8" x 12" but once the new windows were installed, the glass size was reduced to 7" x 11" so he agreed that there would be 20% less glass showing on replacements than on the originals. However, he said the triple track storm windows projected out 1 1/4" beyond the casing. He said he was satisfied with his windows, but all replacement windows were 3/4" deep and that could cause problems in Colonial homes with thin walls so that was why they look at padding the outside of the house. Mr. Cole agreed that the Indian shutters on the interior made it difficult to set the windows in any further. Mr. Wyckoff said he understood they would have difficulty getting long enough nails to hold the clapboards on thicker insulation also. Mr. Cole said he would not go any thicker than 3/8".

Chairman Almeida asked if they would be leaving the eave trim and asked about the corner boards. Mr. Cole said the corner board would be replaced with wood. Mr. Rawling asked if the

window and trim would be the same color or if it would be contrasting. Mr. Cole said they would like to keep them the same as they were. Mr. Rawling said it would look more pronounced with a contrasting color than if they used a matching trim color. Mr. Cole agreed that they could match the trim color to the jam color, and paint the sash a separate color.

Councilor Kennedy said she appreciated what they were doing to maintain the history of the interior, but she was concerned that 3/8" around the window along 3/8" of insulation around the casing would be too thick. Mr. Cole said they were matching the foam up to the 3/8" to keep it the same plane as it was already so it wouldn't project out from the sides.

Chairman Almeida asked about the window materials and Mr. Cole he said he they were proposing to use Marvin windows, which were aluminum clad. He said they had already replaced the sashes once before. Chairman Almeida said he was happy with the details provided, but would like to see wood windows on a house of this quality. Councilor Kennedy acknowledged they had storm windows on the outside currently, but said it would be a benefit to the community if the owner used wood. Mr. Rawling said it that would also eliminate the heavy black sash and trim situation he mentioned.

Vice-Chair Kozak asked about their intention for screens. Mr. Cole said the screen would slide into a track on the outside. Mr. Wyckoff asked if they were planning on half or full screens and Mr. Cole said they would probably go with half screen.

Mr. Gladhill said he had a concern for keeping the history of changes on the detailing around the windows from the main structure and the later additions in the house. He said he preferred wood because it didn't appear perfect. Mr. Cole agreed that they would keep that detailing.

Chairman Almeida asked if they would be using clear or reflective coating on the glass. Mr. Cole said they were planning to use Energy Star Low E coating that had a slightly darker tint, but didn't think it had a reflective coating.

Mr. Wyckoff asked if they had determined if they were using Azek or wood, and Mr. Cole said everything would be wood. Mr. Gagnon said they already had wooden windows, some with rot and many that didn't function so their original intention was to replace all the windows to ensure they would all work. However, they also wanted to replace siding that had rotted as well. Chairman Almeida said Marvin made the same window out of wood. Mr. Cole said they would agree to the wood sash to compromise with the board.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

### **DECISION OF THE COMMISSION**

*Vice-Chair Kozak moved to grant a Certificate of Approval for the application as presented with the following stipulations:*

- 1) That all sills will either be retained or replaced in-kind with wood.
- 2) The all corner boards and trim will be wood.
- 3) That the replacement windows and sashes will be wood and a half screen will be used.
- 4) That the windows will have a non-reflective coating only.

Councilor Kennedy seconded.

Vice-Chair Kozak said she was excited to see this important structure being thoughtfully restored. She said she would have liked to see a true historic replica of single-glazed windows, but she commended their efforts.

Chairman Almeida called for the vote and the motion passed unanimously, 7-0.

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Withdrawn

C. Petition of **General Porter Construction, LLC**, owner, for property located at **32 Livermore Street**, wherein permission was requested to allow an amendment to a previously approved design (install lattice privacy screen) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lot 20 and lies within General Residence B and Historic Districts. *(At the applicant's request, this item was postponed at the March 6, 2013 meeting to the April 3, 2013 meeting.)*

*At the applicant's request, the application was withdrawn from consideration at this time.*

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## II. PUBLIC HEARINGS

1. Petition of **City of Portsmouth, owner**, for property located at **1 Junkins Avenue**, wherein permission was requested to allow exterior renovations to an existing structure (installation misc. vents and louvers to boiler plant) 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. Rick Dolce, Engineering Project Manager for the Department of Public Works said they were in the second phase of the City Hall boiler plant renovation. Mr. Dolce said Phase I was primarily exterior repairs and renovations and a few interior repairs. He said Phase II was primarily interior work to upgrade electrical, mechanical and plumbing components of the building.

Mr. Dolce said they needed to replace louvers, and would keep them in the same locations. He said they served as exhaust ports for new condensing boilers in the building. Mr. Dolce passed out a sheet showing similar louvers in the downtown area. He said the color would be herringbone color to match the newly painted trim on the windows and doors. He said they were hoping to do the construction during the non-heating season in the next month or so.

Mr. Rawling asked why louver #4 was smaller than the masonry opening. Mr. Dolce said it was sized by the mechanical engineer to fit the exhaust fan and there would be a wood trim around it. Mr. Rawling asked if the louver could be sized to fit the masonry opening to make the frame go on the inside and the fan unit attached to that to make for a cleaner design Mr. Dolce said they could probably make that happen. Mr. Almeida and Councilor Kennedy agreed that it would improve the look. Mr. Almeida said the renovations improved the building.

**SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

**DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to grant a Certificate of Approval for to approve the request as presented with the following stipulation:*

- 1) *That the proposed louver for location #4 shall be resized to match louver #5.*

*Councilor Kennedy seconded.*

Mr. Wyckoff said it was an appropriate design, and Mr. Rawling said he was glad to see it happen.

*Chairman Almeida called for the vote and the motion passed unanimously, 7-0.*

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2. Petition of **KHP Properties, LLC, owner**, for property located at **428 Pleasant Street**, wherein permission is requested to allow demolition of an existing structure (demolish rear additions) and allow new construction of an existing structure (construct three story rear addition) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 55 and is zoned as a Single-Family General Residence B and Historic Districts.

*Request For Work Session*

**WORK SESSION**

*Mr. Gladhill moved to go into a work session. Mr. Melchior seconded, and all were in favor.*

Chairman Almeida announced that this was not a public hearing open to public comment, but invited members of the public to move closer to see and hear the presentation and discussion.

Mr. Brendan McNamara, the designer representing the owner, Mr. Jay Prewitt, said the Board of Adjustment rejected their request for variances during their last meeting. He said the building was in the tax records as a four unit, and they were proposing a three-unit renovation with an addition, and their proposal was to increase the parking from three spaces to six spaces. He said the Board also didn't find any special conditions that created a hardship. He said they also had issues with the volume and height. He said there was considerable public pressure so they had amended their proposal to a two-story addition.

Councilor Kennedy asked if they would still need variances and Mr. McNamara said they would because it was a historic building built between 1800 and 1813 that was up against the property line, and they were trying to avoid building a narrow “shotgun” building.

Mr. Gladhill asked what the age of the addition was. Mr. McNamara said the original was added in 1815, but there was no remaining evidence of that original addition. He said the “newer” addition was put on between World War I and World War II. He said the addition was a result of an accumulation of changes.

Mr. Wyckoff said he had trouble with the relatively flat hip roof as drawn. Mr. McNamara said it was very close to a five or six-inch pitch. He said there was a relatively severe fire, and there was charring on the roof trusses so it was sagging internally and needed repair.

Mr. Wyckoff asked why they were leaving the Victorian door and the small hip roof over the door if they were restoring the front of the house. He asked why they didn’t remove them and put six over six windows on the structure, as it would have been in the early 1800’s when it was constructed. He also wondered why they were mixing newer features with the older features. Mr. McNamara said that was what they were there to discuss. He said they would like to replace all the windows, and that would open up the possibility of changing all the windows back to six over six, but they were leaving it open to restore the two over two windows like those that were put in 120 years ago if the Commission preferred. Chairman Almeida said it was a valid point to discuss. Mr. McNamara said the fan light was original. He said the door surround had rotted.

Ms. Ruedig said she thought what they did with the windows would depend on what they were trying to do. She said if they wanted to restore the building to its original Federal style, then they could go back to six over six, but if they wanted to recognize its history entirely, they could restore the two over two.

Mr. McNamara said they also wanted to increase the number of windows on the southeast side from a row of two to a row of four. Mr. Rawling said he was not convinced that they should approve extra windows on the original structure, and thought they should hold with the original fenestration.

Vice-Chair Kozak said she had trouble discussing windows until they discussed mass and height first. Councilor Kennedy said she thought they should probably preserve the windows as they were, but also thought they needed to do height and massing first before they could make a final decision on the windows. Chairman Almeida said he thought they were talking about restoration of the original structure first, and then have a separate discussion about the addition. Mr. McNamara said determining how the windows would be on the original structure would establish a tone or rhythm they could follow on the addition.

Mr. Wyckoff said they would need to talk about the rear addition because that was where the controversy was, and by increasing the windows from a row of two windows to four windows on the main building might increase the apparent mass of the building. He said the building did not appear to have the size that it did on the proposed east elevation. Mr. McNamara said he thought

adding windows could decrease the massing by breaking up the wall. Mr. Wyckoff said the building appeared like a modest Federal with only two rows of windows, but increasing the windows exaggerated the importance as if it were larger. Mr. Gladhill agreed. Vice-Chair Kozak said she would love to see it restored purely. She suggested three rows of windows instead of four, which would fit in the neighborhood better. Mr. Rawling said even though it was all under one roof, one-third of it was the porch, which helped to make the addition appear lighter.

Vice-Chair Kozak said she wanted to be sure they looked at their guidelines of review and the context. She said her first impression was that it was an improvement, it didn't look like the footprint was that much bigger, and the regularity of the perimeters and the roof form seemed more appropriate. She said the impact on adjacent properties didn't seem inconsistent.

Mr. Wyckoff asked what the difference in the footprint and lot coverage between the three-story addition and the two-story addition was. Mr. McNamara said they reduced the structural lot coverage from the three story addition that was 37% coverage coming back 21 feet with a recess of 2½ feet and the revised addition would come back 18 feet with a recess of 3 ½ feet recessed for 35% coverage. He said the neighboring properties nearer the water were 20-30% and the rest of the neighboring houses were closer to 50% lot coverage.

Chairman Almeida asked the Commissioners for their thoughts on height, scale and mass of the addition.

Councilor Kennedy said she thought it was an improvement over what was there. She said the neighbors did not appreciate the structure proposal that went before the Board of Adjustment for variances. Mr. McNamara said they could make more adjustments, and Mr. Wyckoff said they didn't want to negotiate changes, they wanted a proposal they could vote on.

Vice-Chair Kozak said many of these houses had old additions on the back, but they were set back, smaller and subservient to the main house. She said she thought this addition met all of those characteristics. Ms. Ruedig said instead of in the middle, she would like to see the addition pushed to one side or the other to make it seem like an ell. She said it would make it more subservient, and more like what was done in the past, though she realized there were issues with lot lines. Mr. McNamara said they didn't think that would be a functional proposal for the Board of Adjustment because it would make it closer to the neighbors. He said that was part of their hardship.

Mr. Gladhill agreed with Ms. Ruedig. He also wondered if making it more historically true by placing the addition to the side of the building could be considered an improvement for considering a variance. Mr. Cracknell said the Board of Adjustment listened to a composite of the applicant's issues and neighboring concerns. He said if the consensus of the HDC was to shift the addition one way or the other, they could shift it toward the Housing Authority and the water where the gap was larger. He said if that didn't work with the Board of Adjustment, then keeping the addition in the middle of the building could be their default position.

Mr. Wyckoff said he was satisfied with the two-story addition with regards to the mass and the addition that was recessed 3½ feet in the middle of the back would not be visible unless standing



directly near it. Mr. McNamara said it would also increase the appearance of massing if they continued the addition from the back corner of the main structure. Chairman Almeida said a previous addition also existed in the same place. Mr. Rawling agreed and thought they should focus their attention on restoring the front of the house. Mr. Melchior said he was fine with the height, scale, and massing. He added that zoning came about as a result of buildings encroaching on others, but the layout of the structure in the Historic District should reflect the period the structure was built. Councilor Kennedy said she needed to look at the site and think more about the windows before she decided on the massing. Mr. Gladhill said he also wanted to look at the site because he thought the window arrangement had an effect on the appearance of mass. Ms. Ruedig said she might be okay with the massing though they might want to stick with the original window arrangement.

Mr. McNamara asked how the Commission felt about three rows of windows instead of the existing two or the previously proposed four. Councilor Kennedy said she wanted to see the original fenestration of two windows, not three, but she was all right with allowing the windows on the addition to be different. Mr. Rawling said more windows have been used and they look fine, but he felt they had a duty to preserve the window as it was. Chairman Almeida agreed, but said adding a third window in the middle was not uncommon. Mr. Wyckoff agreed they should leave two windows on each floor. Ms. Ruedig said she would like to see a rendering with the two windows.

Mr. McNamara asked the Commission if they preferred keeping the two over twos which were old but not original, or change over to new windows and put in Green Mountain six over six to make the house more historic. Mr. Gladhill said he wanted to see the site again, Ms. Ruedig and Councilor Kennedy said she would be fine with it either way, and the rest of the commissioners said they preferred six over six windows.

Mr. Cracknell asked what they would do to restore the front entrance. Mr. McNamara said they took a photo of an example of what they would do. Chairman Almeida said there were many examples in town to follow. Mr. Rawling asked if they could do some investigation to see if there were brackets and hoods over the windows. Mr. McNamara said they would be willing to accept a stipulation that they replicate what was there. Mr. Wyckoff said they would find out when the siding came off.

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3. Petition of **Lawrence P. McManus and Mary Elizabeth Herbert, owner, and David Lovelace, applicant**, for property located at **40 Pleasant Street**, wherein permission was requested to allow new construction to an existing structure (install doors, transom, and granite steps on side elevation) and allow exterior renovations to an existing structure (install lighting) and allow a new free standing structure (install additional fencing to match existing) as pre plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 81 and lies within Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Mr. David Lovelace, the applicant came before the Commission with his proposal. Mr. Wyckoff said they had a work session previously, and Mr. Lovelace said he tried to follow their suggestions.

Mr. Lovelace said there was a private area that belongs to the building, which had been used as a parking area for a long time. He said they want to turn it into a patio with tables. He said they also needed to replace the center window on south side with a door as it was originally and they wanted to replace the steps. He said they also want to extend the fencing on the Church Street side with a gate, and they were proposing some outside lighting.

Mr. Lovelace said they decided during the previous work session to replicate the door on the Pleasant Street side, and he provided a drawing of the details.

Councilor Kennedy asked if they were considering a screen door. Mr. Lovelace said there would be a screen door on the inside. He said the City Health Department would want that.

Mr. Gladhill said he did a site walk and he couldn't tell the difference between the granite used for the original building and the addition. He asked Mr. Lovelace if he had done any research on the granite quarry used when the structure was built to retain that type of granite. Mr. Lovelace said he assumed it was Deer Isle granite. Mr. Wyckoff agreed. Chairman Almeida said the Portsmouth Advocate survey called out Concord granite. Mr. Lovelace said he would search out a good match.

Vice-Chair Kozak asked about handrails. Mr. Lovelace said they would match the wrought iron handrails on the Pleasant Street side. Vice-Chair Kozak asked if there would be one on each side tied into the granite. Mr. Lovelace said it would.

Mr. Wyckoff asked if the fence would sit on a granite curbing. Mr. Lovelace said he wasn't planning on it, but it was possible. Mr. Wyckoff said he didn't see how they would put the posts into the brick that was there currently. Mr. Lovelace said they needed something to satisfy the Liquor Board. He said there were barricades across the street at State Street Saloon, but they didn't want to do that. He said they were considering fence sections with posts that would slide into a sleeve and then be removed for storage during winter months. Chairman Almeida said installing a curb would negate using the space for parking during the winter months because it would create a hardship on the property. Mr. Wyckoff said he wouldn't need a permit if he used temporary fencing. Mr. Rawlings agreed that it should not be a problem if it was temporary. Mr. Lovelace said he would try to replicate the existing fencing.

Councilor Kennedy asked what time limit there was for a temporary structure. Mr. Cracknell said he thought Portsmouth didn't treat fences as permanent or temporary structures so they would be exempt from the need for a variance.

Vice-Chair Kozak said she thought they might have code implications that could change the stair layouts. She said she didn't think commercial occupancies were allowed to have a door swing out on a stairway so they might need to extend the step out. She said the City sometimes granted an exemption if the building was listed on a registry as a historic structure. She also noted that

handrails needed to be on both sides of the stairs in a path of travel and the stairs on the east side ended at a fence so she thought that might be a problem. Chairman Almeida said it appeared that the door was set back and it looked as if the door would not swing out over the landing. Mr. Lovelace said they would match the door to the front door. Chairman Almeida said it also appeared that there was a railing and it had broken off so they should consider replacing it.

Chairman Almeida asked if they could store the pieces that they were removing in case a window ever needed to be replaced. Mr. Rawling suggested the granite block could be a site feature.

Mr. Lovelace said he went to Rockingham Electric to research lamp posts. He said they were not going to shine any lighting down on the patio area. Chairman Almeida asked if there was any consideration about using the City street lamps. Mr. Lovelace said he could look into it, but they were wondering if the lamps used on the street would appear too tall and over powering. Mr. Wyckoff said he thought the proposed 6'4" lamps were too short, and his experience was exterior lamps often need to be bigger than realized because they always look diminished by large buildings. Councilor Kennedy said she would encourage using the City's specs for lighting because it was a very dark area. Mr. Lovelace said there was already a City lamppost on the corner. Chairman Almeida said he could clarify where the lighting was going to go on his spec and go with City light posts, or withdraw that portion of the application and come back, but the new proposal would have to be re-advertised. Mr. Rawling asked what the color and finish of the sign light would be, and Mr. Lovelace said it would be black. Mr. Lovelace said he needed three lampposts. Vice-Chair Kozak asked for clarification on the placement of the lamp on Church Street near the building. Mr. Lovelace said he would move the gate down, and move the lamppost five feet from the building. Mr. Rawling suggested they do a photometric study of the lights, and it would not be a big problem if they needed to do slight adjustments.

Mr. Lovelace asked the Commission what they thought about the color of the door. He said the current door was green and they thought they would paint the other door green, but the owner wanted it to be bright. Chairman Almeida said so long as they were using the same material, the color was not within the HDC purview.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

### **DECISION OF THE COMMISSION**

*Councilor Kennedy moved to grant a Certificate of Approval for the request as presented with the following stipulations:*

- 1) That the handrails will match the handrails on the Pleasant Street entrance.*
- 2) That any fencing used will match the existing State Street fencing.*
- 3) That if necessary, the proposed landing and handrail may be adjusted in accordance with building code requirements.*

- 4) *That the removed granite and window sash shall be preserved for future use.*
- 5) *That the proposed period lights (3) shall match the existing City street lights and shall be located per photometric analysis.*
- 6) *That the sign lights shall be black.*
- 7) *That the granite steps should be Concord granite.*

*Mr. Wyckoff seconded.*

Mr. Gladhill said he would oppose the motion because there was no sample of granite and that was a concern. Councilor Kennedy said she appreciated returning the door to the original historic look.

*Chairman Almeida called for the vote and the motion passed, 6-1 with Mr. Gladhill voting in opposition.*

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4. Petition of **Patricia Bogardus Living Trust, Patricia and Robert W. Bogardus, trustees and owners**, for property located at **26 Park Street**, wherein permission was requested to allow demolition of an existing structure (demolish one story addition and garage) and allow new construction to an existing structure (construct new garage with connector, replace associated windows and doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 44 and lies within General Residence A and Historic Districts.

**SPEAKING TO THE PETITION**

Architect Anne Whitney came before the Commission with updates after two previous work sessions.

Ms. Whitney said they were proposing to remove the one-story addition that was attached to the left side of the 20' x 30' New Englander and remove a garage that was on the left side of the property line. She said they would add a two-story addition to the existing house and connect that to a one-story garage addition, both of which would be stepped back from the existing house. She said there would be an entry door to the addition and she would add a corner board to separate the addition from the main house.

Ms. Whitney said the house had asbestos siding, which would be removed and replaced with beveled wood siding along with the corner boards. She said the recessed front door would be removed and replaced with a new door and sidelights.

Ms. Whitney reviewed the windows that would be replaced with Pella windows, matching the trim and window surrounds on the addition to the existing windows using Azek and wood in some locations to recreate details. She said the second story windows would be shortened to make them code compliant, and the attic window would also be smaller. She said she planned to use 4/4 windows on the addition and garage, and using smaller windows at the back.

Ms. Whitney said the existing chimney was in poor condition and they wanted to remove it and replace it with thin red brick in the same location.

Mr. Gladhill asked if there were wood shutters and if they were going back up and Ms. Whitney said some were wood, but didn't fit the windows and they wouldn't replace them after they resided the house. Councilor Kennedy asked what the siding was going to be, and what were the alternative treatments to the exposed foundation. Ms. Whitney said the only foundation showing was at the connector and it would be a brick veneer. The current foundation was three feet of brick on top of rubble stone. She said the siding would be pre-stained beveled wood. She said everywhere else would be close to grade and would be kept concrete. She said all flat casings would be Azek, and there would be wood crowns and gutters.

Mr. Rawling said he thought it was an attractive addition to the neighborhood, but asked why she wasn't retaining the original front door surround or why it wouldn't be replicated. Ms. Whitney said the existing surround was 50 years old and was applied over what was there. She said there was a transom with a header that would have to be custom made. She said many New Englanders had flush front doors and thought an argument could be made that it wasn't necessary to go through the expense. Mr. Rawling asked about the door hood. Ms. Whitney said there was a gutter there now, but she was putting multiple levels of trim detail in the crown with a little bit of roof over it. Mr. Rawling said the existing door surround appeared more Greek revival and the new proposal didn't have those characteristics. He said he thought the reduction was significant.

Mr. Rawling said he also could not support the thin brick chimney in the Historic District. Chairman Almeida asked if they would use the faux chimney for venting. Ms. Whitney said probably not. Mr. Rawling said it would look fine at first, but he thought it would deteriorate in 10-15 years, and he was concerned that homeowners would come back and say they weren't doing anything with their chimneys, and would want to replace them with shingles. Ms. Whitney said they were sided with a cement board, capped, flashed and weather tight. She said if they were installed well they were inert, and she had done some that were still there fifteen years later. Ms. Ruedig asked what their reason was for removing the chimney, and Ms. Whitney said it was in bad condition. She said when the City made natural gas available, the brick deteriorated and the bricks could be pulled out by hand in the attic. She said gas appliances did better with direct vent so they would be upgrading the mechanicals with a small terminus pipe outside the building. She said there was a fireplace below, but they would be removing it to make more room in the interior. Mr. Rawling said he thought they would hear the argument consistently throughout the District that chimneys were old and they weren't wanted anymore, but he thought a chimney was an integral part of a historic house. Ms. Whitney said they were using real brick although it was thinner. Mr. Rawling said it wouldn't be as durable. Mr. Melchior said he agreed that he thought a faux chimney was disingenuous. Ms. Whitney said they could use thicker brick, but it still wouldn't be used and would only be there for appearances. Chairman Almeida said it was not a fiberglass chimney and it was not a highly visible location in the District, and he was fine with a faux chimney. Mr. Melchior said he still preferred authenticity, but his vote was not dependent on the chimney. Councilor Kennedy said it was part of the Historic District and she did not like hearing this was a lesser area. She said this was a New Englander home and she thought there was just as much of an obligation to protect these quaint little homes as they did protecting bigger structures. She said she was disappointed that the chimney was not being kept

for use. Chairman Almeida said they had sensitivity standards and this was a low sensitivity area. Mr. Wyckoff said that was a subjective opinion that it was a low sensitivity area and he agreed with Councilor Kennedy that just because a home was small didn't mean that they should not be paying attention to it. He said it wasn't a New Englander, it was pre-Civil War era, "Greek Revival"/Carpenter Architecture. He said a fireplace in the home made the house even older. He said he thought the chimney should stay. Councilor Kennedy suggested they go back to their previous work session suggestions that they retain the original chimney.

Mr. Wyckoff said he thought the front door should be discussed more because the recessed door was still in existence. He said the aluminum storm door was placed outside of the building, and the mounting was stuck on after the fact. Ms. Whitney passed out a photo of the recessed doorway. Chairman Almeida expressed a concern that it might be the interior of the building. Ms. Ruedig said she had no problem with the addition, but she was uncomfortable with the changes to the original building, even the reduction of window sizes, and she hated to lose an original front door. Ms. Whitney said there was a built out enclosure to the front door that was the interior of the building, but she was replicating it to the original. Mr. Rawling said he thought resizing and re-proportioning to contemporary standards should not be done to historic buildings particularly the door and the door surround.

Mr. Gladhill said he looked at the site and he understood the uniqueness of a recessed door but also understood wanting some room in a small house. He asked if there was any way to bring the original door and original lights forward and flush to the front. Ms. Whitney said the door had not seen outside weather in a long time and it might not be that tight, but it might be possible to put storm panels on. Mr. Gladhill asked if she could replicate the door and Ms. Whitney said she tried, but she would need to get a fully custom door to get the upper lights to match the proportions. Mr. Rawling said he thought the proportions were very important. Vice-Chair Kozak said she was okay with the door as presented. Chairman Almeida agreed, but asked if the commissioners that were having trouble with it, if they thought it would be okay if the current door was brought forward. Mr. Rawling said he could not vote for the chimney or door proposal.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

### **DECISION OF THE COMMISSION**

*Mr. Rawling moved to grant a Certificate of Approval for the request as presented with the following stipulations of exemption:*

- That the applicant not re-proportioning of the front entrance*
- 1. That the applicant not remove of the brick chimney*

*Mr. Melchior seconded.*

Councilor Kennedy said she also had a problem with resizing the windows on the original building and would like to amend the motion if others agreed, but she would understand if there wasn't enough support.

Vice-Chair Kozak said she was in full support of the request as presented, and would like to see the project move forward, but she had a problem with removing the chimney, and therefore had a problem with supporting the motion with the amendment.

Chairman Almeida said he would have approved the proposal as presented, but he would also support the motion with amendments. He said they had given the proposal the attention it deserved, but he was puzzled by the level of scrutiny the little house received. He said the homeowners were trying to do the right thing. He said the improvements would be significant, and he thought the sticking points were minor.

Mr. Wyckoff said he was concerned that they would take an 1840's or 1850's house and turn it into a new house. He said the addition was thoughtful, but he stood by his comments about the front door. He said he could not believe the support for what was being done to the house.

Chairman Almeida said he thought they were doing a lot for the house by removing the asbestos siding and replacing with clapboards.

There was a discussion on the understanding of the motion in the negative. Chairman Almeida asked Mr. Rawling to rephrase the stipulations:

1. *That the recessed front door shall be restored*
2. *That the chimney shall be retained and repaired.*

*Mr. Melchior said his second was based on the understanding that the chimney would be removed. Mr. Melchior withdrew his second. There was no additional second to Mr. Rawlings motion.*

*Vice-Chair Kozak moved to grant a Certificate of Approval for the request as presented. Mr. Melchior seconded.*

Councilor Kennedy said she was still concerned with retaining the original chimney, door and windows and could not support the motion.

Vice-Chair Kozak said there was an extensive amount of effort applied to the addition and restoring the original home and overall they were not changing that much, but were making improvements by removing asbestos siding, removing aluminum gutters, storms and fake shutters. She said she agreed with Chairman Almeida that this house was in a less sensitive context than monuments or homes along the primary way. She said the house was in the Historic District purview, but it was set back from the primary way. She said it was a small house and the modest changes proposed wouldn't affect the district. She said just because some of the windows were old, didn't mean they were done right.

Mr. Gladhill said he would have liked to see them bring the old features and materials from the original door forward, but he said he would not give a negative vote if it couldn't be done.

Mr. Melchior agreed with what Vice-Chair Kozak said and added that he didn't agree with the artificial chimney, but felt it was minor and saw a lot of good changes. He said they were a Historic District Commission, not a board of preservation so they couldn't jump back and forth between the two. He said it was their job to determine if the proposal was appropriate in its context.

*Chairman Almeida called for the vote and the motion passed, 4-3 with Councilor Kennedy, Mr. Wyckoff, and Mr. Rawling voting in opposition.*

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5. (Work Session/Public Hearing) Petition of **Kathryn Saunders, owner**, for property located at **140 New Castle Avenue**, wherein permission was requested to allow demolition of an existing structure (demolish existing garage) and allow new construction to an existing structure (construct new garage with connector) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 26 and lies within Single Residence B and Historic Districts.

**Work Session**

**SPEAKING TO THE PETITION**

Architect Anne Whitney came before the Commission with updates from a previous work session.

Ms. Whitney said although the front door faces New Castle Avenue, the house was elevated from the road and the primary access was actually on Ridges Court.

Ms. Whitney said they were removing the existing garage that was currently forward from the existing house, and replacing it with a new garage that would be set back a bit and connecting to the house.

Ms. Whitney said they would remove the concrete steps, and replace them with wooden steps with a railing style to match the existing house steps.

Ms. Whitney said it was determined from the previous work session that the garage and the connector were too small in scale in relation to the existing structure so she brought the roof height up and increased the pitch on the connector building. She said she also changed the window on the second floor to accommodate the height difference. She said the windows in the main house were replaced a long time ago so she would keep the one over one windows.

Ms. Whitney said she previously had a 9' high garage door and she switched it to an 8' high door to allow more space for detailing. She said the door would be a roll up door simulating a swing



out door with applied cedar over insulated fiberglass that would be painted. She said she would be matching the rear door on the garage and connector door,

Ms. Whitney said there would be a recessed doorway offset in a 4' x 6' porch off the back that would have the same detailing as the front porch. She said the siding would match the existing house and the trim would be flat casings in Azek. Councilor Kennedy asked where she would use wood and where she would use Azek. Ms. Whitney said there were many choices for flat casings, frieze board, and bed molding in Azek they could use, but they would use wood to match the crown molding.

Chairman Almeida asked if the change to the eave trim across the face of the garage was a result of the last work session and Ms. Whitney said it was. Mr. Rawling said it was an attractive and appropriate addition. Ms. Ruedig agreed that the proportions looked better and related to the style of the original house well.

**SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

**DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to grant a Certificate of Approval for the request as presented. Mr. Melchior seconded.*

Mr. Wyckoff said the work session helped and he thought it was an appropriate addition. Vice-Chair Kozak agreed and said it was a seamless integrated addition.

*Chairman Almeida called for the vote and the motion passed unanimously, 7-0.*

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6. Petition of **Elizabeth G. Vestner 1991 Trust, Elizabeth G. Vestner, trustee and owner**, for property located at **206 Northwest Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace misc. windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 122 as Lot 6 and lies within General Residence A and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. John Schroeder owner of Cabinet Concepts appeared before the Commission to speak on the kitchen renovations they would be doing for the owner. Mr. Schroeder said they needed to change out two windows, one on the north side and the other on the east side of the house. He said the width would remain the same, but they would be over 7 inches higher. He said they would be Marvin wood French casement windows and they would keep the same trim on the outside. He said the exterior siding would remain the same.

Mr. Rawling asked if they would be factory-mulled windows versus having a separation and using a stud pocket. He said there seemed to be a separation between the windows on the existing house and thought it would be appropriate to match what was existing on the house. Mr. Schroeder said they could do that if it was important to them. Mr. Wyckoff said he would probably have to do that anyhow if the windows were the same width. Chairman Almeida said French casement windows are typically one window with a bar in between to give a large opening when they were open. Councilor Kennedy asked Mr. Rawlings if he still felt the same about the French casement window, and Mr. Rawlings said he didn't realize the distinction, and would accept it.

**SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

**DECISION OF THE COMMISSION**

*Councilor Kennedy moved to grant a Certificate of Approval for the request as presented. Mr. Melchior seconded.*

*Chairman Almeida called for the vote and the motion passed unanimously, 7-0.*

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

Attorney Tom Hildreth with Mclane Law Firm came before the Commission representing Verizon Wireless. Attorney Hildreth said Verizon was a tenant of the Fairpoint Central Office building. He said Verizon had an array of panel antennas and last May they came before the Commission with a request to change the mix for the 4GLTE service antennas. He said they were coming back to upgrade the AWS advanced wireless service.

Attorney Hildreth said they were taking down six antennas with the longest dimension being 72" and putting up six new with three having the longest dimension of 76" long, and three being 56" long. He said not all of the antennas were uniform. He said they would add remote radio heads that optimized the operation of the site. He said they would be 2' x 1' and 6" thick with a round element on top instead of a triangular element. He said there would be one additional coax cable as part of the upgrade.

**SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

**DECISION OF THE COMMISSION**

*Vice-Chair Kozak moved to grant a Certificate of Approval for the request as presented. Mr. Wyckoff seconded.*

Vice-Chair Kozak said the antennas were a perfect match to the structure of the tower and they represented the original so they were appropriate.

*Chairman Almeida called for the vote and the motion passed unanimously, 7-0.*

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8. Petition of **Martingale Wharf Limited Partnership, owner**, for property located at **99 Bow Street**, wherein permission was requested to allow an amendment to a previously approved design (changes to the dock structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 54 and lies within Central Business A, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Mr. Zachary Taylor of Riverside and Pickering Marine came before the Commission representing Martingale Wharf. Mr. Taylor said they were proposing to reduce the scale of the structure because of the DES review process for docking structures. He said the construction of the traditional pier, ramp, and float system were the same as what was previously approved.

Chairman Almeida asked Mr. Taylor to walk them through the changes in size. Mr. Taylor said the 4' wide x 14' long landing was a full pier section that was going to connect to the other pier to be a wharf area but it was reduced to a landing, and the float system was reduced as well.

**SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

**DECISION OF THE COMMISSION**

*Councilor Kennedy moved to grant a Certificate of Approval for the request as presented. Mr. Melchior seconded.*

*Chairman Almeida called for the vote and the motion passed unanimously, 7-0.*

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9. Petition of **Jeffrey H. Marple Revocable Trust of 2002, Jeffrey H. Marple, trustee and owner**, and **Dean Bowen, applicant**, for property located at **254 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace doors

and transoms) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 72 and lies within Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Mr. Dean Bowen, project manager came before the Commission on behalf of the owner with their proposal to replace two exterior doors, one on State Street and one on Pleasant Street, with a twelve light door to match the existing door, remove an air conditioner above the door and replace it with a transom light. He said all the existing trim and jams would be repaired and painted the existing color.

Mr. Gladhill asked what hardware they would use for the door. Mr. Bowen said they would use a handle for both locations and a deadbolt.

Mr. Wyckoff asked if the awnings would be removed. Mr. Bowen said they would stay, but would be re-clad with new canvas.

**SPEAKING TO, FOR, OR AGAINST THE PETITION**

No further discussion was added and Chairman Almeida closed public hearing.

**DECISION OF THE COMMISSION**

*Councilor Kennedy moved to grant a Certificate of Approval for the request as presented. Vice-Chair Kozak seconded.*

*Chairman Almeida called for the vote and the motion passed unanimously, 7-0.*

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**IV. DISCUSSION**

Chairman Almeida said they would need another internal work session and it was scheduled for the following month.

Mr. Cracknell said there had been continual questions presented to the Planning Department as to what the Commission’s latitude of jurisdiction over building height and scale, especially in the Central Business District A and B. He said it had been verbally confirmed that the Commission did have significant latitude over height, scale, bulk and massing on new buildings or additions, alterations or extensions. He said there still had been questions, so he said he would get a legal decision for more clarity and formalize it. He said there were several proposals in the CBA and CBB districts that presented themselves at the top of the limits and it would be important for the commissioners to follow the guidelines on context.

Councilor Kennedy said she asked the City attorney at the City Council meeting in front of the public and he said this committee has that authority. Chairman Almeida said he would also put

that in writing. Mr. Cracknell said it was also defined in the City Ordinance referring to the context of the district, the street, the block and the neighborhood. He added that there were many ways to make height work utilizing design, scale and massing.

Chairman Almeida said there had been a great deal of public comment including letters to the editor that required patience on the Commission's part regarding the HDC's and Board of Adjustment's process. Mr. Wyckoff asked if they had the right to respond to false statements. Chairman Almeida said they had been asking for quality public input for some time and meetings were their forum to discuss issues because they had a great deal of work ahead of them and they couldn't respond to all the letters individually. Vice-Chair Kozak thanked people who wrote letters because it was important that people were paying attention and participating and it helped keep the Commission on their toes. Councilor Kennedy said the City Council voted to allow materials to be submitted prior to work sessions. Vice-Chair Kozak asked if abutter notices went out for work sessions also, and Mr. Cracknell said they did.

#### **IV. ADJOURNMENT**

At 10:15 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Jane K. Kendall  
Acting Secretary

These minutes were approved at the Historic District Commission meeting on Dec. 4, 2013.