

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**November 5, 2014  
to be reconvened on November 12 & 19, 2014**

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

**MEMBERS EXCUSED:**

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



**I. APPROVAL OF MINUTES**

- October 1, 2014
- October 8, 2014

It was moved, seconded, and passed unanimously to approve the minutes as presented.

**II. REQUEST FOR REHEARING**

173-175 Market Street – Certificate of Approval granted on September 10, 2014 – submitted by Duncan MacCallum, et al

After due deliberation, the Commission voted to **deny** the request for a rehearing for the following reasons:

- 1) No evidence was presented to show that an unlawful action was made in rendering the decision;
- 2) No evidence was presented to show that the decision was unreasonable based on the evidence submitted to the HDC;
- 3) No new evidence was presented by the petitioner that was not available at the time of the decision that would have materially changed the outcome of the decision; and
- 4) The letter of decision clearly listed the material changes from the previous project design so the HDC had previously determined that the Fisher vs. Dover was not applicable.

### III. PUBLIC HEARINGS (OLD BUSINESS)

A. Petition of **Strawbery Banke, Inc., owner**, for property located at **39 Puddle Lane**, wherein permission was requested to allow new construction to an existing structure (construct 24'x16' addition to east side of blacksmith shop) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 7-13 and lies within the Mixed Residential Office and Historic Districts.

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

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

#### **A. Purpose and Intent:**

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

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

#### **B. Review Criteria:**

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

B. Petition of **Paul T. Marino, owner**, for property located at **287 Marcy Street**, wherein permission was requested to allow demolition of an existing structure (remove stairs) and allow new construction to an existing structure (reconfigure stairs, add railing at basement entrance) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 46 and lies within the General Residence B and Historic Districts.

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

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

#### **A. Purpose and Intent:**

- Yes  No - Preserve the integrity of the District

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

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

**B. Review Criteria:**

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

C. Petition of **Bruce A. Erickson and Elizabeth A. Levey-Pruyn, owners**, for property located at **35 Salter Street**, wherein permission was requested to allow amendments to a previously approved design (add window on first floor of south elevation, remove window on west elevation, replace misc. slate roofs with zinc standing seam roofs) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 29 and lies within the Waterfront Business and Historic Districts.

Because no one was present to speak to the application, the Commission voted to **postpone** review of the application to the November 12, 2014 meeting.

D. Petition of **Kenneth Charles Sullivan, owner**, for property located at **40 Howard Street**, wherein permission was requested to allow an amendment to a previously approved design (modify roof pitch, raise curb height, construct roof top deck with railings, add additional scupper, increase size of scuppers) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 61 and lies within the General Residence B and Historic Districts.

After due deliberation, the Commission voted to **continue** review of the application to the November 12, 2014 meeting for a work session/public hearing.

**IV. ADMINISTRATIVE APPROVALS**

- 233 Vaughan Street
- 143 Daniel Street

**V. PUBLIC HEARINGS (CONSENT AGENDA ITEMS)**

1. Petition of **Robert A. Mackin Revocable Trust and Eileen C. Mackin Revocable Trust, owners**, for property located at **56 Dennett Street**, wherein permission was requested to allow a new free standing structure (extend fencing along property line) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 140 as Lot 12 and lies within the General Residence A and Historic Districts.

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

- 1) That the new wood cedar fence shall match the existing fence in size, height, and appearance.

**Findings of Fact:** The proposed application meets the purposes and objectives of the Historic District ordinance and the Review Criteria.

2. Petition of **Justice C. Rines and Thea Murphy, owner**, for property located at **67 Mark Street**, wherein permission was requested to allow demolition of an existing structure (demolish bulkhead) and allow new construction to an existing structure (construct storage locker, construct fence) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 51 and lies within the CD4-L and Historic Districts.

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

**Findings of Fact:** The proposed application meets the purposes and objectives of the Historic District ordinance and the Review Criteria.

3. Petition of **Hanover Apartments, LLC, owner**, for property located at **29 Maplewood Avenue (formerly 195 Hanover Street)** wherein permission was requested to allow exterior renovations to an existing structure (replace sliding doors and railings on 5<sup>th</sup> floor with windows, replace three curtain wall windows with mechanical louvers on first floor) 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.

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

**Findings of Fact:** The proposed application meets the purposes and objectives of the Historic District ordinance and the Review Criteria.

4. Petition of **Deer Street Associates, owner**, for property located at **163 Deer Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace lighting on rear of building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 17 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

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

**Findings of Fact:** The proposed application meets the purposes and objectives of the Historic District ordinance and the Review Criteria.

5. Petition of **30 Maplewood, LLC, owner**, for property located at **30 Maplewood Avenue**, wherein permission was requested to allow an amendment to a previously approved design (modify fence detailing, modify intake louver shape) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 2 and lies within the CD4, Historic, and Downtown Overlay Districts.

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

**Findings of Fact:** The proposed application meets the purposes and objectives of the Historic District ordinance and the Review Criteria.

6. Petition of **Richard C. and Nancy C. Tomb, owners**, for property located at **138 Gates Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace driveway gate with new gate) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 54 and lies within the General Residence B and Historic Districts.

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

**Findings of Fact:** The proposed application meets the purposes and objectives of the Historic District ordinance and the Review Criteria.

7. Petition of **Portsmouth Savings Bank, Bank of New Hampshire, owner**, and **T.D. Bank N.A., applicant**, for property located at **333 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace lighting) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 5 and lies within the CD4, Historic, and Downtown Overlay Districts.

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

- 1) That the proposed lights shall comply with the City's requirements (including being dark-sky compliant) as listed in Article 11, Section 10.1140 of the Zoning Ordinance.

**Findings of Fact:** The proposed application meets the purposes and objectives of the Historic District ordinance and the Review Criteria.

## **VI. PUBLIC HEARINGS (REGULAR AGENDA ITEMS)**

8. **(Work Session/Public Hearing) Petition of Solano Group, LLC, owner, and Stephen Meade, applicant,** for property located at **456 Middle Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace vinyl siding with wood clapboards, replace windows and doors, replace lighting) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 135 as Lot 43 and lies within the Mixed Residential Office and Historic Districts.

After due deliberation, the Commission voted to **continue** review of the application to the November 12, 2014 meeting so that additional information on the window openings can be submitted and reviewed.

9. Petition of **Haven School Condominium Association, owner, and Jamie A. Baquero, applicant,** for property located at **50 South School Street, Unit 5**, wherein permission was requested to allow new construction to an existing structure (construct roof deck) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 60-5 and lies within the General Residence B and Historic Districts.

After due deliberation, the Commission voted to **continue** review of the application to the November 12, 2014 meeting.

10. Petition of **Andrew R. Courteau Jr. Revocable Trust, Andrew R. Courteau, Jr., Elaine M. Perry, Christopher D. Clement, and Wendy L. Courteau-Clement, trustees and owners,** for property located at **41-43 Market Street**, wherein permission was requested to allow exterior renovations to an existing structure (changes to the storefront façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 29 and lies within the CD5, Historic, and Downtown Overlay Districts.

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

- 1) That the ¾" sheet stock shall be marine grade plywood and have a smooth, painted finish.

**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 **AHI Holdings, LLC, owner**, for property located at **40 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace 27 windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 1 and lies within the CD4-L and Historic Districts.

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

- 1) That half screens shall be used;
- 2) That the muntin bar shall be 5/8”;
- 3) That the jamb liners shall match the exterior aluminum clad finish.

**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

**VII. ADJOURNMENT**

At 9:45 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good  
Administrative Clerk