

MINUTES FROM THE SEPTEMBER 3, 2003 HISTORIC DISTRICT COMMISSION MEETING

**PORTSMOUTH, NEW HAMPSHIRE
1 JUNKINS AVENUE
City Council Chambers**

7:00 p.m.

SEPTEMBER 3, 2003

PLEASE NOTE: Due to the length of the Agenda, Old Business A) and Public Hearings #1 - #10 will be heard at the September 3, 2003 meeting; **however, the Work Sessions will be heard on the following Wednesday, September 10, 2003 at 7:00 p.m. in the City Council Chambers.**

MEMBERS PRESENT: Chairman John Rice, Vice-Chairman, David Adams; John Golomb, Paige Roberts, Rick Becksted, Ellen Fineberg; Joanne Grasso; and, alternates Richard Katz and, Sandy Dika

MEMBERS ABSENT:

ALSO PRESENT: Roger Clum, Assistant Building Inspector

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I. OLD BUSINESS

A) Petition for Ben and Andrea St. Jean, owners, for property located at 54 Humphrey's Court wherein permission is requested to allow new construction to an existing structure (replace existing rear double hung wood framed window with a Pella full glass wood door; and addition of cedar lattice work on short end of rear deck facing the west) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 046 and lies within the General Residence B and Historic A districts. This application was tabled at the August 13, 2003 meeting to this meeting.

Mr. Becksted made a motion to take the application off the table; Ms. Grasso seconded and was approved with a 7 - 0 vote.

SPEAKING IN FAVOR OF THE PETITION

Mr. St. Jean stated that basically he was proposing to replace a wood double hung framed window with a Pella wood door with one pane of glass and add cedar lattice work on the short end of rear deck facing West. He added there will be no other changes to the property at this time.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Ms. Grasso made a motion to grant the application and was seconded. The motion passed with a 7 - 0 vote.

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II. PUBLIC HEARINGS

1) Petition for Agostino Alessi, owner, for property located at 40 Prospect Street wherein permission is requested to allow exterior renovations to an existing structure (replace 17 windows in the structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 141 as Lot 012 and lies within the General Residence A and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Alessi, the owner of the property, stated he wanted to replace 17 window in his home with one over one windows. The windows are very old and have become difficult to keep up with the maintenance. He added his wife has a very difficult time opening or closing the windows. Mr. Alessi stated the wood windows are very expensive and since they live on a modest monthly income, we could not afford wood windows. The existing windows are two over one and we are proposing to use one over one.

Mr. Becksted asked if the windows could be replaced with two over one as the existing windows are. Mr. Alessi stated there are many homes in our area that have vinyl windows.

Chairman Rice stated he was concerned because he feels the grills that are being proposed were one over one and those windows were approved under very special circumstances. He added he would prefer the windows be two over one with fixed grills on the outside and asked the applicant if he could live with a two over one window.

Ms. Fineberg stated that perhaps Nickerson-Remeck, the contractor for the project could possibly find a vinyl window with outside grills since they have shared many meetings with us.

Mr. Katz asked Mr. Alessi how long he had lived in the home? Mr. Alessi replied 84 years. Mr. Katz stated this is a real life situation. Mr. Alessi is requesting one over one windows and the HDC is requiring two over one windows and will cost him an additional \$4,000.00. The members of the Commission will still require a spec sheet of the window.

Ms. Fineberg made a motion to table the application to the reconvened meeting on September 10, 2003 and advised the applicant to bring his contractor Nickerson-Remick to the meeting; Ms. Roberts seconded and all approved with a 7 – 0 vote..



2) Petition for Karen Wiese, owner for property located at 105 Daniel Street wherein permission is requested to allow a new freestanding structure and for work otherwise authorized under Article 10-1011(A)((4)(g) (add a 6' x 6' walk-in cooler with solid fence on side façade of building in rear under existing porch overhang) as per planing on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 005 and lies within the Central Business B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Ms. Karen Wiese, the owner of the property, stated she was proposing to place a 6' x 6' walk-in cooler with a 6' high solid fence to obscure the cooler and will be placed underneath the

overhang on the side of the building. The employees that will have to access the cooler, will have to go outside first. She added that it was placed in the adjacent garage behind her property; however, the property has been sold and the new tenant asked that the existing cooler be removed.

FURTHER SPEAKING IN FAVOR OF THE PETITION

Mr. John Russo, the adjacent abutter to 105 Daniel Street, wanted to go on record as having no objection to the placement of the cooler.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Mr. Becksted made a motion to approve the application as presented; Mr. Golomb seconded. Mr. Becksted stated the proposed plan is a bit innocuous. Mr. Golomb stated he agreed and will support the motion.

The motion passed with a 7 – 0 vote.



3) Petition for Gerald and Katharin Smith, owners, for property located at 306 South Street wherein permission is requested to demolish existing 1 bay garage and rebuild a 21' x 25' two bay garage as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 010 and lies within the Single Residence B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Smith, the owner of the property, stated he would like to tear down a very small one bay garage and rebuild a 21' x 25' two bay garage. The roof will be cedar and added he will try to make it look like an out building with a salt box type roof. Mr. Smith stated he will try to keep the scale of the building as small as possible. He has spoken with his neighbors and they have no problem with the proposal.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Ms. Grasso made a motion to approve the application; Ms. Roberts seconded.

Vice-Chairman Adams stated the structure is set back a fair amount from the street; however, he will not support the application because he is having trouble with a non-traditional garage and would be happier with a traditional garage/shed. It is "cute".

Mr. Becksted stated a little "cute" is okay.

The motion to approved passed with a 6 – 1 vote with Vice-Chairman Adams voting in the negative.



4) Petition for Shipwatch Condo Association, owner and Robert Fulmer, applicant, for property located at 129 Market Street wherein permission is requested to allow exterior renovations to an existing structure (replace existing aluminum gutters with copper; waterproof windows with caulking) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 035 and lies within the Central Business A and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Fulmer, representing the Condo Association, stated he wanted to remove the aluminum gutters since they have been in place for many years and replace with copper gutters and drainpipes. The copper will burnish in a very short time.

Mr. Golomb asked if the downspouts would be replaced in the rear? Mr. Fulmer replied there is an existing downspout in the rear; however, it came down last year and it will be replaced this year with copper.

Mr. Fulmer stated that in addition to the copper gutters and drainpipes, we are proposing to caulk the windows on the Market Street façade due to leakage in inclement weather.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Vice-Chairman Adams stated he will make a motion to approve as presented and was seconded. The motion was approved with a 7 – 0 vote.



5) Petition for Allen Kaufman, owner and Roe G. Cole, applicant, for property located at 50 South School Street, Unit #4 to allow new construction to an existing structure (construction of identical hip dormer to attic making the structure symmetrical) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101, as Lot 060 and lies within the General Residence B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Cole, the contractor for the project, stated that he was approved at last month’s meeting to construct an identical hip dormer to the attic. This proposal is for the same hip dormer and will make the structure symmetrical. There are three existing sky-lights and we are proposing three new sky-lights making the windows the same size as before.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve the application as presented; Mr. Golomb seconded.

The motion passed with a 7 - 0 vote.

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6) Petition for Linda Rioux, owner, and Brian Whitworth, applicant, for property located at 86 Islington Street wherein permission is requested to allow exterior renovations to an existing structure; and, to allow work otherwise authorized under Article 10-1011(A)(4)(g) (remove aluminum and vinyl siding, replace with red cedar clapboards; replace all windows; build small addition to rear and remove and replace rear decks and stairway; and, raise roof of rear portion of building to align with front façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 025 and lies within the Central Business B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Whitworth, representing the owner, presented a petition signed by many abutters indicating they had no objection to the petition. He added that they had successful worksessions with the Commission previously on this project. Basically, we are taking what was a rooming house and converting it into condominiums. The windows will be Marvin six over six windows with grills and presented a sample of the shingles to the Commission members. The utilities will be placed underground and the mechanicals will be in the rear of the building.

Ms. Roberts stated she wanted to be sure of the location of the handicap ramp. Mr. Whitworth illustrated on the plans where the handicap ramp would be located. Ms. Roberts asked if the air conditioners would be outside. Mr. Whitworth replied the compressors would be located under the decks.

Vice-Chairman Adams stated that the drawings show the sash to be shorter in the rear. Mr. Whitworth replied that this is to allow for kitchen sinks to be installed. Vice-Chairman Adams stated he would feel more comfortable if all the windows on the third story were three over three windows and the six windows on the rear façade also be changed to three over three windows.

Mr. Becksted agreed with Vice-Chairman Adams that the three over three windows would be very close to the windows below and is a good compromise.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Ms. Roberts made a motion to approve the application as amended; Ms. Grasso seconded. The motion passed with a 7 – 0 vote.

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7) Petition for Black Swan Realty Trust, owner, for property located at 796 Middle Street wherein permission is requested to allow a new free-standing structure; and, new

construction to an existing structure (a 6' x 14' back porch and a 4' x 13' front entrance deck for unit #4; and, a 30" x 30" pad for an air conditioning unit for Unit #4) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 153 as Lot 008 and lies within the General Residence A and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Robert Ducharme, representing the Black Swan Realty, stated that they have been working on this application for more than a year; however, the architect forgot that on unit #4 there were no back steps planned. We are proposing to make the plans for the existing rear deck smaller and will be the same as unit #3.

Ms. Fineberg stated the plans indicate that the door was supposed to be ground level. Mr. Ducharme stated that was a mistake on their part.

Mr. Gold of Black Swan Realty, stated the top elevations show that Ms. DeStefano, architect for the project, left out the floor joist and is the reason the door height and that a few stairs need to be added.

FURTHER SPEAKING IN FAVOR OF THE PETITION

Mr. Steve Steiner, a direct abutter stated he was concerned about the noise level of the air conditioner. Mr. Clum, the advisor to the HDC, replied that this was a situation that was picked up in the field where the applicant didn't realize he needed approval from the HDC.

Chairman Rice suggested to the applicant to erect fencing around the air conditioner. Mr. Gold replied the entire property is fenced in; however, he would be happy to place evergreen screening or additional fencing around the compressor.

The Public Hearing was closed.

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve the application as amended; Mr. Becksted seconded.

Ms. Grasso stated she would like the Decision of the Commission be amended as follows:

- That a solid barrier of evergreens be placed around the air conditioner to help eliminate noise; and,
- That the evergreens be maintained and replaced around the air conditioner as needed as well as the evergreens at the front porch area.

The motion passed with a 7 – 0 vote.



At this time, Chairman Rice read the following memo into the record received from Lucy Tillman, Planner I as follows:

“Upon further review of the application and in conjunction with discussion with the representatives for the development, I have determined that both the drive-thru structure and ATM addition require Board of Adjustment approvals. Building and structures in the Central Business district are required to be at least 20’ in height. The architect has indicated that they will be 15’8” in height, hence the need to go to the Board of Adjustment”.

“Due to the confusion over building elevations, this application was not scheduled first for the Board of Adjustment as is the usual in such circumstances. However, in as much as the Historic District Commission is aware of this situation, you may elect to proceed as you wish by continuing to review the application as either a Work Session/Public Hearing format or to Table it pending Board of Adjustment review”.

Mr. Moeller, representing Ocean National Bank stated they would like to proceed with the Public Hearing. Chairman John Rice of the Historic District Commission also agreed that they would like to proceed with the petition.

Mr. Daniel O’Brien, the President of Ocean National Bank stated they were scheduled for a BOA Meeting on September 16, 2003.

8) Petition for Ocean National Bank, owner, and JSA, Inc., applicant, for property located at 325 State Street wherein permission is requested to demolish the annex; and to allow exterior renovations to an existing structure (rework existing building façade); (add a small two-story addition on Porter Street façade with a single-story ATM machine wing; and, construct a remote vacuum tube station) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lots 001, 006 and 007 and lies within the Central Business B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Mark Moeller, the Architect from JSA and representing Ocean National Bank stated he was not present for the work session held recently and apologized if he repeated himself. He stated there is an elevated walk-thru that sits in the middle of the site and connects the two buildings. Our proposal is to demolish this annex.

Mr. Moeller stated there is two story addition that is being proposed that will be similar to the existing building that will house some needed components such as a new elevator, a second means of egress and the types of things that are difficult to incorporate into an existing structure. There is a one-story appendage to this building in the middle of the parking lot that owner chooses to remove. A teller finishing her shift with 30 or 40 thousand dollars in the till trying to enter the inside of the main building could cause a very difficult and dangerous situation. Mr. Moeller addressed some changes that would be made since the packages were sent out to the Commission members.

Mr. Wallinga of JSA stated at the work session there were some concerns regarding the landscaping. The parking lots will be buffered and we will maintain the green space to soften the area up a little. It is an urban site; therefore, we don't want to make too much of the garden area. The next concern is to keep the front façade on State Street entrance available and open for anyone walking to the bank. On the Fleet Street façade, there will just be a sidewalk and landscaping. The window frames will be a light gray with clear glass – no tinting and no colorings at all. We are combining the old with the new to create a more unified building.

Chairman Rice asked if there were any questions?

Mr. Moeller stated the plan is to demolish the annex between the two buildings and tear it back to the drive-thru. There is a one story appendage in the rear for the ATM; we do not want the ATM in the center of the parking lot. There will be underground conduits for the ATM machine. The proposed parapet will be built off the existing parapet. We are planning no masonry at the top but a 2' metal parapet on the top and the recess will probably be 8-10". There will be two means of egress from the building.

Ms. Grasso asked where the mechanicals would be located and would they be visible from the street? Mr. Wallinga replied the mechanicals will be placed on the roof; however, it is too early to determine the sizing and we will have to return for approval as the project moves along.

Chairman Rice advised the Commission if anyone had any concerns to address them at this time and not when making a vote.

Vice-Chairman Adams stated when he looks at the Porter Street elevation to the left and right of the building and on the State Street elevation when looking to the left and right all he can see is brick. The parapet is constructed of masonry and then there is a capping, a recess, and an expression of a vertical metal service. Mr. Wallinga replied there is no masonry at the top of the building.

Chairman Rice stated he liked what was being done to the building; however, he would like to see more green space and asked about the possibility of having a little more green space.

Ms. Roberts stated the Commission strongly encourages the trees and shrubs be used to add to the landscaping.

Mr. Becksted asked how many parking spaces there were. Mr. Moeller replied 48 parking spaces. Mr. Becksted asked if the bank could live with 44 parking spaces; Mr. Moeller replied there are 17 spaces that are deeded to the adjacent lot and these spaces the bank cannot use.

SPEAKING TO THE PETITION

Mr. Tom Kaufhold of 53 Rogers Street stated it is important to recognize that this bank was the first bank to have a walk up teller as well as a drive-thru. Mr. Kaufhold went on to have much discussion of other properties in the Historic District area.

At this time, Chairman Rice gave Mr. Kaufhold one additional minute to complete his program.

There being no further comment to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Mr. Becksted made a motion to approve the application; however, there was no second.

Mr. Becksted withdrew his motion.

Mr. Becksted made a motion to approve the application for the purposes of discussion; Vice-Chairman Adams seconded for purposes of discussion.

Vice-Chairman Adams stated he had missed the previous work session. He thought after looking at the rendering, he would be more annoyed by the skeletal nature of the drive-thru; however, it seems to fade into not being there at all. However, he is overwhelmed with the amount of parking on the lot. With the removal of the "other structure" I still have no appreciation for the "other structure". Vice-Chairman Adams stated that Mr. Kaufhold is starting to wear on him to the point that he finds the rendition of a re-faced international style building in brick contrary to both the international style and the general neighborhood of brick masonry buildings. He added that he finds himself unmoved by the amount of glass or the massing of the glass on the structure. After looking at the rendering many times he stated he is unmoved. Vice-Chairman Adams stated he realizes the building will just be refaced and should be all right. However, the fenestration, the layout and the way the windows are connected from one floor to the other, the metal capping of the roof, the bare almost spartan canopy over entrances that he does feel should be primary entrances and the treatment of the front entrance is jarring to him. He added that he would cite the Zoning Ordinance a little later on.

Mr. Golomb stated he would also cite the Zoning Ordinance a little later on. However, he would keep his comments to the State Street elevation. He feels the rendition of the bank is too industrial looking and added that the character of the building will be destroyed. A canopy should be added to the State Street elevation and the windows make it look like the Post Office building. A 50's building has some character and the plans do not add to any of the streetscape; therefore, he will vote against the motion.

Chairman Rice stated he will not support the motion; however, he does not have any strong feelings about refacing the international building with red brick because he feels that he has seen that done elsewhere and it just brings an old building new life. He added that he has not been moved by the argument that by keeping the white brick is not preserving the character and integrity just to give an old building new life. If this project could be done in a way that makes sense then it would be within the scope of review in the Historic District. Therefore, there are other elements and added what John Golomb indicated, hit the nail on the head in referring that the proposed building looks similar to the Post Office. It is an institutional building that remains institutional and not too terribly contributing with allot of designs that are just not as interesting as they could be for a building of this size. He is concerned about the front of the building on State Street and added that he does not feel that the bank across the street works that well because it could be a department store.

Chairman Rice stated he deeply respect Ms. Roberts ability on the Planning Board he would rather have something leave this Commission with something cast in stone regarding landscaping then leaving it up to Ms. Roberts capable hands. Therefore, he will not support the motion.

Mr. Becksted stated he was in favor of this proposal and thanked Mr. Kaufhold for his research on the property and it was very meticulous; unfortunately, he disagrees with Mr. Kaufhold's

remarks. He stated he supports the refacing of the structure. He feels it is a very ugly building; unfortunately, the only way for it to go away is to go away with a proposal such as this.

Chairman Rice stated his vote would be based on the scope of review – to maintain the special character of the area demonstrated through character and style.

Mr. Golomb stated his vote will be under scope of review – Item #1 to preserve the integrity of the district. He added that he does not feel redesigning of the building will improve the integrity of the district and also #2 the redesign on the State Street elevation does not maintain the special character of that area.

Ms. Fineberg stated that she will not support the vote because the redesign of the structure does not complete the original structure. She feels some excellent ideas have been discussed for the building. She added that she did not have any objections to the addition.

The motion to grant failed with a 1 – 6 vote with Ms. Grasso, Ms. Roberts, Vice-Chairman Adams, Mr. Golomb, Ms. Fineberg, and Chairman Rice voting in the negative.

Chairman Rice stated that when an application is denied, the applicant is encouraged to re-apply for his proposal.

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9) Petition for Martha and Geoffrey Clark, owners, and Dan Willette, Woodwright, applicant, for property located at 152 Middle Street wherein permission is requested to allow new construction to an existing structure on the West facade (a third floor addition with no change to existing footprint) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 010 and lies within the Mixed Residential Office and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Ms. Aileen Graf, the architect for the project, stated that the owners are proposing to add a one story bump out onto the existing two bumpouts on the third floor to provide for a bathroom. The new windows will match the existing windows being wood with true divided lights.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Ms. Fineberg made a motion to accept the application as presented; Mr. Becksted seconded. The motion was approved unanimously with a 7 – 0 vote.

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10) Petition for Fred Lowell, owner and Steven McHenry, applicant, for property located at 62 Deer Street to allow exterior renovations to an existing structure (restoration of front door and trim; enclose existing porch for sunroom; replace windows and door; and, raise chimney) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 027 and lies within the Central Business B and Historic A districts.

SPEAKING IN FAVOR OF THE PETITION

Mr. Steve McHenry, the architect for the project and representing the owner, stated he was proposing to renovate the existing structure. The building was formerly used as a senior center and now the owner is proposing to convert the structure into a single family home. Mr. McHenry went through his list of changes with the Commission members as follows:

FRONT ELEVATION

- Restore the front door area;
- Replace existing 2-light front door transom with a 5-light transom, single glazed;
- Add wood louvered shutters to all windows except dormers;
- Raise height of existing chimney 2-6" inkeeping with original chimney height;
- Add new turned wood finials at existing front dormers to match original.

RIGHT SIDE ELEVATION

- Add new first floor windows to match existing rear elevation windows;
- Remove narrow window at first floor;
- Remove existing 20th century doors and concrete steps
- Replace existing electrical meter housing with smaller housing of same materials/design;

LEFT SIDE ELEVATION

- Replace existing second floor windows at main house with shorter windows to align head height with head height of window to the right;
- Covered porch at rear to be enclosed for a sunroom
- Existing porch roof to remain/existing columns to be removed;
- New pilasters too match existing pilasters at front door.

REAR ELEVATION

- Replace existing gable end third floor window with a new shorter casement window of same width;
- All metal rails at concrete ramp to be removed;
- Replace arch top window sash with new double hung sash in existing frame with muntin pattern.

Ms. Roberts asked about the handicap ramp existing. Mr. McHenry stated that the ramp will remain since there is a handicap person living at the home.

There being no further business to come before the Commission, the Public Hearing was closed.

DECISION OF THE COMMISSION

Vice-Chairman Adams made a motion to approve the application as presented; Mr. Becksted seconded.

Ms. Fineberg stated this is a very exciting project and cannot wait until it is furnished.

The motion passed with a 7 – 0 vote.

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III. APPROVAL OF MINUTES

The motion was made to approve the minutes of the August 6, 2003 meeting and the August 13, 2003 and was seconded. All approved with a 7 – 0 vote.

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IV. ADJOURNMENT

There being no further business to come before the Commission, the Commission made the motion to adjourn and meet on the following Wednesday, September 10, 2003 to complete the Agenda and was seconded and approved unanimously with a 7 - 0 vote.

Respectfully submitted,

Joan M. Long
Secretary Planning Department

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