

**MINUTES OF
THE HISTORIC DISTRICT COMMISSION**

**1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

6:30 p.m.

September 01, 2021

MEMBERS PRESENT: Acting Chairman Jon Wyckoff; Acting Vice-Chair Margot Doering; City Council Representative Paige Trace; Members Reagan Ruedig, Martin Ryan, David Adams and Dan Brown, Alternate Karen Bouffard

MEMBERS EXCUSED: Alternate Heinz Sauk-Schubert

ALSO PRESENT: Nick Cracknell, Principal Planner, Planning Department

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I. APPROVAL OF MINUTES

1. August 04, 2021
2. August 11, 2021

*The two sets of minutes were **approved** as presented by unanimous vote, 7-0.*

II. ADMINISTRATIVE APPROVALS

Note: The first four administrative approval items were reviewed and voted upon as a group.

1. 93 State Street

The request was for three gas lanterns, one on Chapel Street and two on State Street. Acting Vice-Chair Doering noted that the sales orders showed two different styles. The applicant was present and said the lantern for the Chapel Street side was a bit narrower but had similar dimensions to the other two. Acting Vice-Chair Doering said she would be fine with it if Mr. Cracknell confirmed that the lantern was similar in appearance to the other two lanterns.

2. 14 Mechanic Street

Mr. Cracknell said there were some minor changes to the previously-approved project that were noted in the land use compliance review, as follows: exterior lighting was added; the window casing around the connector building was different than approved; the window pattern between the old and new sections were all 6/6 windows instead of differentiated; the gable attic window was reduced in size; and the pilaster at the front door wasn't installed. The applicant was present and said the wrong door was delivered but would be replaced and the

size of the upper windows had to be reduced per the sill height code. He said there wasn't enough room for the pilaster to fit, so the contractor omitted it from the finish.

3. 57 Salter Street, Unit 2

The request was for 16 permanent accent landscaping lights for the yard. It was **stipulated** that the accent lights shall be dark-sky compliant with no off-site glare to the abutting properties.

4. 21 Blossom Street

The request was for a composite trim on a bracket-supported awning over two entry doors on the rear of the building. It was **stipulated** that the composite material shall be field-painted to match the principal structure.

*Ms. Ruedig moved to **approve** Items 1 through 4, with stipulations as noted on Items 3 and 4. Mr. Ryan seconded. The motion **passed** by unanimous vote, 7-0.*

5. 564 Middle Street

The request was to replace several windows. The applicant was present and said some windows were older than others and some had storm windows. He said two front windows were replaced 20 years ago and all the others appeared to be original, and that replacing all the windows would get rid of the lead and the storm windows and the noise. Ms. Ruedig suggested having the windows restored instead, which would get rid of the lead and the noise issue and last longer than new windows. She said she preferred to see the original windows retained, at least on the façade. Acting Chair Wyckoff and City Council Representative Trace agreed. The applicant asked to amend his request by excluding the façade windows. Mr. Ryan recommended that the applicant submit a window schedule and also suggested a site visit.

The applicant said he would return at the October meeting after a site visit was done and a window schedule was submitted to the Commission.

6. 126 State Street

Mr. Cracknell said a section of the abutting property at 124 State Street was being renovated but in order to complete the project, 126 State Street needed a fire-rated siding per building code. He said the applicant proposed Hardiplank siding with the same design. It was **stipulated** that the proposed siding shall have the smooth side out and match the profile and exposure of the existing siding.

*The item was **approved** by unanimous vote, 7-0.*

7. 135 Congress Street

Mr. Adams was recused. Mr. Cracknell said the mechanical equipment for the project was previously approved but the applicant wanted to add a condenser at the back of the building. He said it would be screened by the dumpster and wouldn't be visible.

*The item was **approved** by unanimous vote, 7-0.*

8. 60 Penhallow Street

Tracy Kozak was present on behalf of the applicant and reviewed several changes, which included an added chimney, modifying the storefront on Daniel Street, shifting the entry and some window and door locations, changing the louver material from wood to painted metal, adding a meter location next to the garage and three condensers toward the back corner, and changing the roof membrane color from green to gray. She said the changes were necessary as a result of the offices on the upper floors and a tenant wanting outdoor seating.

In response to City Council Representative Trace's questions, Ms. Kozak said the outside dining on Daniel Street would be adjacent to the sidewalk but the building was set back three feet from the sidewalk and the restaurant would not serve alcohol. She said the south alley that was given to the City as a right-of-way would not be encroached upon by the outdoor dining because it would be open to the public. She said it also had to go before the Planning Board.

Mr. Ryan said all the adjustments were fine and worked within the approved scheme. Mr. Adams said he didn't know of any other exposed chimney downtown, let alone a rustic fieldstone chimney. Acting Vice-Chair Doering asked if the chimney was the right one for the unique style of the building. Ms. Kozak said one of the motifs that the chimney responded to was the climbing ivy on the Tuscan Kitchen wall across the alley and would create a frame entrance that would draw people into the courtyard. Acting Vice-Chair Doering said it was a big signature piece that had no relation to the other two corners and suggested pulling it from the request so that the Commission could think about it more. Ms. Kozak said it has the same curve as the other two corners. Mr. Ryan said he wasn't in favor of pulling it out and also had no problem with the chimney. He said it was a modern building that couldn't be judged based on the historic architecture in the community. Ms. Ruedig said she was fine with the chimney, noting that it was more than just a stone chimney because of all the artwork. She thought it would look different and better in real life. Mr. Brown said he liked the chimney. City Council Representative Trace said she agreed that there wasn't any other fieldstone chimney in the district and that it didn't fit in but would support it as she had supported the building itself.

*Mr. Ryan moved to **approve** the item as presented, and Ms. Ruedig seconded. The motion **passed** by a vote of 6-1, with Mr. Adams voting in opposition.*

III. PUBLIC HEARINGS (OLD BUSINESS)

A. Petition of **64 Vaughan Mall, LLC, owner**, for property located at **64 Vaughan Street**, wherein permission is 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.

SPEAKING TO THE PETITION

The applicants Mark Mueller and Steve Wilson were present. Mr. Mueller said they simplified the mansard roof by pulling the upper floor back to let the balcony be open to the sky and letting the outer corner come out to create the edge of a deck. He said the two balconies below that terrace had a different proportion, with the opening extended almost to the floor and a decorative rail and pattern to distinguish them as balcony openings. He said proportion adjustments were also made to the granite base. On the driveway elevation, he said they moved the doorway deeper into the building so that everything behind the panels was the same. Acting Chair Wyckoff asked if it was floor level or went down. Mr. Mueller said the ramp elevated to the finished floor. He said the garage door was simplified to make it less residential and would have a painted finish to match the exterior trim on the clapboard section.

Acting Chair Wyckoff asked if the fourth floor was Option 1 or 2. Mr. Mueller said it was Option 2 and that they were trying to preserve the balcony above. Mr. Ryan said he liked the unique language and the way it filled the corner to create a unique condition. He said Option B14 was a better solution than Option A14. Mr. Adams said the attempt to find a compromise created an awkwardness of empty dormer windows that no one wanted turned into a set of logical balconies with a platform for a balustrade on the top, with no unnatural holes. He said he found the rest of the presentation a coalescence of all the struggling the Commission had done and made the project more understandable for him, but it still left Options A and B. City Council Representative said A14 was a more successful solution. Ms. Ruedig said the new building was safe and followed all the rules and that the proposed grillwork was fine because it added something different and was nicer to look at. She said she wasn't okay with punching the holes in the original façade, however, and couldn't accept it as a restoration of the original building. Acting Vice-Chair Doering said she was in favor of the new mansard roof construction because it added a modern element while still using a traditional technique and that she liked the balconies and railings better. She said her concern was that the building was suddenly starting to look like the one on Bridge Street. She agreed with Ms. Ruedig about the holes in the walls. Ms. Bouffard said she preferred Option A, even though it was missing the mansard corner, and she also had a problem with the punched openings. City Council Representative Trace said she agreed with Ms. Ruedig and Acting-Chair Doering.

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

Ms. Ruedig moved to **grant** the Certificate of Approval for the application as presented, with the following **stipulations**:

1. The two proposed balconies along Vaughan Street shall be removed from the application and return for administrative approval; and
2. The preferred option of the proposed third-floor open balcony (NOT Option B) shall be used.

Mr. Ryan seconded.

Ms. Ruedig said the project would observe the conservation and assessment of property values by improving the buildings and would have compatibility of design with surrounding properties.

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

IV. PUBLIC HEARINGS (NEW BUSINESS)

1. Petition of **Kathryn Coyle, owner**, for property located at **4 Rock Street, Unit 3**, wherein permission was requested to allow renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Map 138 as Lot 16 and lies within the Character District 4- L2 (CD4-L2) and Historic Districts.

SPEAKING TO THE PETITION

The applicants Kevin and Kathryn Coyle were present and reviewed the petition. Mr. Coyle said when they bought the two condos at 4 and 6 Rock Street, he found that the windows were not repairable. He said only four of those windows were original and the others were replaced in 1940. Ms. Coyle said they wanted to replace all the windows that were not historic and would restore the Greek Revival elements and 6/6 grid pattern. She said they would use a Green Mountain window with a sash and conceal balance, and all the windows would be double hung except for a 3rd floor egress window that would be a casement.

Ms. Ruedig said she had no problem with the request because the 1940s windows were on an 1840s house, and she thought the sash replacement kit would look more authentic. She asked what the muntin sizes were. Ms. Coyle said they would be consistent with the original windows.

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

*Ms. Ruedig moved to **grant** the Certificate of Approval for the application as presented, with the following **stipulation**:*

- *Half screens shall be used.*

City Council Representative Trace seconded.

Ms. Ruedig said the project would complement and enhance the architectural character of the house and would relate to the historic and architectural value of the existing structure.

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

At this point in the meeting, Acting Chair Wyckoff left and Acting Vice-Chair Doering was Acting Chair.

V. WORK SESSIONS (OLD BUSINESS)

A. **REQUEST TO POSTPONE-** Work Session requested by **Gregory J. Morneault and Amanda B. Morneault, owners**, for property located at **137 Northwest Street**, wherein permission is requested to allow the construction of a new structure (single family home) as per plans on file in the Planning Department. Said property is shown on Assessor Map 122 as Lot 2 and lies within the General Residence A (GRA) and Historic Districts.

DECISION OF THE COMMISSION

*Mr. Adams voted to **postpone** the petition, and Ms. Ruedig seconded. The motion **passed** by unanimous vote, 7-0.*

B. Work Session requested by **Dagny Taggart, LLC, owner**, for property located at **93 Pleasant Street**, wherein permission is requested to allow renovations to an existing structure (renovations of existing building) and new construction to an existing structure (construct 3-story addition) as per plans on file in the Planning Department. Said property is shown on Assessor Map 107 as Lot 74 and lies within the Character District 4 (CD4) and Historic Districts.

WORK SESSION

Tracy Kozak was present on behalf of the applicant and reviewed the updates to the petition. She said the glazing was simplified on the upper floors of the left-hand connector building and the glazing under the porch was larger to expand daylight into that area. She said the shutters were changed on the middle brick building to give some weight to the outer edges of the building. She said the garage door on the end brick building was revised and the awnings were made steeper and more translucent. She said the garage entrance had a granite lintel connector the garage door and person door and the awnings would be metal. She said the shutters could be made operable to make the building more energy efficient. She said the private porch was simpler, with no railing or pediment, and the cornice would be metal but would replicate the form of the one on the mansion. She said she would have cut sheets and material samples for the next session.

City Council Representative Trace said the clapboard building had a ramp that was ADA-compliant but the railing was a simple metal. Ms. Kozak said they pushed the ramp back to create a plaza on the sidewalk, so there would be a simple top rail with posts in wrought-iron. She said the porch was at grade level and would require no steps, but that they would fine tune the finished grade and consider plantings. Mr. Ryan asked if the shutters would have a visible track. Ms. Kozak agreed. Mr. Ryan said it might not be so concerning if he saw the product. He said the awnings were translucent and a metal screening was proposed. Ms. Kozak said it would be a perforated metal that would let some sun in and wouldn't seem so heavy. Mr. Ryan said he would wait to see it in more detail.

Mr. Adams said he wasn't comfortable with the casement windows on the connector buildings and said it appeared that the site was being excavated down behind the stone wall, which would bring the first connector building down to sidewalk level and be more compatible with the streetscape. He asked if the stone wall would translate into a freestanding wall. Ms. Kozak said they wouldn't go right up to the wall but would stay about six feet back, and there would be some shoring and piling needed to go a few feet back, so the dirt touching the back of the wall would stay. It was further discussed. Mr. Adams asked why a soldier course was introduced into the masonry. Ms. Kozak said it was to create banding to give some relief to the façade. Mr. Adams said it seemed like a lot of vertical joints and that the same thing could be done with horizontal bricks. Ms. Ruedig said she echoed most of the comments and thought the project was moving in a good direction. She said she liked the idea of the sliding shutters if the tracks could be figured out, but she wasn't sure about the casement windows because of how they would look when open. She said the awning idea was fine but thought they still looked a bit harsh. She was pleased with how the massing had evolved but still hesitant about the arch over the main entrance, noting that it looked different on a clapboard building than it did on a brick building. Mr. Brown said he liked what was done with the shutters because they broke up the long wall and centered it.

There was no public comment.

DECISION

*Ms. Kozak said she would return for a work session/public hearing. City Council Representative Trade moved to **close** the work session, and Ms. Ruedig seconded. The motion **passed** by unanimous vote, 7-0.*

C. **REQUEST TO POSTPONE-** Work Session requested by **One Raynes Ave, LLC, 31 Raynes LLC, and 203 Maplewood Avenue, LLC, owners**, for properties located at **1 Raynes Avenue, 31 Raynes Avenue, and 203 Maplewood Avenue**, wherein permission is requested to allow the construction of a 4-5 story mixed-use building and a 5 story hotel) as per plans on file in the Planning Department. Said property is shown on Assessor Map 123 Lot 14, Map 123 Lot 13, and Map 123 Lot 12 and lies within the Character District 4 (CD4) and Historic Districts.

DECISION OF THE COMMISSION

*Mr. Adams voted to **postpone** the petition, and Ms. Ruedig seconded. The motion passed by unanimous vote, 7-0.*

D. Work Session requested by **Port Harbor Land, LLC, owner**, for property located at **2 Russell Street and 0 Deer Street (2 lots)**, wherein permission is requested to allow the construction of a new freestanding structure (3-5-story mixed-use building) as per plans on file in the Planning Department. Said properties are shown on Assessor Map 124 as Lot 12, Map 118 as Lot 28, and Map 125 as Lot 21 and lie within the Character District 5 (CD5), Downtown Overlay, and Historic Districts.

WORK SESSION

The applicants Brooks Slocum, Ryan Plummer, and Rob Harbeson were present. Mr. Slocum reviewed the massing and said it was important to have view corridors from the site as well as some public plazas. He said some buildings were more open than others. He reviewed elevations and showed a few precedents of buildings in the District and images of view corridors and how the facades would be broken up.

Mr. Ryan said the applicant was on the right track and had addressed the Commission's concerns about passing through the building in Option 1. He said he liked what was done to the Russell Street architecture because it was more articulated and had a roof that wasn't flat. He said it was more appealing than the other two buildings and hoped that something similar could be done to them. Mr. Adams said the applicant described the building as two floors on two floors, which was strikingly different than what the Commission usually saw, three floors on one. He said he could see how it would develop into something with different-sized scale options that opened up. He said the openings were an opportunity to see the buildings as separate ones but noted that an inference of a separation wasn't as valuable as an actual separation. Mr. Slocum said they had to be respectful to the Hill and find a balance.

Ms. Ruedig said the massing wasn't either too big or too small and that it was exciting to have an open pocket park where one could see all the way through. She said another advantage of separate buildings was that their heights could be varied. She suggested varying the floor plates by a foot or six inches to give some variation in the rhythm and sizes of the buildings, and it was further discussed. Ms. Ruedig said the railroad would be the back of the building but shouldn't look like it because it would be very visible. She said the most sensitive spot would be the view from Maplewood Avenue and should be kept active and fresh. City Council Representative Trace said in Option 1, the view corridor with the open pocket park was imperative. She recommended that the building look like three different buildings and that the view corridor be accessible to anyone walking by. She said the Vaughan Street view corridor was also very important. Ms. Ruedig said the railroad side of the building was just as important because it would face all the recent buildings on the North Mill Pond. Mr. Brown said the view corridors were important to prevent a big wall that would block one side of town from the other, and it was further discussed. Ms. Bouffard said it would be even better if the view corridors were connectors. Council Representative Trace said a few of the precedent images showed how the middle building could be stepped back to take away some of the blocky look. Ms. Ruedig said she was happy to see a variation of roofs.

Acting Chair Doering said she liked Option 1 with a clear separation of Building A and the ability to walk through and down to the parking lot. She agreed that the Russell Street side would be important. She referred to the colonnade in Bath, England and Boston's Government Center and said it could be considered for the pedestal sections of Buildings B and C. She said the project was at risk of creating something chaotic in trying to use the fenestration and other elements to break up the buildings. She said the railroad tracks provided a ready-made rhythm and that it might be a good idea for the applicant to take from that instead of fighting it. She opened the public comment session.

Public Comment

Jerry Zelig said he liked Option 1 and breaking up the other portions of the project and the fact that two of the buildings would have the illusion of being separate buildings. He said the massing study might not be realistic because the ordinance had a building footprint of 40,000 square feet in that district, and he wondered whether the two remaining buildings combined and connected by the parking would exceed 40,000 square feet without a variance. He said the Sheraton and condominiums had an easement for parking and that the project had to have parking for them as well as the building's occupants and patrons.

No one else was present to speak, and Acting Chair Doering closed the public comment session.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **continue** the work session to the October meeting, and Mr. Ryan seconded. The motion **passed** by unanimous vote, 7-0.*

VI. WORK SESSIONS (NEW BUSINESS)

1. Work Session requested by **Malloy Revocable Trust of 2017, Timothy R. and Susan P. Malloy Trustees, owners**, for property located at **52 Prospect Street**, wherein permission is requested to allow new construction to an existing structure (construct 2-story rear addition) and renovations to an existing structure (new windows and siding) as per plans on file in the Planning Department. Said property is shown on Assessor Map 141 and Lot 13 and lies within the General Residence A (GRA) and Historic Districts.

The applicants Tim and Sue Malloy and their designer Hubert Krah were present. Mr. Malloy explained why they needed an addition. Mr. Krah reviewed the site plans, noting that the house was very small and the pandemic had introduced new challenges for home office space. He said they proposed to put new clapboard siding on the house and replace all the facade windows with 6/6 double hungs. He said they would install casement windows on the upper floors of the addition for egress and regular double hungs on the bottom floor. He said he didn't know if the attic windows should be replaced in kind or just removed.

Ms. Ruedig said the addition on the back would still use the same side of the footprint in the sunroom, didn't look like another doorway would be punched in, and the window would be kept,

all of which were little things were sensitive in terms of major changes to the house. She said the addition was well proportioned to the rear of the house. She asked if the applicant explored what was under the house's siding. Ms. Malloy said she thought it was c. Ms. Ruedig said she'd like to see clapboard on the façade and the two sides because they were so visible and thought the applicant might find earlier clapboards that were in good shape. Mr. Adams recommended wood for the replacement siding material. He said he had never seen an 1802 house with corner blocks in its windows and would be surprised if they were original. He said he was in support of the project at that stage and suggested Green Mountain windows as well as doing some prodding of the outer building. Mr. Ryan said the way the addition met the ground was awkward, but thought the lattice work helped ground it a bit visually. He said there might be a way to provide some panels that would look more appropriate and could still be accessed to get into for storage. He said he agreed with all the other comments. Acting Chair Doering said the applicant should do what worked best for the attic windows and said she supported the use of clapboard material as opposed to composite because it would have a good painting program and would last well.

There was no public comment.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **continue** the work session to the October meeting, and it was seconded. The motion **passed** by unanimous vote, 7-0.*

2. Work Session requested by **Martingale, LLC, owner**, for property located at **99 Bow Street**, wherein permission is requested to allow new construction to an existing structure (expand waterfront deck and docking structure) as per plans on file in the Planning Department. Said property is show on Assessor Map 106 as Lot 54 and lies within the Character District 5 (CD5), Downtown Overlay, and Historic Districts.

Architect Jeremiah Johnson, landscape architect Terence Parker, and Attorney Jim Steinkrauss were present. Mr. Johnson briefly reviewed the petition and the site plans. He said the curved dock float was removed. Mr. Parker reviewed the bronze murals, noting that the whale art referenced all sea life and the economy of oil in the 1800s. Attorney Steinkrauss said the east and west docks were shorter and smaller than previously. He noted that the 11 nearby properties had the same deck mass and were all in the rear of the properties, so the project's deck was consistent with those properties and would also allow public access, unlike the other properties. He said the building wasn't historic, so it had more flexibility, the mass was appropriate because it fit the Commission's criteria by promoting economic development and growth and would only be seasonal, and the bronze artwork and planters would minimize the effects on the abutters.

Mr. Ryan said one of the biggest concerns at the prior meeting was massing, which he said was surface massing and not volume massing. He said it was a surface that would support a 7-story building, noting that the size was appropriate and that the middle section could even be larger. He said the Commission should be discussing more public access to the water, like a link between the tugboats and Prescott Park, and he asked how they would get that far if they weren't comfortable with the project. He said outside seating during the pandemic helped keep things

normal and that the Commission should be excited about the project, especially if part of the deck was open to the public. He said it was a fantastic proposal and that he still supported it. Ms. Ruedig said she didn't have a problem with the extension of the deck because the building was new and there were plenty of other decks to the west of it that stuck out farther in some ways. She said she liked the artwork and thought the murals were wonderful but was hesitant about the whale motif. She said her only concern was that the east deck still seemed a little large in the rendering and that she'd like to see it pulled back so that it didn't stick out as far as the floating dock. She said she otherwise had no problem with the application because it fit the building and the purpose of the deck, which was the continuation of the use of the waterfront. She said she also applauded the public access portion. Mr. Brown said he was a big fan of the decks but was surprised that they weren't built all long the extent of the building. He said he had a problem with the proportions because the deck would extend out more than any other deck by 8-10 feet. He suggested removing the curve and balancing the sides. He said he loved the murals and thought they added adequate protection for the neighbors.

City Council Representative Trace said she applauded any public space the applicant proposed but thought the 15'x21' public area was small and wondered how the public would access it. She said she never had a problem with the artwork but thought it was inappropriate that it was introduced in the middle of a public hearing previously. She also noted that she received a letter from the applicant's law firm stating that it was a private document and said it should have been addressed to the Planning Department instead. She said the mass was going in the right direction but that she still had a problem with the rounded area because it seemed overwhelming and there wasn't a lot of square footage removed. Mr. Adams said the artwork was great. He said the concept of a dock was more of a tradition and normally ran from one side of the restaurant to the other, so he was bothered by the fact that it was rounded. Ms. Bouffard agreed and said she didn't know what the radius on the two decks really offered. Mr. Parker said the docks were extended for people, not ships. Mr. Brown said there was no other dock in the city curved like that. It was further discussed. Mr. Ryan said the amount of people who could go on the deck would be restricted if it was decreased. He suggested opening up the path to the deck instead of having to squeeze in through Harpoon Willy's and the River House's kitchen service way. He said the deck was a surface area and the curve was probably a way to get a better view.

Acting Chair Doering said she compared the plans from 2015 and that it seemed like the public access got smaller. She said the whole point was to provide more access to the water, not less, and that the Commission had to be careful that they weren't designing something that may or may not happen. Regarding the curves, she said if they were trying to get more deck space and were concerned about parts that were too narrow, maybe they needed to make the existing part bigger and the new part skinnier to result in the same square footage and have nothing protrude.

Public Comment

Acting Chair Doering opened the public comment and said a letter was received from Elizabeth Bratter but didn't say if it was in support or opposition.

Katie (no last name given) called in and summarized the letter that she submitted to the Commission from Sherman Law. She said the applicant had stated that they would not ask for

more variances. She said the deck protruded way out into the river, so it wasn't the equal mass of the other decks. She noted that the two buildings following the Martingale didn't have decks at all. She said Martingale advertised that they had the biggest deck in Portsmouth but were now adding onto it, so it wouldn't fit with the character of the district. She said the building got several variances previously and eliminated the public's view of the river, but now the applicant was saying that they would give the public a little section. She said the project would impact the public's view of the tugboats and nearby residents would have to listen to the music and see the lights. She said the project was too big and massive and didn't fit the character.

No one else was present to speak, and Acting Chair Doering closed the public comment session.

Mr. Johnson said there was a building in that location prior to 2011 when the Martingale was built and that there was no more access to the waterfront at that time than what was there today. He said the proposal was to extend an existing use and that the applicant wasn't introducing any new elements. He said it was important to look at the orthographic plan view because sometimes perspectives and renderings were different. It was further discussed. Mr. Cracknell asked why the public viewing area was recessed. Mr. Johnson said they had some feedback from the abutter that he would confirm at the next meeting.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **continue** the work session to the October meeting, and Mr. Brown seconded. The motion **passed** by unanimous vote, 7-0.*

VII. ADJOURNMENT

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Joann Breault
HDC Recording Secretary