

**MINUTES of the
HISTORIC DISTRICT COMMISSION
PORTSMOUTH, NH**

Remote Meeting Via Zoom Conference Call

Per NH RSA 91-A:2, III (b) the Chair has declared the COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2021-06, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

6:30 p.m.

June 02, 2021

MEMBERS PRESENT: Acting-Chairman Jon Wyckoff; Members Reagan Ruedig, Margot Doering, Martin Ryan, David Adams, and Daniel Brown; City Council Representative Paige Trace; Alternates Karen Bouffard and Heinz-Sauk Schubert

MEMBERS EXCUSED: None

ALSO PRESENT: Nick Cracknell, Principal Planner, Planning Department

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Acting Chair Wyckoff moved to nominate Ms. Doering as Acting Vice-Chair. City Council Representative Trace seconded. The motion **passed** by a vote of 6-1, with Mr. Ryan voting against the motion.

I. APPROVAL OF MINUTES

1. May 05, 2021

The May 5 minutes were approved as amended.

2. May 12, 2021

The May 12 minutes were approved as presented.

II. ADMINISTRATIVE APPROVALS

1. 379 New Castle Avenue

The request was to construct a small roof with support brackets on the front door, replace garage windows and doors, and relocate a heat pump to the rear of the garage with a fence on the street side. Acting Vice-Chair Doering said the garage doors looked too small to have

twelve lights. Architect Anne Whitney was present and said the doors were two 8-ft doors that would each normally have six lights.

2. 33 Johnson Court

Mr. Cracknell said the Commission asked the applicant for more details on the windows and a spec for the kitchen. The applicant's representative Justin Heald was present and said the client wanted the Andersen 400 series Fibrex picture window to replace the double-hung window. He said Windows 1 and 3 were also double-hung windows.

Stipulation: the double hung windows shall have half screens.

3. 14 Mechanic Street

The request was to install two wrought-iron railing systems, one on the front steps and one on the rear of the building along the balcony, and lights. City Council Representative Trace said the front railing looked inappropriate and nothing showed how the handhold would terminate. Mr. Adams noted that the drawings and details were different. Ms. Trace said the back railing was also inappropriate due to its decoration for that particular house in that location. Mr. Ryan said the handrails were labeled as genuine hand-forged railing terminations. Ms. Ruedig agreed but thought the design itself looked too commercial. She suggested that the applicant space the vertical balusters a bit further apart to make the design more elegant. Acting-Chair Wyckoff suggested postponing the item to the June 9 meeting due to the controversy. Acting Vice-Chair Doering noted that the railing on the back was on the modern addition.

The item was **postponed** to the June 9 meeting.

4. 254 South Street

The request was to amend an approved design by changing the screening on the condenser to a fence that matched the existing fence on the property.

5. 241 South Street

Mr. Cracknell said the applicant was previously approved for a garage on the side of the house and a porch in the back but now wanted to make design modifications to the windows on the back and replace the garage window and door. He said the windows on the back of the garage and the porch would be modern plate glass and the back windows would be double hungs to match the house. The garage would have new doors. The applicant Guy Spiers was present and reviewed the item. He said the existing windows were sliders but that they wanted to have double hungs instead. He said there was originally going to be a door from the porch to the outside, but they now wanted just a window. He said all the new windows and doors had the same manufacturer as the existing ones.

Ms. Ruedig noted that half-screens would be necessary. City Council Representative Trace said the side entry door was indicated to be fiberglass. Mr. Spiers said it was previously

approved and wouldn't be seen from the street. Mr. Cracknell asked if the previously-approved window on the porch was vinyl clad. Acting-Chair Wyckoff said the outside of the window was Fibrex, so it was a vinyl window and should be allowed in that location. Mr. Ryan said the sliding windows were being replaced with double hungs, so he could approve it. Ms. Ruedig said the Commission generally didn't approve vinyl windows anywhere in the District, and she suggested a window with better cladding on the exterior.

*It was moved, seconded, and **passed** unanimously (7-0) to pull the item from the group and vote on it separately.*

Mr. Adams said a plastic window on South Street wasn't appropriate and thought the application didn't have enough information. City Council Representative Trace agreed. Ms. Ruedig said he had no problem swapping out the doors or replacing the porch door, and no problem with the fiberglass doors if it was stipulated that they be smooth and field painted. She said her only concern was the vinyl windows.

*Mr. Adams moved to **postpone** the item to the June 9 meeting to give the applicant time to gather more information. Ms. Ruedig seconded. The motion **passed** unanimously, 7-0.*

6. 205 Market Street

Architect Carla Goodnight was present on behalf of the applicant. She said there were requests for 15 minor changes, including replacing storm windows and gutters, repairing the masonry, repointing the brick, and adding copper downspouts, two shutters, and two commercial signs. She said most of the work would be done on the front elevation, and the brick and woodwork on the back and sides of the building would be restored.

Ms. Ruedig asked if cleaning the side elevations would erase the wonderful painted signage on the brick. Ms. Goodnight said there was a lot of deterioration at the bottom layer and that she wouldn't know until they started working on it. Ms. Ruedig asked that the painted signage be retained as much as possible because it told the building's story and was an important part of the building's character. She asked if the vinyl shutters on the sides would remain, and Ms. Goodnight said they would for now. Mr. Ryan asked if the storm windows were just in the back or throughout the building. Ms. Goodnight said they would be replaced where they currently were. She said the windows on the waterside were newer and insulated. Acting Vice-Chair Doering asked if the bracket for the electrical conduit to the old sign would come off. Ms. Goodnight said the whole thing would be removed.

At this point, City Council Representative Trace recused herself, and Alternate Sauk-Schubert took a voting seat.

*It was moved, seconded, and **passed** by unanimous vote to pull the item out and vote on it separately.*

Mr. Adams said the old sign paintings were charming and historic and hoped they would be kept. He said the shutters were built in an old technique, and he asked if they would be re-

riveted. Ms. Goodnight discussed how they would pull the weight of the shutters off the pintles and attach them to the front façade with stainless steel. She said everything would occur behind the steel plate. She said the metal plates were 1/8” thick and that mounting them in pintles would determine the distance off the building. She said the brackets would be sized to support them and would remain in the same spot, and the mounts would go into the mortar.

*Ms. Ruedig moved to **approve** the item, with the following **stipulations**:*

1. The existing conduit shall be removed.
2. The applicant shall preserve as much of the existing sign on the North wall during the repointing process.
3. The mounts for the shutters shall be located within the mortar instead of the bricks.

Mr. Adams asked that a mockup be done on site to demonstrate the shutter handling technique before doing it on all the windows.

*Mr. Cracknell added a fourth **stipulation**:*

4. A mockup of the first shutter shall be approved by the Commission on a site walk.

*Mr. Brown seconded. The motion **passed** by unanimous vote, 7-0.*

7. 100 Market Street

The request was to reduce the upper window band.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **approve** Items 1, 2 and 4, with the stipulation as noted on Item 2. Acting Vice-Chair Doering seconded. The motion **passed** by unanimous vote, 7-0.*

City Council Representative Trace recused herself from the following vote, and Alternate Bouffard took a voting seat.

*Ms. Ruedig moved to **approve** Item 7, 100 Market Street, as presented. Acting Vice-Chair Doering seconded. The motion **passed** by unanimous vote, 7-0.*

8. 66 Marcy Street

Mr. Brown recused himself.

Mr. Cracknell said the request was to replace the shrub edge near the former restaurant Mombo at Strawberry Banke with a wrought-iron fence. Acting-Chair Wyckoff said the proposed fence was a tubular one and not wrought iron. Mr. Adams asked if the fence was too modern as an entrance to Strawberry Banke and whether it was a suitable material. Acting Vice-Chair Doering said she'd have a hard time supporting it because the fence would stick out like a sore thumb and would be a lot of modern railing right at the entrance to Strawberry

Banke. Ms. Ruedig agreed and thought a full wooden fence would be more appropriate, especially since hundreds of people would be walking by it. The applicant Ryan Lent was present and said they chose the fence because it had a classic wrought-iron college look. He said a wooden fence would be cost-prohibitive. City Council Representative Trace said it was an entrance to a museum and one of the most walked sidewalks in the city, and that a more historically-appropriately fence was needed. Strawberry Banke President and CEO Larry Yerdon was present and said they would return with a wooden fence that reflects the architecture of the building.

*Mr. Adams moved to **postpone** the item to the June 9 meeting, and City Council Representative Trace seconded. The motion **passed** by unanimous vote, 7-0.*

III. PUBLIC HEARINGS (NEW BUSINESS)

1. Petition of **110-112 Court Street Condominium Association, owner, and Beth Goddard, applicant**, for property located at **110 Court Street, Unit #3**, wherein permission was requested to allow renovations to an existing structure (remove existing chimney) as per plans on file in the Planning Department. Said property is shown on assessor Map 116 as Lot 39-3 and lies within the Character District 4-L1 (CD4-L1) and Historic Districts.

Ms. Bouffard recused herself from the petition.

SPEAKING TO THE PETITION

The applicant Beth Goddard was present and said the chimney was crumbling. She said it didn't connect to anything and there was no fireplace.

Acting Vice-Chair Doering asked if there were other repairs in addition to removing the chimney, and the applicant said no. Acting Vice-Chair Doering said she looked at the house and noted 13 other chimneys on other buildings in the area. She said the chimney's location was the back of the house with regard to Court Street but that it was very visible from Rogers Street. Mr. Ryan said the chimney most likely served as a woodstove in the past and wasn't an integral part of the house and that he could approve its removal. Mr. Adams said it looked like a kitchen ell or summer kitchen and that there would have been two coal stoves attached to the chimney. He said there were still bishop's caps on it and that he was reluctant to give up on it. Ms. Ruedig agreed that the chimney spoke to the history of the use of the house but said she wouldn't call it a character-defining feature. She said it was tall and seemed to need major repairs. Mr. Brown said the chimney was very visible from Rogers Street. City Council Representative Trace agreed that the chimney was visible from Rogers Street. The applicant said the house was located near a middle school where children were on the street all the time, and the chimney could be a safety issue by potentially falling. Mr. Adams said if the chimney wasn't safe enough for people to walk by, then the applicant was liable until the chimney was fixed. He said all chimneys in Portsmouth were anachronistic and were mostly appendices on houses, so it wasn't important that the chimney had no use in the applicant's home. He said it was a defining feature of the house and that the house was already missing a chimney on the north side.

Acting Chair Wyckoff opened the public hearing.

SPEAKING IN FAVOR OF THE PETITION

Doctor Paul Spieler said he was the co-owner of the condo and thought the idea that the chimney was an architectural feature that defined the community was nonsense.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one else was present to speak, and Acting Chair Wyckoff closed the public hearing.

DECISION OF THE COMMISSION

*Mr. Ryan moved to **grant** the Certificate of Approval for the petition as presented, and Ms. Ruedig seconded.*

Mr. Ryan said the project would conserve and enhance property values and was compatible with the design of surrounding properties.

The motion failed by a vote of 6-1, with only Mr. Ryan voting in support.

Acting Vice-Chair Doering said she voted against the petition because the chimney was similar to the rest of the surrounding features, so the petition did not meet the criteria of being consistent with the special and defining features of surrounding properties.

2. Petition of **Strawbery Banke, Inc., owner**, for property located at **0 Washington Street (Strawbery Banke)**, wherein permission was requested to allow renovations to an existing structure (foundation, clapboards, window and door repairs) and new construction to an existing structure (create new front porch) as per plans on file in the Planning Department. Said property is shown on Assessor Map 108 as Lot 8 and lies within the Mixed Research Office (MRO) and Historic Districts.

SPEAKING TO THE PETITION

Rodney Rowland, Strawbery Banke Director of Facilities, was present to speak to the petition. He gave a short history of the Penhallow House restoration project and said the only changes to the building would be the removal of the 1980 bathroom entrances, putting back a full porch in the back of the building, and returning one of the chimneys.

In response to the Commission's questions, Mr. Rowland said the porch would have an enclosed railing and that there might be an interior sheathing board within the clapboarded wall. Ms. Ruedig said she was glad to have photo documentation and evidence of what was there.

Acting-Chair Wyckoff opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one was present to speak, and Acting-Chair Wyckoff closed the public hearing.

DECISION OF THE COMMISSION

*Mr. Adams moved to **grant** the Certificate of Certification for the petition as presented, and City Council Representative Trace seconded.*

Mr. Adams said the project would enhance the values of properties on the street and contribute to the architectural value of the community.

*The motion **passed** by unanimous vote, 7-0.*

3. Petition of **64 Vaughan Mall, LLC, owner**, for property located at **64 Vaughan Street**, wherein permission was requested to allow new construction to an existing structure (add a 3-story addition and create new entry points to the Worth Lot) and additional site improvements as per plans on file in the Planning Department. Said property is shown on Assessor Map 126 as Lot 1 and lies within the Character District 5 (CD5), Downtown Overlay, and Historic Districts.

WORK SESSION

The applicants Steve Wilson and architect Mark Mueller were present to speak to the petition. Mr. Mueller reviewed the petition, noting that the property was divided into the old building and the new. Mr. Wilson said they needed the Commission's opinion about putting either artwork on that side of the building or adding two more storefronts.

Acting Vice-Chair Doering said the Worth Lot could use all the artwork it could handle, as well as the back sides of all those buildings. Ms. Bouffard said the storefront windows were more appropriate. Mr. Ryan agreed and said the storefront windows were more relatable to pedestrian traffic. He also noted that vehicles would be parked right up against that façade. Ms. Ruedig said she thought any sort of art within good reason would improve the wall. She said the two storefront windows would be fine but there were plenty of storefront windows, and breaking up the wall with art would be more pleasing and preferable. City Council Representative Trace agreed. Mr. Sauk-Schubert said art included urban art and 3-dimensional objects like sculpture, and he thought the space would look different in 10 years or so. He said he saw it as a huge plaza rather than a parking lot, noting that the buildings along Congress Street on that side would not remain 2- or 3-story buildings, and thought the concept of that space remaining a parking lot was inconceivable and should have 3-dimensional art. Mr. Ryan said it was a good compromise and suggested that the storefronts slide to the left of the building and the art panel be placed at the corner so that it would be more visible. Mr. Wilson said there was painted signage inside the building that could be replicated to define the building's origins. He asked that the old building be approved before the new building. There was discussion about whether the petition would be bifurcated so that the new building would just have a work session.

Mr. Mueller discussed the new building's materials. Acting Vice-Chair Doering said the granite base might be too tall on the Hanover Street side. Mr. Ryan said the Hanover Street corner

looked like a skylight configuration in the 3D model and was awkward. He said the base, the body, and the top were well proportioned but suggested that the balconies would look more solid if they had more of a screen approach. Mr. Adams said what was done on the open corners for balconies was an improvement but thought that what appeared to be holes in the roof could be handled better. He said he was on board with what the applicant was doing in that corner. City Council Representative Trace suggested that the holes in the roof may look more appropriate by making the opening a proper vertical one like an oval window with the roof over it. Acting Vice-Chair Doering said the material choice for the mesh screens on the balconies looked like chain link-fence industrial and that she'd like to see other options. Ms. Ruedig said the granite was done well and she was fine with the double siding but would like to see more of it in a better rendering with some color. She said the mansard roof building hadn't changed much.

Public Comment

There was no one present to speak.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **bifurcate** the petition into two parts: the discussion of the existing building and its renovation, and its new addition in the back.*

She said the Commission would vote on the existing building and continue the discussion of the new addition to the June 9 meeting.

*Mr. Ryan seconded. The motion **passed** by unanimous vote, 7-0.*

*It was moved, seconded, and **passed** by unanimous vote to **close** the work session and go into a public hearing.*

SPEAKING TO THE PETITION

Mr. Wilson reviewed the old building's roof plan and referred to the work session discussion. He said the rear wall would look a lot better when it was exposed.

Mr. Ryan noted that there was a huge change in the economy. He said if the Commission approved the application, a stipulation might be necessary in case the applicant decided not to build the new building. Mr. Wilson said they wouldn't stop the project due to finances. Mr. Ryan asked the applicant if he was holding off on discussing the demolition of the footprint of the new building. Mr. Wilson said they would discuss it at the next meeting. He said they would leave the public art space alone until they had input from the community as to what form it would take. Ms. Ruedig said a mural was a good option. She asked for clarification of the screening, noting that it was odd to have an entire opening screened off and made it look like something for an underground garage. Mr. Mueller said it was a balcony or an inset patio for the unit and would look like the one next to it. Ms. Ruedig said it was important to keep the original fenestration and have real windows instead of a recessed hole. Mr. Adams said if it didn't meet code, the Commission would need to see what the ceiling and walls were. He said they were seen at an

angle instead of straight on, and if it was a six foot-deep space, they had to know what the materials were. He asked how the Portwalk side windows were permitted, noting that there was an agreement with the neighbor. Mr. Cracknell said it had been done before, and as long as there was a 5-ft easement that was a no-build area, fire requirements could be met.

Mr. Wilson further discussed the openings. Ms. Ruedig said she had no problem with that type of balcony on new construction but noted that the applicant said they would restore the historic building, and they were leaving a punched opening instead. She said she couldn't accept it. Mr. Wilson said it was the only concession he was asking for. Acting Chair Wyckoff said it was disappointing that there were no window details presented. Mr. Wilson said they were clearly shown as recessed balconies and that he didn't think they would be controversial.

City Council Representative Trace asked how the 6-ft outdoor space would be accessed. Mr. Wilson said there was a slide with two panels that were the same size as double hung windows and that the mullions would match the patterns of the double hungs. Ms. Trace asked if it was true divided light. Mr. Wilson said it would be the same as the windows, but they were simulated divided lights and not true divided lights. Mr. Ryan suggested substituting the metal screen for something like a bi-fold shutter so that it looked more like a traditional enclosed window when it was closed. Mr. Wilson said it was just an opening with no screen.

Ms. Doering suggested that the two balconies on Vaughan Mall be removed from the approval and submitted as an administrative approval so that the Commission could see the details. Mr. Sauk-Schubert noted that part of the problem was because the applicant didn't comply with graphic standards, and if the openings were drawn in a darker line, they would be clearer.

Acting Chair Wyckoff opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one was present to speak, and Acting Chair Wyckoff closed the public hearing.

DECISION OF THE COMMISSION

*Mr. Ryan moved to **grant** the Certificate of Approval for the petition (old building), with the following stipulations:*

- *The applicant shall exclude the demolition of the rear addition.*
- *The applicant shall be authorized to start renovation on historic portion of the building except for the two balconies on the Vaughan Mall side which shall not be installed until details and drawings are submitted for Administrative Approval.*
- *Half screens shall be used.*

City Council Representative Trace seconded.

Mr. Ryan said the project maintained the special character of the District and retained the architectural and historic value of the existing structure.

The motion passed by unanimous vote, 7-0.

IV. WORK SESSIONS (NEW BUSINESS)

1. Work Session requested by **Dagny Taggart, LLC, owner**, for property located at **60 Penhallow Street**, wherein permission is requested to allow new construction of exterior art installations (for a previously approved new structure at the site) as per plans on file in the Planning Department. Said property is shown on Assessor Map 107 as Lot 27 and lies within the Character District 4CD4), Downtown Overlay, and Historic Districts.

WORK SESSION

Architect Tracy Kozak, landscape artist Robbie Woodburn, and artists Vivian Beer and Alexander Golub were present. Ms. Kozak said the art installations would be part of the Brick Market development that was deemed outdoor community space for the development incentive. She said the artwork was exempt from HDC approval but that they were presenting it in the spirit of cooperation. She said the goal was to enhance pedestrian vitality and enliven public spaces and that the themes would be Portsmouth maritime history, celebration of women, and water/nature/curves. Ms. Beer and Mr. Golub presented their designs. Ms. Beer said a memorial foundation for Ruth Bader Ginsberg would be centered in the space, with two sculptures.

Acting Chair Wyckoff said the artists were talented and had fantastic ideas. Mr. Ryan said everything was terrific and that the art installations hid some of the lesser spaces. He said the only negative thing was the blue meditation piece that might be a bit underwhelming as a piece of art. He was concerned that people would climb and damage the woven wall section and suggested sloping some of the vertical surfaces. Acting Vice-Chair Doering said she was excited about the art but concerned that skateboarders might scratch and damage it.

DECISION

The applicant said they would **return** for an administrative approval.

2. Work Session requested by **238 Deer Street, LLC, owner**, for property located at **238 Deer Street**, wherein permission is requested to allow the demolition of the existing structure and the construction of a new 3-4 story mixed-use building as per plans on file in the Planning Department. Said property is shown on Assessor Map 125 as Lot 3 and lies within the Character District 4 (CD4), Downtown Overlay, and Historic Districts.

WORK SESSION

Architect Jeremiah Johnson was present on behalf of the applicant. He said the request was to demolish the Staley building and build a 3-4 story mixed use building with one or two commercial places on the ground floor and either 400 or 500-s.f. micro units on the top floors. He reviewed the neighborhood context, floor plans, and massing.

Mr. Ryan said the massing was fine but that he didn't care for the single-column massing. Mr. Johnson said they would go before the Board of Adjustment for relief for a partial fourth story. Ms. Ruedig noted that the new building and an old one next to it had a variety of shapes and planes and, because of that, she thought the massing models that had more variation and openings were less monolithic and would fit in better. She said the building to be demolished wasn't a highly contributing one to the District but had a history that was worthy of being documented before it was taken down, and she asked that photograph documentation be given to the city and the Athenaeum to record what was there.

Mr. Adams asked why the floor plate of the old building looked like it was five feet off grade. Mr. Johnson said it was a combination of unsuitable soils and other conditions that warranted not going much deeper than what was already there. He said they wanted to leverage the basement for tenant storage and mechanical space in a portion of the building. Acting Vice-Chair Doering said the glass curtain wall on the corner was a contemporary and interesting touch because it was not only pulled back from the edge on the fourth floor, but the amount it was pulled back took away some of the flat roof feel and it also gave a maze-like quality. She said the overall size in relation to the context was appropriate. Acting Chair Wyckoff said the Commission seemed happy with the massing and that he looked forward to seeing more.

Public Comment

Josh Denton of 110 Brewery Lane said the property was the first VFW post in New Hampshire. He said it was decided to build the building in the current footprint but there was no request for any land for parking, which was a large factor in selling the building to the current owner. He said he fully supported the project, primarily because of the micro units because Portsmouth needed more housing. He said it could also help veterans.

Andrew Bagley of 40 Chauncey Street said it was important for Portsmouth to have affordable places for young people in town to live in and that micro apartments were a good way to solve that challenge. He said it was a great project in a great location.

DECISION OF THE COMMISSION

*Acting Vice-Chair Doering moved to **continue** the application to the July meeting, and Ms. Ruedig seconded. The motion **passed** by unanimous vote, 7-0.*

3. Work Session requested by **Ten State Street, LLC, owner**, for property located at **10 State Street, Unit D**, wherein permission is requested to allow renovations to an existing structure (create new State Street entrance with vestibule within the existing entrance footprint) as per plans on file in the Planning Department. Said property is shown on Assessor Map 105 as Lot 4-4 and lies within the Character District 4 (CD4) and Historic Districts.

WORK SESSION

The applicant wasn't present. Mr. Cracknell said it was a simple request for a recessed opening to the unit. Acting Vice-Chair Doering said the applicant could move to a full public hearing, and

other Commissioners agreed. Mr. Adams said the format of the building was clear but the window and door openings were resolved to be full brick and half brick. He asked how the applicant would handle that when they cut the opening into the side of the building, and what the brick would look like. He said there was too much information missing. Mr. Cracknell said the applicant would return for a public hearing and respond to the questions.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **close** the work session, and Acting Vice-Chair Doering seconded. The motion **passed** by unanimous vote, 7-0.*

V. ADJOURNMENT

The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Joann Breault
HDC Recording Secretary