

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

CONFERENCE ROOM "A"

7:00 p.m.

FEBRUARY 3, 2010

MEMBERS PRESENT: Chairman Sandra Dika; Vice Chairman Richard Katz; Members John Wyckoff, Tracy Kozak, Elena Maltese; Alternate Joseph Almeida

MEMBERS EXCUSED: City Council Representative Anthony Coviello; Planning Board Representative Paige Roberts; Alternate George Melchior

ALSO PRESENT: Lee Jay Feldman, Principal Planner

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I. OLD BUSINESS

A. Approval of minutes – December 9, 2009

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

II. PUBLIC HEARINGS

1. Petition of **Strawbery Banke, Inc., The Dunaway Restaurant, owner, and Mombo, LLC, applicant**, for property located at **66 Marcy Street**, wherein permission is requested to allow demolition of an existing structure, remove existing fence, and allow new construction to an existing structure (reconfigure windows, add retaining wall, and stairs at lower level on north and west elevations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 7-1 and lies within the Mixed Residential Office and Historic Districts.

DECISION OF THE COMMISSION

At the applicant's request, the Commission voted to postpone the application to the March 3, 2010 meeting.

2. Petition of **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 (reconfigure windows, new cladding, add retaining wall, and stairs at lower level on north and west elevations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 8 and lies within the Central Business A, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Mr. Rob Harbeson of DeStefano Architects was present to speak to the application. He stated that the focus of the application was on the back of the building.

Mr. Harbeson said that they were trying to add commercial units to the lower level of the building and provide windows and door access to those units.

Mr. Harbeson walked the Commission through the plans and explained how the proposed plans would tie in with the approved plans. He also showed a lighting plan for the parking lot along with cut sheets of the proposed lights.

Ms. Maltese asked if the Commission had purview over lighting. Mr. Feldman answered that the Commission has the ability to review the light fixture and how they integrate into the Historic District but the Planning Board would review the actual locations of the lights.

Ms. Kozak asked if the panel system on the lower level of the east elevation would wrap the corner like it does on the west elevation. Mr. Harbeson said that on the east elevation, the grade is up at the corner so they were not planning to wrap it. Ms. Kozak asked if there was a retaining wall on that side. Mr. Harbeson replied no. Ms. Kozak wondered if the aluminum panel would turn the corner at all. Mr. Harbeson said they were not proposing that it turn the corner.

Ms. Kozak asked if the panels were flush with the face of the brick. Mr. Harbeson said that they would probably be slightly proud of the brick by about a ½ inch.

Chairman Dika stated that it had been a while since they had seen this plan. She asked if anyone was uncomfortable with it. Mr. Wyckoff said that he was very uncomfortable with the plan. He explained that it was presented to the Commission that this would be a temporary situation until the owner was ready to do a larger project. He said it looked to him like this project would be permanent. He added that he did not like the idea of anodized aluminum panels all over the building.

Mr. Harbeson responded by saying that his understanding for the site long term was that eventually, the owner would like this building to go away; however, this building was going to be permanent for a period of time. He did not know what that period of time was. He also added that there were plans to develop the other portion of the site. Mr. Harbeson stated that they did consider alternate materials. The first material they considered was a brick veneer to match the upper level. They determined that they would never be able to match the bricks. They also thought about stuccoing or using EFIS. The metal panels seemed to be more durable and preferable to the stucco or EFIS.

Mr. Almeida about what type of bulb was selected for the light fixtures. Mr. Harbeson said that it was selected by the site engineer and has gone through the Technical Advisory Committee. He said that he did know that they were night friendly fixtures.

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

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

Vice Chairman Katz stated that he took Mr. Wyckoff's reservations very seriously. He pointed out that they approved aluminum cladding on the original structure. He added that the applicant

assures them that this was a “temporary” fix and he did not intend to put him on a schedule as to when this would change. He continued to say that we are in a tough economic situation and this building can produce some revenue. Reluctantly, he was in favor of the application.

Ms. Maltese thought it was an interesting proposal to the building. She pointed out that they could not judge projects differently just because someone represents them as temporary. Everything was permanent. She said that buildings change hands and plans are one way one day and different tomorrow. Ms. Maltese thought the addition in the back pulled the whole building together and made it look less temporary. She felt it was a cohesive design around the entire building.

Chairman Dika warned the Commission about looking at anything temporary. Each application needed to look at as if it were permanent.

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 vote of 5-1 with Mr. Wyckoff voting in opposition.

3. Petition of **Peter J. and Nancy H. Loughlin, owners**, for property located at **58 Washington Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace four attic windows, replace rear skylight) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 108 as Lot 9 and lies within the Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Mr. Peter Loughlin, owner of the property was present to speak to the application. He explained that there were four attic windows that he would like to replace. He said he would like to request aluminum clad windows with simulated divided lights. Mr. Loughlin also explained that he was asking to replace a small skuttle with a small skylight.

Mr. Wyckoff asked what brand of windows he wished to use. Mr. Loughlin said he would use whatever the Commission recommended. Mr. Wyckoff suggested a Pella or Andersen window since they had sloped window sills. Mr. Almeida pointed out that the packet included spec sheets for Pella windows. He added that he would prefer a lighter mutton bar. Ms. Kozak agreed but pointed out that the wider mutton bar was used in the earlier part of the 18th century. They began to narrow in the latter part of the 18th century. She did not have a problem with what was being proposed but wondered what the age of the house was. Mr. Loughlin thought it was built in the second half of the 18th century. Mr. Almeida commented that the rest of the windows in the house would remain as is and they had a very narrow mutton bar. Mr. Wyckoff suggested a 7/8” mutton bar. The rest of the Commission and Mr. Loughlin were in agreement with that.

Chairman Dika asked if the Commission had any questions about the skuttle. Mr. Almeida asked if it would remain the same size. Ms. Kozak stated that the spec sheet indicated it would remain the same dimensions. Mr. Loughlin explained that the reason for the skylight was just to vent the attic.

Chairman Dika asked if anyone from the public wished to speak to, for, or against the application. She stated that she wished to enter a letter in the record from Strawberry Banke in support of the application. The Commissioners all received a copy. Seeing no one rise to speak, 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 as presented with the following stipulations:

- 1) That Pella windows are used.
- 2) That 7/8” permanent grilles are used.

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

Mr. Wyckoff stated that it was an appropriate window and was an exact replacement and matches the windows on the first floor.

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

- 1) That Pella windows are used.
- 2) That 7/8” permanent grilles are used.

III. WORK SESSIONS

A. Work Session requested by **337 Pleasant Street, LLC, owner**, for property located at **337 Pleasant Street**, wherein permission was requested to allow exterior renovations to an existing structure (additions and renovations) and allow a new free standing structure (construct garage). Said property is shown on Assessor Plan 103 as Lot 62 and lies within General Residence B and Historic A Districts.

Ms. Maltese stated that she would be recusing herself from the discussion.

- Ms. Anne Whitney, architect for the project and Ms. Katherine Kane, owner of the property were present to speak to the application.
- Ms. Whitney explained that this project went before the Board of Adjustment and received approval for the two story addition.
- On the front elevation, they were planning to leave the building as it was with the exception of the repairing of trim and the wood gutter. They would be reworking the front entry steps and would be using granite instead of concrete. The existing railings would be repaired.
- The addition on the side elevation would have a shelf for a brick foundation with a panelized façade. The balcony on the addition would have a shorter railing and would match the cornice. Mr. Almeida commented that he thought the panelized system worked very well.
- Ms. Whitney continued to say that the full elevation on the right side was their preferred choice. She pointed out that they were proposing a decorative window on the second floor that would compliment what they were proposing on the rear elevation. The decorative window would be a fixed window. The railing would wrap around.
- The one story addition would have a fairly shallow pitched roof. Ms. Whitney said she was proposing to clapboard this structure.

- Mr. Wyckoff wondered if a nice stained glass window would be a better choice in place of the decorative window. Mr. Wyckoff did not think that the decorative window was appropriate in that location. Ms. Whitney stated that in any case, some type of decorative window would be used. She pointed out that this type of window was used in that period and was not an unusual style of window.
- Ms. Whitney explained that the rear elevation showed a walk way down to the basement. She said that it was in poor shape and she thought they might take it off but put it back and have it be integral with the foundation. Also on this elevation, they were proposing to block out two windows.
- On the two story addition, the panelized system stopped at the top of the French doors. She talked in detail how the drainage would take place from that roof. Mr. Almeida asked why the rail was dropped down to a lower height on the rear elevation. Ms. Whitney thought it was too tall. She said page 5 showed more details.
- Ms. Whitney pointed out that the soffit was in pretty good shape so it would be repaired in places and put back in place.
- Page 4 showed the Howard Street elevation. Ms. Whitney said that the larger basement windows would be awning windows and the smaller ones would be fixed windows.
- Ms. Whitney explained that the panel system would be an overlaid panel system. Mr. Almeida asked about a raised panel system. Ms. Whitney felt a raised panel system would work better with smaller panels. Mr. Almeida pointed out the bank on the back side of the Hilton Garden Inn. He felt that panel system did not read, it just looked like flat stock. Ms. Whitney said she would take a look at it. Mr. Wyckoff wondered why the large horizontal panels under the windows were not broken up. Ms. Whitney thought it seemed too busy but she offered to take another look at it. Ms. Kozak said that she liked the rhythm of the large and the small panels.
- Mr. Wyckoff commented that he understood the reasoning with the rail on the front elevation but felt it was less successful on the rear elevation. He thought it was overly busy. Mr. Almeida added that it seemed forced.
- Vice Chairman Katz wondered if they were venturing into that treacherous territory of determining good architecture instead of historically appropriate architecture. He thought that applicants usually have good ideas so when it comes to a judgement call, he always tried to defer to the applicant if it was acceptable, in his opinion, or historically appropriate. He added that in this instance, he found everything the architect and applicant had done historically accurate.
- Chairman Dika asked Ms. Whitney what she would like to take with her from this meeting. Ms. Whitney said she'd like opinions on the decorative window.
- Ms. Kozak liked the way the window repeats in the back of the building. Chairman Dika agreed.
- Ms. Whitney stated that she hoped to go to a public hearing next month.
- Mr. Almeida commented on the infill beneath the windows on the rear elevation. Ms. Whitney explained that they would be removing the existing brick on the kitchen side. She said there would be using brick and doing some repointing. The mortar joint would be very tight. Mr. Almeida asked if they considered a panel at the bottom of those windows. Ms. Whitney replied that she did but she thought this would look better. Mr. Almeida agreed and said it would look great, it was just going to be difficult to achieve.
- Mr. Wyckoff had some discomfort with the railing as did Mr. Almeida and Chairman Dika. Chairman Dika stated that she would not vote against the application; however, based on the railing. It was just her least favorite part of the project.

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B. Work Session requested by **R and L Enterprises, owner**, for property located at **53 and 55 Bow Street**, wherein permission was requested to allow new construction to an existing structure (add balcony structure) and allow exterior renovations to an existing structure (remove

metal stairs, add new windows and doors, add mechanical equipment, renovate storage, add millwork at grade level). Said property is shown on Assessor Plan 106 as Lot 51 and lies within Central Business A, Historic A, and Downtown Overlay Districts.

- Mr. Steve McHenry, architect for the project and Mr. Michael Labrie, owner of the property were present to speak to the application.
- Chairman Dika informed the audience that a site walk was held on Saturday, January 30, 2010 at the property.
- Mr. McHenry stated that this packet was very similar to what was presented at the last meeting. He said he would pointed out the changes that have been made.
- Page 6 showed the ceiling plan of the balcony space.
- Mr. Almeida asked how the deck would drain. Mr. McHenry replied that they do not have the final structural details yet and some of the drainage hinges on that. He said that the plan was to put a trench drain around the perimeter on three sides and when the water gets to the building, it would drain through downspouts along the building.
- Mr. Wyckoff asked if the balcony would be solid poured concrete. Mr. McHenry replied yes.
- Mr. Wyckoff asked if the kitchen exhaust pipe would be round or square. Mr. McHenry said that it would likely be round but they had not gotten the final cut sheets from the kitchen designer. Mr. Labrie added that they were pursuing the square or rectangular shape if they could get it implemented. Mr. Wyckoff asked the Commission what they would prefer to see. He said he would like to see either a square or rectangular pipe. Ms. Kozak and Chairman Dika preferred to not see the pipe. Mr. McHenry pointed out that it would be painted to somewhat camouflage it against the building.
- Mr. Almeida commented that he understood the need for it but he was not convinced that it couldn't stop at a certain point before it gets above the third floor. Mr. McHenry thought it was a code compliance issue. Mr. Almeida suggested that they have a code review explaining the limitations with it. He felt they were only going to be seeing more and more of these requests.
- Mr. Labrie stated that the City was pushing these vents in the direction of going upward. Mr. Almeida said that he could be convinced to drop the issue if they could have confirmation from the inspector. Ms. Kozak stated that the alternative was to make it internal and it could be done. Mr. Labrie said that it would be in a key interior location. Ms. Kozak said that she understood but this was a key exterior building as well. She was worried that these would be popping up everywhere and it would become a whole new vernacular for Portsmouth. Mr. McHenry agreed but said it would not be a new vernacular but was a vernacular that has been there for a long time and is all over the City.
- Chairman Dika stated that Mr. Feldman would do the research on the code requirements.
- Page 7 showed the style of the keg cooler. Mr. McHenry said that it showed a flat panel, flat trim pattern around the doors so that it would not look ornate or industrial. He felt it was a good compromise.
- Mr. McHenry asked the Commission what they thought of the proposed railing pattern. Mr. Wyckoff felt that the railing was a little over the top. He said he would like to see a simpler design. Ms. Maltese pointed out the second balcony above it and did not think they worked with each other. She thought they needed to speak the same language. She asked about the little balcony on the 3rd floor with the stairs leading to the 4th floor. Mr. McHenry explained that the reason they left the railing at the fourth view was to provide access to the roof. Mr. Wyckoff asked if the fire escapes were necessary.
- Ms. Kozak reminded the Commission that the fire escapes were not original to the structure. Mr. Almeida agreed but said that they were a part of the building's history.

- He thought if they could leave more of the fire escape, it would be a positive thing. Mr. Wyckoff, Chairman Dika, and Ms. Kozak disagreed. Mr. Wyckoff said that the fire escapes were horribly awkward when they were put on, are horribly awkward now, and they ruin buildings.
- Mr. Wyckoff asked if the railing system would have a shiny finish. Mr. McHenry said it would be a black iron railing. Chairman Dika commented that she liked the railing system and she did not care that it read with the fire escape above it. Mr. McHenry stated that the intent was to do something a little playful. Vice Chairman Katz thought the impact of it was small.
 - Mr. Almeida said that they should review the keg cooler. Ms. Maltese stated that she did not have a concern with the appearance anymore but she still had concern about how far it would stick out from the building, which was almost 4 feet. She said it looked like a large room sticking out. Mr. Labrie explained that the depth of the structure was controlled by the dimension of two kegs. Ms. Maltese thought the functionality would be better with only one keg deep. She added that if other Commissioners did not have a problem with it then she would not waste anyone's time on it. Mr. Labrie said that it was an important resource for his business, especially the "green" aspect associated with it. Mr. Wyckoff suggested cutting the edges of the cooler at a 45 degree angle to soften it.
 - Mr. Almeida commented that he did not have any concerns with the keg cooler but he wanted to make sure that the brick would still be intact just in case the keg cooler was removed years from now. Mr. McHenry replied that the intent was to clean the brick and repoint it. Chairman Dika, Vice Chairman Katz, and Mr. Wyckoff all stated that they did not have an issue with the keg cooler.
 - Mr. Almeida stated that he would like to see any other mechanical features on the next plans.

C. Work Session requested by **Blue Star Properties, LLC, owner, and 233 Vaughan Street, LLC, applicant**, for property located at **233 Vaughan 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 124 as Lot 14 and lies within the Central Business A, Historic, and Downtown Overlay Districts.

- Ms. Carla Goodknight, architect for the project was present to speak to the application. She explained that they have had to replan the building to meet the new zoning requirements. They have retained much of the same character but have also made some major revisions.
- Page 3 showed the below grade parking facility which would be accessed from Green Street. The plan showed 24 spaces that would be for private parking.
- Page 4 showed the public and visitor parking that would service the office and commercial units. It would be entered from Vaughan Street. Ms. Goodknight pointed out that the on grade parking was driven by the zoning changes.
- Ms. Goodknight noted that Page 5 showed the footprint change that has moved the structure toward Vaughan Street. The materials have remained the same and the massings were very similar to what was proposed initially. The plans also showed an open plaza on Green Street.
- Mr. Almeida thought that they had lost something with the parking changes. He said that a building absorbing this much parking has created a bit of a challenge aesthetically for the building. He had a concern about glowing fluorescent lights lighting the on grade parking area. He hoped that there was a way to minimize that. Mr. Wyckoff commented that one way to address it was to have punched window openings instead of large openings.

- Ms. Maltese stated that the side that faced the railroad tracks was an important side of the structure. Ms. Kozak thought it was the most visible side of the building. Ms. Maltese said that she would like to see that elevation dressed up more. She wondered if the Planning Department was driving those changes also. Ms. Goodknight thought that the steps on that elevation were objectionable to the Commission. Mr. Wyckoff asked what the three small punched openings were for. Ms. Goodknight said that they were in the garage area.
- Vice Chairman Katz asked if the openings were driven by air circulation. Ms. Goodknight said that some of it was driven by design. Ms. Kozak thought there might be a way to create a metallic framework, similar to what was on the front of the building, so that the back would begin to relate to the front.
- Mr. Wyckoff commented that the building seemed larger. Ms. Goodknight said that it has grown because the parking has been pulled into it.
- Ms. Goodknight stated that this was a unique site where it has two fronts, no backs, and no sides and railroad tracks. Mr. Wyckoff pointed out that this was a similar situation with the Westin.
- Chairman Dika asked Ms. Goodknight if she would be coming for a public hearing or back for another work session. Ms. Goodknight said that she still has some work to do on the design but she wanted to show the Commission the new layout.
- Chairman Dika suggested working on the openings of the garage area and addressing the look of the building from all sides. Ms. Kozak would like to see how the relief of the brick, the masonry, and all of the different materials.
- Mr. Wyckoff said that the vertical elements were somewhat awkward. He did not think they seemed to interplay with the building. Ms. Goodknight explained that the next level of detail would show them more in focus. Mr. Almeida agreed with Mr. Wyckoff and pointed out that on page 7 the vertical elements really did not make sense.

D. Work Session requested by **Robert R. and Pearl F. Kennedy Irrevocable Trust, Robert R. and Pearl F. Kennedy, trustees, owners, and Stephen Kennedy, applicant**, for property located at **175 Fleet Street**, wherein permission was requested to allow new construction to an existing structure (construct new addition). Said property is shown on Assessor Plan 117 as Lot 8 and lies within Central Business B and Historic Districts.

- Ms. Gina Kennedy and Mr. Stephen Kennedy, owners of the property were present to speak to the application. Mr. Robert Kennedy, another owner, was also present.
- Mr. Kennedy stated that the expansion was needed in order to comply with Health Department requirements. They needed to install a bathroom for the employees and refrigeration for the restaurant. He said that they have owned the business for 20 years and that Gilley's was fast approaching their 100th year in business.
- Mr. Kennedy explained that his father, Robert, owned the land and he owned the business. He was proposing a 12'x26' addition.
- Ms. Kennedy stated that they were trying to keep the front of the façade the same. Mr. Kennedy said that there was about a two foot difference between the first expansion and the original building. The new addition would be brought up to the same height as the expansion. He explained that it would be a 3 to 12 roof pitch. He added that he would like to carry on the same trim work and the same color scheme.
- Mr. Almeida asked if they had an elevation drawing for them to look at. Ms. Kennedy said that they did not have one; they were doing this themselves.
- Ms. Kennedy explained that the design was very simple; it was just a rectangular design.
- Mr. Kennedy was asked about the existing addition and he replied that it was built in 1995. He explained in more detail how the addition would be constructed.

- Vice Chairman Katz said that at a minimum, the Commission would need elevations of the three sides of the structure. He also said they would need to know what materials would be used.
- Mr. Wyckoff suggested a parapet construction with a slightly slanted flat roof because he saw a lot of problems with the pitched roof.
- Mr. Kennedy explained that they would be going up two feet above the existing addition.
- Vice Chairman Katz stated that they really needed to see drawings of what they want to do. Mr. Wyckoff said that their builder should be able to provide them with the drawings.
- Mr. Wyckoff asked the Commission if they thought the massing was appropriate. Mr. Kennedy pointed out that this was what they needed to operate or they would have be forced to go out of business.
- Vice Chairman Katz commented that this was a very unique site.

IV. ADJOURNMENT

At 9:05 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 April 7, 2010.