

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

**September 10, 2014
reconvened from September 3, 2014
to be reconvened September 17, 2014**

MEMBERS PRESENT: Chairman Joseph Almeida; Vice Chairman Tracy Kozak; John Wyckoff, Dan Rawling; City Council Representative Esther Kennedy; Planning Board Representative William Gladhill; Alternates Reagan Ruedig and Vincent Lombardi

MEMBERS EXCUSED: George Melchior

ALSO PRESENT: Nicholas Cracknell, Principal Planner

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I. PUBLIC HEARINGS (CONTINUED)

10. Petition of **City of Portsmouth, owner**, for property located along **Maplewood Avenue and Vaughan Mall (Worth Lot)** wherein permission was requested to allow a new free standing structure (install new trash enclosure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 3 and lies within the Municipal District, Historic, and Downtown Overlay Districts.

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

- 1) That the enclosure shall be constructed of either vertical wood boards or vertical cement fiber panels.
- 2) That the height of the enclosure shall be between 7' and 7'6".

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 **Eport Properties 1, LLC, owner**, for property located at **173-175 Market Street**, wherein permission was requested to allow a one year extension of the Conditional Use Permit (CUP) approval granted on August 7, 2013 as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lots 3&4 and lies within the CBA/CD4, Historic, and Downtown Overlay Districts.

In accordance with the statutes related to the CUP, the HDC referred the application (and revised site plan and elevations) to the Planning Board for comment. On August 21st, the Planning Board reviewed the application and their comments were limited to seeking a procedural clarification as to whether the CUP had an expiration date. As a response, the City Attorney stated that the CUP would mirror the expiration date of the Certificate of Approval and that a Certificate of Approval for any project would expire within one year of the approval but could be extended. Moreover, since the project was being revised to address issues and concerns expressed specifically within the Board of Adjustment's denial of the Certificate of Approval for the project on February 19, 2014, the HDC scheduled a public hearing for this extension request in order to consider the review criteria of the CUP (in effect at the time of approval) and to allow public comment.

In evaluation of the application, the HDC determined that the project (as revised) still met the criteria and findings listed under the original CUP. The four findings from the original approval included the following:

1. Other than minor changes to the roof design, the façade of the existing historic building at 175 Market Street is being restored to its original period;
2. The overhead utility lines on and immediately adjacent the properties are being buried which will provide less visual clutter and removal of an adverse visual impact on the neighborhood;
3. The proposed parking for the building is being relocated from the exterior surface spaces behind the building to the basement level which will provide less visual clutter and removal of an adverse visual impact on the neighborhood; and,
4. The applicant is providing a publically accessible sidewalk along the rear of the building.

Moreover, it was determined that the significant restoration of the former Frank Jones warehouse building qualified for the CUP as well as the use of high quality materials and setting the proposed infill building back from the property line to preserve a portion of view of the river from Market Street. Notably, the issue of whether the project was in conformance with the recently-adopted Character-Based Zoning was determined to be not applicable due to the fact this project was vested under the previous zoning requirements and that this was the first extension request.

After due deliberation, the Commission voted that the one-year extension request be **approved** as presented.

12. Petition of **Eport Properties 1, LLC, owner**, for property located at **173-175 Market Street**, wherein permission was requested to allow new construction to an existing structure (construct side and rear additions) and allow exterior renovations to an existing structure (renovations to existing structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lots 3&4 and lies within the CD4, Historic, and Downtown Overlay Districts.

As a response to the denial of the project by the Board of Adjustment on February 19th, 2014, the revised site plan and elevations showed the following design changes:

- The proposed rear addition and infill building was reduced 5 feet in depth;
- The ground-floor storefront on Ceres Street has been modified from a curved to a chamfered corner and the commercial space has been expanded and awning and iron brackets have been added;
- The previously-approved dormers on the Frank Jones Warehouse have been removed in favor of the skylight openings;
- The two curved dormers proposed for the infill building have been simplified and changed to a shed dormer;
- The cornice detail was extended to the new building(s);
- Iron shutters replaced the previous shutters;
- The exterior wall of the existing historic structure would be cleaned and repainted rather than expose or cover the existing brick with a veneer wall;
- The windows patterns were simplified to better match the surrounding buildings along Ceres Street;
- The penthouse was setback to lower the roof form;
- A setback between the historic structure and the new building was added to allow the exposure of the rear façade and create a separation;
- The balconies were pulled back and not projecting anymore on the rear façade so that the Ceres Street north view was not interrupted;
- A traditional brick was proposed on the back addition to differentiate the addition from the historic structures; and,
- Copper gutters and metal rails and brackets were added.

As part of its initial determination as to whether the application (as revised) was significantly different from the previous approval (that was denied by the BOA on February 19th, 2014), the HDC determined that the following changes were material or significant changes from the previous approval:

- The size of the proposed addition has been reduced along the rear of the Frank Jones Warehouse to show two bays of windows and more of the building along Ceres Street;
- The size of the rear addition has been pulled back from Ceres Street to reduce the visual impact on the Ceres Street Corridor and encourage pedestrian circulation;
- The corner element, window patterns, balconies and dormers have been modified to better fit the streetscape and present a more traditional style and mass from the other buildings;
- The dormers on the front of the Frank Jones Warehouse building have been eliminated and replaced with skylights to retain the historic appearance of the building;
- The materials and details to the addition have been changed to complement the existing historic structure and relate better to the surrounding buildings and context;
- The veneer wall has been eliminated to leave the existing painted wall of the historic building; and,
- The roof forms and penthouse level have been modified to reduce the scale of the building and better reflect the surrounding neighborhood context.

After due deliberation, the Commission voted that the application was significantly different from the previously-approved project and that it should be considered for a new Certificate of Approval.

After due deliberation, the Commission voted that the Certificate of Approval request be **approved** with the following stipulations:

1. A spacer bar shall be used in all the windows;
2. The proposed fence along Market Street shall be mahogany with a fence cap molding;
3. The color of the skylights shall match the roofing material; and,
4. The grout on the brick shall be tinted to match the grout of the existing Frank Jones Warehouse building.

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

HDC Finding – Renovating a historic building which had been physically and structurally altered and had significant problems the project, as revised, met and maintained the integrity of the District.

Yes No - Maintain the special character of the District

HDC Finding – Renovating a historic building which had been physically and structurally altered and had significant problems the project, as revised, met and maintained the special character of the District..

Yes No - Assessment of the Historical Significance

HDC Finding – The applicant’s restoration plan demonstrated they have assessed the historical significance of the building.

 Yes No - Complement and enhance the architectural and historic character

HDC Finding – The proposed project, as revised, complemented the architectural historic character of the district. By renovating the historic building and adding an infill building on the side of it with a complementary rear addition that took elements from the surrounding neighborhood context like the keystone, granite sills and headers and storefronts help complement and enhance the architectural and historic character.

 Yes No - Conservation and enhancement of property values

HDC Finding – Property values had been maximized by the building’s renovation and restoration.

 Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors.

HDC Finding – The proposed project, as revised, would promote the education and welfare of the surrounding districts as the restored Frank Jones Building would be maintained and people would understand that the City at one time was largely influenced by one person.

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

HDC Finding – The project, as revised, is consistent with the special and defining character of the surrounding properties, and the changes made to the addition, especially the first-floor storefront and the granite sills and headers, are consistent with the defining character of the surrounding properties. The revised design had captured that essence of Ceres Street on the back of Merchants Row and how the tall existing buildings are connected. Some existing buildings on Merchants Row had roof dormers and other dormers facing the water so the dormers on the roof are consistent with other buildings in the surrounding context. The existing height of the building has been maintained and by wrapping the rear addition where Ceres Street current jogged was consistent was the historic property lines

 Yes No - Relation to historic and architectural value of existing structures

HDC Finding – The proposed storefront on Ceres Street has vintage iron brackets that relate to the historic and architectural value of existing structures.

 Yes No - Compatibility of design with surrounding properties

HDC Finding – In renovating the building, the applicant has looked at other properties on Market and Ceres Streets and the project design has a good relationship with the other existing buildings. By modifying the design of the back of the addition the applicant has made it compatible with the design of surrounding properties. The project design, as revised, is also consistent with the Standards of the Secretary of the Interior standards as it was clearer to see the difference between the original building and the addition looking down Ceres Street.

 Yes No - Compatibility of innovative technologies with surrounding properties

HDC Finding – The project, as revised, uses some innovative technology, such as PVC trim and faux slate shingles, in contrast to the surrounding properties.

II. WORK SESSIONS

A. Work Session requested by **Mark A. and Deborah Chag, owners**, for property located at **404 Middle Street**, wherein permission was requested to allow exterior renovations to an existing structure (upgrade foundations, exterior modifications and additions) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 136 as Lot 21 and lies within Mixed Residential Office and Historic Districts. *(This item was postponed at the July 16, 2014 meeting to the September 10, 2014 meeting.)*

The applicants indicated they would return for another work session.

B. Work Session requested by **Joan H. Boyd and Theodore M. Stiles, owners**, for property located at **425 Pleasant Street**, wherein permission was requested to allow new construction to an existing structure (construct dormer addition on right side of structure, replace existing windows, misc. new window and door locations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 70 and lies within the General Residence B and Historic Districts.

The applicants indicated they would return for another work session.

C. Work Session requested by **Hanover Apartments, LLC, owner**, for property located at **5 Portwalk Place (previously known as 195 Hanover Street)**, wherein permission was requested to allow exterior renovations to an existing structure (modifications to storefront window system) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 1 and lies within the CD5, Historic, and Downtown Overlay Districts.

The applicants indicated they would return for another work session.

D. Work Session requested by **Dale W. and Sharyn W. Smith, owners**, and **Green and Company, applicant**, for property located at **275 Islington Street**, wherein permission was requested to allow demolition of existing structures (demolish existing buildings, construct two multi-family structures) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 144 as Lot 8 and lies within Central Business B and Historic Districts. *(This item was continued at the August 13, 2014 meeting to the September 10, 2014 meeting.)*

The applicants indicated they would return for another work session.

E. Work Session requested by **7 Islington Street, LLC, owner**, for property located at **40 Bridge Street**, wherein permission was requested to allow demolition of an existing structure (demolish building) and allow a new free standing structure (construct three story mixed use building with below grade parking) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 52 and lies within the CD4, Historic, and Downtown Overlay Districts. *(This item was postponed at the August 13, 2014 meeting to the September 10, 2014 meeting.)*

The applicants indicated they would return for another work session.

III. ADJOURNMENT

At 12:30 a.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
Administrative Clerk