

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

**September 17, 2014
reconvened from September 3 & 10, 2014**

MEMBERS PRESENT: Chairman Joseph Almeida; Vice Chairman Tracy Kozak;
Members John Wyckoff, George Melchior, Dan Rawling; Planning
Board Representative William Gladhill; Alternates Regan Ruedig
and Vincent Lombardi

MEMBERS EXCUSED: City Council Representative Esther Kennedy

ALSO PRESENT: Nick Cracknell, Principal Planner

.....

*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.*

I. PUBLIC HEARINGS (OLD BUSINESS)

1. (Work Session/Public Hearing) Petition of **Work Stiff Properties, owner**, for property located at **92-94 Pleasant Street**, wherein permission was requested to allow new construction to an existing structure (install solar panels on main building and rear addition) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 76 and lies within the CD4, Historic, and Downtown Overlay Districts. *(This item was postponed at the September 3, 2014 meeting to the September 17, 2014 meeting.)*

SPEAKING TO THE PETITION

Ms. Barbara Jenny and Mr. Matt Beebe of Working Stiff Properties were present to speak to the application. Ms. Jenny stated she was submitting supplemental support material, a few photos and addresses, updated Photoshop files, and historic photos for context.

Chairman Almeida asked her to walk the Commission through any modifications. Ms. Jenny stated that she had better Photoshop files that showed more depth on the main roofs and thought the view of the panels would alleviate the Commission's concerns about glare. Mr. Gladhill stated that he had gone to the site in Exeter and had taken photos. Mr. Beebe said it was a very steep pitch with no dormers or obstructions and was low to the ground. Eyes would be less focused on it due to the angles, height and location of the array. He noted that it was a good example of their work and had passed Exeter's historic review.

Mr. Lombardi thought the roofline was an important piece of the building on Pleasant Street, and placing a utility component on the roof would be obvious, as he had ascertained when he walked down Pleasant Street. The Commission had worked hard to take rooftop utilities and keep them out of view from the primary street, so he would not vote in favor of the petition.

Mr. Rawling thought the dormers were a dominant feature of the building and determined the sightlines. The panels would be visible but would not draw attention. It would be a clean installation, straight lines that followed the roof's slope and angles, and they would not dominate the characteristic of the building itself. He believed that the Commission should look at it as a contemporary treatment of the storefront or any contemporary element on a historic building, in that they determined whether or not it altered the character of the building or provided a contemporary element to it. He felt that it was a contemporary element in that particular case. It would be much less obtrusive than telephone poles. He felt that they should support the application and the installation of sustainable energy sources. Mr. Melchior agreed with Mr. Rawling and added that it was a contemporary element that was no different than a chiller or air handler except that it had a lower profile and would fade behind the dormers. It was 100% reversible and a lot better than the energy that was currently on top of the building.

Vice-Chair Kozak agreed that the dormers dominated the view and hid what was behind them, so she could support the panels behind the dormers. She could not support the panels on the street side of the dormer at Court Street because it was a predominant view. However, if the panels were pulled back to the first dormer, she could support it. Mr. Gladhill thought it was a prominent feature, even though it was on top of the roofline. If it were on the fringe of the Historic District or on a flat roof, he could consider approving it, but because it was in the core of Downtown and would be permanently displayed, he could not approve it.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one rose 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 for the application as presented. Mr. Melchior seconded the motion.*

Mr. Wyckoff stated that it would preserve the integrity of the District. It was above the dormers, so it would not disturb the integrity and not change the special character of the District. The criteria of compatibility and innovate technology with surrounding properties came into play. For those reasons, he supported it. Vice-Chair Kozak said that she had trouble with the panels on Court Street on the back ell, and because the back of the house faced Court Street, she would not support it.

Mr. Melchior brought it back to the criteria. It was subordinate to the character-defining features of the building. Subordinate meant something in the context. It was not a detail in a prominent view all year around. It would be hidden by shadow lines, cloudy skies, a sun angle of 22-1/2 degrees, and the dormers were very prominent. If a shadow analysis were done, it would show a

very low impact visual to the roofline, and in return, they got a renewable energy source, which supported the ethos of new technologies in building systems. If the Board could support Hardiboard and composite materials, they could support the project.

Chairman Almeida fully agreed with Vice-Chair Kozak that bringing the panels all the way to the edge of the gable was the only mistake they could make, and he was convinced that the dormers were the dominant feature and the eye would stop there. Mr. Gladhill's photos were in stark contrast to the Photoshop image that showed the panels completely flush to the roof surface. By taking them all the way to the gable, they would be called out. He would stipulate that least 1 to 2' be held back from the edge. The Commission had to treat the historic structure differently from the back structure to make it work, so he wasn't sure if he could support the petition the way it currently was but thought that subtle changes could make it better.

Mr. Wyckoff asked to add a stipulation to amend his motion, asking that the panels be held back at least 12" from the edge of the roof at the peak. Mr. Melchior approved.

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

- 1) That the solar collector shall be set back at least 12"-18" from the gable roof edge on Court Street.*

Mr. Melchior seconded the motion.

Ms. Ruedig added that, considering all the views, the Commission could only guess what it would actually look like. She thought it would be masked by the row of dormers and approved of it. As to the Board's technical criteria, because the panels were totally reversible, she was willing to try them and hoped that they would be successful. There would be minimal impact from the view shed.

*The motion **passed** with 5 in favor and 2 opposed (Mr. Gladhill and Vice-Chair Kozak).*

2. Petition of **Flintatta, LLC, owner**, and **Futuro, Inc., applicant**, for property located at **73 Court Street**, wherein permission was requested to allow new construction to an existing structure (install solar panels on southwest roof, replace front doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 19 and lies within CD4-L and Historic Districts. *(This item was postponed at the September 3, 2014 meeting to the September 17, 2014 meeting.)*

SPEAKING TO THE PETITION

Mr. Mark Troy, the owner of Flintatta, and Mr. George Horrocks from Harmony Energy Works were present to speak to the application.

Mr. Troy stated that the building was purchased in 2014 and he wanted to ensure that the period was honored for its history but wanted to progress. He felt that his project embraced the fact that Portsmouth was a green city and would help in building a good community for the next

generation. Relative to schematics, the roofline would look the same. The panels were less reflective and covered more than 90% of the roof. They wanted to preserve the building's historic preservation as well as embrace the community.

Mr. Wyckoff asked if there were specs on the door. Mr. Troy said they were keeping the door off the table at that time and would just stick to the panels.

Mr. Horrocks stated that the solar installation should have minimal visual impact. It would be located on the side roof and would blend in with the roof materials, which he had sent a sample of to the Commission. A lot of his information was taken from the National Alliance of Preservation Commission, which generated sample guidelines for solar systems in historic districts. He felt that they were great guidelines. He discussed elevations and concerns about artifacts and rooflines and stated that he had alluded to telephone poles and asphalt roofs, which were modern inventions that were allowed without concern. In choosing their materials and layout, they sought to do something that was in harmony and covered the whole roof. It would be on the side roof and the materials were low reflectivity. He cited the numbers from the technical bulletin related to the reflectivity of elements, saying that vegetation had a 50% reflectance, soil had a 30% reflectance, and their modules had less than 4%. Therefore, they were a seventh of what soil was in reflectivity. He said that different historic district commissions addressed solar notions, and he discovered that California had the California Solar Rights Act which prohibited local government from restricting solar energy systems unless reasonable, requirements that could not decrease performance by 20%. The Commission had previously asked why the panels could not be placed on the north roof. Through a simulation using data based on 30 years of weather data for Portsmouth, Mr. Horrocks found that they would get 85% optimal efficiency if the panels were put on the proposed side roof, whereas the north side would get less than 60%, making it unreasonable for the north roof. He wanted to work within those guidelines and said the side roof had a flat plane with no arch feature changes, and the color scheme was black on black.

Mr. Gladhill noted that one example in Kittery had both reflective and non-reflective panels and asked if they were proposing any reflective. Mr. Horrocks replied that they were not because the reflective panel was not manufactured anymore. He talked about how they had used a low reflectivity panel, which made a huge difference. Mr. Gladhill thought it looked like a black mirror because he could see the trees and the chimney reflected.

Chairman Almeida asked about the matte finish. Mr. Horrocks gave additional samples to the Commission to show the difference between the low reflectance panels and the older modules. Chairman Almeida asked how high off the roof surface the panel would be. Mr. Horrocks told him it would be 3" from the shingle to the bottom. Chairman Almeida verified that the top panel would not exceed 5". Mr. Wyckoff noted the size of the conduit coming down the house and asked whether the conduit from the array would be more substantial. Mr. Horrocks replied that, where possible, the strings would go toward the back and would be installed out of sight. The worst case scenario was that the conduit would match the finish of the building and they would penetrate the roof under them module with flash. Mr. Wyckoff verified that there would be no conduit on the front of the Court Street façade, and Mr. Horrocks said there would not. They would simply put modules on it, and everything else would be on the side or back.

Chairman Almeida said that he was glad to see the actual photos of the reflectivity that Mr. Gladhill took because the image on the screen looked glaring. Mr. Horrocks told him that was the reason he had sent him a revised image. Chairman Almeida said that Mr. Horrocks had also stated that the entire roof would be covered. He found it awkward when people tried to work with the geometrics of the roof and the leftover space that was not covered because usually large open areas were left and the whole roof wasn't really covered. He noted that the panels didn't go up to the steeple, so he wanted to make it clear that his decision would be based on seeing it as the new matte finish roof plane but felt that was not what he would see. Mr. Horrocks replied that the two modules were in shade of the steeple so it wasn't economically viable, but if it was required, they could do it.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Mr. Rick Becksted of 1395 Islington Street noted that there were two different results from two different applicants. If it were something that the Commission would be looking at more and more, he would treat it the same way as some of the other manufacturers, like Andersen 400 Series windows. He felt that the Commission should set a guideline standard. The project seemed to be a lower impact and profile than the previous one, and he asked the Board to take that into consideration because they were starting to set a precedent.

No one else rose to speak, so Chairman Almeida closed the public hearing.

DECISION OF THE COMMISSION

*Mr. George Melchior moved to **grant** approval of the application as presented. Mr. Wyckoff seconded the motion but insisted on the following stipulation:*

- A) that two additional panels be placed to cover up the awkward 3-4 feet of roof space between the steeple and the existing array.*

*Mr. Melchior **modified** his motion to include the stipulation, and Mr. Wyckoff seconded.*

Vice-Chair Kozak started the discussion on the motion and stated that she could not support it because they had to be consistent. They had always said that things on the roof, whether solar panels or equipment, should not be visible from the primary street front. She appreciated its low reflectivity and the fact that it covered the whole roof, but it was not the same as comparing it to asphalt or synthetic slate. It was a large grid panel. Perhaps the applicant could come back with solar shingles that maintained the texture and scale that the Commission looked for. If it wasn't a landmark church on Court Street, she could be more lenient, but it was a prime landmark.

Mr. Gladhill agreed and felt that solar panels would be more appropriate to discuss at a work session so that a policy issue, locations and manufacturers could be discussed going forward. Ms. Ruedig agreed with Mr. Gladhill and Vice-Chair Kozak, only because the visibility of the roof was so 'in your face' when turning onto Court Street, and there were no other buildings next

to it to shield it. It was like a billboard. She felt that it would be more appropriate on a 20th Century building but not a landmark church with full public view.

Mr. Melchior said he had an uphill battle. He reminded everyone that they had challenges with power generation in New England, especially northern New England. More and more buildings were being built and the population was growing. The power had gone out the last two winters and would do so again. Power plants were no longer being built, so there was a sustainability stump. He asked what the difference was between a matte finish on a black substance, and he mentioned pitches. The edges and lips would not be seen except around the steeple. Mr. Wyckoff's stipulation addressed the notch around the steeple. The Commission was choosing a disposable artificial material over another disposal synthetic. However, one produced electricity and the other produced toxins. Whether it was asphalt or whether it was silicone, both would be replaced in 30 years, but the silicone produced energy. He felt that there could not be a more appropriate application because it was less than a 5" profile and 100% reversible. He could find more egregious situations around the roof eaves in Portsmouth than a 5% profile with a matte finish. Mr. Wyckoff added that the solar shingles had to penetrate the roof, so it was not a reversible procedure because the roof would be penetrated a number of times for connections. It was almost 2015, and he felt that everything Mr. Melchior said about asphalt shingles was true and was one of the biggest mistakes the country had one in the last 50 years. Europe used clay tile shingles instead of asphalt shingles and they were ahead in generating alternate energy. He was fully in support of the application.

Mr. Gladhill felt that Mr. Melchior gave a good argument. Seeing that Mr. Melchior had talked about innovative technology outlined in their Ordinance, which was one line about historic architecture and sense of place, he asked how he would talk about solar panels in the rest of the Ordinance. Mr. Melchior said that he lived across the river from the Naval Shipyard and solar panels were put on the Peirce Building. Historic District Commissions up and down the eastern seaboard had approved solar panels. Virginia had two buildings on their main mall with solar panels, as did Savannah and Newport, RI. They had done due diligence and did not put up shiny arrays on angled apparatuses that stuck out of the roof profile and exceeded the height of the roof gable. Rather, they put thought into it and compromised. There were also successful examples in Portsmouth, but the project was just a larger scale with a lower profile, lower visual impact, planar integrity, and was 100% reversible.

Ms. Ruedig said she would play Devil's Advocate and would not say that there was only one difference between solar panels and asphalt shingles. They were both matte but one was a smoother surface and one was meant to resemble wood shingles. Asphalt had been in use for over 100 years and was acceptable on all historic buildings. It was like saying that panels could be put on facades covering wood clapboards because they were more energy efficient, but it wouldn't mean it was appropriate for a historic building. She was all for saving energy but in the District, it wasn't necessarily a right. They had to look at the rest of their Ordinance and criteria to see what was appropriate on a case-by-case basis.

Mr. Wyckoff suggested that if it was thought that an entirely appropriate roof on that type of structure would be standing seam metal, then suddenly the texture of shingles would not come into play. People might be more comfortable with it if they thought of it in terms of more of a

metal roof. Chairman Almeida didn't like to hear people say that things would be invisible and no one would ever see it simply because it was black and had a matte finish. He thought it would be noticeable, and he said the Commission should accept that and do their best to make it esthetically appropriate. It was a counterfeit argument to say that the entire roof would be covered to make it look like it was the roof surface. Solar panels were a contemporary, reversible feature on a roof and an expression of the roof below. The Commission was in a strange place by trying to cover it up and not allowing the roof to be expressed below. He understood that they wanted to put that much matte finish on the building, but his unofficial rule was if the HDC did not allow a certain amount of that type of thing, the worst that would happen was that people would turn their back on historic buildings because it wasn't worth the effort. The Historic District would see a lot more solar features, and the HDC did not have the guidelines to help them, which they desperately needed. Therefore, they would wrestle through those cases until they got the guidelines. He wanted to see the expression of the historic roof below in some fashion that might express the eave lines and stop trying to fake that it was the new surface.

Chairman Almeida asked for a final vote. *The motion to grant approval of the petition failed to pass by a 5-2 vote (Mr. Melchior and Mr. Wyckoff voting in favor) for the following reasons:*

- 1) *The proposed solar panels are in a highly-visible location along Court Street and they will significantly change the texture and profile of the existing roof plane.*

II. WORK SESSIONS (CONTINUED)

F. Work Session requested by **HarborCorp LLC, owner**, for property located **Deer Street, Russell Street, and Maplewood Avenue** wherein permission was requested to allow a new free standing structure (construct mixed use building containing hotel, conference center, condominiums, supermarket, and parking) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 21, Assessor Plan 118 as Lot 28 and Assessor Plan 124 as Lot 12 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

Mr. Chris Thompson, Mr. Richard McGuire, and Attorney Susan Duprey, all representing HarborCorp, and Ms. Carla Goodknight of CJ Architects were present to speak to the application.

Mr. Thompson said they were delighted to be back after five months and were pushing as hard as they could to balance a variety of parts of the project. They needed to keep a cohesive and integrated program for the various functions so that they would continue to work well inside the volume. They had received a lot of productive critique, and he was pleased how the team had pulled it into a revised site plan and massing plan. They pulled out over 50,000 s.f. of the mass from the project, which was significant. It had come from a number of places, and hard choices and sacrifices were involved. They tried to demonstrate that they were serious about getting it right. The City wanted a conference center restored and a garage, which all required contiguous volume. He thought they had been successful in preserving those pieces and hoped the project had taken a direction that everyone could be proud of. In addition to pulling volume out, they also recreated opportunities for substantial public space by creating a north end plaza with 12'

sidewalks, green roof space, a park area, and so on. Maplewood Avenue involved two scenarios and was the most constricted part of the site because it was the only place that a garage could fit and still permit the other components of the project. There was an additional smaller civic space parking area and another option of a retail area. They were at Step 2 of the 4-step process, which was the massing study, and they were taking an in-depth look at the form and mass and how the parts worked together. Step 3 was the façade treatment and Step 4 was the elevation study. He did not think it would please everyone, but most of them could be proud of the results.

Ms. Goodknight said she would revisit the building mass and elevation, and she pulled key images from her previous presentation that showed the site and the abutting properties. She talked about the various heights of the hill buildings (20'), the Deer Street buildings (20-30'), the Russell Street buildings (65-70'), and so on. The Market Street condos were an average of 30-35', then it changed drastically on Vaughan Street. She showed the lack of development in that area. She reviewed the 1960s urban renewal, which removed much of the historic structures from the surrounding area around their site except for the hill. They had concentrated reductions in height, mass and volume in that area as much as possible and had applied certain breaks at the pedestrian level at 25'. She also showed the articulation of the north end plaza directly abutting the Hill project as well as a graphic representation of square footage of the program.

Mr. McGuire talked about the 14 condos from the original proposal and how the conference center was tightened up and more efficient, dropping from 25,000 s.f. to 23,000 s.f. The hotel was more efficient because its rooms were stacked and the condos sat on top of the hotel rooms. He pointed out the dining room and terrace kitchen and the lower level pool and gymnasium. Whole Market Foods was 40,000 s.f., and parking had dropped by 100 cars to 540 cars, which was a reduction of 20,000 s.f. of surface area. He also talked about the site plan and said that the Commission had preferred three separated structures, but due to the way the three buildings were together, they had to be connected. He addressed the partial separation between the hotel and Whole Foods and said that a substantial 3-story space allowed access to the hotel and courtyard, and also the parking garage and drop-off space for the hotel. The plaza on Russell Street in front of Whole Foods had a cafeteria overlooking the plaza that would be a dramatic space. Set back from that on the roof was landscaping. There was a drop-off area and a potential for a landscape area on the left or a modest retail space with offices or residential above.

Ms. Goodknight further elaborated on Russell Street and the plaza setback, green garden overlook, and conference center, saying they had pulled it way back and had straightened the intersection per TAC. The north end plaza was created to enjoy the views of the hill and create activity in that area. She talked about the parking structure and the public park.

Mr. McGuire mentioned the connectivity between the two hotels and said it was under common management, so they introduced a bridge connection between the new hotel and the existing one. People staying in the hotel or using the conference center would travel horizontally at one point as well as vertically.

Mr. Wyckoff asked what level the roof garden was on. Mr. McGuire said it was the fourth level. Ms. Goodknight said they had a two-story volume for Whole Foods and a two-story for the conference room. She then pointed out the site sections and how they cut through Deer Street as

well as the heights. They pulled it back from the sidewalk to create a large separation between the parking garage and the sidewalk and also provided parallel parking on the street. She reviewed Site Section B, which was the proposed hotel and the Sheraton hotel relationship, with measurements of 60' height for the new hotel and 68' for the Sheraton. They would use the same elements in changes in façade and step back the top floor and change the architecture along the hotel from one height to another. Site Section C was the two-story Whole Foods on the lower level. She showed a clear view of the three building masses floating together, with façade treatments showing modulation and stepping back to bring up the mass. She talked about the retail options, one of which was to have a retail level, parking level and upper parking. Another option was to turn it into an open-space pedestrian pocket park. She showed views of Whole Foods and the conference center from the hill. They could introduce vertical separation elements and set them back substantially. The lower roof deck over the entry to parking had a large setback and was not a simple uninterrupted piece, which was significant in mitigating the buildings to make them look separate.

Ms. Goodknight reviewed alternatives for the hotel as well as the modulation of the garage fenestration facing Vaughan Street, which were 3-4 separate volumes per structure. She showed a preview of what the development would look like in next step. It would be broken up and read as a collection of various buildings rather than one long uninterrupted façade. There would be punched openings, pulling traffic off the public street, and using those spaces to break up the volume so that there would not be a lot of pulling over to the side of the road. Everything would be handled on site. She reviewed the introduction of a few elements that might closely resemble the Westin and add redeeming characteristics.

Mr. McGuire stated that the condos were on the upper level, replicating what they had previously done. The lower levels were the gym and spa. Traditional materials would be used. The upper levels would be colored metal panels, and there would be sloped roofs moving on to flat roofs further up the street. The entry portal would have a lot of glass to allow pedestrian views to the north end. Mr. Wyckoff mentioned the Westin project and noted that one thing the developer had done on the condos in that same area extending down Russell Street was set back the top floor and cover it with slate, which was a dark material that helped make that top floor not stand out as much.

Mr. Gladhill suggested highlighting examples in the project's wording for the CUP as to why the developer thought something should be granted.

Mr. Rawling thought there were lots of big changes to the site plan and that it was extremely positive to see more pedestrian gathering areas. He tended to favor the active use of Maplewood Avenue versus the open space because it was hard for him to imagine that it would be a parking type of space. He talked about the blocking of some adjacent properties at the end of Maplewood Avenue, which he felt was a bit controversial. If a low-scale element were on that street, it would forever memorialize Portwalk as a monumental building. Portwalk buildings were not meant to be freestanding structures in the urban streetscape, so the new buildings should have architectural freestanding expression and step back to the surrounding smaller-scale properties. If low-scale suddenly hit high-scale buildings, they would be the tallest buildings in town and the skyline would be accentuated. He commented on how some of the rhythm of

windows didn't quite fit. He liked the articulated end of the building better than before and liked the expression of something at the end of the junction. There were Deer and Russell Street site plan issues. He asked how far apart the doors for the businesses would be. Mr. McGuire said the parking spaces were each 20', so there would be 150' between the first two Whole Foods entrances, and then another 100' to the next one, and then over 100' to the hotel entry. Ms. Goodknight mentioned that there would be glazed entry area to the hotel and condo entry, like a courtyard, with a transparent façade.

Mr. Wyckoff concluded that one could walk off the plaza to Whole Foods. Chairman Almeida asked if there were additional entrances further down the street in addition to the five already counted. Mr. McGuire said there were no other entrances other than emergency ones. Chairman Almeida asked if there was any reason for the public to go to the back side of the building. Mr. McGuire said they discouraged it because it was primary service and truck drops.

Mr. Gladhill said that he noticed people were going to Vaughan Street from Portwalk and asked if there was an opening at Deer Street and the railroad tracks. He was concerned about safety. Mr. Thompson said there was a retaining wall on that back end to meet the railroad requirement of fencing the entire property line. Mr. Wyckoff thought a connection from Vaughan Street all the way through to the other section would be physically impossible, not to mention illegal and dangerous. He mentioned that his wife had sprained her ankle walking on large crushed stone and railroad ties. It was not something they wanted to direct people towards. He felt that the large entrance through the parking area was more successful than the previous one, as far as the Portwalk Place connection. He asked what plan was being proposed for the end of Russell Street. Mr. McGuire stated that neither scheme was fully developed and asked for feedback.

Mr. Wyckoff said he liked the octagon version because it invited people into the City from the Market Street Extension. It was a nice terminus to the building. He thought Plan 5.3 might be a bit overpowering because of the vertical aspect, but he liked the shape. Mr. Gladhill agreed with Mr. Rawling about Deer Street and Maplewood Avenue not being as high as Portwalk Place and said he preferred something as high as Portwalk or something lower and set back a little.

Vice-Chair Kozak thought there were a lot of positive changes. The massing had come down, and the garage was more sensitive. The end on Maplewood Avenue and Market Street fit better in context. The octagon concept worked but it didn't step down the hill at Russell Street, which was a good grade. The buildings usually followed the hill and the roofscapes followed the landscape. One of the comments about Portwalk and 100 Market Street was that they didn't want to ignore the grade. It was important to sense the profile of the roofs that undulated with the grade. In contrast, the corner on Maplewood Avenue seemed a bit lost, and it should be more of a concern because it was a busy intersection. Presently it seemed like a back ell struck on a garage. She thought it should be a formal, inviting edifice with presence. She thought all the public open spaces were great, but she questioned where they were located. Portwalk, Vaughan Street, and the Music Hall were pedestrian experiences, so she worried about that experience ending at a parking garage on Deer Street. She thought it would be a good place to have a plaza. She hoped they would consider the back view because she felt it was highly desirable to the City instead of a blank wall. She was also worried about vehicles being visible from the top level of parking and felt that they should be set back at the cornice.

Mr. Melchior agreed with the Maplewood Avenue side comments about it being more deliberate. He thought the massing was excellent overall and a great expression of the flow. He disagreed with the comments about Russell Street and did not think the mass should drop down the slope. It was a gateway building, and he questioned why they would differentiate between a prominent exposure of that gateway as opposed to going across Memorial Bridge or coming down Maplewood Avenue. The established form on Russell Street was complimentary of the grade as well as the Sheraton, and he wouldn't change a thing. There could be functional parking garage challenges but he thought they could make their solution work.

Ms. Ruedig thought the massing was very successful and agreed that the entry to the parking garage was unfortunate and the flow couldn't continue from Cornwall Street to Portwalk Place due to the legal impediment. People would spill out in that area and come to a parking garage, which would be a bit of a downer. She agreed that there should be a pedestrian experience instead of a dead space. Otherwise, she thought the massing was great and appreciated the forms because they broke up the façade.

Mr. Rawling asked about the terminus on Vaughan Street and the Portwalk Place. Ms. Goodknight said it was the entrance to Whole Foods Market. Mr. Rawling asked if there was a pedestrian plaza and was told that there was. She showed other entrances as well.

Chairman Almeida shared some concerns having to do with mass that had a lot to do with the Technical Advisory Committee (TAC). The HDC was not seen as the final filter for mass, but it had gone through many other commissions. Based on his experience of living within 50' of a parking garage, he questioned how four trolleys and a delivery truck would be accommodated at the same time. It had been said that they would be pulled off site, but he questioned how. It could have an effect on the mass. Some developments could not accept buses and truck delivery because they were built out to the street. Even though the building wouldn't have a developed back due to the supermarket, hotel and garage, the back of the garage couldn't look like the Hanover Street Garage and the back of the market couldn't look like Hannaford's – they had to be special. He was concerned about the openness of the garage because of the noise, lights, alarms, and so on. He didn't want it to be so transparent that it looked like a racetrack inside. As far as the passageway, he knew they couldn't have a Milan-type of galleria with a glass ceiling, but they could perhaps have a visual relief that would give a glimpse to the other side. They couldn't create a wall that turned its back to the neighborhood on the other side. He thought Plan 5.3 was very successful and was glad to see it return. He liked the effect of coming into a literal gateway. It was the real introduction to the commercial district, and he hoped the developer had considered that the bridge was currently light, but they had the change to move some of the building's mass and create a large porte cochere. That would truly be a gateway. Overall, he thought they were going in a positive direction.

Mr. Lombardi agreed about the finish of the back of the building and thought it should be equal to the front. Because it was so visible from Maplewood Avenue and Vaughan and Market Streets, it seemed to be the real entrance. He also agreed that there should be a visual break where the building was long. He was impressed with what the developer had done but knew they had a long way to do.

Chairman Almeida brought up the Conditional Use Permit (CUP) and asked how the developer felt regarding the CUP being satisfied. He wanted to know which items might fall into that category at the next meeting.

PUBLIC COMMENT

Mr. Jerry Zelin of 70 Kensington Road thought it was a huge improvement but asked if it could be improved further. He said that six weeks before, Portsmouth Forward had published an article entitled 'Development News of Portsmouth', and he had read what it said about Portsmouth changing throughout the past year, with several new developments like Portwalk Place and the Prescott Park condos. The bulk of the article was favorable to the new large buildings like Portwalk 3 and the condos by the bridge. He said a poll was referenced with the following options: keep moving forward, get more variety, or question whether it was the wrong move for Portsmouth. Ninety-three percent of people who voted said it was the wrong move. That was significant, and they would learn more when the Charette was held in November. The building dimensions in context were broken up and he questioned whether each of those broken-up pieces was still too big. Lots in the north end were big, but the building would combine three big lots into one huge lot. He had measured from along Maplewood Avenue along Deer Street to the intersection with Russell Street, and it was equal to the distance between the entrance to Popover's and the Bull Moose building. That was just half of the site. He compared it to an arm bent at the elbow and gave the dimensions, concluding that the length of the arm would be 740', the height of the Prudential Tower, and would be broken into segments of 320'. He thought it was important to break up the segments further because there was some benefit in reducing the virtual mass of each component. The footprint of the building would be 75,000 s.f., 50% larger than the footprint of Portwalk 3. He wanted to see a true division between the parking lot and Whole Foods Market and have the vector continue along Portwalk Plaza connecting to Vaughan Street to make it inviting. Flipping the locations of the garage and Whole Foods would enliven Maplewood Avenue. He suggested elevating the height along Maplewood Avenue so that there was no stark jump to Portwalk 3. He felt that Portwalk 3 was unfortunate and feared that more unfortunate large buildings would be created to mitigate its effects.

Mr. Larry Cataldo of 133 Islington Street mentioned that Mr. Joe Caldorola couldn't attend the meeting but had sent a letter. He thought it was a tremendous plan with substantial improvements. He wanted to point out the vision that he presumed would come from it. He saw a critical mass with lots of action and lots of people walking, a central core of commercial activity. Several Commissioners had mentioned a possible walkway through the building to the other side, which was presently a fenced area and railroad tracks. Germany foot crossings were successful and safe and were a good example to go by. Another economic value of having foot traffic there was that it would add to the excitement of the entire area. The conventions in the HarborCorp hotel would create activity, so a passageway made sense. As to the parking issue, remote parking for the convention center made sense but would require management. It would draw political, business and social business that would be vital for economic development in Portsmouth, so there should be serious parking management within the area to allow public parking spaces. The trolley system was successful, and he suggested that the convention center

make use of them and get remote parking spaces, creating walkways instead of having hundreds of vehicles going by at the same time.

Mr. Joe Kissell of 21 Wallis Road referred to the results of the Portsmouth Forward poll and their validity, which he felt was not good. He thought the developer did a good job reducing the massing so that it fit into the context of the Sheraton, Portwalk, and so on. He asked the Commission not to get too hung up on the massing but instead focus on what the public wanted.

Mr. (name not audible) of 218 Rockland Street said that he walked in the Vaughan Street area all the time and felt that it was important to keep Vaughan Street part of the pedestrian fabric. It was a busy corridor, and he felt that the new building should be connected to it. He did not think Maplewood Avenue was a great connection because it was unfriendly to pedestrians and bicyclists. He felt that the height of the building on the corner of Maplewood Avenue and Deer Street should match Portwalk's height and that things should not be stepped down too quickly along Maplewood Avenue. It would make the corner feel like a real place with less traffic.

Mr. Rick Becksted of 1395 Islington Street thought it was a big building and loved it but agreed that it was important to break it up. The back of the building on Vaughan Street was designed to be pedestrian friendly and he felt it would be a shame to block that off. The nasty intersection would be nastier with congestion when conventioners exited the convention center. He thought the project would bring a lot of good to the City but there was a right way of doing it. If it couldn't be broken up, the two levels could be removed and a drive-through built instead. The railroad had a dramatic effect on the property's value and he questioned what would happen if a train derailed. He was surprised that they had not voiced more concern because they had leverage with the railroad and it could be a more viable project. He talked about the impact of taking more of the City's public parking away and also questioned whether there would be enough parking for the condominium and hotel room occupants in spite of the parking garage spaces. He said the public wanted answers, and the biggest concern was the connection to Vaughan Street, which he thought would help the City finish what it started.

Ms. Barbara DeStefano of 99 Hanover Street thought it was interesting how the developer got slammed at every meeting. She thought they had done a great job in reducing the mass and did not think the Commission had to worry about the back side because the developer would work hard on it. There were very high-end condos behind it at 233 and 111 Maplewood Avenue. There had to be space for trucks to unload, but she thought that was a small part of it. She didn't think it would be safe for pedestrians to walk in that area due to safety issues, and she didn't feel there was that much space between it and the railroad tracks. She liked the idea of the outdoor seating area because it would be a nice view to the hill. She also thought the Deer Street businesses would benefit due to the increase in pedestrian activity. Overall, she thought the project was going in the right direction.

Ms. Clare Kittredge of 27 Franklin Street asked that they keep it pedestrian and bicycle friendly. She was surprised it had taken so long to get 3-dimensional models because the public couldn't visualize a lot of images and had trouble judging height.

Mr. Drew Schulthess of 14 Central Avenue said he was impressed with the plans to date, especially the reduction of 2,000 square feet. As for the cut-through, he said he would not take the train cut-through because the area was awkward, with broken glass and weird enclosures around the parking lot. He felt that it was a hypothetical debate and questioned whether or not people really wanted it. If there were ample sidewalk space on Maplewood Avenue, it would be the logical way into town. He thought the massing would do a lot for the skyline if reduced because a building of that size could be overwhelming. He was excited about the conference space, parking garage and Whole Foods Market, but thought that there was a fine line between how much the project was scaled down versus the public benefit.

Mr. Paul Mannle of 1490 Islington Street thought the developer had done a great job and that it was a nice gateway, but his biggest concern was the parking garage location because he was worried about Maplewood Avenue, which he compared to a hockey stick. The project's focus was on the heel of the stick but should be on the toe. He spoke about the dead end and the massive wall on the Maplewood Avenue side of Portwalk, and he suggested moving the 55' plaza and making it the 'toe', then continuing it down Maplewood Avenue, which would make it pedestrian friendly. They could eliminate a certain road and make another entrance, move Whole Foods and the garage so that the trucks could make an easier turn to service, and eliminate the fence or wall. The road would be the back side of the project and Maplewood Avenue would be a focal point.

No one else rose to speak, so Chairman Almeida closed the public comment session.

Mr. Wyckoff felt that the pedestrian corridor was still on the table as far as the public was concerned, and it was more important than the Board had thought. As for the extension of parking, it seemed like the convention center could fill up 500 spaces easily, with home shows and so on, so that was something to consider. Perhaps arrangements could be made with someone else to alleviate parking. They had also discussed how important the back of the building was and the CUP, quality materials, etc., so it was fair to say that the back of the building might end up cement clapboards, like the Hilton. They should keep looking at the pedestrian corridor and perhaps consider crossing material that would not interfere with the trucks. Mr. Lombardi felt that Maplewood Avenue seemed very pedestrian-unfriendly; drivers were aggressive and criss-crossed the street. The more they could do to make the area more pedestrian-friendly, the better. Portsmouth was a walking city, but Maplewood Avenue wasn't.

Chairman Almeida felt that the public and Commission's concerns were aligned. Several people had said that the project was going in the right direction and that the massing was successful. He said the Commission was eager to see the developer's next step.

It was decided to continue the work session to next month's meeting.

III. ADJOURNMENT

*At 9:50 p.m., it was moved, seconded, and **passed** unanimously to **adjourn** the meeting.*

Respectfully submitted,

Joann Breault
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on October 1, 2014.