

**ACTION SHEET
HISTORIC DISTRICT COMMISSION
PORTSMOUTH, NEW HAMPSHIRE
1 JUNKINS AVENUE**

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

**October 2, 2013
to be reconvened on October 9, 2013**

MEMBERS PRESENT: Chairman Joseph Almeida; Vice Chairman Tracy Kozak; 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: Nicholas Cracknell, Principal Planner

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I. NEW BUSINESS

A. Approval of draft excerpt of minutes – August 7, 2013

It was moved, seconded, and passed unanimously to approve the draft excerpt of minutes as amended.

B. Request for re-hearing of HDC Certificate of Approval granted to 173-175 Market Street on August 7, 2013.

After due deliberation and consideration of the written recommendation from the Planning Department (dated 10-7-13) to suspend the review of the application for 30 days due to the acceptance of the meeting minutes, the Commission voted to **postpone** the Request for Rehearing to the November 6, 2013 meeting so that additional information may be submitted and reviewed.

C. Request for re-hearing of HDC Certificate of Approval granted to 111 Maplewood Avenue on August 7, 2013.

After due deliberation and consideration of the written recommendation from the Planning Department (dated 10-7-13) to suspend the review of the application for 30 days due to the acceptance of the meeting minutes, the Commission voted to **postpone** the Request for

Rehearing to the November 6, 2013 meeting so that additional information may be submitted and reviewed.

II. PUBLIC HEARINGS (NEW BUSINESS)

*The Board's action in these matters has been deemed to be quasi-judicial in nature.
If any person believes any member of the Board has a conflict of interest,
that issue should be raised at this point or it will be deemed waived.*

1. Petition of **233 Vaughan Street, LLC, owner**, for property located at **233 Vaughan Street**, wherein permission is requested to allow a second extension to an existing approval, first extension granted on October 12, 2011 by 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.

At the applicant's request, the application was withdrawn from consideration.

2. Petition of **Douglas F. Fabbriatore, owner**, for property located at **536 Marcy Street**, wherein permission was requested to allow new construction to an existing structure (lift main roof and add shed dormers, construct second story to rear addition, replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 56 and lies within the General Residence B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented with the following stipulation:

A) That the two shed dormers are eliminated from the proposal.

Findings of Fact: With the removal of the shed dormers from the proposal, the proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes No - Preserve the integrity of the District
- ✓ Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application as revised with the stipulation also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- ✓ Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

3. Petition of **B&M Wharf, LLC, owner**, for property located at **70&80 State Street and 5 Atkinson Street**, wherein permission was requested to allow amendments to a previously approved design (changes to exterior doors, changes to rooftop planter and screen) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 14, 14, and 16 and lies within Central Business B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes No - Preserve the integrity of the District
- ✓ Yes No - Maintain the special character of the District
- ✓ Yes No - Assessment of the Historical Significance
- ✓ Yes No - Complement and enhance the architectural and historic character
- ✓ Yes No - Conservation and enhancement of property values
- ✓ Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- ✓ Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

4. Petition of **Stephen M. Carter and Kathleen M. Stone, owners**, for property located at **765 Middle Street**, wherein permission was requested to allow demolition of an existing structure (remove existing fence) and allow a new free standing structure (install new fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 148 as Lot 37 and lies within General Residence A and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- Yes No - Consistent with special and defining character of surrounding properties
- Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

5. Petition of **Roland and Mary A. Routhier, owners**, and **Ryan Reed, applicant**, for property located at **50 New Castle Avenue**, wherein permission was requested to allow exterior renovations to an existing structure (remove porch windows, construct open porch with composite columns, decking, and rails) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 33 and lies within Single Residence B and Historic Districts.

After due deliberation, the Commission voted to **postpone** the application to the October 9, 2013 meeting so that more information could be provided and reviewed.

6. Petition of **Thirty Maplewood, LLC, owner**, for property located at **30 Maplewood Avenue**, wherein permission was requested to allow an amendment to a previously approved design (changes to windows and doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 2 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

After due deliberation, the Commission voted that the request be **approved** as presented with the following stipulation:

- A) The shutters on the Deer Street elevation (second floor) shall be opened, not removed.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

7. Petition of **Judith L. Hiller and John B. Wilkens, owners**, for property located at **18 Manning Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 67 and lies within General Residence B and Historic Districts.

After due deliberation, the Commission voted to **deny** approval of the application for the following reasons:

- 1) The majority of the Commission felt the restoration of the existing windows were had not been adequately explored, assessed or documented by the applicant and the proposed replacement windows were potentially inappropriate based on the limitation of the specifications submitted with the application and presented at the public hearing.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes ✓ No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character

- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- Yes No - Consistent with special and defining character of surrounding properties
- Yes ✓ No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

8. Petition of **Community Investment Properties, LLC, owner**, for property located at **86 South School Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove three windows, replace existing windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 63 and lies within General Residence B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented with the following stipulations:

- 1) Due to the lack of information and documentation from the applicant pertaining to the condition and potential for restoration and repair of the existing windows, the approval only pertains to the removal of the two windows as shown on the first floor rear ell. The two windows shall be replaced with wood clapboards feathered in and on the same plane.
- 2) All other existing windows shall be restored/repaired.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- ✓ Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- ✓ Yes No - Compatibility of innovative technologies with surrounding properties

9. Petition of **Middle Street Baptist Church, owner**, for property located at **18 Court Street**, wherein permission is requested to allow exterior renovations to an existing structure (replace windows in cupola **Withdrawn**) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 2 and lies within Mixed Residential Office and Historic Districts.

At the applicant's request, the application was withdrawn from consideration.

10. Petition of **Pamela and Robert B. Boley, owners**, for property located at **88 New Castle Avenue**, wherein permission was requested to allow exterior renovations to an existing structure (remove and infill three windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 30 and lies within Single Residence B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- ✓ Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- ✓ Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

11. Petition of **Middle Union Condominium Association, owner,** and **Paula A. Chalfin, applicant,** for property located at **496 Middle Street,** wherein permission was requested to allow new construction to an existing structure (construct a two story addition and a one story addition on rear of structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 135 as Lot 21-1 and lies within Mixed Residential Office and Historic Districts.

After due deliberation, the Commission voted to **postpone** the application to a work session/public hearing at the November 6, 2013 meeting so that more information could be provided and reviewed.

12. Petition of **Michael De la Cruz, owner,** for property located at **75 Congress Street,** wherein permission was requested to allow exterior renovations to an existing design (restore upper floor windows on Fleet Street and Vaughan Mall facades, re-approval of roof plan that has since lapsed, install door and light fixture on Fleet Street façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 5 and lies within Central Business B, Historic, and Downtown Overlay Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes No - Preserve the integrity of the District
- ✓ Yes No - Maintain the special character of the District
- ✓ Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- ✓ Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- ✓ Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

13. Petition of **C. Daniel Freund and Tiffany Z. Pike, owners**, for property located at **37 Prospect Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace asphalt roof on barn with metal roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 141 as Lot 6 and lies within the General Residence A and Historic Districts.

After due deliberation, the Commission voted to **deny** approval of the application for the following reasons:

- 1) The majority of the Commission felt this type of metal roof as presented and revised, was inappropriate for the use on this historic structure.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

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- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

III. OTHER BUSINESS

- A. Continued discussion regarding prioritization of HDC tools request to City Council

Due to the late hour, there was brief discussion regarding the HDC tools request.

IV. ADJOURNMENT

At 10:55 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary