

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

7:00 p.m.

AUGUST 2, 2006

MEMBERS PRESENT: Chairman John Rice, Vice-Chairman David Adams, Richard Katz, John Golumb, Planning Board Representative Jerry Hetjmanek, Ellen Fineberg, and Alternates Sandra Dika

MEMBERS ABSENT: City Council Representative Ned Reynolds, John Wyckoff

ALSO PRESENT: Roger Clum, Assistant Building Inspector

Chairman Rice called the meeting to order at 7:00 p.m. He stated that Work Sessions A – G will be heard on August 9.

I. OLD BUSINESS

Approval of minutes, April 5, 2006

Mr. Adams made a motion to accept the Minutes as accepted. The motion was seconded by Ms. Dika. All voted in favor.

Approval of minutes, July 5, 2006

Mr. Adams made a motion to accept the Minutes as accepted. The motion was seconded by Mr. Golumb. All voted in favor with Ms. Fineberg abstaining.

II. PUBLIC HEARINGS

1) Petition of **Nancy H. Alexander, owner**, for property located at **44-46 Market Street** wherein permission was requested to allow exterior renovations to an existing structure (replace second floor front window and refinish back of building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 31 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Melvin Alexander, representing the owner, Nancy Alexander spoke to the petition. He mentioned that the petition was in two parts. One part was for the replacement of second floor windows. He mentioned that the sash has separated from the right side window and needs to be replaced. It is a one over one wood sash approximately 82 ½” in height by 42” in width. Mr.

Alexander added that the wood is irreplaceable. He said that he had checked with three sources and no one could come up with a wood one over one window with soffits. He went on to say that he checked with the Planning Board and they said that aluminum clad windows would be acceptable. He said they have chosen to go with Jeld Wen windows. He had learned that these windows have been approved in the past in the Historic District.

Mr. Adams had a question about the sash pack that was listed in the plans. He asked for clarification that it is a sash only and that there are no plans to make changes to the wood frame or the masonry opening.

Mr. Alexander replied that there would be no change to the masonry opening. He said that on the inside they will put in new sideboards and 1"x 2" trim around the window. He added that there will be no visible change.

Chairman Rice asked if there were any more questions about the windows. Hearing none, he asked the applicant about the second part of his petition.

Mr. Alexander stated that the building was built in three stages over a period of time. The front portion is three stories high and faces Market Street. There is a one story addition that was put on. In 1848 the rear two story portion was added. He said that the rear and central portions are brick. The second level on the rear of the building has siding. That portion of the building was remodeled around 1972. It has basic masonite siding; however, it was never finished off. Mr. Alexander said that he would like to finish off the rest of the back portion of the building.

Chairman Rice asked if he planned to use masonry siding. Mr. Alexander replied yes so that it matches everything else.

Mr. Adams asked if they would be lining up the courses of the new siding with the existing material. Mr. Alexander said that is their intention. Mr. Adams asked if they had any intentions of making changes to the masonry part of the building. Mr. Alexander answered no. He stated that the proposed changes would enhance the appearance of the building and weatherproof it since they are currently getting leaks.

Chairman Rice asked if the Commission had any more questions. Hearing none, he asked if anyone in the public wished to speak to, for, or against the petition. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to approve the application as presented. It was seconded by Ms. Dika. The motion passed by unanimous vote.

2) Petition of **Coventry Assets LTD, owner**, for property located at **30 Penhallow Street** wherein permission was requested to allow demolition of existing structure and new construction to an existing structure (demolish existing roof portico, replace with new extended

roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 42 and lies within Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Bob Thoresen of Coventry Assets, LTD spoke to the petition. He stated that they would like to modify the existing south entrance of 30 Penhallow Street by extending the roof over the existing stairs and planter beds, lowering the soffit, roof, and the new roof angle, and partially removing the existing wall on one side of the stairway to open up the area. He said that the rationale for the changes is that they are having tremendous leaking problems in the basement. They are experiencing large amounts of mold that has resulted in the loss of the sheetrock wall system. He added that they are getting splash back from the roof which is causing leaks on the second floor. It is also resulting in icing on the steps in the winter. He pointed out that they had similar problems on the north end of the building and had come before the Commission with the same request. He said that those solutions have been very effective. Mr. Thoresen stated that they would use a single seam copper roof. They will slightly reduce the size of the columns and they will add a column to support the front end of the extended roof. The exterior wall will have the same elements.

Chairman Rice asked if there were any questions for the applicant. Hearing none, he asked if anyone in the public wished to speak to, for, or against the petition. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Ms. Dika made a motion to accept the application as presented. It was seconded by Mr. Adams. The motion passed by unanimous vote.

3) Petition of **Michael P. Rainboth and Annemarie Howe, owners**, for property located at **122 Newcastle Avenue**, wherein permission was requested to allow a new free standing structure (replace/relocate shed), new construction to an existing structure (two story rear addition & left bay addition), and exterior renovations to an existing structure (new windows, and skylight) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 27 and lies within Single Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Ann Whitney, architect for the project spoke to the petition. She stated that she had come before the Commission in February for a work session. She said that the concept for the addition has remained the same although they have had to make some changes due to zoning. She pointed out that the major two story addition that she is proposing is on the rear elevation and will only overlap part of an existing one story section. They will also be adding some area to the back of the deck. A bay will be added on the left side of the elevation. They will be taking down an existing shed and putting a smaller shed up on the property. Ms. Whitney stated that on the left hand side elevation, they will be bringing it out and matching the roof line. Zoning issues require that they bring the addition closer to the house. On the right hand side of the

elevation they will be replacing the picture window. The dormer is extended into the existing building. She stated that the existing windows in the house are replacement vinyl with pane glass. For the new addition, they will use the Andersen Wood Right 400 Series true divided light windows. She added that the door will be made of fir. Ms. Whitney pointed out that there would be a new shed with wood windows. The existing house has oversized aluminum siding on it now. She stated that what she would like to do is use vinyl for the areas that they will be disturbing but ultimately, they would like to do the whole house at some point in the future. She said that the roof trim would remain wood. The bays would all be wood and the windows would have a real sill and would be painted. The corner boards would be the 2 ½" sleeve corner.

Chairman Rice asked if the addition would be all vinyl. Ms. Whitney replied yes.

Ms. Dika asked why she was asking for vinyl. Ms. Whitney answered that the existing building is all aluminum siding. She added that it is a cost consideration for the owners. She also said that she does not want the vinyl to be a deal breaker. If there is strong reaction to that then they could go back to their original clapboards and trim. She told the Commission that the material she is proposing is a CertainTeed with heavy vinyl with a heavy wood grain.

Mr. Golumb pointed out that at the last work session, Ms. Whitney had said that they would use wood clapboards. He said that it was his understanding that the addition would be wood and then later down the road, the other vinyl would be removed and replaced with wood to match the addition. Chairman Rice interjected that he can't think of a time when they have approved new construction with an all vinyl installation.

Mr. Katz said that his objection to vinyl siding is practical. He said that he felt that there is not integrity involved as far as products are concerned. He added that the corner boards are not a solid piece.

Chairman Rice stated that where there is a lot of vinyl, like Islington Street, it was because vinyl was common in the neighborhood. Mr. Katz added that in each case, the Commission had insisted on wood trim.

Ms. Whitney said that she wishes to withdraw the vinyl installation request from the proposal.

Chairman Rice asked if there were any questions for Ms. Whitney.

Mr. Adams asked about the foundations for the bays. Ms. Whitney said that one bay will have a natural foundation. The other will not have a cross wall. It will have a couple of sonotubes. She added that you would not be able to see under it, that it would be skirted. Mr. Adams asked what it would be skirted with. She replied it would be skirted by vertical board, 1" x 2 ½" face.

Mr. Adams asked if the extension on the deck would skirted as well. Ms. Whitney replied yes. Mr. Adams asked if the space under the deck is diagonal lattice. Ms. Whitney said that would not be the case. She plans to reskirt the entire deck.

Mr. Adams said that he is unfamiliar with the type of window they are proposing. She answered that she has used it a couple times. She said they are Andersen and are vinyl on the outside. The muttoms are applied on the inside and the outside and are not removable.

Mr. Adams pointed out that on her drawing there is an image that shows the existing shed that will be retained. He said that the existing shed appears to have siding on it that goes to the ground. He wondered if the shed was on tubes. She replied that there was a rough wall there. He said the drawing shows that the rear of the building has a foundation of approximately 3 feet in height. Ms. Whitney said that there is a foundation under there, it just might be lower. He asked if they would be changing that. She replied probably not unless they discover that it is not well supported when they take it apart. Mr. Adams asked if they would be infilling with the existing siding the areas that will be disturbed when the windows are removed. Ms. Whitney replied no. She said that the area that they will be disturbing will go back to wood. The front elevation isn't disturbed so it will remain the siding.

Chairman Rice asked if there were additional questions. Hearing none, he asked if anyone in the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Katz made a motion to approve the application as amended with the deletion of the vinyl siding and the addition of wood siding. It was seconded by Mr. Hetjmanek. Chairman Rice asked for discussion.

Mr. Adams stated that he is disturbed by buildings that have their eave lines disturbed by additions. He felt that the addition of the side wall creates architectural tension. He said that it is uncharacteristic to the historic architecture. He said that these are the reasons he will not support the application.

Chairman Rice asked if the windows were vinyl. Mr. Katz said that they were vinyl clad. Mr. Adams said that the exterior of the sash, the mullions, and a part of the frame are all vinyl.

Ms. Whitney replied that when they had the work sessions, all of the essential elements were the same. She said that she did not get any feedback like this at the time; in fact she said that it was a very favorable work session. Ms. Whitney said that if the proposed windows are a deal breaker, she can switch to Harvey windows.

Mr. Golumb asked if the clapboards would be 4" wide and Ms. Whitney replied yes.

Chairman Rice called for the vote. Six members voted in favor with Mr. Adams in opposition. The motion passed with the stipulation that wood siding would be used instead of vinyl siding.

- 4) Petition of **Regan Electric Co., Inc, owner, and Bruce A. Clark, applicant** for property located at **6 Dearborn Street** wherein permission was requested to allow exterior renovations to an existing structure (replace windows and doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 123 as Lot 4 and lies within Mixed Residential Office and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Bruce Clark spoke to the petition. He pointed out that the property is located on the corner of Dearborn and Maplewood. He stated that there are 23 windows in the structure, 10 on the second floor and 13 on the first floor. He added that 21 windows are double hung with 6 panes over six panes. The remaining two windows are single panes of glass, one over one. There are three doors. He stated that the window replacements they are proposing are Harvey vinyl replacement and the doors are Therma-tru fiberglass doors.

Chairman Rice said that he did not see anything in the proposal about mullions in the windows. Mr. Clark replied a white grill would be inside. Chairman Rice said that there is no way that they would approve a window like that in Historic District. He said that they would like to see windows that are either true divided light or they have permanently attached mullions. Chairman Rice said that in the Dearborn neighborhood, they see a lot of wood, true divided light windows, and new construction with wood true divided light windows. He believes that that is the character of the neighborhood.

Mr. Adams suggested that the applicant might want to ask if there is anything other than a true divided light sash that the Commission would find appropriate. He also added that there are aluminum clad sashes that have a similar look. They might be more economical. Mr. Adams pointed out that in the paperwork provided by the applicant; it described a "block and tackle" valance. He believes that a block and tackle valance comes with a sash kit that has its own extruded vinyl frame that the vinyl sashes are in. He has had difficulty with those.

Chairman Rice suggested that he might want to table the application in order to research other alternatives. Mr. Clark asked the Commission for their opinion on the proposed fiberglass doors. Mr. Katz said he had no problem with fiberglass doors and Chairman Rice agreed.

DECISION OF THE BOARD

Mr. Adams made a motion to table the application to the September 6, 2006 meeting. Mr. Golumb seconded the motion. The motion passed by unanimous vote.

5) Petition of **Michael and Claudette Moretto Barker, owners**, for property located at **5 Hancock Street**, wherein permission was requested to allow a new free standing structure (air conditioning condensers) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 86 and lies in the Mixed Residential Office and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Anne Whitney spoke to the petition. She stated that they would like to relocate two air conditioning condensers on the property. The proposed location is in the rear yard, in the center. She said they are trying to keep them as far away from the property lines as possible. She added that at this time, the applicant does not want to fence them in. They will be centered on a kitchen

bay, approximately 28 feet from the rear property line, 55 feet on the left side and 48 feet on the right side.

Chairman Rice asked if there were any questions for the applicant. Hearing none, he then asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Ms. Fineberg made a motion to accept the application as presented. It was seconded by Mr. Hetjmanek. The motion passed by unanimous vote.

6) Petition of **Peirce Block Condominiums, owner, and Donald V. Rosella, applicant,** for property located at **3 Market Square** wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 17 and lies within Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Donald Rosella spoke to the petition. He stated that they would like to replace the second floor windows. Nine of the windows are on Market Street and three of the windows are on the side. He said that they are custom windows so they will be built to match the space and should require very little carpentry.

Chairman Rice asked if there were any questions for the applicant. Ms. Fineberg asked for clarification as to what street the proposed side windows were on and Mr. Adams asked if there would be any changes to the existing window casings and frames. Mr. Rosella replied no, that they were custom windows and should match perfectly.

Chairman Rice asked if there was anyone in the public wishing to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to approve the application as presented. It was seconded by Ms. Dika. The motion passed by unanimous vote.

Mr. Rosella pointed out they had the roof repaired last year complete with a gutter system and downspout. Mr. Jason Page said that the downspout needed to be approved. Chairman Rice asked if anyone had any questions for Mr. Rosella. Mr. Clum stated that you would expect to see a downspout associated with a gutter system. Chairman Rice asked for a vote of acknowledgement to accept the downspout system. Mr. Adams so moved and it was seconded by Ms. Dika. All voted in favor.

7) Petition of **Jason N. and Barbara L. Theodore, owners**, for property located at **449 Court Street** wherein permission was requested to allow an amendment to a previously approved design (relocate exterior door and window) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 6 and lies within the Central Business B and Historic A Districts.

SPEAKING TO THE PETITION

Ms. Jennifer Ramsey spoke to the petition. She stated that they are looking for a reversal on the entry door and window, just changing them around. Chairman Rice said that it made perfect sense to him.

Mr. Adams asked if they were also approving changes to the fencing. Ms. Ramsey replied that no, that was part of a previously approved design on a 2004 application.

Ms. Fineberg asked the Commission how they felt about the building coming up to the sidewalk. Mr. Clum explained that the Department of Public Works had a problem with the amendment that was approved because the remodeled door required a stair that would take up City property. He said that the DPW preferred the original design.

Chairman Rice asked if there were any other questions. Seeing none, he asked if anyone in the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Mr. Adams made a motion to approve the application as presented. It was seconded by Mr. Golumb. The motion passed by a unanimous vote.

8) Petition of **Old City Hall L P, owner**, for property located at **126 Daniel Street** wherein permission was requested to allow exterior renovations to an existing structure (replace roof, gutters, repoint masonry chimneys) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 1 and lies within Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Ms. Lisa DeStefano of DeStefano Architects spoke to the petition. She stated that they are proposing to replace the roof on Old City Hall. She continued that over the last year and a half, they have been repairing as much as they could. She said that it is difficult to assess because if you put weight on it, the slate crumbles. She said that what has been happening is they have been getting lifts reaching out over the roofs and so they have been tucking in copper in the openings to try to protect the building below. She added that one tenant has to put plastic over his computer to protect it from the water leaks. Where there is an existing continuous copper

eave downspout, gutter, and snow guards, all will be either replaced or repaired. She said that because they are proposing an asphalt roof, they will have to vent the roof. The ridge vents and the eave vents are designed to sit behind the existing copper gutter. She stated that you will not be able to see the eave vents. She said that the roof material that they are looking to use as a replacement is GAF Grand Slate with the color being Bristol Gray. Ms. DeStefano said that the reason they have selected the style and manufacturer is because it is a simple slate pattern. She added that the building had some eave repair about a year and a half ago and at that time the brackets so that the fascia and dentils could be repaired and they discovered that a number of brackets had come apart. She said they are in the process of trying to repair what they have and rebuild what they can.

Chairman Rice asked if there were any questions for the applicant. Mr. Katz asked if there were any peaks and valleys on the roof. Ms. DeStefano replied no. Mr. Katz said that there are some good slate substitutes. He felt this was a good solution.

Mr. Golumb asked if they had looked at the rubberized slate material. Ms. DeStefano answered yes. She said that they found that the rubberized slate was expensive and that the asphalt material was a better choice. She added that replacing it with slate was over two times more costly.

Chairman Rice if there were any other questions for the applicant. Hearing none, he asked if anyone from the public wished to speak to, for, or against the petition. Seeing no one rise, he declared the public hearing closed.

Mr. Katz made a motion to approve the application as presented. It was seconded by Jerry Hetjmanek. Mr. Katz said that it is always disconcerting to see another slate roof go but the realities of the construction cost necessitate this.

Mr. Adams stated that he would not support the motion. He pointed out a house on Middle Street where a replacement asphalt roof was used and he feels it doesn't have the look or the quality, it doesn't lay the same. He added that a building of this magnitude can require something substantial as this. He said that he does understand the cost. He continued that he feels that it is his duty to stop the erosion of historical materials. He pointed out that the galleries are gone, the copper ridge vent is going to be gone, and the reflecting stone and its heavy massive nature will be gone. He feels that it is too much.

Mr. Golumb said that he agreed with Mr. Adams and Mr. Katz. He said that he remembered when the slate roof came before them two years ago. He pointed out that he the same concerns then are the same concerns today. He stated that this is one of the most visible roofs in the city and he feels that this proposed roof does not keep with the historical integrity of the neighborhood. He thinks that there has got to be a better answer so would not support it.

Ms. Dika stated that she was finding it hard to support. She is wondering about the alternate materials that Mr. Golumb talked about it.

Chairman Rice said that he is on the fence with this one. He has seen a lot of historical buildings that have new asphalt roofs. He said that it has been an accepted practice in the District but on the other hand, this is an historical building.

DECISION OF THE BOARD

Ms. DeStefano asked to table the application until the next week’s meeting. Mr. Adams seconded the motion. The motion passed by unanimous vote.

9) Petition of **James D. and Mary S. Reid, owners**, for property located at **93 State Street** wherein permission was requested to allow exterior renovations to an existing structure (replace roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 20 and lies within Central Business B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. James Reid spoke to the petition. He stated that he is need of replacing his roof because of disrepair and leakage. He is proposing to replace the shingles with the architectural shingles, the same shingles that the Commission approved a year and a half ago on another portion of his building. He would like to now match the rest of his building.

Chairman Rice asked if there were any questions for the applicant. Mr. Katz asked if he wanted to replace the roof on the back view. Mr. Reid replied yes. Mr. Katz also asked if the copper valley would remain. Mr. Reid said no.

Chairman Rice asked if there were any addition questions. Hearing no, he asked if anyone from the public wished to speak to, for, or against the petition. Seeing no one rise, he declared the public hearing closed.

Mr. Katz made a motion to approve the application as presented. It was seconded by Mr. Golumb. Mr. Adams said that this building is a much earlier building. He felt that the wood shingle roof presently on the building is very appropriate. He said that while this is not of iconic nature, it is a handsome building that retains many of its period features. He added that the wood shingle roof has lasted a very long time and another one would last just as long.

Ms. Fineberg asked if there could be more discussion of wood shingles. She asked if they were expensive. Mr. Adams replied yes. He explained the process of laying a wood shingle roof. Ms. Fineberg asked if there are any other wooden shingled roofs that are historical structures. Mr. Adams pointed out The Players Ring. Ms. Fineberg pointed out that that was an example of a historical building serving a historical purpose. She was interested in commercial or residential properties.

Mr. Reid said he wanted to add that one of his disappointments with his cedar wood roof is that it has only lasted about 12 years. He said that he is not sure why.

Chairman Rice said that he did not feel as strongly about this roof like he did the old City Hall roof. He added that State Street has a lot of old buildings with asphalt roofs. He felt it would be imposing a hardship on the homeowner by asking him to replacing it with wood shingles.

Mr. Golumb asked if there was a material that is not cedar that might be like a cementitious material. Mr. Adams said he knew of no products like that for roofs.

DECISION OF THE BOARD

Chairman Rice called for the vote. Six members voted in favor with Mr. Adams in opposition. The motion passed.

10) Petition of **Deborah Phillips, owner**, for property located at **92 Pleasant Street** wherein permission was requested to allow new construction to an existing structure (one story rear addition) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 76 and lies within Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. David Witham spoke to the petition. He mentioned that they were at last month's meeting for a work session. He stated that they gathered ideas from that meeting and have incorporated those ideas into their final plans. He said that are proposing to put a one story addition on the back of the property to accommodate the expanding business. The size of the addition will be 9'6" by 15'6". The existing overhang and the wood shingle roof will be removed. Mr. Witham pointed out an existing window on the far right side. He said that one window established the pattern for the other windows. The far left side will have a covered landing with stairs. He added that all of the trim material would be wood. They will be using Rosco true divided light windows. He said that the only non wood product would be the clapboards. The roof would have architectural asphalt shingles.

Chairman Rice asked Mr. Witham about the Church Street side of the building. He wanted to know what the knee wall would be capped with. Mr. Witham with pine wood.

Chairman Rice asked if there were any questions for the applicant. Hearing none, he asked if anyone in the public wished to speak to, for, or against the application. Seeing no one rise, he declared the public hearing closed.

DECISION OF THE BOARD

Ms. Fineberg made a motion to accept the application as accepted. It was seconded by Ms. Dika. The motion passed by unanimous vote.

11) Petition of **Robert A. Finney and Jane A. McIlvaine, owners**, for property located at **93 High Street #4**, wherein permission was requested to allow an amendment to a previously approved design (railing for entry deck) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 23 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

No one was present to speak to the petition.

DECISION OF THE BOARD

Ms. Dika made a motion to table the petition to the August 9, 2006 meeting. It was seconded by Mr. Golumb. The motion passed by unanimous vote.

At 8:45 p.m. a motion was made and seconded that the meeting be adjourned. The motion passed unanimously.

Respectfully submitted,

Liz Good, HDC Secretary

These minutes were approved at the Historic District Commission Meeting on September 20, 2006.