

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 p.m.**

**August 6, 2008  
to be reconvened August 13, 2008**

**MEMBERS PRESENT:** Chairman Sandra Dika; Members John Wyckoff, Tracy Kozak, Elena Maltese; City Council Representative Eric Spear; Alternates Joseph Almeida, George Melchior

**MEMBERS EXCUSED:** Vice Chairman Richard Katz

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

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**I. OLD BUSINESS**

A. Approval of minutes – June 11, 2008

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

Approval of minutes – July 2, 2008

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

Chairman Dika stated that before they started the public hearings, Mr. Almeida would give a brief report on materials. Mr. Almeida said that he wanted to inform the Commissioners about the availability of cedar roof shakes. He explained that some applications had come before them claiming that cedar shakes were not available or difficult to get. He said that he talked with a couple of sources who said that they are readily available. He did not want the Commission to make decisions concerning those materials based on old or inaccurate information.

B. Petition of **7 Islington Street, LLC, owner**, for property located at **40 Bridge Street**, wherein permission was requested to allow an amendment to a previously approved design (eliminate parking below building, replace gates and grills with windows and doors, change footprint at west elevation to reflect lot line adjustment) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 52 and lies within the Central Business B, Historic A, and Downtown Overlay Districts. *(This item was postponed at the July 9, 2008 meeting to the August 6, 2008 meeting.)*

**SPEAKING TO THE PETITION**

Ms. Arilda Densch of McHenry Architecture was present to speak to the application. Ms. Densch explained that the footprint has been adjusted slightly on the rear elevation since the HDC approval of April 4, 2007.

Ms. Densch pointed out that Page 9 showed the change. She said that the lot line has been straightened.

On the east elevation, Ms. Densch said that on the first floor, they would like to remove the auto gate entry and replace it with two mercantile entry doors with sidelight windows. She explained that the original plan showed parking in that area but the owner was requesting the change to mercantile stores in that area. Another change on this elevation was a planter to the left of the doors. She explained that they would like to lower the planter and put in a storefront. On the second floor, they would like to add a shallow (2 foot deep) balconette over the proposed mercantile entries. Ms. Densch said the balconettes would be similar to the approved balconettes on the north end of the building. They were also proposing to add French doors to access the balconettes. The proposed French doors would match the approved French doors from the original approval. Ms. Densch explained that on the third floor, the elevator core had to shift to the left, so they were proposing just a single double hung window instead of a double window.

Ms. Densch explained the changes to the west elevation which was the back of the building. They would like to replace the auto gate entry with glazed window units. They were also proposing a rear door for each mercantile unit of the same style as the other approved doors.

Chairman Dika asked if the shake shingles had been moved farther to the left on the elevation. Ms. Densch replied yes and gave a detailed explanation as to why it had changed.

Ms. Densch stated that they were proposing to remove the windows on the center balconies to allow for a shift in the interior hall stairway placement.

Mr. Almeida noticed that the smaller windows on the first level did not appear to have sills. He wondered if they were proposing picture framed windows. Ms. Densch said the original application stated that some windows would be picture framed and some would have a regular sill. Mr. Almeida replied that he would certainly prefer a sill even though the windows are elevated much higher than the other windows. Ms. Densch said that they would not object to that adjustment.

Ms. Maltese pointed out that many of the Commissioners were not sitting on the Commission when this application was approved therefore the details were only known to three Commissioners. She said that that posed a challenge for the Commission.

Chairman Dika asked the Commissioners who were not present for the prior work sessions if they were comfortable making a judgment on this application. Mr. Almeida said he would like to wait and decide that until the end of the presentation.

Ms. Densch presented the changes to the south elevation. She explained that this elevation showed the replacement of the grills to windows. It also showed a planter that would be lowered with new windows above.

Ms. Maltese asked what the difference between the approved balconettes and the proposed balconettes was. Ms. Densch said they were virtually the same except that one was a little wider.

Mr. Melchior asked if the new storefronts would be an extruded aluminum storefront glazing system. Ms. Densch explained that the new doors would be custom doors that were detailed on the original application. The glass in between would be a sidelight that goes with the doors. She said that the windows on the first level were aluminum and insulated glass storefront systems. The windows above were Eagle double hung windows. Mr. Melchior asked if there would be wood paneling and wood framing for the doors. Ms. Densch replied yes.

Ms. Maltese asked if the new entry door on the east elevation was two panes of glass. Ms. Densch replied yes and added that behind the center mull was a wall that separated the two mercantile units.

Mr. Wyckoff commented that he remembered at the time they were approving the original application, the Commission thought the wooden doors were important to the building.

Mr. Almeida stated that he would like to see the prior details because he had a lot of questions concerning the proposed changes.

Chairman Dika asked if they needed to schedule a work session or just get more complete plans. Ms. Kozak stated that she thought the changes were modest enough in relation to the overall project and were in keeping with the overall project so she did not feel that a work session was necessary. She added that seeing the overall details would be helpful. Mr. Melchior and Mr. Wyckoff agreed.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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**

Ms. Maltese made a motion to postpone the application to the September 3, 2008 meeting so that additional material could be submitted. The motion was seconded by Mr. Melchior.

Mr. Almeida asked to add that a work session be scheduled as well. Chairman Dika suggested voting on the motion first to see what the outcome would be. She asked for discussion concerning the motion on the table.

Ms. Maltese said that the details of the elements proposed could not be fully understood because they are not part of this application. She thought that bringing forth what was already approved would clarify the proposed changes.

Mr. Almeida thought there were other concerns as he looked at the plan. He wondered if they could combine the public hearing with a short work session prior, he thought it would help him come to a decision.

Ms. Maltese said that her concern with that since it was not a major application or a redesign of the building; she did not feel a work session was necessary. She added that the layout and the design of the building have already gone through a process.

Hearing no other discussion, Chairman Dika called for the vote.

The motion to postpone the application to the September 3, 2008 meeting so that additional material could be submitted passed by a 6-1 vote with Mr. Wyckoff voting in opposition.

## **II. PUBLIC HEARINGS**

1. Petition of **Oleg Y. Kompasov and Hilary G. O'Neil, owners**, for property located at **97 South Street**, wherein permission was requested to allow an amendment to a previously approved design (change roof line on rear elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 45 and lies within the General Residence B and Historic A Districts.

### **SPEAKING TO THE PETITION**

Ms. Hilary O'Neil, owner of the property was present to speak to the application. She stated that they would like to change the roof line to run straight across the rear of the house. She explained that during construction, they discovered that the support beams were not located exactly where they thought they would be. In order to keep the approved "eyebrow" it would now just be a decorative feature. She said that she originally wanted that feature in order to gain more interior ceiling height. Since that cannot now be achieved, she would like to propose the straight run across the rear roof line.

Chairman Dika asked if there were any questions for the applicant. Hearing none, she asked if anyone from the public wished 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 application as presented. The motion was seconded by Ms. Maltese. Chairman Dika asked for discussion.

Mr. Wyckoff commented that many of the Commissioners were uncomfortable with the "eyebrow" when it was originally proposed. He felt that the house comes together better without it.

Hearing no other discussion, Chairman Dika called for the vote.

The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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2. Petition of **American Financial Realty Trust, owner**, for property located off **Daniel Street at Penhallow Street**, wherein permission was requested to allow a new free standing structure (construct prefabricated parking attendant booth) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 27 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Ms. Tracy Dodd, architect for the project was present to speak to the application. She stated that she met with the Commission in April for a work session. At that time, she brought two sets of plans for a prefabricated booth. One design was of a booth that the bank typically uses in other locations and another design that was a custom one. She added that the Commission also looked through a catalog of other choices and picked one that they thought would be the most appropriate. It was the Leesburg style. Ms. Dodd said that was the style they were proposing this evening.

Ms. Dodd pointed out the location on the site where the proposed booth would be. She said that booth is small, 4' X 6' and made of galvanized steel with custom crown molding and a hip roof. She pointed out the spec sheet in the packet for more details.

Ms. Dodd walked the Commission through the submitted packet. She pointed out that they would be preserving the existing granite curbing. They would be placing a pad that the booth would sit on and would re-seed the area. She mentioned that it was difficult to see into the site and see the booth.

Ms. Dodd passed out a color photo showing a larger image of the Leesburg style booth.

Mr. Almeida stated that the Commission favored the perforated roof because it hid the compressor. He asked Ms. Dodd the reason for the change. Ms. Dodd explained that that was a custom element that they were using in drier locations and the manufacturer raised concern about that element working in New England. She pointed out that the location of the proposed AC unit is fairly subtle since it was low and would be facing the drop down gate. There would also be some plantings around it.

Mr. Almeida asked if the housing of the unit would be the same color of the booth. Ms. Dodd replied yes.

Mr. Wyckoff said he was taken aback by learning that the building was going to be galvanized metal. Ms. Dodd said that it would be an exterior grade metal finish.

Mr. Melchior asked if there would be field work involved. Ms. Dodd replied yes, that they would need to prepare the pad. The booth itself would not require any construction.

Mr. Melchior pointed out that the spec sheet called for the use of a rust inhibitor on exposed steel. He said that did not work very well in New England. He wondered if it could be changed to something more durable. Ms. Dodd thought that could be addressed.

Mr. Almeida asked if the Commission had a preference with regards to the finial on top of the booth. Ms. Dodd said that it was something that they had not discussed. Mr. Almeida said that the finial, with or without, was not a deal breaker for him.

Chairman Dika asked if there were any more questions for the application. Hearing none, she asked if anyone from the public wished 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**

Ms. Kozak made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Melchior. There was no discussion.

The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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3. Petitions of **Blair W. McCracken, Janet B. McCracken, and Ronald Bourgeault, owners**, for properties located at **212 and 222 Pleasant Street**, wherein permission was requested to allow a new free standing structure (install fence over property line) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lots 25 and 26 and lies within the Mixed Residential Office and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. John Schnitzler, representing the applicants was present to speak to the application. He explained that he would like to construct a picket fence with box posts with caps that would be approximately 22 feet long. The fence would sit between the two existing garages.

Mr. Almeida asked if the strap hinges would be going across the pickets. Mr. Schnitzler replied yes.

Mr. Melchior asked how the fence would mount to the posts. Mr. Schnitzler explained in detail how it would be constructed.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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. Almeida made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Maltese. Chairman Dika asked for discussion.

Mr. Almeida stated that it was a very well thought out fence. He said this was a very special spot among some very special buildings.

Hearing no more discussion, Chairman Dika called for the vote.

The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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4. Petition of **Strawbery Banke, Inc., owner**, for property located at **420 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace and relocate fencing) as per plans on file in the Planning Department. Said property is located on Assessor Plan 104 as Lot 8 and lies within the Mixed Residential Office and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. John Schnitzler, representing the applicant, was present to speak to the application. He explained that the museum would like to consolidate an area of the museum with one consistent style of fence. He said they would also like to simplify the fence lines.

Mr. Schnitzler pointed out that Page 2 of the submitted plans showed photos of the fences on Horse Lane and Marcy Street as they exist today. Page 5 showed the drawing of the style they would like to use. He said that this was the standard fence for the museum.

Mr. Almeida asked how much of the standard fence exists on campus. Mr. Schnitzler said that it exists on Horse Lane, on the back and side of Oracle House, on Washington Street, and Hancock Street. He added that at one time, this fence used to totally encompass Strawberry Banke but has been slowly removed for one reason or another. Mr. Almeida asked if all of the fences would now be same with the approval of this application. Mr. Schnitzler replied no, that there were still areas with other fence styles. He said the proposed fence has always been the standard bearer in areas that did not try to interpret anything historically. He said it was just a simple, easy, cheap fence to put up.

Mr. Almeida said that that is what was bothering him about it. He felt it looked like a typical everyday fence and he felt Strawberry Banke could do a lot better. He looked to Strawberry Banke to set the standard. Mr. Schnitzler stated that that was true and Strawberry Banke has stepped up to that standard in other places like at Goodwin House, Chase House, and Aldrich House. He said that they try to do that in appropriate places.

Ms. Maltese stated that from a preservation standpoint, she was pleased to see Strawberry Banke using a different style fence that was plain because Strawberry Banke is not a mix of one time

period. The simpler fence allows the details that the museum wishes to highlight to pop and stand forward in terms with the structure. Mr. Almeida said he understood Ms. Maltese’s point and was concerned that they might be losing the special fences to this simpler type of fence.

Chairman Dika said that she felt that particular area did not call for any interpretation for a more formal fence.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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**

Ms. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Kozak. There was no discussion.

The motion to grant a Certificate of Appropriateness for the application as presented passed by a 6-1 vote with Mr. Almeida voting in opposition.

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5. Petition of **Strawbery Banke, Inc., owner**, for property located at **420 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace existing fencing, add gate) as per plans on file in the Planning Department. Said property is located on Assessor Plan 104 as Lot 7 and lies within the Mixed Residential Office and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. John Schnitzler, representing the applicant was present to speak to the application. He explained that the area to be considered was in the middle of the Puddle Dock area. There is presently a white rail fence in disrepair that will be removed. He said they would like to continue the main parking lot fence look to make the whole parking lot look consistent.

Mr. Schnitzler stated that Page 6 showed the existing parking lot fence. The boxwood tree shown in Page 6 would be the termination point for the proposed fence. Page 7 showed a proposed gate that would match the one at the visitor’s center.

Mr. Almeida asked about the green mesh material. Mr. Schnitzler said that it was a fencing material made of coated wire.

Chairman Dika commented that she was going to miss the rail fence on the Marcy Street side.

Mr. Almeida did not think that this was a secondary fence area. He felt that there were no back of houses spaces in Strawbery Banke. Mr. Schnitzler explained that in the past there was a stockade fence which did not allow of anyone being able to see in or out. He said that the wire fence replaced that to try to make the grounds more open and to bring the public in. He added

that they are trying to avoid maintenance issues with the fencing as well. Councilor Spear asked if that was the reason they were moving away from the fence they are removing. Mr. Schnitzler said that maintenance was a big part of it as well as getting consistency. He also told the Commission that the green mesh disappears and one can hardly tell it is there.

Ms. Maltese said that she was having trouble with the appropriateness of the fence and with its angle. She added that she was not seeing the historical appropriateness for changing the fence to one of this nature.

Mr. Wyckoff asked Chairman Dika if she remembered granting approval for the existing green mesh fence. Chairman Dika said no, and she was sure she did not vote on it. Mr. Wyckoff said that he was upset with the proposal. Chairman Dika added that she did not have an objection in the parking lot area but she was uncomfortable with it along Marcy Street.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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**

Ms. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Councilor Spear. Chairman Dika asked for discussion.

Ms. Maltese stated that she could not find the appropriate nature for changing the fence and would be voting against the motion.

Mr. Wyckoff agreed with Ms. Maltese. He thought the construction methods of the fence were odd. He said he would prefer to see the standard picket fence. He did not think it was appropriate in that area.

Mr. Almeida said that the Commission’s purview was to promote as much as they could the preservation of these things. He was uncomfortable with hearing from Strawberry Banke about maintenance issues. He said he looked to Strawberry Banke to set the standard. He thought that the maintaining of these old fences was a lost technique. He felt this seemed like an easy way out.

Chairman Dika cited Section 10-1003[sic], B as her reason for voting against the application.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented failed by a 0-7 vote.

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6. Petition of **68 State Street, LLC, owner**, for property located at **68 State Street**, wherein permission was requested to allow an amendment to a previously approved design (add granite lintels above third floor windows on front elevation) as per plans on file in the Planning

Department. Said property is shown on Assessor Plan 105 as Lot 13 and lies within the Central Business B and Historic A Districts.

**SPEAKING TO THE PETITION**

Ms. Jennifer Ramsey, of Somma Studios was present to speak to the application. She stated that they were really seeking approval for the raising of the eave line as a matter of structuring the building and cost savings. The lintels came into play as a result of the eave line moving up.

Chairman Dika asked if there were any questions for the applicant. Hearing none, she asked if anyone from the public wished 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 application as presented. The motion was seconded by Mr. Melchior. Chairman Dika asked for discussion.

Mr. Wyckoff stated that the proposed change refined the building. He thought the lintels appear necessary.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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7. Petition of **March Twenty Two, LLC, owner**, for property located at **58 State Street**, wherein permission was requested to allow an amendment to a previously approved design (add lighting on front elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 12 and lies within the Central Business B and Historic A Districts.

**SPEAKING TO THE PETITION**

Ms. Jennifer Ramsey of Somma Studios was present to speak to the application. She explained that they are proposing lighting on the State Street elevation of the building. They are proposing two lighting types, down lights over the entry doors and up lights. The down lights are centered over the entry doors and the up lights are centered on the brick façade, between the windows. She added that the up lights will be sitting on the top of the sign band, which is in the process of being built.

Ms. Maltese asked the reason for the up lights. Ms. Ramsey said that it was the preference of the client and the lighting designer to cast a soft grazing of the brick.

Mr. Almeida asked if any electrical work boxes would be visible on the front of the building. Mr. Ramsey replied no and explained that the one conduit box that is currently visible is for the fire alarm system and will eventually be covered by running it along the sign band.

Mr. Almeida commented that they have seen these types of down lights on another building downtown. He also added that the up lights would be a first for State Street. He thought it was a little slick for State Street.

Ms. Maltese stated that she agreed with Mr. Almeida and said that she did not find the up lights appropriate. She said it was not on a display building. She clarified that the up lights were the only thing that she found inappropriate with the application.

Mr. Melchior disagreed and said that he has seen that application in Newport, RI and Mystic, CT and it was quite nice. He did not think the up lighting would stand out.

Ms. Maltese said her comments had nothing to do with whether it would be nice or not. She said it was the fact that this was not an element of exterior lighting that is around Portsmouth. She did not feel it was appropriate. Mr. Almeida added that it would be the only building on the street that was illuminated that way.

Chairman Dika posed the question as to whether Commissioners would vote against it because of the up lighting and in which case; the applicant might want to modify the proposal. Chairman Dika said she would not object to the up lighting. Mr. Wyckoff said he would not object either.

Ms. Kozak commented that lighting is kind of a gray area because historically, this period of architecture on State Street did not have electric lighting. She said that this is an age of electricity and lights and she did not think it would detract from the historic nature of the building. She did not object to them.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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. Melchior made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Wyckoff. Chairman Dika asked for discussion.

Mr. Melchior stated that he did not think the fixtures were inappropriate. He agreed with Ms. Kozak. He added that what lighting did exist back then were scones or upturned gas lanterns.

Ms. Maltese said she could not get away from the fact that this would be a precedence setting issue. She pointed out that if these are approved, all buildings can be lit up in this manner. She felt the down lights made perfect sense but she thought the up lights were inappropriate.

Ms. Kozak wondered how they apply this in a broad sense in terms of reviewing illumination of buildings across the board. She explained that there is illumination in landscaping which the Commission does not have purview over. She said that she was uncomfortable going into the world of exterior illumination as something that is part of the design of the building. She felt the

materials and the nature of the massing, scale, and proportion are really the elements that they are primarily concerned with.

Mr. Almeida said that he had an issue with the up lighting as he felt it detracted from the residential component on State Street. He did not feel that the fixtures were appropriate for the building. He thought maybe a copper lantern on a bracket would be more appropriate. He added that a lot of effort has been made to make the building look a certain way and to put a 1930's or 1940's style fixture on the face of it did not work.

Mr. Wyckoff thought Mr. Almeida made a good argument. He said that the Commission has approved a few of them and now they are seeing more of them. He stated he was in favor of up lights at times and allowing it for one building did not mean that they needed to allow it for all buildings. He said that upon thinking about this application, he may have been swayed and feels that this building may not be the building for the up lights. He said he that there is merit to the argument that it is a residential area as well. He added that there was not enough cohesiveness on the building to warrant the up lights.

Ms. Maltese interjected that the key up lighting in Portsmouth was the highlighting of the steeple. She added that she disagreed with Mr. Wyckoff in that if this application were granted, it would be very difficult to object any other application.

Chairman Dika stated that she disagreed with Ms. Maltese pointing out that this is a new building, not a historic building. She thought with that in mind there might be a different way of judging the application. Ms. Maltese pointed out that the Commission was very intricate in trying to make the building fit cohesively with the other buildings that it is next to and complement them.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented failed by a 3-4 vote with Mr. Almeida, Mr. Wyckoff, Ms. Maltese, and Councilor Spear voting in opposition.

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8. Petition of **John P. Magane and Katherine T. Miller, owners**, for property located at **51 Gardner Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove window, reconfigure and replace two first floor windows, replace remaining first and second floor windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 22 and lies within the General Residence B and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. Stephen Roy, representative for the owners, spoke to the application. He stated that he was requesting to remove a window on the back elevation of the house as well as to shorten two windows on the same elevation. In addition, the applicant was proposing to change all of the windows on the first and second floor with Series 400 Andersen windows. Mr. Roy explained

that the removal of the rear window would give more symmetry to the back of the house. He pointed out that the rear elevation was not very visible from any street in Portsmouth. He explained in detail the historic elements of the house and how the windows would be installed. He also stated that the driving force for the changes was to bring space to the kitchen for a counter and some upper cabinets.

Mr. Wyckoff asked Mr. Roy if he felt the Andersen 400 Series window was the best replacement window for this application. Mr. Roy replied that he did not have a lot of personal experience with replacement windows but this window was the most reasonably priced and came the closest to meeting the window dimensions.

Mr. Melchior asked if he would keep the two over one window grill pattern. Mr. Roy replied yes and they would be simulated divided light.

Mr. Almeida asked if he was including basement windows as well. Mr. Roy replied no, not at this point.

There was then detailed discussion as to how the windows would be installed

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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. Almeida made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Melchior. Chairman Dika asked for discussion.

Mr. Almeida stated that this was a very unique, one of a kind house for the south end. He did not think that changing the window pattern on the back of the house would detract from it.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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9. Petition of **Deborah Campbell, owner**, for property located at **293-295 Maplewood Avenue**, wherein permission was requested to allow a new free standing structure (install fence) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 141 as Lot 35 and lies within the Mixed Residential Office and Historic A Districts.

**SPEAKING TO THE PETITION**

Mr. Sanford Roberts, representing the owner, was present to speak to the application. He explained that the owner was seeking permission to install a fence, approximately 33 feet long made of black aluminum. It would be 48” high and would gradually rise to 6’ high along the

property line. He pointed out that the proposed fence was similar to a second story railing on the back of the house. The railing was approved by the HDC a number of years ago. He added that at the end of the fence would be a 6' granite post with a light fixture.

Chairman Dika asked if the light fixture would have a flat top. Mr. Roberts replied yes. Ms. Maltese asked if there would be a ring attached. Mr. Roberts said that was his understanding.

Mr. Almeida asked for clarification as to where the fence would be located. Mr. Roberts explained its position by referring to the submitted site plan.

Mr. Almeida commented that the Commission has been seeing a lot of black aluminum fences recently. He felt that this fence was appropriate. He added that the building is beautiful and all of the renovations to it have been top notch. That gave him confidence that the fence would also be nicely done.

Chairman Dika asked if the fence pieces were hollow. Mr. Roberts said that the uprights were not but he suspected that the posts would be.

Chairman Dika pointed out that there was an aluminum fence at the front of the property as well.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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**

Ms. Maltese made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Kozak.

Ms. Kozak stated that she felt it was an appropriate fence for the surroundings. She said it was a traditional fence that the Commission has seen many times.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (7-0) vote.

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10. Petition of **Custom House Condominium Association, owner, and Maryka Ford, applicant**, for property located at **73 Daniel Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace roof, change to roof line) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 11 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

Mr. Melchior stated that he would be recusing himself from the discussion and vote.

**SPEAKING TO THE PETITION**

Ms. Maryka Ford, representing the condominium association was present to speak to the application. She explained that the association consisted of two buildings, the 1816 Custom House and the adjacent building at 73 Daniel Street. She said that they needed a new roof and they currently have no insulation. They are proposing to add 5 inches of polyiso insulation above the roof deck. She added that they would also be replacing the roof above the entrance to Ristorante Massimo.

Ms. Ford stated that they would be beveling the edges and adding copper flashing. She said it would not be seen from the street because of the gutters.

Chairman Dika asked if they were increasing the height of the building. Ms. Ford replied yes and said it would be by about 5 inches.

Ms. Maltese asked if the new gutter location would cover the dentil detailing. Ms. Ford replied no, that it was existing gutter and the dentil was underneath that.

Mr. Almeida asked if there was any attention to be paid to where the roofing meets the lead flashing at the fire wall. Ms. Ford said that on the Custom House side it will be covered with copper cap flashing and on the Daniel Street side, all of that flashing would be replaced.

Ms. Kozak wondered what would happen at the ends of the decorative moldings and the ends of the eaves where they connect to the abutting buildings. She asked if the roof protruded beyond the roof next to it. She wondered if one would see a return on the eave detail. Ms. Ford replied when facing the Custom House, it would meet the brick wall exactly where it meets it now. On the 73 Daniel Street side, the wall extends beyond the roof. At this point in the meeting, there was considerable discussion concerning this detailing.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished 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. Almeida made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Mr. Wyckoff. Chairman Dika asked for discussion.

Mr. Almeida stated that this was a clever solution. He added that even if the copper is seen from the street, it will eventually patina and blend in with the copper gutter.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (6-0) vote.

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10. Petition of **Parade Office, LLC, owner**, for property located at **195 Hanover Street**, wherein permission was requested to allow exterior modifications to a previously approved design (modifications to building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as proposed Lot 1 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

Mr. Almeida and Ms. Maltese stated that they would be recusing themselves from the discussion and vote.

Chairman Dika informed the Commission that they would hear a combined presentation for both applications but would vote on the two applications separately.

### **SPEAKING TO THE PETITION**

Mr. Josh Anderson, project manager, and Mr. Jeff Johnston, principal, both of Cathartes Private Investments and Parade Office, LLC were present to speak to the application.

Mr. Anderson explained that they were before the Commission this evening to make modifications to the Port Walk project that was approved last June. Since that time, they are looking to subdivide the project into lots which have resulted in minor modifications to the site as well as the buildings.

Mr. Anderson said that they were asking for action on the hotel and residential building. He said that the buildings were virtually the same but they have made some minor changes to the parking and the moving of the buildings. He explained that Page 3 of the plans showed the changes. The red line represented the new changes and the black line represented the approved plan.

Mr. Anderson pointed out that on The Hill elevation, the one story section shrinks by 6'2" and the building shifts 2'. He explained that this change allows them to fit more parking spaces in the back of the lot. He also said that by subdividing the lot, they cannot have a parking garage under all of the buildings. The crown of the lot has caused a minor change to the height as well.

Mr. Anderson pointed out that on the Pedestrian Way elevation; again the crown has caused a slight increase in height. Also the one story section moves over 5 feet and the whole building moves 2 feet. Also, a door location will change. Lastly, the building also moves over 5 feet in the back where it hits the corner of the building. The storefront windows will now be carried around the corner.

Ms. Kozak asked Mr. Anderson to explain the building materials at the base of the building where it is meeting grade. Mr. Anderson said that the details did not change. He explained that along the base it is granite where it meets the ground with a cast stone above it.

Ms. Kozak asked if the area below the storefronts on the Pedestrian Way elevation was also granite. Mr. Anderson stated that whatever was originally approved has remained unchanged. Ms. Kozak wondered if it was aluminum. Mr. Anderson replied, no, that it was cast stone. He explained that architect's intent was to put granite where the ground meets the stone so that it

does not absorb moisture. Ms. Kozak commented that it looked like the only area where there was aluminum meeting grade was on the Port Walk side. Mr. Anderson confirmed that was correct.

At this point in the public hearing, there was considerable discussion concern the grade change.

Chairman Dika asked for clarification regarding the lots. She asked if Proposed Lot 1 housed Building #2 and Proposed Lot 2 housed Building #1. Mr. Anderson confirmed that was correct.

Councilor Spear asked if the grade was changing on the left side of plan 4-J. Mr. Anderson said that the banding has changed in that area. He added that there was no grade change.

Chairman Dika asked if there were any more questions for the applicant. Hearing none, she asked if anyone from the public wished to speak to, for, or against either one of applications before them. Seeing no one rise, she declared the public hearing closed.

Chairman Dika said that she would await a motion for Public Hearing #11, Proposed Lot 1.

**DECISION OF THE COMMISSION**

Mr. Wyckoff made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Kozak. Chairman Dika asked for discussion.

Mr. Wyckoff stated that the changes are so minor that many of the Commissioners are having trouble figuring out what the changes are. He said that he remembered discussion from the first public hearing concerning the banding. He felt they did a good job moving the buildings around to acquire the parking spaces.

Hearing no other discussion, Chairman Dika called for the vote. The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (5-0) vote.

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12. Petition of **Parade Office, LLC, owner**, for property located at **195 Hanover Street**, wherein permission was requested to allow exterior modifications to a previously approved design (modifications to building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as proposed Lot 2 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

Chairman Dika said that she would await a motion for Public Hearing #12, Proposed Lot 2.

**DECISION OF THE COMMISSION**

Mr. Wyckoff made a motion to grant a Certificate of Appropriateness for the application as presented. The motion was seconded by Ms. Kozak. There was no additional discussion.

The motion to grant a Certificate of Appropriateness for the application as presented passed by a unanimous (5-0) vote.

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**III. ADJOURNMENT**

At 9:45 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 September 3, 2008.