

**MINUTES
MEETING OF THE
HISTORIC DISTRICT COMMISSION
ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE**

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

February 20, 2008

MEMBERS PRESENT: Chairman Sandra Dika; Vice Chairman Richard Katz; Members John Wyckoff, Elena Maltese, Alternates Joseph Almeida, George Melchior

MEMBERS EXCUSED: Tracy Kozak, City Council Representative Eric Spear, Planning Board Representative Jerry Hejtmanek

ALSO PRESENT: David Holden, Planning Director

Chairman Dika called the meeting to order at 6:30 p.m. She informed Mr. Almeida and Mr. Melchior that they would be voting this evening.

I. WORK SESSION/PUBLIC HEARING

A. Petition of **Peter B. Schwab, owner**, for property located at **270-272 South Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows, siding, and trim at 270 South Street and remove door, reconfigure window, and add windows at 272 South Street) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 6 and lies within the Single Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Christopher Redmond, architect for the project, was present to speak to the application. He said that he appreciated being able to come back before the Commission. He explained that at the last meeting, he made a request for two over two window patterns but he failed to communicate to the Commission that it was not a deal breaker for him and that he would have been willing to amend the application. He felt he did not communicate that clearly enough at the last meeting. Mr. Redmond added that he thought there was good feedback from the window mock up they presented showing the window detail.

Mr. Holden suggested that Mr. Redmond tell the Commission what the applicant would prefer and to have discussion on that. Then if necessary, they could explore the alternatives, then reconvene into a public hearing to vote.

Mr. Redmond stated that with the 270 South Street building, the owner was not looking to make any changes to the building. He explained that the clapboard siding would be replaced with wood clapboard, the window trim would be replaced with wood, and the windows would be replaced with new windows with a two over two pattern.

Mr. Wyckoff said that his feeling was that since these were long term windows that will last as long as 50 years, the window should reflect other homes built in the 1750's, the time period that this home was built. He added that since it was a center chimney colonial, he felt it was very important to have the six over six window pattern or possibly a nine over six window pattern.

Chairman Dika asked if the owner was opposed to having a six over six pattern or a nine over six pattern. Mr. Redmond replied that he thought the owner would be okay with the six over six pattern.

Ms. Maltese said that she disagreed with Mr. Wyckoff. She pointed out that the two over two windows exist currently in the house. She said for her it was not about what was more appropriate. Historically, it was beneficial to go completely back to the time the house was built but she felt in terms of appropriateness, she felt it was appropriate to have two over two windows. She added that she thought it would be more beneficial to put six over six windows in but that was her personal opinion. It was certainly appropriate to have two over two windows given the history of Portsmouth.

Mr. Almeida stated that he felt the same way regarding the window pattern. He said that at the last meeting, his comments had more to do with how the window would be installed. He felt it was important that the trim did not project out. Mr. Redmond replied that he would be happy to remove the second piece of trim for a better look and fit. Mr. Almeida thought the six over six window pattern would look more handsome, but there are several houses in the neighborhood with two over two.

Mr. Melchior commented that the proposed window pattern matched existing so the Commission should be okay with that. He added that the current windows represent a timeline.

Chairman Dika stated that she felt strongly that the window pattern should be six over six. Mr. Almeida added that that was certainly the preference.

Ms. Maltese said that she gets very nervous about setting a precedence that anytime someone wants to do work on their home, they have to bring it back to the original features of the house and not maintain the history that has already been put into the house.

Vice Chairman Katz pointed out that there were six Commissioners voting this evening and that could prove very interesting. He said that he was one of the Commissioners at the last meeting to vote in favor of the two over two window pattern. He felt that when at all possible, he likes to defer to the homeowner. He said that he agreed with Ms. Maltese that these windows show a historic timeline that lends credence to the fact that it is appropriate. Vice Chairman stated that he was in favor of letting the owner have two over two windows.

Mr. Holden pointed out that he was hearing from everyone's comments that the vote might be 2-4 with the application failing so he said that this was the time to speak up. Mr. Almeida asked that if the applicant agrees to six over six, he could be assured approval.

Mr. Wyckoff asked if asbestos siding would be appropriate on this building. He said that in 1910, every house in the South End was covered with asbestos siding. Vice Chairman Katz replied that that was an example of a building material, not a design feature.

Mr. Wyckoff said that this is one of the most important neighborhoods in the City and the Commission needs to look at it a little differently. He said that this was a 1750 Colonial and it should not be alright to replace a replacement window from 1900. Vice Chairman Katz stated that South Street was hardly unsullied as far as a repository of Portsmouth architectural heritage. He did not think letting the house have two over two windows would seriously devalue the surrounding houses. Chairman Dika said she thought it was one of the oldest houses at that end of South Street. She felt that the purity of design would be enhanced by having the appropriate time frame windows.

Mr. Almeida asked for additional information on the windows. Mr. Redmond replied that a cut sheet was supplied with the application. He said that they would be full divided light with 5/8 inch mullions. Mr. Redmond reiterated that the owner wishes to do a good job and is not opposed to the six over six window pattern.

Chairman Dika asked the Commission if they had any questions on the 272 South Street building. Mr. Redmond briefly explained the proposed changes.

At this point, Chairman Dika reconvened the meeting and opened the public hearing.

Mr. Redmond stated that he wished to amend his application with the following changes: change the window pattern of the new windows from a two over two pattern to a six over six pattern, move the new construction window flange back to the framing so that the window sill does not protrude, and remove the 3/4" x 1 1/4" trim piece from the window trim detail.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Chairman Dika asked if there was anyone from the public wishing to speak to, for, or against the application. Seeing no one rise, she declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Mr. Wyckoff made a motion to grant a certificate of appropriateness for the amended application. The motion was seconded by Mr. Almeida. There was no discussion.

The motion to grant a certificate of appropriateness for the amended application with the following stipulations passed by a unanimous (6-0) vote:

- 1) That the new construction windows have a 6 over 6 grill configuration.

- 2) That the ¾" x 1 ¼" wood trim be removed from the window trim detailing.
- 3) That the flange from the new construction window is moved back to the framing to prevent the window sill from protruding.

II. COMMISSION WORK SESSION

1. Discussion of possible modifications to Article X of the zoning ordinance

Chairman Dika stated that her plan this evening was to go through the Article. She explained that Ms. Kozak would not be in attendance this evening because she was ill but she submitted material in advance for the meeting. Chairman Dika said that they would probably not get to her material this evening but would save it for the next meeting.

Vice Chairman Katz asked what the timeline for the review of Article X was. Mr. Holden replied that it should happen as quickly as possible. Mr. Holden explained some history of Article X. He said that the State has given the City Council the authority to form a Historic District Commission. That ordinance is contained within the zoning ordinance and in particular in Article X. The Planning Board has adopted a new Master Plan and the bylaws that go with that include the zoning ordinance. He said that once an ordinance is in place, the Commission can meet periodically to review its effectiveness.

Chairman Dika passed out a copy of the notes she took as she reviewed Article X on her own. She explained that her plan was to review Article X line by line.

Section 10-1001 Preface, Purpose, and Characteristic of the District A. through E.

A. Page X-1, Line 4. Vice Chairman Katz thought that the statement "the Commission shall mediate by assisting applicants to understand and respect the Historic District" was condescending. He said that it implied that the Commission has all of the answers and if there is a tension, it is the applicant's fault.

Mr. Melchior pointed out that Footnote 1 seemed to address that statement. Mr. Holden said this statement came from a large dispute with Lukas Restaurant and an office building. He said that the words that bothered him were "economic well being of the City." He added that there can be a tension, it can be adjudicated, but the final goal is preserving the fabric of the City.

Ms. Maltese felt the economic piece was important because economic growth and health are very important. She felt that economic, social, cultural, political community realities are what need to be raised for the growth, strength, and happiness of the Community. Mr. Almeida thought that paragraph B elaborated on that.

Page X-1, Line 4. Vice Chairman Katz thought that the statement "private interests that might damage the goal" seems to focus on economic gain.

Mr. Holden suggested deleting the word "private interest" and adding "the heritage and economic well being."

C. Mr. Almeida wondered if this was the area where more language concerning demolition should be inserted. Mr. Holden replied that it might be. He recommended having a discussion about demolition.

Page X-1, Line 2. Vice Chairman Katz said that he would like to see Paragraph C, second sentence expanded to preclude wasting time on minor applications. Ms. Maltese agreed and said that it should be a duly noted sentence.

Page X-1, Line 7. Chairman Dika stated that she would like to add the word “mass” at the end of the second bulleted sentence.

The discussion changed to the topic of demolition. Mr. Holden pointed out that this would be a new section in the ordinance. He also explained the history of Historic District B.

Mr. Almeida suggested that they add more language/guidelines on demolitions of entire or portions of structures within the Historic District. An application to demolish should not reference any proposed new structures and will include at a minimum, a photographic survey of the existing conditions of the property, a statement of its age, owner history, and any relevant historical facts about the building or portions of the building. Mr. Almeida said that a good example was the Eagle Photo building. A lot of surveying was done on the building before it came down.

Mr. Wyckoff agreed with Mr. Almeida and suggested that the applicant present a package that would be available to the public for their review. He felt it should be placed in a public place, like the library.

Vice Chairman Katz stated that what bothered him about Mr. Almeida’s suggestion is that they will consider the demolition with no consideration as to what might come after. He felt that was a mistake to omit that from the demolition process.

Page X-1, Line 10. Mr. Holden suggested adding another bullet to section C that read “partial demolition.” There was lengthy discussion among the Commission regarding demolition.

Chairman Dika stated that she felt there need to be modification in regard to demolition because in the past the emphasis has been on the new product and the demolition has gotten lost.

Mr. Holden said that he would work with Mr. Taintor to come up with something on demolition and then bring it to the Commission for their review.

D. No changes suggested to this section.

E. Chairman Dika suggested that when there is intent to combine lots and one of those lots is in the Historic District, then all lots would be considered in the Historic District.

Section 10-1002 Applications With the District: Submission Requirements

A. through C.

Page X-2, A. Line 9. Ms. Maltese suggested in the second paragraph to strike the word “any” and change to “all site plans...”

Page X-2, A.1., Line 1. Mr. Almeida suggested deleting the word “Specified sets of streetscapes” and adding “Existing and proposed sets of streetscapes.”

Page X-2, A.2., Line 1. Chairman Dika wondered if \$25,000 was the right cut off amount. Mr. Wyckoff suggested changing it to \$50,000.

Mr. Holden said that they would try to simplify this section.

B. No changes were suggested to this section.

C. 1. Mr. Holden suggested this would be the area where the Commission could add other exempt items. He added that they could make a list this evening and discuss them in depth at a later meeting.

Page X-3, 1.a) Mr. Wyckoff thought that maybe items with a factory finish should be considered.

Mr. Holden asked the Commission if they wanted purview over color. Vice Chairman Katz and Ms. Maltese replied no. Mr. Almeida agreed on some things. Mr. Holden suggested another bullet item to address color.

Page X-3, 1.b) Mr. Wyckoff stated that he could not believe that plastic shutters are allowed. He felt that the Commission should have purview over shutters. Mr. Almeida was in agreement. Ms. Maltese said that she did not look forward to taking on shutters and hoped that there was a way to state what was acceptable. She added that if the shutters were not done to a certain specification, then perhaps they would have to come before the Commission. Mr. Holden suggested adding a bullet specifying guidelines for shutters and if an applicant does not meet them, then they would have to be reviewed by the Commission.

Page X-3, 1.c) No changes.

Page X-3, 1.d) It was suggested that it should be changed to “using the same materials” instead of “regardless of materials.”

Page X-3, 1.e) Mr. Holden said that this was part of the communications statute so he would verify that this was in conformance and get back to the Commission about it.

Page X-3, 1.f) Mr. Holden suggested that a couple Commissioners meet with the City’s plumbing inspector to see how this section applies. Mr. Almeida and Mr. Melchior volunteered to meet with the plumbing inspector.

The Commission made a list of other items that should be considered for exemption: chimney caps, screen doors, storm doors, simple gutters, flat stock lumber (even plastic), swimming pools, skylights, fences, awnings, and storm windows. They will review these at a later meeting.

2. It was suggested to add the word “demolition” to this sentence.

Section 10-1003 Commission Powers and Duties

A.

No changes were suggested to this section.

Section 10-1004 Scope of Review

A. and B.

Page X-3, A.1. No change.

Page X-3, A.2. Chairman Dika suggested adding the word “mass” to the sentence.

Page X-3, A.3. Ms. Maltese said that the sentence did not speak to the historical timeline. Mr. Holden suggested that the Commission think about it and discuss at another time.

Page X-3, A.4. Mr. Almeida suggested changing the word “character” to “characters.”

Page X-3, A.5. No change.

Page X-3, A.6. No change.

B. Mr. Almeida pointed out that what this section was saying was that the Commission should be referring to these bullet points when making motions. Mr. Holden confirmed his observation. Mr. Holden said that these were the analytical tools to use to apply to determine compliance.

Page X-4, B.1. Chairman Dika suggested adding the word “mass” to the sentence.

Page X-4, B.2. Chairman Dika suggested adding the words “scale” and “mass” to the sentence.

Page X-4, B.3. No change.

Page X-4, B.4. Chairman Dika commented that she would like to see the word “sustainability” used somewhere in the Article and maybe this was the place.

The Commission agreed to meet next Wednesday, February 27, 2008 at 6:30 p.m. to continue their work on Article X.

III. ADJOURNMENT

At 9:00 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on March 12, 2008.