

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

**December 4, 2013
to be reconvened on December 11, 2013**

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

MEMBERS EXCUSED:

ALSO PRESENT: Nick Cracknell, Principal Planner

.....

I. APPROVAL OF MINUTES

Approval of minutes – March 6, 2013
Approval of minutes – March 13, 2013
Approval of minutes – April 3, 2013

*Vice-Chair Kozak moved to **approve** the three sets of minutes as presented. Mr. Wyckoff seconded.*

The motion passed unanimously with all in favor, 7-0.

II. OLD BUSINESS

1. *(Work Session/Public Hearing) Petition of **Donna P. Pantelakos Revocable Trust, owners, G.T. and D.P. Pantelakos, trustees and Chris Crump, applicant**, for property located at **138 Maplewood Avenue**, wherein permission was requested to allow new construction to an existing structure (infill area in rear, construct second floor roof deck, reface existing chimneys) and allow exterior renovations to an existing structure (reconfigure misc. windows, replace windows, replace siding, trim, and shutters with composite materials) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 6 and lies within the Central Business A and Historic Districts. *(This item was postponed at the November 6, 2013 meeting to the December 4, 2013 meeting.)**

WORK SESSION

The applicant Chris Crump and the owners George and Donna Pantelakos were present. Mr. Crump told the Commission that it was his third visit and he had made concessions addressing the Commission's recommendations. He realigned some windows and added one window, and the existing chimneys would be replaced with brick veneer chimneys with step flashing of the same size and shape. The back porch was redesigned with the requested columns and window spacing. He had cut sheets and samples for the paneling on the back of the house and trim work dimensions for the windows. The sill height on the second floor windows would be shortened to match existing. He would replace the existing gutters. The shutters on the front of the house were composite wood with pins and holdbacks, and the aluminum storm door was replaced with a wood storm door and screen.

Mr. Gladhill asked if the Commission could fill him in because he had not been on the site walk. Vice-Chair Kozak told him that the building was covered in vinyl, and there was wood clapboard underneath but they could see very little of it so it could not be assessed. The windows were replacement windows in poor condition and did not fit the existing openings. The heavy wood sills had been chopped off at the ends to align with the J-channels of the vinyl siding. The brick foundation needed some repair. The front portico of the roof canopy had original details but was in poor condition and in need of repair. The front roof overhang did not appear to be original but was quite old, mid-to-late 1800's vintage.

Mr. Gladhill asked if the clapboards would be kept or replaced with Hardiplank. Mr. Crump said there was a concern about the sidewalk on the side of the house being built up and pushing water up toward the house. Part of the sidewalk touched the wood siding and could rot it. They would consider keeping the clapboard, but if it had deteriorated or was not practical, they'd like to do the Hardiplank. Mr. Wyckoff was glad to hear that Mr. Crump would entertain keeping the siding at least on the front of the house because he felt that Hardiplank was inappropriate on the front. He asked about a water table or drip board to protect the front of the house. Vice-Chair Kozak said that a drip sill or full skirt board was a typical detail of the house's Georgian vintage and they would probably see it when the siding came off.

Mr. Katz thought that retaining the wood siding on the front of the house with the Hardiplank on the remainder was a workable compromise. The mud sill would have to be on three sides for unity. The best case scenario was stripping the vinyl off the front of the house and finding the material underneath viable. He had concerns about how they would match the Hardiplank courses on the sides of the house to the clapboards on the front. Mr. Crump was concerned that wood on the front and Hardiplank on the sides would not match. Ms. Ruedig said the courses had to align to make it acceptable. Mr. Wyckoff said Hardiplank was meant to go 4 inches on center, and that could be a problem. Matching it up with a 1800's colonial without notching or details would be awkward.

Chairman Almeida said that Hardiplank was approved on a case-by-case basis, and the number of improvements to the property was so large that the Hardiplank was not a big issue for him. Wrestling with the clapboard underneath the vinyl could look awkward. He was in full support of the project because Mr. Crump had made a lot of concessions. Mr. Rawling agreed with the comments about the siding on the front of the building. He thought the 3 1/2" corner board and 3-12" wide window casing trim were undersized. Mr. Crump said he could change it and asked

what the preferred scale for the trim sizes was. Mr. Rawling said there were 4" banding casings on adjacent houses, and 4 ½" corner boards seemed to be the smallest in the neighborhood except for the contemporary homes.

Mr. Rawling asked about the detailing on the porch. Mr. Crump said they had inset flat panels with molding around the inset. Mr. Rawling thought the railings were undersized. Mr. Crump said he would adjust the railing sizes, and he showed samples to the Commission. Mr. Rawling said the light fixtures appeared too small, and he still had an issue with the chimneys because he felt that historic houses came with brick and should stay that way. Mr. Crump said they were not financially able to install all brick chimneys.

Mr. Melchior said he could not support the application as presented or with the earlier compromise. The entire house was cloaked in artificial materials, and there was not a genuine contribution to its exterior except for the refurbished front door. Mr. Crump said it was a vast improvement, considering the state the house was in before. He did not have the funds to restore it to the exact original and was trying to compromise. Mr. Melchior said appropriateness was not a measure of relative improvement.

Councilor Kennedy agreed with a lot of the comments and said the house was a focal point coming into the City. She was not comfortable moving forward at that point because they had to work through the bigger issues. Mr. Crump said they had conceded and agreed to a number of issues, and it seemed like there was no concession from the Commission without going back to exact materials from the 1800's. He was trying to work with them and needed some give and take. The window sills would be installed correctly, the shutters were the right size, and all the windows were realigned. He had made considerable modifications to appease the Commission. Councilor Kennedy agreed that he had come a long way. She had accepted the modern rail, even though it wasn't wood. She was uncomfortable with some of the current items being changed because it would change the building's structure and history.

Vice-Chair Kozak said they had consistently applied unique decisions on different sides of the house, where it sat, and the viewing of the house from a public way. Based on those decisions, it was reasonable to allow for some composite materials on the back of the house because they would not be seen by the public. It was a hardship to demand that an applicant maintain museum quality restoration on the back of the house. The efforts needed to focus on the front of the house, and the applicant had made good efforts in the window proportion and spacing and in using authentic clay brick on the chimneys. No one would be able to tell the difference once the chimneys were done because they would see the brick. She was comfortable with wood on the front and composite materials on the back.

Mr. Gladhill asked Mr. Crump if he was realigning the windows on the side of the house or if they were staying in their current openings. Mr. Crump said he was willing to realign them in the positions they were in now. Mr. Gladhill said he had been hesitant about that from the beginning. He researched it and found that the house did not have the ells until 1877. He said the windows told the story of the house. A lot of the houses in the area had been destroyed, and this was one out of five that remained and it should be preserved. It was very prominent on Maplewood

Avenue, and there would be more pedestrians walking by in the near future. He suggested that wood be kept on the front and the windows kept in their original alignment.

Chairman Almeida asked what would happen if the wood on the front was new wood. When the houses got stripped, the sheeting had to be refastened and so on. Mr. Gladhill said it was an unknown element. Mr. Wyckoff said it was actually an exemption if they removed wood clapboards and put new clapboards back on. He would prefer that Mr. Crump remove the vinyl and repair or replace the existing wood siding, and that the left elevation stay existing with new windows and the window openings be repaired or replaced. Mr. Rawling asked if the window trim and units would match and was told yes.

PUBLIC DISCUSSION

Ms. Kerry Vaultrot of 96 Highland Street asked if a mason had looked at the chimneys to determine whether they were salvageable or not. Mr. Crump said the mason determined that they were structurally unsound from the basement up. Ms. Vaultrot asked if there was any way to preserve the top portion above the roof. Mr. Crump said they couldn't do it without steel braces and substantial cost. Ms. Vaultrot said she had concerns with retaining the brick chimneys AND it was important to maintain the window alignments on the left side.

Chairman Almeida said if the chimneys were an issue, they could remove them from the application that night and approve something else. Mr. Katz asked how the chimneys kept Mr. Crump from getting full approval and what would be different when he came back. Mr. Crump said he didn't know, except for spending \$10,000 for structural support just to have the chimneys stay where they were. Mr. Wyckoff asked Mr. Crump if he was removing the chimneys entirely from the building. Mr. Crump said they were structurally unsound, so it made no sense to keep them inside the house. Mr. Wyckoff asked if he was keeping the walls with mantels, and Mr. Crump said no. Mr. Wyckoff said if the floor plan was being changed entirely with the chimneys removed, the problem would be with the chimney tops. He had never seen a 1820s house that had a structurally unsound chimney that collapsed. It could be taken down to the attic floor and rebuilt, or the chimney could be left and the fireplaces not used.

Mr. Katz brought up two past projects in which the chimneys were rebuilt using veneer. Chairman Almeida said the HDC had approved one on Middle Street where the location was dependent, and there was nothing on Mr. Crump's application that they had not allowed before in the District. Mr. Rawling felt if the Commission continued to allow fake chimneys, they would set precedence. Historic houses had brick chimneys. Vice-Chair Kozak asked how they could tell how thick the brick was because manufacturers made a full brick that was $\frac{3}{4}$ " deep instead of 3" deep. Mr. Rawling said it was an issue of durability. Mr. Crump said it was up to him to repair the brick veneer if it deteriorated. Chairman Almeida said it did not set a precedence that they would lose all of their historic chimneys and fireplaces. The value of a fireplace in a historic home was huge.

Councilor Kennedy said they were not looking at the inside but were looking at the preservation of a chimney and a building, one of the few that remained. The Commissioners had a duty to preserve the City's historical culture, and they were talking about the front of the house. The

chimneys were above the roofline and came with the house and needed to stay with the house. Mr. Wyckoff said one of their criteria was to preserve the integrity of the District, and the issue was whether they could tell the difference looking at the chimney from the street.

Chairman Almeida told Mr. Crump that they could go into the public hearing and he could agree to stipulations and amendments. Mr. Crump said he would like to go into the public hearing.

SPEAKING TO THE PETITION

Mr. Crump told the Commission that he was presenting his proposal with some amendments. The window and door casings would be 4" banded casings and the corner board 4-1/2 inches. The siding would be repaired and replaced with wood on the front of the house. The window openings on the left side of the house would be aligned and would stay in the original locations. The porch post dimensions on the rear would match the sample.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

*Mr. Katz moved to **grant** the Certificate of Approval for the application as presented with the following stipulations:*

- 1) That the windows and door casings shall be 4" banded casings and the corner board shall be 4-1/2" corner boards.*
- 2) That the siding on the front of the structure shall be wood, either restored or replaced, and have the same exposure and design as the existing siding.*
- 3) That the existing window openings on the left façade (south side) shall be preserved.*
- 4) That the handrail and post cap will be dimensioned as presented.*

Mr. Wyckoff seconded.

Mr. Katz said there were disparate opinions and motives, but this was a bare husk of the original structure and the applicant had made a good faith effort to improve the structure's appearance and utility using some modern and traditional materials. Mr. Wyckoff said that the special and defining character of surrounding properties were matching. The improvements were within the criteria of historical and architectural value of the structure. The exterior design's scaling and texture almost matched existing, and it was innovative technology to allow the Hardiplank on the side and rear of the house. The chimney would be replaced with a real product and would be an innovated use of technology.

Mr. Melchior said he would oppose the application. Cloaking the building in artificial material was not in keeping with the integrity or the historical character of the District or in the character of the building itself. A fake chimney was worse than no chimney at all. He didn't see technical due diligence on the chimney that suggested that it could not be repaired in place.

*The motion **passed** with 5 in favor and 2 opposed. Councilor Kennedy and Mr. Melchior voted opposed.*

2. Petition of **Michael R. and Denise Todd, owners**, for property located at **262-264 South Street**, wherein permission was requested to allow new construction to an existing structure (construct boxed bay on front elevation, remove existing rear stairs and construct new two story deck structure) and allow exterior renovations to an existing structure (changes to three season rooms on west elevation, replace windows, replace siding and trim with composite materials, add gutters and downspouts, replace roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 5 and lies within the Single Residence B and Historic Districts. *(This item was postponed at the November 13, 2013 meeting to the December 4, 2013 meeting.)*

SPEAKING TO THE PETITION

The developer Mr. Brendan McNamara told the Commission that he had an amended application reflecting the comments from the last meeting. On the north elevation, he reduced the size of the bay window and moved to a standing seam roof aluminum product in a dark brown color. The panels on the rear were removed and replaced with clapboards. The chimney flue was removed. The building had a concrete foundation because it used to be a workshop and was torn down in the 1950s and elevated. He left the rubber membrane roof on because of its low pitch and also to avoid the expensive metal roof. The roof was almost invisible to see. The windows on the second floor on the west side were shorter than the other windows due to the kitchen. He shortened all the windows on the west side to remain consistent. The bathroom on the west elevation would have a full double hung window. He also presented drawing changes of the porch assemblies on the rear and the exterior second means of egress that was removed.

Mr. Rawling said the changes were nice improvements to the project, and the chimneys should remain because they contributed to the structure and the District. Chairman Almeida thought it was a wonderful application with improvements on every elevation.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

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

Vice-Chair Kozak said the changes corrected a lot of mistakes made over the last decades and made the house more consistent with other houses of the same vintage in the area. The appendages on the back were removed and the materials were improved to make it more compatible with surrounding historic properties. She was concerned with the membrane roof on

the back, but didn't think it would have a visual impact on the surroundings. The 16" concrete block flue chimney was not a problem because it didn't relate to the other chimneys in the area.

Mr. Wyckoff said it was an example of how siding worked well when the building was 18 feet from the street. The improvements were thorough and maintained the character of the District.

The motion passed unanimously with all in favor, 7-0.

3. (Work Session/Public Hearing) Petition of **143 Daniel Street, LLC, owner**, for property located at **143 Daniel Street**, wherein permission was requested to allow demolition of an existing structure (demolish gymnasium building) and allow new construction to an existing structure (construct mixed use, multi-story building) and allow exterior renovations to an existing structure (restore existing building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 19 and lies within Central Business B, Historic, and Downtown Overlay Districts. (*This item received partial approval at the November 13, 2013 meeting.*)

WORK SESSION

Carla Goodknight and Bill Bartell from CJ Architects and the owner Steve Wilson were present.

Ms. Goodknight showed the Commission the view of the proposed elevation coming from the bridge, historic photos of the Army Navy building, and a photo of a building that was once on the nearby site and was similar to the architectural language they were proposing for the corner of Daniel Street and Wright Avenue. She went through the plans, showing the existing site plan, the current parking lot, the Army Navy building, and the existing conditions photographs.

Due to discussions about the shape of the plaza, she had a scheme that addressed the stairs and the planters. The Planning Department had recommended a more accessible plaza configuration, and the Inspection Department had issues with the stairs going into the slope of the sidewalk and the need for railings. The HDC had said that the planters softened the site but the narrow steps at the corner were visible. A compromise to widen the corner and retain the planters addressed everyone's concerns.

Mr. Melchior asked why a plaza had been proposed in the first place. Mr. Goodknight said the building was set back from the property substantially, so the ramp at the parking area on Chapel Street dove at the maximum depth to get to the area under the retail. Mr. Melchior asked if the parking could go deeper. Ms. Goodknight said they had to stay with the existing gym foundation and going down 3' was as far as they could go. Mr. Melchior concluded that cars would be parked in the garage on a slab that could not go any deeper than the interior lip of a continuous footing on an existing foundation. Because of that physical condition, instead of lifting the building up, a plaza was needed to go around the building. Ms. Goodknight said they had gone a bit lower than the footprint but could not go any lower or else it would be undermined.

Mr. Wilson said the most important reason was the grading of the ramp that accessed the building. The ramp had to be sloped in a safe manner, and the elevation for the garage slab was

relevant to the sloping of the ramp to access it. DOT had been clear about acceptable slopes and anything beyond 12%. Mr. Wyckoff asked what the width of the plaza was, and Ms. Goodknight told him it was 5 feet.

Ms. Goodknight discussed the building materials and said they would use a clad double hung Pella window and showed a sample of it. There would be faux slate roofing on both dormers and the roof. Councilor Kennedy asked what the cost difference was between real slate and faux slate. Mr. Wilson said it was 50% more. The proposed shingle was a solid product molded from a real slate shingle with 100% recycled material and a long warranty period. Councilor Kennedy said she had looked at a fake plastic shake roof and it had a glare, and she didn't want the roof to be shiny. Mr. Gladhill asked if it would be a solid color and was told yes. Mr. Rawling said a bit of sheen looked authentic. Chairman Almeida said he had installed thousands of feet of slate, and the sheen looked identical to slate.

Ms. Goodknight showed the Commission the copper flashing on the roof edges, the painted PVC gutters, the custom molded brick banding, the brick veneer wall construction, and the copper downspouts and cast iron receiver. She was proposing a granite base and gray storefront with custom hardwood doors and clad-fixed Pella windows with true transom units. She showed the alleyway between the two buildings and the balconies that would look out between the buildings on the second and third floors. They would use a Northeast Lantern light fixture with a dark brass finish for two locations in the alley. Councilor Kennedy asked how tall the balconies would be and was told 9 ½" feet with a railing height of 24". She said the balconies troubled her because she didn't want to see towels hanging off the railing. She also didn't care for the breakup on the bridge side and preferred the other building's breakup.

Ms. Goodknight showed two light fixture locations and the proximity of the buildings. The two buildings backed up each other very closely. To the right, the brick finish wrapped around the building into the alley at its widest point and wrapped the storefront around the corner to give visibility to both sides. She said the proposed window units and sizes had corresponding granite lintels and sills, and the dormer and custom door construction and storefront had true transom mulls. She had close-ups of the dimensional requirements for the storefront and the balcony and eave profiles with painted custom PVC gutters and trim and the custom brick course.

She showed a product cut of the round copper downspouts terminating in iron receivers. She was proposing original brick similar in color and flashing to the Army Navy building. She also had an alternate brick called Old Port Blend that was uniform in color and had more surface texture. A sample showed how it closely emulated the water-struck texture but provided the uniformity to make the joints minimal. Mr. Rawling said it was very difficult to determine the brick in that setting. Chairman Almeida said a brick mock-up would be appropriate as a stipulation. Mr. Wyckoff said they were familiar with the Old Port Blend and it was acceptable. Chairman Almeida asked the Commission if they wanted to do a brick mock-up and they said yes. Mr. Wilson said they would typically do a sample on site and he would bring them one.

Ms. Goodknight showed the Commission a sample of the Pella window and an option for the Chapel Street storefront entry with an amended entry elevation. Chairman Almeida said the canopy portion projecting out was an improvement. Mr. Wilson mentioned that the balconies had

solid bandings on the lower portion of the railings that minimized the look of tables or chairs from a distance, and there would be strict covenants about putting out items like laundry or flags and creating clutter.

Chairman Almeida wanted to discuss the mechanicals and where the rooftop units or generators would sit. Ms. Goodknight said the venting for plumbing would be clustered and internal to the building on the alley side. Other mechanicals would not be viewed. Councilor Kennedy said they had requested the mechanicals from the applicant before and she was concerned that it wasn't presented. Mr. Cracknell said they had talked about the exemptions, and the Ordinance only pertained to single or two-family structures.

Mr. Wilson said there were a few levels of mechanical systems. Each unit had a split system, and they were high efficiency units with a split condenser. The byproduct was a PVC vent. There was room on the clapboard wall in the alley to install the systems. Councilor Kennedy said they needed to see the specifications.

Mr. Wilson discussed the bathroom exhaust system that provided continuous fresh air on the second level. The gas piping already existed underground, and the gas and electric meters would be inside the basement. Mr. Wyckoff clarified that there would be no 95% efficient vents for the units projecting out on the two facades on Daniel Street and Wright Avenue. Vice-Chair Kozak asked about the air intake for the garage. Ms. Goodknight said they would do an areaway for the intake and exhaust at the door location. Chairman Almeida said he was glad to see a centralized unit on top of the building and satisfied with the location of the mechanical units. He asked Ms. Goodknight to commit to the elevation on Sheet 3.8 for mechanical protrusions.

Vice-Chair Kozak mentioned the thickness of the masonry on the ground floor and said that one of the good things about the gym was the articulated base that showed it was a real masonry building. She asked if the applicant could project the face of the masonry out an inch or two to allude to the age of the building and detail it with a thicker wall at the bottom and a thinner above. The elevation on Sheet 3.6 showed a projecting masonry ground floor, and she thought the shoulder course should be deeper to maintain the shadow. The 1st floor plane would be more forward than the upper floors. She thought the brick window sills and the granite sills at 3" were confusing, but they extended past the masonry and maintained the detail of the granite sills like the existing building. The windows flanking the main entrance and the internal bevel should be consistent on the granite sills at the storefront windows but looked too skinny. Ms. Goodknight said it was all the same material and was almost a profile. Vice-Chair Kozak asked what the depth was of the recessed panel flanking the storefronts, and Ms. Goodknight said it was 3/4" recessed. Vice-Chair Kozak said the balcony railings and the detail looked like a square picket and it would be better to use a round picket. Square pickets were found on simpler wood houses, and the rounded forms above the palladium window were formal.

Vice-Chair Kozak asked if the face of the solid part was PVC and continuous and whether it would be seamed. Ms. Goodknight said there would be no seams because it was a long span. Vice-Chair Kozak said the detailing was very simple and seemed at odds with the ornate palladium windows, and asked if there could be more consistency with the trim profiles on the balconies to match the ones on the first floor. Ms. Goodknight said they had a simple block

granite storefront without a lot of articulation, so doing a colonial look on the moldings seemed appropriate. Mr. Wyckoff thought the balconies were contemporary with curves and was willing to accept the design. He agreed with the projection of the lower level and thought it could be an amendment because it was a subtle detail that made a difference. He approved the granite sills.

Mr. Melchior thought the design was nice, the alterations were understated and humble and worked well in the context. However, he thought the plaza was a fatal error and was not convinced that the reasons for the plaza could not be overcome. Pedestrian experience in downtown Portsmouth was important, and there was no plaza anywhere else. Buildings were founded on grade. The money the applicant would save by not getting the parking down lower would be paid in lawsuits. They should avoid short-flight stairs at all costs because it interrupted the pedestrian experience. The ramp could be overcome and the water proofing and foundation challenges could be overcome.

Ms. Ruedig thought the building would technically be smaller but would appear too tall. A building that would go along with the Army Navy building should be differential to the historic building.

PUBLIC DISCUSSION

There was no one from the public wishing to speak.

SPEAKING TO THE PETITION

Ms. Goodknight introduced herself and showed the view of the proposed building from the bridge. She mentioned the benefits for the reconfigured corner schemes as well as historic references to design. She mentioned the existing site plan and photos. She showed views from the corner of Chapel Street and Wright Avenue, and the Daniel Street elevation showing how the alleyway would look after the Army Navy Building was restored and showing proposed materials and details.

Ms. Goodknight said they were including ¾" recessed panels in the granite and ¾" round proposed balusters and the extension of the first-floor plane so it would not align with the plane above. She showed the mirror images of the Wright Avenue elevation, the alleyway with light fixtures, the façade containing the mechanical penetrations, the details for the windows and doors with clarifications, the documentation of materials with the option of changing to an Old Port Blend brick, and the amendment to the previously-approved alleyway entry.

Councilor Kennedy said the visual on the first page showed a rounded balcony, and another visual showed a flat balcony baluster. The visuals needed to be understood, in fairness to the public. She didn't like the fact that the location of the mechanicals was missing from the application because it was asked of other candidates and the HDC had to be consistent.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Ms. Kerry Vaultrot, Chair of Buildings and Grounds Committee for the Warner House, said she was at the last public hearing and work session. Afterwards, she and members of the Warner House Committee met with Mr. Wilson and reviewed the plans and the views that the Warner House would have of the proposed buildings. The Committee was not in unanimous support of the architectural character of the proposed design, but they evaluated the potential impact on the Warner House and did not feel that it would compromise or detract from their setting. The eave line was an area of discussion, but they welcomed the increased activity the project would bring to their end of Daniel Street.

There was no one else willing to speak, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

*Mr. Wyckoff moved to **grant** a Certificate of Approval for the application as presented with the following stipulations:*

- 1) That the brick used shall be Old Port Blend, narrow flashed range, as presented and a mock-up shall be provided to the Commission for inspection prior to installation.*
- 2) That the option as amended and shown for the rear entryway is acceptable.*
- 3) All mechanicals, including vents, shall be located on the rear roof of the south elevation or in the clapboard section of the south elevation (Sheet 3.8) as presented and shall be screened from public view.*
- 4) The area ways and louvers for venting the garage shall be as presented.*
- 5) The whole plane of the ground floor shall project to the face of the ornamental "soldier" course.*
- 6) The window as presented shall have a sculpted sill at the brick.*
- 7) That option C for the plaza is acceptable.*
- 8) That the light fixture as presented is acceptable.*
- 9) That the applicant will submit a mechanical plan for approval by the Commission prior to the installation of mechanical equipment.*

Mr. Katz seconded.

Mr. Wyckoff said it was consistent with the special and defining character of the surrounding properties, as was obvious with the old Army Navy building, and its relation to the historic and architectural setting was very good. The compatibility of design was good, and it had some innovative technology. In general, the building was possibly the most quality presented one the Commission had seen and would ease the minds of people worrying about flat roofs in plain buildings. There was an amazing quality of detail on the building that was very pleasant to see.

Mr. Melchior said the building was well done and attractive. However, he would vote in opposition to the application because of the plaza deck itself. The applicant did not demonstrate a hardship that would force the plaza, which was not consistent with the historic character of the surrounding neighborhood and was not a safe condition. The building would be more appropriate without the plaza.

Councilor Kennedy wanted an amendment to the motion saying that the applicant would come back with a review of all of the outside mechanicals and submit it to the City. Mr. Wyckoff said he would accept the amendment. Mr. Gladhill seconded.

Mr. Gladhill said the applicant had worked very hard to produce a building that would bring activity, pedestrians and visitors into the area and was replacing a building that the City had deemed inadequate with something that would bring more life to the area. Chairman Almeida said the building would prove to be one of the finest additions to Portsmouth. The architects, the developer and the public did a fantastic job in voicing their comments and concerns. He looked forward to the building's construction.

The motion passed with 6 in favor and 1 opposed. Mr. Melchior voted opposed.

III. PUBLIC HEARINGS

1. (Rehearing) 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.

SPEAKING TO THE PETITION

The owner, Judy Hiller was present along with her contractor.

Ms. Hiller told the Commission that she had two parts to present. The first part related to the replacement windows that she revised, and she had two letters that she read to the Commission. One was from the original owner of 18 Manning Street who had done a renovation in 1983 and replaced windows and applied vinyl siding. Of the 21 windows in the home, he had replaced all but 6 that were original to the house. The second letter was from the owner at 293 Pleasant Street, who replaced 13 windows in the unit the past July with JELD-WEN premium double hung windows. She thought the windows were original because of the wavy glass. In light of the two letters, Ms. Hiller wanted approval to replace the windows. She told the Commission that she was including documents about benefits of replacement windows and insulation glass. She had revised her proposal by substituting Jeld-Wen windows and had a sample to show.

Mr. Melchior said he appreciated the extra information, but he still stood by his earlier statements unless she had someone who specialized in historic windows verify that the windows could not be repaired. Ms. Hiller protested that they were all 1983 windows with the exception of six. Mr. Melchior said he wanted the six original windows restored, and he wouldn't accept energy efficiency as a reason to replace original windows because windows themselves did not save energy unless additional improvements were made to the house. The energy took the path of least resistance and went around the windows.

Mr. Gladhill said he understood the first letter that Ms. Hiller had read, but the second letter stating that replacement of the original windows had been approved in 2006 was a different

matter because it was a different Commission back then and they may have had justifications for the window replacement.

Chairman Almeida told the Commission that they had a sample of the window and should talk about the details and how it would be installed. Chairman Almeida asked if the metal separating the glass was available in a dark color because it was shiny. Ms. Hiller said it was. He also asked about the PVC holding the screen in place. Ms. Hiller's contractor told him that the PVC piece would cover a gap. Chairman Almeida said they had a gap issue the previous time, so it was a problem. The sash typically sat at a certain point on the frame, but in that situation it was all within the box. The contractor told him that it was coming from the inside and the outside trim would butt against it. The gap would be covered so that it would not be seen, and the outside of the window would not change.

Mr. Wyckoff said the contractor's window system was not used frequently. Brosco windows had two styles, and there was a difference between the New York style of hanging windows and the Boston style. The New York style had the stop inside the casing, which pushed it back and was more acceptable. If it was a flat casing, there would be projection behind it, and that was a problem. Chairman Almeida said if they could use a sash replacement with runners in the existing window, all the window problems would go away. There was more inaudible discussion of the sash kit and the gap.

Mr. Rawling said the additional thickness would reduce the glass area by 5" in width. Chairman Almeida suggested that they focus on the sash replacement instead of the entire system and simplify the window applications. Mr. Rawling said there were three issues, 1) the loss of glass area, 2) the projection of the window unit behind the additional trim, and 3) the contrasting colors. Mr. Wyckoff said the Commission insisted on half screens because the full screens obscured the muntins so they may as well have vinyl windows.

Mr. Melchior asked which windows were the original windows that would be replaced. Ms. Hiller said they were the two windows in the front and the two attic windows. Other windows had half sashes replaced, and two windows in the rear were half glass and half venting with screens and half sashes. Mr. Wyckoff said he had already expressed his opinion on screens and was sure the installation would be well done, but if the half screen was not done, he would not support the application. Mr. Gladhill said there were no specifications on the color of the aluminum. Ms. Hiller said it was 20 feet from the street so it wouldn't be noticeable.

Chairman Almeida asked for a consensus on the full screens and said he couldn't remember the last time the Commission had approved them. Vice-Chair Kozak said they had just recently approved them on the back sides of houses. Ms. Hiller was positive that she could get half screens. Chairman Almeida said he would support the JELD-WEN sash kit. Mr. Katz said the Commission felt that the window met the criteria, so they should improve the house. Councilor Kennedy said they needed to be consistent with preservation issues. They had asked someone on Richards Avenue to repair and replace original windows, so they should insist that the applicant do the same. She would not vote for the application as it was presented.

Chairman Almeida said he would support the application. When using insulated glass units, he preferred replacement sash kits. The applicant would remove the triple track storm window, a huge improvement, and she would gain a half screen. It was a good meeting point. The contractor had explained how he would install it. Chairman Almeida felt that it was an appropriate replacement for a house in the South End.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

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

- 1) That half screens shall be used.*

Mr. Katz seconded.

Mr. Wyckoff said that the compatibility of design with surrounding buildings was something to think about. They would be replacing a myriad of replacement windows and triple track storm windows with a 2/2 window design, which would be consistent and worth compromise.

Mr. Melchior said he would vote against the application because he could not support the replacement of original windows that could be refurbished at a fraction of the cost of manufactured windows and would last longer. He had heard the word 'improvement' over and over during the past few months and felt that a measure of improvement did not factor into appropriateness. Mr. Gladhill also said he would not support the application. The replacement of the 1983 windows was appropriate, but he did not like the lack of information on the spacer bar color and thought aluminum steel was an inappropriate color.

*The motion **passed** with 4 in favor and 3 against. (EK, WG, and GM against).*

2. Petition of **Judith L. Hiller and John B. Wilkens, owners**, for property located at **18 Manning Street**, wherein permission was requested to allow new construction to an existing structure (construct dormer, relocate side entrance door to rear elevation, construct landing and stairs, replace third floor window with French doors, construct balcony) 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.

SPEAKING TO THE PETITION

The owner, Judy Hiller told the Commission that she had incorporated stipulations from the past work session into her proposal. She had details for the brackets on the balcony French doors and for the Jeld-Wen window on the dormer. The only change was the selection of a different door that more closely represented the original door. Ms. Hiller said the photo in the packet was of a home on the corner of New Castle Avenue and South Street that was of the same period as her

home. Chairman Almeida wanted everyone to be aware that the list from 2008 was included and that it was not a pre-approved list but a statement saying the windows had been previously approved.

Mr. Wyckoff said he did not see how the balcony related to the block. Vice-Chair Kozak asked how far out the balcony projected. Ms. Hiller said it was not far and the dimensions were shown in the packet. Chairman Almeida said the bracket dimensions did not give the overall dimensions of the balcony. Ms. Hiller said it was very shallow.

Councilor Kennedy asked what material the bracket would be. Ms. Hill said it was some kind of composite. Councilor Kennedy said she needed to know and she asked what kind of composite it would be. Ms. Hiller said it would be pressure treated to match existing. Chairman Almeida said the balcony projected out almost four feet and had a 6' width. He asked Ms. Hiller if she had considered a Juliet balcony with the railing close to the building. Ms. Hiller said the purpose of the balcony was mainly to get more light onto the third floor because it was a half window and half vent unit and would open up the floor to get more ventilation, but a Juliet balcony would be fine. Chairman Almeida recommended a stipulation of no bracket, no landing, and a projection of 6-8" with a rail across the door. Councilor Kennedy said she would like a stipulation for the pressure-treated material. Vice-Chair Kozak said pressure-treated material was not appropriate for the balcony and railing on the side of the house. Ms. Hiller said it would be painted wood. Chairman Almeida asked her to describe the railing system for clarity. Ms. Hiller said she had a photo of the existing that the railing system would match on the back stairs and the balcony and it was all wood construction.

Vice-Chair Kozak said the Commission had questioned the treatment underneath the porch deck and whether it would be lattice or skirting. Ms. Hiller said the stipulation had been lattice, and she agreed with it. It was diagonal wood trimmed out with trim boards to cover the edges. Councilor Kennedy asked if the lattice would cover the basement window on the rear elevation. Ms. Hiller said it appeared that it would.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

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

- 1) That a Juliet balcony shall be used instead of the traditional balcony originally proposed. The Juliet balcony shall be painted wood and the railing shall match the existing railing on the house.*
- 2) That 1" diagonal wood lattice with trim skirting shall be used under the proposed rear porch.*

Mr. Wyckoff seconded.

Vice-Chair Kozak said the modification and stipulation of the balcony was going in the right direction because a pressure-treated balcony stuck on the attic of the vintage house didn't fit with any context. It was bizarre to have Juliet balconies in Portsmouth, but it was on the back of the house and was flush to the side of the house. Also, the materials were wood, which the Commission liked to see.

Mr. Gladhill said he could not support it for consistency reasons. The applicant was replacing original windows with doors, and on the previous application he had said they could not replace original windows with new windows.

Mr. Wyckoff thought the dormer and the Juliet balcony complimented the District. The change met the conservation and enhancement of property values criteria, and the renovation of the house should please the neighbors. It had innovative technology and compatibility of design. It was a bit of a stretch to put French doors in the attic, but it was the back of the house.

Councilor Kennedy said she would support it because it was on the back of the house. When she had walked by the house, she felt that the two windows on the side were not part of the original house and consequently felt that the whole railing system and the door was not part of the original house. She'd like to see the side be more of a traditional New Englander. She did not support the windows because they were on the front.

The motion passed with 6 in favor and 1 opposed. Mr. Gladhill voted opposed.

3. Petition of **M. Judy Nerbonne Revocable Trust, M. Judy and G. Patrick Nerbonne, owners and trustees**, for property located at **189 Gates Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace garage doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 6 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

The owner Ms. Nerbonne told the Commission that she wanted to replace two existing garage doors on her two-car garage. When they bought and renovated the house in 1997, the HDC allowed them to change the garage kit with the roofline that matched the house. The kit was purchased in 1985, and the pressed wood overhead doors were still fine. Since then, they had replaced the panels on the lower part of the doors a few times because the snow deteriorated them (she showed a photo of the two disintegrated panels). Their neighbors replaced their doors with the same type of door that they were proposing. She thought 2/2 windows instead of the plain windows would look better with their house because they had 2/2 windows on the house.

Vice-Chair Kozak asked Ms. Nerbonne if she had any options on the garage door windows. Ms. Nerbonne said she could do the same plain doors but thought the 2/2 windows would be more in keeping with the house. Vice-Chair Kozak said the window proportions on the house were vertical and different from what was on the garage, which was 90 degrees horizontal, and asked Ms. Nerbonne if she could find a window arrangement that related more to the proportion of the

house. Ms. Nerbonne said they chose the door because of the 2/2 windows, but they could do the Stockbridge style instead. The Commission passed a photo of it around.

Chairman Almeida said the door was available with just a piece of glass and no muntin and asked Ms. Nerbonne if she would paint the door. Ms. Nerbonne said she would leave it in its original color, which was white and would match the trim. Mr. Rawling was concerned about its simulated appearance and said it looked out of character with the house and the neighborhood. The material needed to be more authentic, and he thought the factory-finish steel would be shiny on the garage. Ms. Ruedig said the style of the existing door was characteristic of the time it was built and suggested that Ms. Nerbonne replicate the style with simple panels. Mr. Katz asked how old the present doors were. Ms. Nerbonne said the kit was purchased around 1985 and they had replaced the lower panels as they rotted. The garage was originally built from garage doors put together. Mr. Katz thought the current style was appropriate for the structure because it was simple. The style of the doors she had submitted looked like barn doors and would be seen from the street, so they would have an impact.

Councilor Kennedy asked the Commission which option out of the three would be more appropriate. Mr. Wyckoff said he liked the plain clear one. Ms. Nerbonne said she and her husband had looked everywhere for doors and had replaced the panels twice because they rotted every four years. Mr. Wyckoff said the simplest panel was the best.

Chairman Almeida asked the Commission if they were actually considering an overhead steel door on Gates Street. He had asked if it was painted because the framing around the glass units was a shiny white plastic and inappropriate for a beautiful house on Gates Street. He could only allow an overhead steel door with plastic windows if it were painted. The standard on the South End was carriage house doors, so he was looking for a way to temper the opposite of the standard. Ms. Nerbonne said her neighbor had just installed her door and it looked so nice that they bought one just like it. The Commission asked when the neighbor installed the door. Ms. Nerbonne said it had gotten HDC approval.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

*Mr. Wyckoff moved to **grant** the Certificate of Approval of the application as presented with the following stipulations:*

- 3) That clear glass panels shall be used ("Clear Short").*
- 4) That the garage doors shall be field painted white.*

Mr. Katz seconded.

Mr. Wyckoff said the change was in keeping with a garage, and there was one across the street like it. It was hard to tell what was historic in a garage. Mr. Katz said the door type was approved on the corner of Middle Street and Lawrence Street and it turned out very well. Councilor

Kennedy said it was a 1980s garage and the door currently had clear panels, and if it kept the clear panels, she was supportive of it.

The motion passed unanimously with all in favor, 7-0.

4. Petition of **Brian M. Regan and Susan M. Regan, owners**, for property located at **28-30 Dearborn Street**, wherein permission is requested to allow ~~to allow~~ of an existing structure (demolish existing concrete wall) and allow ~~to allow~~ new structure (construct new wood wall) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 140 as Lot 1 and lies within General Residence A and Historic District.

At the applicant's request, Councilor Kennedy moved to postpone the application to the January 8, 2014 meeting. Mr. Gladhill seconded.

The motion passed unanimously with all in favor, 7-0.

5. Petition of **Nina Shore, owner**, for property located at **18 Mt. Vernon Street**, wherein permission was requested to allow a new free standing structure (remove existing fencing, install new fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 27 and lies within General Residence B and Historic Districts.

Chairman Almeida recused himself from the vote.

SPEAKING TO THE PETITION

The owner, Nina Shore told the Commission she wanted to revise her fence modification and said the Commission had a photo of how the fence would be lowered in the back so that it was in six sections. There would also be two front sections on the driveway side. Ms. Shore also wanted to replace the rotted 1980's front storm door with an authentic two-panel 1800's storm door that she found at an Exeter salvage yard.

Mr. Wyckoff asked if the Commission had discussed lowering the fence as it approached the street. Mr. Cracknell said that Exhibit 2 showed the feature of the 2.8' panels lowered 6" next to the driveway to align with the third panel along the driveway. On the other side of the house, six panels would be lowered 6" and the lattice would be reinserted on the top 2 inches of the fence to match the other side. Mr. Wyckoff asked if the same lattice would be inserted in the other fence and was told it would.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Vice-Chair Kozak closed the public hearing.

DECISION OF THE COMMISSION

Mr. Katz moved to grant the Certificate of Approval for the application as presented. Mr. Melchior seconded.

Mr. Katz said a real effort was made to resolve a knotty situation and the perfect solution was found. Mr. Wyckoff said the new door was consistent with the special and defining character of the house and the neighborhood, and reducing the height of the fence made it more compatible with the design of surrounding properties. Vice-Chair Kozak said that reducing the height and adding the lattice on top was more consistent with the other fence configurations in the District.

The motion passed unanimously with all in favor, 7-0.

6. Petition of **36 Market Street Condominium Association, owner**, and **Rob Sevigny, applicant**, for property located at **36 Market Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove existing chain link fence, replace with composite fence) and allow new construction to an existing structure (install two mechanical ventilation units) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 29-1 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Rob Harbeson from DeStefano Architects presented with supplemental information.

Mr. Harbeson first showed the locus plan. Sheet 2 illustrated the two buildings with an ell-shaped front on Hanover Street and the back on Ladd Street. One building faced the Hanover Street parking garage and the other had a commercial alley behind it where the work would take place. Mr. Harbeson wanted to replace the chain link fence with barbed wire and add two mechanical units. Page 3 showed the location of the existing site plan and the metal gate with the mechanical equipment area as well as the roof plan. The front and back buildings had masonry between them.

Councilor Kennedy asked who owned what behind the building because she had received a letter from an abutter. Mr. Harbeson said the front and back buildings were part of a condominium association. The abutter lived in the neighboring building and had a door blocked off on the back part of his property and had been concerned that his access through the gate would be removed. That was not the case, however. The client spoke with him and believed the concern had been alleviated. One of the challenges was that the emergency egress went through the courtyard through a chain link fence that was currently padlocked. They were replacing the fence with one that had a panic bar for emergency use for the properties, and the neighbor would be provided with access.

From the exterior, the two visible items were the metal chain link fence that would be removed and replaced with a PVC fence, and the mechanical systems that would run between the two buildings up to the roof. They would be located behind the masonry wall on the Market Street building and the back gable slope of the back building, where they would be least visible. Sheet 5 illustrated how the fence would be removed and replaced and the location of the two exhaust ducts. Sheet 6 showed the Ladd Street view with existing and proposed indicating where the mechanical units would be located at the top. Sheet 7 was a detailed view of the existing and

proposed fences, and Sheet 8 had the dimensions and component descriptions of the privacy fence and overall dimensions of the mechanicals.

Mr. Wyckoff said it would be a win/win situation if it were a wooden fence. Mr. Harbeson said that a wooden fence in that location would be destroyed. Mr. Wyckoff said the Commission could not approve a PVC fence anywhere in the District. If someone wanted damage the fence, they would do it whether it was wood or PVC and it was not a legitimate reason for a plastic fence. Councilor Kennedy agreed and said it was the heart of Downtown.

Chairman Almeida asked what the mechanical units were serving. Mr. Harbeson told him they were condominium units in various place on the building. Chairman Almeida asked if they could be blacked out so they would not be shiny galvanized. Mr. Harbeson said they could be painted black, or white to match the wall. Mr. Gladhill asked if he would be able to see the mechanicals if he were on Ladd Street looking up. Mr. Harbeson said the mechanicals would not be seen because of the street depth and the high wall in the front, and also because they were on the back side of the shallow gable and not visible.

Chairman Almeida said the space was a very important courtyard and not really mechanical space, and he hoped the owners recognized how special small courtyards behind buildings were. They were potential gathering spaces and should not be filled with dumpsters and so on.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

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

- 1) That the fence material shall be wood.*
- 2) That the rooftop mechanical equipment shall be painted black.*

Mr. Wyckoff seconded.

*The motion **passed** unanimously with all in favor, 7-0.*

7. Petition of **Craig W. Welch and Stefany A. Shaheen, owners**, for property located at **77 South Street**, wherein permission was requested to allow an amendment to a previously approved design (replace second/third floor addition with a second floor balcony) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 48 and lies within General Residence B and Historic Districts.

Councilor Kennedy recused herself from the vote.

SPEAKING TO THE PETITION

Ms. Sarah Hourihane of DeStefano Architects and Craig Welch, the property owner, were present. Ms. Hourihane told the Commission she had presented the year before and received approvals for an addition on the rear of the property and renovations on the existing house. The house had issues with rot and had structural damage, so the scope of the project to replace the vinyl siding and sill and roof was beyond the original scope. They had replaced the vinyl with clapboards, which had a tremendous impact on the overall appearance of the house, but it was more expensive than anticipated. She wanted to reduce the scope and was proposing that they forego the previously-approved second and third floor additions and replace them with a roof deck tucked into the existing eave of the bay below.

She showed the Commission a locus map of the property and the before and after contexts. Page 2 illustrated the approved and proposed elevations. Where the second and third floor additions would have been, they would have a half-height rail to help terminate the hip roofs hitting the wall plane of the deck. She had hoped to regain square footage on the interior but did not have the additional funds, so she felt it was an appropriate solution. She was also reducing the massing by not having the second and third story bays projecting. She had two scuppers for the roof deck drain. Page 3 showed the northwest elevation that had been approved and the proposed elevation. There was a door leading out to the deck on the existing gable end. The railing detail to the left of the elevation matched what was originally approved for the deck in a modified version.

Mr. Gladhill referred to Page 2 that showed the proposed window but noted that the middle window on the second floor was no longer there, so the other window was no longer needed. Ms. Hourihane said it had been eliminated from the scope due to interior changes. Mr. Rawling said he would prefer colored scuppers instead of the shiny aluminum ones. Ms. Hourihane said they had not selected the color but would select one that blended in.

SPEAKING TO, FOR, OR AGAINST THE PETITION

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

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

- 1) That the color of the scupper shall match the roof surface.*

Mr. Gladhill seconded.

Vice-Chair Kozak said the application was in keeping with the character of the existing structure and the surrounding neighborhood. It helped reduce the overall mass of the project, especially the cascade of appendages on the back. The rail details were in keeping with the others on the back of the building. It conserved property values and was consistent with the special and defining character of the surrounding properties and was compatible.

*The motion **passed** unanimously with all in favor, 7-0.*

8. Petition of **233 Vaughan Street, LLC, owner**, for property located at **233 Vaughan Street**, wherein permission is requested to allow **Request To Postpone** a previously approved design (changes to the roof) **Request To Postpone** plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 14 and lies within the Central Business A, Historic, and Downtown Overlay Districts.

*At the applicant's request, Councilor Kennedy moved to **postpone** the application to the January 8, 2013 meeting. Mr. Gladhill seconded.*

*The motion **passed** unanimously with all in favor, 7-0.*

IV. WORK SESSIONS

A. Petition of **Evon Cooper, owner**, and **Joseph A. Reynolds, applicant**, for property located 287 **Maplewood Avenue**, wherein permission was requested to allow new construction to an existing structure (construct rear one story addition, previously approved in 2007) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 141 as Lot 36 and lies within Mixed Residential Office and Historic Districts.

Joseph Reynolds of All Levels Construction told the Commission that the addition was on the back of an historical building. He wanted to replace the structure that had been removed when renovating the house. He had approval from the Board of Adjustment for the setbacks and was working on the historical details. He had also received window and door recommendations from Mr. Cracknell. He would use the existing door from the back of the house for the front and would have Brosco tempered pane windows. He wanted to install a circular window and had found one from the demolished Yokens restaurant. He would use Brosco windows on the sides of the house that matched what was in the back of the house, so the windows would not all be historically accurate but would not be visible from the road.

Mr. Wyckoff asked if the Broscos would have the standard casings for the historical window sills. Mr. Reynolds said they would. Chairman Almeida asked if the panel size of the picture window would match. Mr. Reynolds said the panes may be different because of the window size. Chairman Almeida said it was not a big concern because it was on the back of the house but asked if he could get it completely cased from the factory. Mr. Reynolds said he could and would trim it out to match the existing. Chairman Almeida asked if he was using energy panels. Mr. Reynolds said he was and asked if the Commission wanted true divided light. Chairman Almeida said Mr. Reynolds was showing authentic divided light and could have a custom piece made for the picture window itself.

Mr. Wyckoff thought there was a problem because the HDC had not approved the front renovations that had been done, and the front door was installed with flat casing and no surround or roof over the door. The building was vacant for five years, which he thought was due to the lack of an occupancy permit. Mr. Reynolds said there were issues that were approved, but he didn't know the exact history because it was his first time on the project. The historic sills would be used and he would match the existing windows. He didn't know if permits had been issued for the windows but they would be historically accurate Broscos with true divided lights.

Chairman Almeida thought the clapboard looked heavy and he assumed the trim would match the existing house. Mr. Reynolds agreed and said the 35-year-old architectural shingles and cedar clapboards would match existing. Chairman Almeida verified that the overall height was 15'3" and one story, and the dimensions were 12 feet out from the face of the building to the face of the foundation. Mr. Rawling asked about the trim details and the casing around the round window. Mr. Reynolds said the existing mahogany 3" casings were found and would be installed. Mr. Rawling said the drawing showed something very heavy and asked if that was the intent. Mr. Reynolds said the drawings were to scale and the casings would not be that thick.

Mr. Wyckoff said the casings on all the windows seemed over-simplified and thought the Commission should take a look at the house because the colonial details might be gone and the casings might be appropriate. Chairman Almeida encouraged the Commissioners to look at the house on their own. He asked if they thought the corner boards and eaves were too heavy or too high. Mr. Wyckoff thought the proposed trim was too wide for a small addition. Mr. Reynolds said it was the existing trim. He had to repair some of the clapboards, which were 1 ¼" x 5 ½". Chairman Almeida said Mr. Reynolds was on the right path and asked him to bring photos of the house and explain the trim and.

Councilor Kennedy said that normally people had material lists in their applications and asked if one was enclosed. Chairman Almeida said they were trying to do the applicant a favor. He had waited all evening and he didn't want to send him packing if something was missing.

*The Commission **recommended** a public hearing.*

Update on Form Based Code

Mr. Cracknell said he had an update on the HDC amendments. The City Council gave the HDC a tool kit. Funding came through on November 18th. They had a meeting on November 21st for the zoning amendments, which then went to the Planning Board. The five amendments were the consent agendas, the administrative approvals, the 3D map, the massing model, and the scale drawings. He said the second reading on December 2nd had produced good comments and unanimous support. He had a copy of the amendments with minor clarifications made on three of the five amendments. One clarification was the definition of building length dimensions on scaled drawings. The second clarification was public participation in the consent agenda at the public hearing and getting it into the Ordinance. The third clarification was to better specify in the massing model how far the distance should be from the subject property, and 250 feet was chosen in all directions and should be adopted on December 16 and in effect by December 27. It would also clarify what "surrounding properties" meant. He would have something in writing for the next meeting.

Zoning amendments were back at the City Council for a third reading on the December 16 meeting and could be in place by January 2014, so they could start the year with a consent agenda.

Mr. Cracknell was working on getting RFQs and RFPs ready for the design review, took kit, and the funding appropriation so that they could solicit contractors to do the work for the 3D massing model, the design guidelines, and the historical survey. Chairman Almeida asked what the process was for releasing the RFP. Mr. Cracknell said it would go through the City Manager to approve its release but the Planning Department would put it together and bring it to the HDC to look at the scope of work before going out. He said they were not ready to select a consultant at that time.

Mr. Cracknell said they had voted 5-4 to push the form-based design to the new City Council in January. The impetus for the five votes was the need to have more public process, and as a result, they scheduled a public informational meeting for the last week of January at the Portsmouth library, for which he would develop an agenda and timeline. He told the Commission that they were doing a much better job with the Letter of Decision form and to remember that if it was prepared within the 5-day window, they would not need the meeting minutes.

V. ADJOURNMENT

At 11:05 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Joann Breault
Acting HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on April 16, 2014.