

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:30 p.m.**

**April 9, 2008  
reconvened from April 2, 2008**

**MEMBERS PRESENT:** Chairman Sandra Dika; Vice Chairman Richard Katz; Members John Wyckoff, Tracy Kozak, Elena Maltese, City Council Representative Eric Spear, and Alternate Joseph Almeida

**MEMBERS EXCUSED:** Alternate George Melchior

**ALSO PRESENT:** Roger Clum, Assistant Building Inspector, David Holden, Planning Director

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A work session was held prior to the meeting, from 6:30 – 7:30 p.m. to discuss the Historic District map and the procedures regarding demolition.

Mr. Clum informed the Commission that he checked with the Department of Public Works and the Rockingham Planning Commission and discovered that neither department had any traffic study plans for Miller Street, Broad Street, or South Street.

Mr. Holden showed the Commission a draft of the Historic District map. He explained that on Middle Street, the map had been adjusted to just one lot deep as being in the District. The same pattern had also been applied to Middle Street/Lafayette Road to South Street and South Street to Lafayette Road. He pointed out that Area 1 was unchanged, including the former Lukas Restaurant, Area 2 was also unchanged but he pointed out that it did not seem to have the support of the full Commission, Area 3 had full Commission support, and Areas 4 and 5 had partial support and were included as well.

Mr. Holden said that the Commission should probably have one more work session before meeting with the Planning Board. Chairman Dika asked how they would approach the Planning Board with their proposals. Mr. Holden replied that he hoped that the City's consultant, Rick Taintor, would meet with the Commission prior to the Planning Board meeting to go over all of the changes and review a draft of the ordinance. He suggested that they present the whole map to the Planning Board and point out the areas that the Commission was in disagreement with.

Chairman Dika asked about some of the large parcels on South Street. Mr. Holden pointed out a City park, a playground at Clough Drive, a cemetery, and Edgewood Manor (two buildings) which, with the new recommendations, would all be in the Historic District.

Councilor Spear asked about some of the unique properties on South Street and wondered if they would lose their uniqueness if they were required to “fit” into the neighborhood. Ms. Maltese said that the houses would not be required to look like the other homes around it. Mr. Clum added that the Commission, in the past, recognizes that a house has a time period associated with it and that any changes should reflect that time period. Mr. Holden also pointed out that the ordinance has two components – it asks the Commission to take into consideration what the site contributes to the streetscape and what the streetscape contributes back.

Councilor Spear asked what would happen if someone wanted to build a unique house on South Street. Ms. Maltese said that is what the Historic District Commission is here for. The Commission should determine whether the house compliments its surroundings. Chairman Dika added that there is a good deal of flexibility built into the ordinance. Mr. Clum stated that the Commission has always been reluctant to adopt standards and guidelines and chooses to view every application on its own merits.

Ms. Maltese urged her fellow Commissioners to not consider extending South Street for inclusion in the Historic District. She said that no resident from South Street have asked that the area be included. She did not see the street as a corridor into the center of the Historic District. It leads to a section of the District. Mr. Wyckoff pointed out that Mr. Melchior, who lives on South Street, said at the last meeting that he felt that South Street was a corridor and he thinks it should be included.

Mr. Holden suggested putting the map aside for the time being and re-visit it one last time before they meet with Mr. Taintor. Chairman Dika urged anyone watching from home who would like to voice their opinion to please do so when the public hearings are held in the near future.

Chairman Dika stated that she would like to shift the discussion to demolition.

Mr. Clum said that the definition of demolition was not out of the building code but was out of the zoning ordinance. He pointed out that it specified “any or all” parts of a structure. Chairman Dika stated that she liked that our ordinance was somewhat limited in the scope of what they consider demolition.

Mr. Almeida said that this discussion started out of the need to address the complete demolition of a building. Chairman Dika said that a criterion was needed. Ms. Kozak stated that the criterion was stated in the ordinance. She felt demolition needed to be a two step process – 1) Do we demolish the building and 2) what will be built? The way it is now, the vote does not happen until the applicant has gone through the work, effort, and time of presenting the plans for the proposed new building.

Mr. Clum did not think the system was broken. Mr. Wyckoff agreed and thought that the Commission had gotten off topic a bit. He thought the Commission was interested in receiving a complete detailed history of the property before it was removed. He felt that was the direction they should be moving. Mr. Almeida agreed and said that there should be documentation on the building which should include who built the building, what it was used for, and any historical events associated with it. He felt it would require minimal research and could be compiled into a

three ring binder for public view and placed on file. Ms. Maltese agreed and said that at the time of applying, the applicant should submit an historic structures report, perhaps on buildings over 50 years old. Chairman Dika agreed and said that that was all she was interested in concerning the topic of demolition. She did not think that there should be an age stipulation for requiring a report because buildings can be significant even though they are not old. Chairman Dika thought that a list of criteria could be created indicating what the applicant needs to submit.

Mr. Holden said that the definition of demolition actually applies outside the district. The reason it is broad is that the building has to be posted to inform the public that it is coming down. He said that the Commission had a lot of say concerning demolition in the District. He thought that preserving the record in a notebook was fine but it was a bit flimsy. He thought the Commission might want to use the criteria to determine if the demolition should happen or not.

Mr. Holden asked the Commissioners if they felt they had enough in the ordinance to be able to say that a particular building should not be demolished for reasons cited in the ordinance. Mr. Wyckoff pointed out that in the Scope of Review, Section 10-1003, 3, could apply to demolition as well. Mr. Holden asked the Commission if they felt that was sufficient. Mr. Almeida said he thought it was. He explained that they would be asking the applicant to put together the historical information but he wondered if maybe a third party should be consulted to do it. Ms. Maltese suggested that they ask for a historic structures report prepared by a certified preservationist. Mr. Almeida thought that would be appropriate. Mr. Wyckoff commented that at a recent joint meeting of the Planning Board and Conservation Commission, the Commission recommended having a certified wetland scientist review any projects falling within the wetland buffer zone. Vice Chairman Katz stated that he was leery of adding another layer of bureaucracy to the process.

Vice Chairman Katz asked if the survey for the Pier II Restaurant was ordered from Concord. Mr. Holden said that they had to do a 106 but the Commission was also instrumental in that decision. Mr. Wyckoff asked what a 106 was. Mr. Holden explained it was part of the Federal Consistency Review and the 106 was the historical review of the property that comes out of a variety of actions. Mr. Wyckoff asked if they could request a 106 if a significant piece of property were to come before them for demolition. Mr. Holden replied no, since it was a federal rule but he said that the Commission could require their own. Ms. Kozak thought that might be a good approach to keep it in check. The Commission would have to review and apply the standards in the zoning ordinance to come to a decision that a structure was historically significant. If at that point the applicant still wants to pursue demolition, then they could request a higher level of review.

Mr. Clum indicated that the Commission has in the past viewed certain buildings that were slated for demolition. He used the Eagle Photo building as an example. He said that he felt like the Commission's discussion was getting away from the Commission doing the reviewing and instead having a third party doing the review. Mr. Holden said that was correct but it could also be viewed as another arrow in the quiver to be brought out when it is needed.

Chairman Dika asked the Commissioners to think about all that was discussed between now and the next meeting so that they could add further comments. She added that they did not get a chance to discuss demolition by neglect.

Mr. Holden said that he would continue to look at the two tier approach where the Commission can direct a more substantial review of demolition if it deems it appropriate. He also said that the current system seems to working right now.

Chairman Dika wanted to deal with one additional item to be considered for possible exemption from review and that was shutters. Currently there was no control over them. Mr. Wyckoff said that he was reluctant to add regulation to them. Ms. Maltese asked if others felt that shutters are an architectural feature. Mr. Clum added that if you ignore shutters then you ignore vinyl shutters. Ms. Kozak said that they are removable and are an accessory and she thinks the line is drawn at accessory. Ms. Maltese wondered if they were an architectural feature. Mr. Holden said he would rewrite that section and have the Commission review it.

At 7:25 p.m., Chairman Dika adjourned the work session. At 7:30 p.m., she called the reconvened meeting to order.

## I. OLD BUSINESS

1. Approval of minutes – March 12, 2008

It was moved, seconded, and passed unanimously to approve the minutes as presented.

## II. WORK SESSIONS

A. Work Session requested by **Baer Real Estate, LLC, owner**, for property located at **51 Islington Street**, wherein permission was requested to allow demolition of an existing structure (demolish building) and allow a new free standing structure (construct mixed use, multi-story building). Said property is shown on Assessor Plan 126 as Lot 33 and lies within the Central Business B and Historic A Districts.

- Ms. Jennifer Ramsey of Somma Studios was present to speak to the application. She stated that at the last work session, they discussed massing and density options.
- She explained that since the last work session, they have had two meetings with the Technical Advisory Committee. She said that they would be proceeding with some traffic studies since that seemed to be a big concern of the City and residents in the area.
- Ms. Ramsey said that Page 1 of the packet she passed out was the site plan. She said that there was discussion with TAC about moving the driveway through the site closer to Islington Street and changing one of the one way streets to a one way in the other direction to help keep traffic out of the neighborhoods behind the building. This would result in two structures on the site.
- Page 2 of the plans showed the front building. It would be a 4 ½ story building with the first floor being retail and the rest of the stories above as residential. The building height was 55 feet. She added that they are also looking at using a mix of building materials,

brick siding with accent materials such as clapboard or panels in accent colors. She explained that they took one of the suggestions from the work session and created a storefront base with punched openings above it. She pointed out that the building was pulled in about five feet in order to provide some sidewalks.

- Mr. Almeida asked if would be possible on additional plans to show all surrounding buildings in the elevations. He wanted to see how the structure would affect the skyline. Ms. Ramsey replied yes, she could provide that.
- Ms. Kozak noticed that the upper floors jogged in and out. She asked if the ground floor did the same. Ms. Ramsey replied yes.
- Mr. Almeida asked if there would be an issue with the City if the building would overhang the sidewalk. Ms. Ramsey said that at this point, they are keeping everything within their site lines.
- Vice Chairman Katz asked if there would be two structures. Ms. Ramsey replied yes, there would be a private driveway through the site with parking on the first floor.
- Page 3 showed a view down Tanner Street, the east elevation. Ms. Ramsey said that on this elevation they were trying to break down the scale. There would be a glassy base about half way down and then a solid granite base that would enclose the parking below.
- Mr. Almeida asked if the parking was visible from the sides. Ms. Ramsey replied no. The cars would show if one was standing between the two buildings.
- Mr. Wyckoff asked if the two chimneys would be functional. Ms. Ramsey said that the chimneys may be servicing working fireplaces so they would be functional.
- Vice Chairman Katz said that according to the Historic District map, the site looked to be half in and half out of the district. He asked if it was then considered to be in. Mr. Clum responded yes. Vice Chairman Katz added that he felt that they would be revisiting the Bridge St. /Islington St. project all over again. He thought they should decide right off the bat whether the massing was appropriate. And can the Commission take into consideration areas outside the Historic District.
- Chairman Dika stated that the decision from the previous situation was that the Commission could take into consideration the areas outside of the district. Vice Chairman Katz said that he disagreed with that decision.
- Chairman Dika and Vice Chairman Katz explained to the newer Commission members the situation with the Bridge St. /Islington St. project that was before the Commission a couple years ago.
- Vice Chairman Katz said that it was his opinion that the 51 Islington Street project was within the scale but he said everyone needs to be on board.
- Mr. Clum indicated that there was a letter on file from the City attorney that said the HDC had a right to consider view corridors that were outside of the district if the view was towards the district.
- Mr. Wyckoff asked Vice Chairman Katz if he wanted the applicant to stop what she was doing. Vice Chairman Katz asked if he would like the applicant to continue talking about the peripheral issues and leave the massing for a later date. Mr. Wyckoff said that they needed to discuss the massing but he also wanted the applicant to get through her presentation.
- Ms. Maltese stated that she understood Vice Chairman Katz's frustration. She said that although she was not on the Commission at the time, she recalled many work sessions on

a particular application that was in the end denied. She did not want to see that happen again. Mr. Wyckoff agreed.

- Ms. Kozak pointed out that the Keefe House was the tallest building around the site. She asked Ms. Ramsey if she had any images with her that were in scale and that she could relate the drawings to. Ms. Ramsey replied that the west elevation drawing showed the Keefe House and the Verizon building in the background.
- Chairman Dika felt it was important to have a site walk as soon as possible. With the Bridge St. /Islington St. project, the site walk came too late in the process.
- Ms. Ramsey showed the Commission the drawings of the north elevation which showed the parking level below. She pointed out that they have lowered the eave of the hip roof to fit in with the houses.
- Mr. Almeida asked if the site was sloping. Ms. Ramsey replied that it crowns a bit toward the back. He asked if that slope was represented in the drawings. Ms. Ramsey replied yes. She said it was only a two foot difference.
- Councilor Spear thought it was quite dramatic to go from 40 feet to 16 feet, the difference between the proposed structure and the auto parts store. Mr. Almeida cautioned the Commission to not let the auto parts store confine the architecture of the proposed building because in a few years, the auto parts store could change.
- Ms. Ramsey pointed out that the last two pages showed the proposed back structure which would be completely residential. There would be first floor parking. She explained that they had reduced the floor to floor heights in the building to scale it down. Ms. Ramsey said that this was the part of the building where they tried to pull it back to allow for parallel parking and a sidewalk. She indicated that they would have to see what the traffic study would bring.
- Mr. Almeida asked for clarification concerning the dashed lines indicating the maximum height for the zone. There was considerable discussion concerning the height of the proposed building. Ms. Ramsey said that she would bring a better graphic with her to the next meeting.
- Ms. Kozak stated that the scale appeared to relate to the scale of the Keefe House which was the biggest building on the street. She pointed out that there has been considerable attempt to break down the scale. She did not see the overall scale of the building as problematic but she would have to get out to see the site.
- Mr. Almeida commented that he did not want the Commission to fear large buildings. He felt that the scale and the mass fit in very well. He added that he felt the scale and mass of the Tanner Court elevation was problematic.
- Councilor Spear stated that he agreed with Mr. Almeida.
- Mr. Wyckoff stated that he appreciated the design of the building. He felt that the roof lines might be a bit busy and that there might be too many dormers. He did have concern with the side elevations as they looked out of balance. He said that he was concerned with Tanner Court more than Islington Street.
- Vice Chairman Katz pointed out that the side elevations would not be visible. He said that they were looking at the first heavy duty dense housing on Islington Street and he found it exciting. He felt that the Islington Street structure was attractive and appropriate in mass. He thought more inventiveness should be given to the Tanner Street building.
- Ms. Maltese said that she had no problem with the size of the Islington Street building. She agreed with Vice Chairman Katz about the Tanner Street building. She was

concerned with having such a large building at the rear of the lot. She felt it would be more appropriate to have a more commercial sized building on a commercial street and a more residential sized building on a residential street. Ms. Maltese added that she understood that there were other City committees involved with this project.

- Chairman Dika commented that she found it interesting how the proposed design captured some of the essence of the Keefe building in addition providing a new and creative design. She said that overall, she liked the design. She was not bothered by its size; however she had a little concern that it might be too busy with the roof changes and the dormers. She agreed that the Tanner Street building had too much mass. She would like to have a site walk.
- Mr. Wyckoff stated that he felt the inspiration for the building came from a brick mansard roofed building in the area. He felt they should go back to the simple gabled pitched roof to reflect the neighborhood better.
- Mr. Almeida asked Ms. Ramsey if she could show the two buildings side by side. He said that it would help to resolve a lot of the issues voiced this evening.
- Chairman Dika asked when it would be best to do a site walk. Vice Chairman Katz thought it would be best to see what the changes that were suggested tonight would look like before they went on a site walk.
- Ms. Kozak commented that two buildings have been presented in different formats. One was a hand drawing with a lot of detail and the other was a computer drawing which that affects the perception of scale. She said she would like to see both buildings presented in the same format to better compare them.
- Mr. Wyckoff stated that the first floor being blocked out for a parking garage was very inappropriate for a residential neighborhood and would be a deal breaker for him. Mr. Almeida pointed out that at night it does not look good. Ms. Maltese pointed out that there was no formal entrance to the building. Ms. Kozak pointed out that a main feature of the historic district is the rhythm of entryways.
- Chairman Dika asked if anyone from the public wished to comment on the project.
- Mr. David Choate said that one of the things the Commission needs to do before going much further is to have a presentation by the Planning Department on the Islington Street Corridor study that was currently underway. He explained that the message from the public concerning the study was that they wanted Islington Street to remain a lower scale, pedestrian friendly, more open space area. They did not want it to become like downtown. He thought there would probably be a request to lower the maximum height allowance. Chairman Dika stated that she would make sure that the Commission got a copy of the Islington Street Corridor Study. Mr. Choate thought a presentation would be more thorough.
- Mr. Randy Baer wanted to know where Mr. Choate's information came from. He thought it was apparent that the public wanted changes on Islington Street. Mr. Choate explained that it came from the Islington Street Corridor Study.
- Ms. Ramsey stated that she would be back month to respond to the comments with a possible site walk the following month.

B. Work session requested by **Nip Lot 2, LLC and Nip Lot 5/6, LLC, owners**, for property located at **111 Maplewood Avenue**, wherein permission was requested to allow exterior

renovations to an existing structure (change fenestration). Said property is shown on Assessor Plan 124 as Lot 8 and lies within the Central Business A, Historic A, and Downtown Overlay Districts.

- Ms. Lisa DeStefano and Mr. Mike Murphy of DeStefano Architects were present to speak to the application.
- Ms. DeStefano explained that their plans for the site have changed and they have decided to put a face lift on the existing structure to accommodate office space. She said that the owner would like to wait until the development of the Port Walk to better determine the best use of the property. She added that the goal of this project was to get a user in the building for about five years, then decide whether to move forward with major plans for the site.
- Ms. DeStefano stated that this was a very unique area of the city with the anticipated development of the Westin Hotel and Conference Center and the Port Walk. She pointed out that the building has 15,000 square feet of main floor space with parking on both sides of the structure. There is a loading dock in the rear which goes down to the basement level.
- The concept for development of the building is to stay within the existing footprint and to penetrate the façade with larger window openings that would allow more internal daylight.
- Ms. DeStefano showed the Commission existing and proposed drawings of all four facades of the building. She explained that they are keeping the same height of the existing windows and bringing them across to accommodate storefront windows. She added that they were also looking to make something more of the entrance by raising the mass and adding a storefront canopy.
- The left elevation drawing showed the loading dock area. They plan to infill the ramp area and add a planter. Ms. DeStefano explained that there were some mechanical reasons why they could not add more windows on this elevation.
- On the right side elevation, Ms. DeStefano explained that they would like to take out the loading dock and wood framed shed. She pointed out that there was a recessed door opening within the loading dock which they will retain.
- Ms. DeStefano said they would be using an anodized aluminum metal covering on the entryway. She added that they will be cutting brick so they are proposing a metal wrap around the windows that will hide the ragged edges.
- Mr. Wyckoff commented that he liked the raised entryway.
- Ms. Maltese stated that she understands the situation but she needed the applicant to know the she would base her decision on the reality that the building could still be standing in 25 years. She added that the fenestration gives the building a contemporary look and she did not have a problem with it. It is a building that sits on its own.
- Ms. Kozak felt that the relation of the void to the solid was a great improvement. She added that raising the entryway provided more balance and scale to the building. She said it would be a great improvement overall.
- Ms. Kozak stated that the building was not a historic one but it was somewhat a gateway to the city. She wondered if the detailing could move back to a more historic precedence. She said that she was concerned with wrapping the edges of the windows because in doing that, they were losing the expression of a masonry building. She wondered if there

was an economical way to treat the cut bricks, perhaps some way to highlight the windows. Ms. DeStefano expressed concern about the metal frame coming out flush with the brick. She said she would explore it further.

- Ms. Kozak asked if there was a finish to the anodized aluminum that was being proposed for the front entryway. She said she would not like to see a shiny finish. Ms. DeStefano agreed.
- Mr. Almeida commented that it was a huge improvement to the building. He had a question about where the plane of the glass was going to be in relationship to the masonry. Ms. DeStefano replied that they would be pulling the plane of the glass back.
- Mr. Almeida asked if they anticipated any large roof top units. Ms. DeStefano said that what is currently there will stay there. She wasn't sure about the satellite dish. Mr. Almeida pointed out the door way on the right elevation and said that he would not hesitate to take the glass all the way up in that large bay.
- Ms. DeStefano stated that it was her desire to have a public hearing at the next meeting. She asked if a site walk was needed. Vice Chairman Katz did not feel it was needed.
- Chairman Dika commented that she understands the issue of light with the building. She felt the treatment was appropriate.
- Chairman Dika asked if anyone from the public wished to speak to the application. There was no response.
- Ms. DeStefano said that they would be back in May for a public hearing.

C. Work session requested by **American Financial Realty Trust, owner, and Bank of America, applicant**, for property located at **Daniel Street**, wherein permission was requested to allow a new free standing structure (install parking attendant booth). Said property is shown on Assessor Plan 107 as Lot 27 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

- Ms. Tracy Dodd, architect for Approach Architects in Boston was present to speak to the application.
- Ms. Dodd explained that Bank of America would like to put a parking attendant booth in their parking lot on Daniel Street. She said that the bank has selected a prefabricated booth that has been used in similar projects at other branches. She pointed out that Portsmouth is the only branch located in a historic district so she realized that the prefabricated booth may not be acceptable.
- Ms. Dodd presented a site plan indicating three potential locations for the booth. She said that they preferred option 1. She felt that location was desirable because they could use the existing conduits. Ms. Kozak stated that she did not have a preference either way. Ms. Maltese said that option 1 was not standing out on any street location and was in fact at the current gate location which seemed appropriate.
- Mr. Almeida said that depending on where the booth goes, one location might be better than another, especially if it is a design that would want to be seen. Ms. Dodd explained that option 2 would require removing a tree.
- Mr. Almeida pointed out that the Piscataqua Bank parking booth was very well done.
- Ms. Dodd explained that there are other prefabricated booth designs and she gave the Commission a booklet to look through. Mr. Almeida said that #3 in the booklet might be

appropriate. Vice Chairman Katz and Councilor Spear agreed. Chairman Dika added that it looked like there were options that they could entertain.

- Ms. Dodd showed the Commission drawings of a proposed constructed booth. She said that it was a simple design and she said they would like it to have sliding windows. She also pointed out that they would probably have to apply for special permits because the height would be less than 20 feet.
- The Commission stated that they liked #3 of the booklet, called the Leesburg.
- Mr. Almeida pointed out that if the booth was custom built, it might be possible to use higher quality materials because it would be a small project. Ms. Dodd explained that she did not want to use brick but would want to use clapboard instead. Mr. Almeida, Ms. Maltese, and Mr. Wyckoff were in agreement concerning the materials.
- Mr. Wyckoff pointed out that if they were to consider a prefabricated booth, they would need more details.
- Vice Chairman Katz asked the Commission that if Ms. Dodds came back proposing the Leesburg booth, would they approve it. Mr. Wyckoff and Vice Chairman Katz said that they would. Mr. Almeida said he would also, but that he felt she was going to have issues with the size. Chairman Dika would really like to see the materials.
- Ms. Dodd said it may end up being a combination of many of the elements built as a customized booth.
- Chairman Dika asked if anyone from the public wished to speak. There was no response.
- Ms. Dodd asked about the submission requirements and asked if four perspective photos with the building superimposed was necessary. Mr. Almeida said at least one photograph would be helpful.
- Ms. Dodd said she would share the information from tonight's meeting with her client and that she would either be back for a public hearing or another work session.

In other business, Mr. Almeida complimented the Commissioners who dug their heels in and fought for the 6 over 6 windows for the property on South Street. He said that the windows look great.

## **V. ADJOURNMENT**

At 9:15 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 May 7, 2008.