

**MINUTES FROM THE HISTORIC DISTRICT COMMISSION MEETING  
PORTSMOUTH, NEW HAMPSHIRE  
1 JUNKINS AVENUE  
City Council Chambers**

**7:00 p.m.**

**August 7, 2002  
Reconvened on  
August 14, 2002**

**MEMBERS PRESENT:** Chairman John Rice, Vice-Chairman David Adams, Rick Becksted, John Golumb, Ellen Fineberg; Joanne Grasso; and, Alternates Maija Hibbard and Richard Katz

**MEMBERS ABSENT:** Paige Roberts

**ALSO PRESENT:** Roger Clum, Assistant Building Inspector

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**I. OLD BUSINESS**

**1) Petition of Jeff Marple, owner, and Edward J. Barton, III, applicant,** for property located at 10 Market Square wherein permission is requested to allow a modification to an existing approval received at the August 2, 2000 meeting as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 022 and lies within the Central Business B and Historic A districts. This application was tabled at the August 7, 2002 meeting to this meeting.

**SPEAKING IN FAVOR OF THE APPLICATION**

Mr. Clum, the Assistant Building Inspector, stated that Mr. Barton was approved for a metal stair case at the August 2000 meeting to be used as an exit only in case of emergency from the second floor at the rear of the building. At that meeting, the Commission stipulated that the bottom stair line up with the left hand edge of the window above. He stated that he was called to the property in July of 2002 to view the completed exterior stairs. He stated that the plan did not line up with the plan approved at the August 2000 meeting. Mr. Barton had his welder cut the top landing back; however, the Building Code dictates the minimum size of the landing and how steep the stair can be. The result is that the bottom of stair now lines up with the middle of the window above.

Mr. Clum stated that after reviewing the plan, there was no alternative that would meet the Code issues and would also allow the stairs to be any shorter than existing; therefore, he stated that he recommended that Mr. Barton return to the Commission for approval for the stairs as is.

Mr. Clum stated the back alley where the stairs are located; there are elevator shafts, dumpsters, and overhead wiring. He added that it is unfortunate that this happened since the applicant has indicated that it was not intentional.

Ms. Grasso asked when work was started on the stairs?. Mr. Clum replied in March of this year and the Building Permit that was issued was part of larger permit that was issued for other work to be done. The overall permit was very active.

Mr. Golomb stated if the stairs are not allowed to remain as existing, they will be in violation and could cause a safety issue.

There being no further speakers, the Public Hearing was closed.

**DECISION OF THE COMMISSION**

Mr. Golomb made a motion to approve the plan as submitted and amended; Ms. Grasso seconded. The motion passed with a 6 – 1 vote with Vice-Chairman Adams voting in the negative.



**II. PUBLIC HEARINGS**

7) **Petition of James R. Kilcoyne, owner**, for property located at 67 Gates Street wherein permission is requested to allow new construction to an existing structure (extend and close in an existing porch) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 091 and lies within the General Residence B and Historic A districts.

**SPEAKING IN FAVOR OF THE APPLICATION**

Mr. Kilcoyne, the owner of the property, stated that the Commission members had several pages in their packets explaining the proposal. There will be clapboards across the back of the structure to match the existing house. The grills on the windows are non-removable.

Ms. Fineberg stated that the manufacturers cut sheet looks as though the grills are permanently between the windows.

Vice-Chairman Adams asked what the dimensions of the windows on the first floor? Mr. Kilcoyne replied that the house is 200 years old and the windows are all different sizes. He added that he does not have the dimensions.

Mr. Becksted asked how the new windows would compare with the other windows. Mr. Kilcoyne replied they are taller being approximately 68” where the existing windows are approximately 55”. He stated that his wife wants to allow for maximum light into the house.

Ms. Fineberg feels the windows are quite large for this space.

Mr. Kilcoyne stated the existing porch will disappear and a new room will be created.

Ms. Fineberg made a motion that the application move into a worksession mode.

Mr. Becksted stated that we need more detailed information such as a sketch of the first floor and the size, shape and heights of the windows.

Vice-Chairman Adams made a motion to table the application to a worksession/public hearing at the next scheduled meeting and suggested to the applicant that a basic drawing of the back of the house showing the corner trim, window sizes and added that it is not uncommon for this era

that different window sizes were used. He also requested that photographs of the other three sides of the house be submitted. If stairs are planned for the back, we will need better plans for that. The motion was seconded and passed unanimously with a 7 – 0 vote.



**8) Petition of Bell Rock Restaurant, Inc., owner** and The Library Restaurant, applicant, for property located at 401 State Street wherein permission is requested to allow the installation of a central air conditioner/compressor located at the rear of the building as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 003 and lies within the Central Business B and Historic A districts.

**SPEAKING IN FAVOR OF THE APPLICATION**

Mr. Bill Dogan, representing the owner, stated the rear of the restaurant, if you are standing in the parking lot, there is a courtyard where the air condition unit will be placed. The condominium association voted to approve the air conditioning unit that will be 4’ x 4’ x 3’ high. The ductwork will be painted to match the brickwork on the building. We are proposing a picket fence or lattice work around the unit.

Mr. Becksted asked the material of the ductwork. Mr. Dogan replied galvanized metal being 6” x 1’ wide.

Vice-Chairman Adams feels there will be an issue with the sound being deflected upwards. Mr. Dogan stated the decibel level is 45.

Mr. Becksted stated that he feels that because of the location of the unit screening will be not be required.

Ms. Fineberg stated she would rather see a solid wood fence around the unit.

Chairman Rice stated he feels a fence would be out of place.

Vice-Chairman Adams stated he would like to review the brick and mortar that would be used since there has been some terrible patchwork finish work done in the City.

There being no further speakers, the Public Hearing was closed.

**DECISION OF THE COMMISSION**

Mr. Becksted made a motion to approve the application and that the screening be withdrawn from the application with the following stipulations:

- That a Commission members approve the brick and mortar selection; and,
- That the ductwork be painted to match the brick façade.

The motion passed unanimously with a 7 – 0 vote.



**III. APPROVAL OF MINUTES**

Vice-Chairman Adams made a motion to approve the minutes from the meeting of July 10, 2002; Mr. Becksted seconded and all approved unanimously with a 7 – 0 vote.

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**IV. WORK SESSION**

**A. Work Session requested by Robert E. Ducharme for property owned by Black Swan Realty Trust**, located at 796 Middle Street. Said property is shown on Assessor Plan 153 as Lot 008 and lies within the General Residence A and Historic A districts. The owner is proposing to construct four condominium units in an attached barn.

- Structure was built in the very early 1900's
- Tear out the existing driveway;
- Remove the vinyl siding;
- Clapboard the front façade;
- Second story will be added to the rear with overhang;
- Handicap ramp will be constructed;
- Windows will have simulated true divided lights;
- The Commission did not like the windows that were presented;
- The Commission was not in favor of the eight parking spaces that will be located to the front of the lot;
- Neighborhood group will voice their opinions loud and strong on the parking arrangement;
- The Commission felt that condominiums simulated condominiums built in the 1980's
- The Commission advised the applicants to request another worksession for the September 4, 2002 meeting.

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**V. ADJOURNMENT**

There being no further business to come before the Commission, the motion was made and seconded to adjourn the meeting and meet at the next scheduled meeting on September 4, 2002.

Respectfully submitted,

Joan M. Long  
Secretary

/jml