

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 p.m.**

**November 12, 2008  
reconvened from November 5, 2008**

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

**MEMBERS EXCUSED:** Elena Maltese; Planning Board Representative Paige Roberts

**ALSO PRESENT:** David Holden, Planning Director

.....  
Chairman Dika introduced Kylie Whitehouse and Molly Frampton from Rye Junior High School who were present to observe the evening's meeting.

**IV. OLD BUSINESS**

A. Approval of minutes – October 8, 2008

It was moved, seconded, and passed unanimously (6-0) to approve the minutes as presented.

B. Petition of **Gisela H. and Ellen B. Garvey, owners**, and **Bill Southworth, applicant**, for property located at **39 Pickering Street**, wherein permission was requested to allow new construction to an existing structure (install gates on right and left sides of house) and allow a new free standing structure (install air conditioning unit) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 5 and lies within the General Residence B and Historic A Districts. *(This item was postponed at the November 5, 2008 meeting to the November 12, 2008 meeting.)*

Chairman Dika stated that she would be recusing herself from the discussion and vote. Vice Chairman Katz conducted the public hearing.

**SPEAKING TO THE PETITION**

Mr. Bill Southworth was present to speak to the application. He stated that he was now the owner of the property. He submitted plans to the Commissioners showing the dimensions, location, and style of the proposed fence. It would be a 42" high picket square post fence with a gate. It would be left natural.

Mr. Wyckoff asked for clarification that the fence would cover the air conditioning units. Mr. Southworth replied yes.

Vice Chairman Katz asked if there were any more questions for the applicant. Hearing none, he asked if anyone from the public wished to speak to, for, or against the application. Seeing no one rise he declared the public hearing closed 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. Almeida. There was no discussion.

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

\*\*\*\*\*

C. Petition of **LBJ Properties, LLC, and American Financial Realty Trust, owners**, for properties located at **26 Market Square and off Daniel Street**, wherein permission was requested to allow new construction to an existing structure (construct rear stairs with roof at 26 Market Square) and allow exterior renovations to an existing structure (replace rear window with door) as per plans on file in the Planning Department. Said properties are shown on Assessor Plan 107 as Lots 30-1 and 27 and lie within the Central Business B, Historic A, and Downtown Overlay Districts. *(This item was postponed at the November 5, 2008 meeting to the November 12, 2008 meeting.)*

**SPEAKING TO THE PETITION**

Mr. Steve McHenry of McHenry Architecture was present to speak to the application. The entire project encompassed two buildings that would be consolidated soon into one property. He explained that they would like to create an egress stair at the back of the building at 26 Market Square. He added that the building footprints occupy the entire land of the property so stairs would be created on an abutting property of which there was an easement. They have received permission by the abutter to erect the stair.

Mr. McHenry said that there was evidence that there was probably an addition that was taken off at some point because the façade was inconsistent with the rest of the building. Also on the façade was a pair of windows and a door. He said they would like to replace the window on the right hand side with a door. Page 4 showed the configuration of the stair being proposed with six risers to a new granite stoop. Mr. McHenry added that the design intent was to keep the stair as simple as possible. The materials would be metal with the staircase and landing being steel painted with concrete inserts. The railings and supports would be channel metal stock and would also be painted.

Mr. McHenry explained since it was an egress stair from a public building; it was required to have a roof over it. He pointed out that the roof would cover some of the “raised eyebrows” on the building.

Mr. Almeida asked Mr. McHenry to be more specific about the metal rail system. Mr. McHenry said that the intent was that they were steel.

Mr. Melchior asked about the handrails. Mr. McHenry stated that they would extend to the vertical posts that extend beyond the last riser.

Councilor Spear pointed out that a little piece of the middle “eyebrow” was sticking out beyond the overhang. Mr. McHenry said that it would be possible to extend the overhang so that it would not look so awkward. Mr. Almeida felt that was important.

Hearing no other discussion, Chairman Dika 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**

Councilor Spear made a motion to grant a Certificate of Appropriateness for the application with the following stipulation:

- 1) That the overhang is extended beyond the “eyebrow” of the middle window.

The motion was seconded by Mr. Wyckoff. Chairman Dika asked for discussion.

Councilor Spear stated that he felt it was appropriate. Mr. Wyckoff added that it maintains the character of the area.

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

- 1) That the overhang is extended beyond the “eyebrow” of the middle window.

\*\*\*\*\*  
 Ms. Kozak arrived at this point in the meeting.

\*\*\*\*\*

**V. PUBLIC HEARINGS**

6. Petition of **303 Islington Street, LLC, owner**, for property located at **303 Islington Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows, remove vinyl siding and replace with fiber cement siding) and allow new construction to an existing structure (construct stairs at rear elevation) as per plans on file in the

Planning Department. Said property is shown on Assessor Plan 144 as Lot 11 and lies within the Apartment and Historic A Districts.

### **SPEAKING TO THE PETITION**

Mr. Ed Benway, property owner, was present to speak to the application. He stated that he was proposing to put a 3'X 3' landing with stairs on the rear of the building. The material to be used would be pressure treated wood. He said he would also like to replace the vinyl siding with CertainTeed fiber cement board with a smooth finish. The existing trim would remain but would be re-painted. Lastly, he stated that he would like to replace the windows.

Vice Chairman Katz pointed out that the proposed window was an all vinyl window. He said that the Commission has almost never approved a vinyl window but they keep coming back before them. He thought this would be a good opportunity for the Commissioners to take a closer look at them. Mr. Benway added that he looked extensively for a window that was eco-friendly as well as one that blended in with the character of the building.

At this point in the meeting, the Commission stepped off the dais to examine the window sample that Mr. Benway brought with him.

Mr. Wyckoff asked what type of grid system he was proposing. Mr. Benway stated that he would like to keep the window grid the same as what was currently there. Mr. Wyckoff felt that two over two windows would be appropriate.

Chairman Dika if there was an option of having exterior muttons on the window. Mr. Benway said that he was not sure but he could look into it. Vice Chairman Katz commented that they should be careful because this could set precedence.

Mr. Almeida pointed out that typically, a vinyl window is used when you want to reduce the maintenance of a building. He thought this building would require a huge amount of maintenance. He felt the vinyl window was an odd choice for this building. Mr. Benway pointed out that the fiber cement board would be low maintenance. The only maintenance left would be the trim.

Mr. Wyckoff wondered about the availability of simulated divided lights. He reminded the Commission of the house on Salter Street where divided lights were added. He wondered if they could require that. Mr. Almeida said he would want to see a permanently applied exterior grill. Chairman Dika stated that she was hesitant about approving a vinyl window. Mr. Benway asked if another window with an exterior grill were available, would that be acceptable.

Vice Chairman Katz recommended that the application be postponed for more details. He suggested polling the Commissioners to see if they had any objection to the use of vinyl. He asked the Commissioners that if Mr. Benway came back with a vinyl window with a permanently affixed exterior grill, would they be inclined to approve it. Mr. Melchior, Mr. Wyckoff, Vice Chairman Katz, Chairman Dika, and Ms. Kozak stated they would be opposed to a vinyl window. Councilor Spear pointed out that the smaller windows in the structure would probably require a different grid pattern.

Mr. Wyckoff asked for more detail about the siding and how much of it would be exposed to the weather. He also felt more attention to the drawing of the stairs would be helpful.

Councilor Spear pointed out the mixed approval for the 111 Bow Street application where part of the building was approved for clapboard and the rest of the building was approved for the fiber cement board. He wondered if the same reasoning would apply to this building. Mr. Almeida said that they were dealing with two different vintages. He said he did not have an issue with the proposed siding material. Vice Chairman Katz and Mr. Wyckoff agreed with Mr. Almeida.

Mr. Holden suggested Mr. Benway also submit a window schedule showing the different sizes and grill patterns.

**DECISION OF THE COMMISSION**

Councilor Spear made a motion to postpone the application to the December 3, 2008 meeting. The motion was seconded by Mr. Melchior. The motion passed by a unanimous (6-0) vote.

\*\*\*\*\*

7. Petition of **Kenneth F. Kozick, owner**, for property located at **29 Sheafe Street**, wherein permission is requested to allow exterior renovation to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 17 and lies within the Central Business B and Historic A Districts.

Request To Postpone

**DECISION OF THE COMMISSION**

Mr. Wyckoff made a motion to postpone the application to the December 3, 2008 meeting. The motion was seconded by Mr. Almeida. The motion passed by a unanimous (6-0) vote.

\*\*\*\*\*

8. Petition of **Unitarian Universalist Church, owner**, for property located at **292 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace basement windows, replace trim with composite material) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 8 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Mr. William Greenier, contractor for the owner, was present to speak to the application. He explained that the owner would like to replace all of the basement windows. They are rotting away. The proposed windows would be energy efficient Andersen simulated divided light in them with the same grill as the existing windows. The windows would be trimmed out with Azek.

Chairman Dika asked about the covering over the windows. Mr. Greenier said that the covering was placed there to cut down on the drafts. There would no covering with the new windows.

Ms. Kozak pointed out that some of the windows were double hung windows and some where awning windows. Mr. Greenier said that he would be replacing them just as they are.

Mr. Almeida asked about the round roping trim around the window. Mr. Greenier replied that it was called a bed moulding. Mr. Almeida asked if that would be replicated. Mr. Greenier replied yes.

Mr. Almeida commented that the building was about as close to 100% authentic in material and design as we have downtown. He said he would have difficulty changing the appearance of the building and he felt the Andersen Woodright series would change the appearance. He added that he envisioned a time in the future when someone will want to replace the top windows and that the basement windows would then set precedence. He wondered if the building deserved a custom window.

Mr. Greenier felt that common sense should apply; pointing out that the windows are so close to the ground that rot is taking place and so they are trying to avoid a similar situation from happening in the future. He added that would not be the case with the upper windows. Landscaping would cover most of the basement windows.

Mr. Wyckoff stated that the existing windows were not antique windows. He felt they were probably 30-40 years old.

Vice Chairman Katz commented that he appreciated Mr. Almeida's concerns but he felt that almost anything would be an improvement over the existing windows.

Hearing no other questions, Chairman Dika 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 Vice Chairman Katz. Chairman Dika asked for discussion.

Mr. Wyckoff believed that it was a good solution for a difficult basement window. It preserves the integrity of the district and replicates the existing the windows. He felt it was the best fit. Vice Chairman Katz agreed.

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 5-1 vote with Mr. Almeida voting in opposition.

\*\*\*\*\*

#### IV. WORK SESSIONS

F. Work Session requested by **Paul J. Carney, owner**, and **William Hess, applicant**, for property located at **54 Rogers Street**, wherein permission was requested to allow new construction to an existing structure (add dormer to existing structure, construct addition at rear elevation). Said property is shown on Assessor Plan 116 as Lot 44 and lies within the Mixed Residential Office and Historic A Districts.

Mr. Almeida stated that he would be recusing himself from the discussion.

- Charles Hoyt, architect, and William Hess, applicant, were present to speak to the application.
- Mr. Hoyt explained that Page 1 showed the left hand side of the house where an addition was being proposed.
- Page 2 showed the front elevation and the proposed renovations.
- Page 3 showed the existing garage which they would like to convert into storage shed. They plan to remove half of the building to better conform to the lot coverage.
- Page 4 showed the rear elevation where there was a sun room that they would like to demolish. Mr. Hoyt said that it did not merit saving. It has been condemned by the building inspector.
- Page 5 showed the right side elevation where the least amount of work would be done.
- Mr. Wyckoff asked if they would be removing the aluminum siding. Mr. Hoyt replied yes and they would like to renovate the trim packages underneath. The gutters would also be replaced.
- Mr. Wyckoff asked the age of the garage. Mr. Hoyt thought it was probably built in the 1970's.
- Page 7 showed a detail of the proposed dormer. The dormer will be set back.
- Ms. Kozak stated that it was a great improvement. She said that the house was probably of late 1800s or early 1900s vintage and there seems to be some great detail here and there. She suspected that when they begin to uncover the aluminum they might find some nice detail. She thought that they might want to stick with details from the early 1900's and use a window pattern of maybe one over one or two over two. Mr. Hoyt pointed out that the oldest windows are in the attic and they are six over six. He felt that set the stage for what should be used; however, he thought two over two would be nice also. Chairman Dika stated that she felt the six over six would be inappropriate.
- Mr. Wyckoff had a problem with the multitude of pediments and he thought the round window was inappropriate. He also did not like the proposed windows in the new sunroom. Chairman Dika added that she did not like the windows either.
- Mr. Melchior also thought the pediments were too busy. He said he did not have a problem with the sunroom windows. Vice Chairman agreed with Mr. Melchior. Chairman Dika added that she would like to see the windows a bit simpler.
- Vice Chairman Katz felt they might want to rethink the dormer on the main house. Mr. Hoyt said that it was a shed dormer disguised. Vice Chairman Katz wondered if it needed to be disguised. Ms. Kozak suggested a simple dormer.
- Vice Chairman Katz asked about the dormers on the addition. Ms. Kozak said that she liked the eyebrows pop ups on the dormers.

- Mr. Melchior thought that the dormer on the existing house was causing the house to look a bit top heavy. Mr. Wyckoff thought the size of the windows in the dormer was a problem. He felt it was a little over the top. Mr. Hoyt said that he would come up with a good looking shed dormer for the next meeting.
- Mr. Hoyt explained why he wanted to demolish the existing chimney. He said that with extensive renovations like this one, these types of structures fall apart because they are old. He looked at the chimney and he did not think it was worth saving. If they do put the chimney back, it would just be for cosmetic reasons. Mr. Wyckoff did not think that it was that important.
- Mr. Hoyt brought a sample of a LePage window. Chairman Dika said that she was comfortable with the six over six window pattern. Mr. Wyckoff thought that two over two would be more appropriate. Ms. Kozak was uncomfortable with the six over six. Mr. Hess asked about two over one. Some Commissioners were fine with that.
- Vice Chairman Katz asked why they were keeping the picture window. Mr. Hoyt said that it allowed for a lot of light.

\*\*\*\*\*

G. Work Session requested by **Matthew T. Hatem, owner**, for property located at **242 State Street, Unit 5**, wherein permission was requested to allow new construction to an existing structure (construct walk-out dormer with deck railing). Said property is shown on Assessor Plan 107 as Lot 70-4 and lies within Central Business B, Historic A, and Downtown Overlay Districts.

- Mr. Brandon Holben of McHenry Architecture was present to speak to the application. He presented the Commission with a Court Street view and a State Street view of the project. He said that they were proposing a dormer on the rear of the building. It would provide a code compliant second bedroom with the dormer providing a second escape from the second floor.
- Mr. Wyckoff stated that he was having trouble with the vertical siding with large spacing. He would like to see more vertical lines. He also did not like the soffit detail. As for the railing, he preferred a vertical rail instead of a horizontal rail system. Chairman Dika and Ms. Kozak agreed.
- Ms. Kozak pointed out that the walk out dormer can be seen from Court Street.
- Mr. Almeida asked if there would be a gutter across the face of the dormer. Mr. Holben replied yes. Mr. Almeida said that would help to break it up.
- Vice Chairman Katz asked if the dormer, in concept, was a problem for anyone. Vice Chairman Katz, Mr. Wyckoff, and Mr. Almeida were fine with it. Chairman Dika said that she had a problem with it. She did not like the disturbance of the roof.
- Mr. Holben wondered if a site walk would be helpful.
- Councilor Spear did not think the walk out and the slider worked at all.
- Mr. Almeida commented that this project reminded him of a project on Market and Ladd Streets where contemporary features on the building made the architecture more special. He said that this project needed more refinement.

- Vice Chairman Katz stated that he was not opposed to the dormer as it enhances the living experience. He did think that the scale of the siding should be looked at and added that vertical balusters would be more appropriate.
- It was determined that a site walk was not needed.
- Mr. Almeida added that this was a very important view from Pleasant St. and Court Street.
- Chairman Dika commented that she was not going to want to see a balcony there.

\*\*\*\*\*

H. Work Session requested by **Frank M. and Kiska B. Alexandropoulos, owners**, and **Chris Wright, applicant**, for property located at **699 Middle Street**, wherein permission was requested to allow new construction to an existing structure (add shed dormers). Said property is shown on Assessor Plan 148 as Lot 35 and lies within the General Residence A and Historic A Districts.

- Mr. Chris Wright was present to speak to the application. He explained that they would like to put shed dormers on the right and left side elevations of the main house roof. He said that they would be using the same materials as the addition, the same two over two windows, Andersen 400 series, cedar siding, flat window trim, and milled mahogany sills.
- Mr. Almeida wondered if the dormers could be stepped down some from the ridge. Mr. Wright said that the window sill on the second floor was about nine inches from the floor. He pointed out that they needed attic space. Mr. Wyckoff thought that it looked awkward to have it come right up to the ridge. Mr. Wright said they might be able to lower it a bit.
- Mr. Wright asked if a shallower pitch was acceptable. Vice Chairman Katz said that he was willing to make that trade.
- Mr. Almeida asked if he was building the dormer to the chimney. Mr. Wright explained that there would be about two inches of air space.

I. Work Session requested by **Rhonda J. Johnson and Deborah J. Freedman, owners**, and **Jay McSharry, applicant**, for property located at **254 South Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace and reconfigure windows) and allow new construction to an existing structure (construct porch/deck addition on rear elevation) and allow demolition of an existing structure (demolish garage). Said property is shown on Assessor Plan 111 as Lot 4 and lies within the Single Residence B and Historic A Districts.

- Mr. Jay McSharry, applicant, and Mr. Brendan McNamara, architect, were present to speak to the application.
- Mr. McSharry stated that would like to renovate an old structure by adding windows, building a back deck and porch, and demolishing an old garage.
- Mr. Almeida thought the plans were great.
- Mr. McSharry said that they needed to remove the old garage in order to reduce the lot size coverage. He thought the garage was built in the 1970's. He said that the house was built in the early 1900's.

- Mr. Wyckoff did not think the door surround worked well. He thought it might need a transom or sidelights. Mr. Almeida added that the entrance is a bit more formal. Mr. McNamara stated that the intent was to bring it back to its original form. Mr. McSharry pointed out that the house was a duplex at one time and there were two front doors. Mr. McNamara asked the Commission whether they would like them to create something new or try to bring the original style back. There was considerable discussion concerning this.
- Mr. McNamara stated that they would like to use fiber cement smooth siding with Azek trim.
- Mr. Almeida asked about the windows. Mr. McNamara said the plan was to fill in all of the basement windows and to use Green Mountain windows throughout the house.

\*\*\*\*\*

J. Work Session requested by **North Mill Realty Trust, owner,** and **Bob Lynch, applicant,** for property located at **319 Vaughan Street** wherein permission was requested to allow new construction to an existing structure (frame two walls and install overhead doors to dock area). Said property is shown on Assessor Plan 124 as Lot 9 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

- Mr. Chris Whitaker, representing The Lollipop Tree and an unidentified contractor were present to speak to the application.
- Mr. Whitaker explained that they have been required to comply with the AIB (American Institute of Baking) with regards to their loading dock. They must have a loading dock that completely seals to the building. Because of the size of the loading dock, they would like to build out one main loading dock. It would require building out two walls with an 8’x8’ overhead door. The outer wall would have a 6’x8’ door for rubbish removal. There would also be a man door for the drivers to enter and exit.
- Mr. Whitaker said that the sides would be clapboard. Mr. Almeida wondered about the use of clapboards. He thought it would be the only clapboard on the building. Mr. Whitaker said they just wanted to keep it as simple and as feasible as possible. Mr. Almeida suggested a metal siding. Ms. Kozak did not think it would be that noticeable.
- Mr. Whitaker added that they would also like to add steel stairs that would match the existing steel stairs that are there currently.

\*\*\*\*\*

I. Work Session requested by **LBJ Properties, LLC, owner,** and **Paul Salacain, applicant,** for property located at **85 Middle Street,** wherein permission was requested to allow new construction to an existing structure (construct ADA ramp). Said property is shown on Assessor Plan 116 as Lot 16 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

- Mr. Paul Salacain, applicant, was present to speak to the application. He said that he was one of three partners who hoped to create a bicycle shop in the building. He explained that the building received HDC approval recently to provide handicap access. They would like to relocate that accessibility to the north side of the building.

- The proposed location has an existing door but it would probably need to be replaced. He presented a drawing showing the proposed ramp. The curbing would need to be modified and some shrubs would need to be relocated. The pitch would be 1:20 so that no handrails would be needed.
- Mr. Wyckoff asked if the basement windows on the north elevation would need to be removed. Mr. Salacain thought they were blocked in already but if they existed, he thought they would be able to stay.
- Mr. Melchior talked about chasing the grade with considerable discussion following.
- Mr. Salacain explained that there would be an elevator inside the door that would provide access to all of the floors. The prior HDC approval access area did not have access to the basement.
- Mr. Wyckoff felt the door was important and if it was replaced, it shouldn't be a standard extruded aluminum door.
- Councilor Spear asked how the ramp would be situated on the lot. Mr. Salacain said that it would go along the side of the building and then out to the street.
- Mr. Salacain explained that the signage would reflect the Trex brand name. Mr. Salacain showed them the ones he preferred and asked the Commission their preference. Mr. Almeida commented that he did not find any of the choices offensive. He thought they would give some energy to the building. He pointed out that he would not want the fastening detail to damage the building in any way.
- Mr. Salacain pointed out that some of the signs were designed to be fastened inside the window. The Commission said that was outside of their purview.
- Ms. Kozak stated that she had major problems with the first three schemes. Chairman Dika agreed. Ms. Kozak explained that the architecture of the building was major. She thought the graphics were a bit strong.
- Mr. Salacain said that he would try to superimpose some of the signs on the building to give a better idea of what they would look like.
- Chairman Dika indicated that she preferred examples #4 and #5.
- Mr. Wyckoff said he would not like to see large signs on the brick in between the windows. He preferred smaller signs.
- There was also discussion about the handrail on the front of the building.

## V. ADJOURNMENT

At 9:40 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 December 10, 2008.