

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

APRIL 7, 2010

MEMBERS PRESENT: Chairman Sandra Dika; Vice Chairman Richard Katz; Members Tracy Kozak, Elena Maltese; City Council Representative Anthony Coviello; Alternates Joseph Almeida; George Melchior

MEMBERS EXCUSED: John Wyckoff

ALSO PRESENT: Roger Clum, Assistant Building Inspector

I. OLD BUSINESS

A. Approval of minutes – February 3, 2010

It was moved, seconded, and passed by a vote of 5-2 to approve the minutes as presented. Councilor Coviello and Ms. Maltese abstained.

Approval of minutes – March 3, 2010

Chairman Dika stated that the approval of minutes from the March 3, 2010 meeting would be postponed to the April 14, 2010 meeting.

II. PUBLIC HEARINGS

1. Petition of **Jonathan Watson Sobel Revocable Trust, Jonathan Watson Sobel, trustee, owner**, for property located at **49 Sheafe Street**, wherein permission was requested to allow amendments to a previously approved design (install two HVAC units, change exterior door design) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as lot 21 and lies with the Central Business B and Historic A Districts.

Councilor Coviello stated that he would be recusing himself from the discussion and vote.

SPEAKING TO THE PETITION

Mr. Jonathan Sobel, owner of the property, was present to speak to the application. He stated that the original door approval was a nine light door and they would like to change that to a solid spruce tongue and groove door. This door would be on the pedestrian walkway coming from

Sheafe Street to the structure. Mr. Sobel said that this door style was common in the neighborhood.

Mr. Sobel also stated that the second part of the request dealt with the heat pump units. He said that they chose to place them on the wall facing the back yard where they would not be seen by anyone. There would be two units and would be mounted at the base of the building with the bottom of the units being at the level of the mud board. He pointed out the submitted plot plan indicating the location.

Vice Chairman Katz asked for clarification as to which units would be on the outside of the building. Mr. Sobel explained that the lower units pictured on the submitted specification sheet were what would be mounted on the outside of the structure. He added that the units were very quiet; only 52 decibels.

Mr. Almeida asked about the interior door currently existing that had an oval glass pattern. He wondered if the proposed door would cover that existing door. Mr. Sobel replied yes.

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

Ms. Kozak stated that this was a fairly minor modification to an earlier approval. The air conditioning units were small and discreetly placed and the door was in keeping with what could be found in the vicinity.

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.

2. Petition of **RKDOLLA, LLC, owner**, for property located at **198 Islington Street**, wherein permission was requested to allow amendments to a previously approved design (install transformer, install three AC units with associated screening, change egress door) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 137 as Lot 20 and lies within the Central Business B and Historic A Districts.

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

SPEAKING TO THE PETITION

Ms. Carla Goodknight of C.J. Architects was present to speak to the application. She walked the Commission through the submitted plans and highlighted the proposed transformer location, the three AC units to be added, the proposed fencing, and the new egress door location.

Chairman Dika informed the public that the Commission has had numerous work sessions on this application.

Chairman Dika asked what landscaping options she was proposing. Ms. Goodknight explained that they would not be proposing landscaping as was originally discussed. She said that initially they proposed landscaping when they were considering a different location.

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 the moving the transformer back on the site was a good thing. He felt the AC units would have minimal impact and appreciated that the applicant has been sensitive to the site.

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.

3. Petition of **Calvin L. Wels and Jane M. Vacante, owners**, for property located at **291 South Street**, wherein permission was requested to allow a new free standing structure (install AC unit) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 24 and lies within General Residence B and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Calvin Wels, owner of the property was present to speak to the application. He stated that he would like to add central air to his home which would require an outside condenser unit. He pointed out the proposed location and said that it was about the only place to put the unit.

Mr. Almeida commented that the condenser would never been seen in that location.

Chairman Dika asked if the submitted picture showing the piled up containers was to approximate the size of the condensing unit. Mr. Wels replied yes.

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. Chairman Dika asked for discussion.

Ms. Maltese stated that the location chosen was perfect for the condensing unit.

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.

4. Petition of **Strawbery Banke, Inc., owner**, for properties located at **86 Puddle Lane** and **66 Marcy Street**, wherein permission was requested to allow a new free standing structure (install fencing and gate at 86 Puddle Lane) and allow exterior renovations to an existing structure (replace wood roof shingles with asphalt roof shingles at 66 Marcy Street) as per plans

on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 7 and lies within the Mixed Residential Office and Historic A Districts.

Mr. Almeida stated that he was recusing himself from the discussion and vote.

SPEAKING TO THE PETITION

Mr. Rodney Rowland, Director of Facilities at Strawberry Banke was present to speak to the application. He stated that the first part of the application involved a proposed fence at the Jones house at 86 Puddle Lane. He explained that the fence would be placed around a discovery yard where children would be able to explore history in a hands-on fashion. The fence would be a solid board fence with a decorative molded cap on top. It would match similar fences on the property.

The second part of the application involved a new roof for the old Dunaway Restaurant at 66 Marcy Street. The current roof was a cedar shake roof in very bad condition so they would like to replace it with an architectural asphalt shingled roof. Mr. Rowland pointed out that this was a roof that has been approved at two other locations in Strawberry Banke. He showed the Commission a sample of the shingle and indicated that it was a 30 year shingle.

Chairman Dika asked Mr. Rowland why he was proposing asphalt shingles. Mr. Rowland answered that they had a concern with the quality of cedar shakes today and also the cost. It would be two to three times more costly than an asphalt shingle. He said that they had limited funds for maintaining their 37 historic structures.

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. Chairman Dika asked for discussion.

Vice Chairman Katz pointed out that the building was not really a historic structure but a simulation of one. He did not see any damage to be caused to the historic district with the approval of this roof.

Chairman Dika stated that she felt differently about it. She said that stretch of Marcy Street had the Sheafe warehouse, The Players Ring, the blacksmith shop, and other historic structures. She agreed that the Commission did allow asphalt shingles on the new center that was built but this was a stretch where everything was still cedar shingled. She stated that she would be voting against the motion.

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 Chairman Dika voting in opposition.

5. Petition of **Fifty-Five Congress Street Condominium Association, owner, and Metro PCS Massachusetts, LLC, New England Wireless Solutions, LLC, applicants**, for property located **55 Congress Street**, wherein permission was requested to allow new construction to an existing structure (install six panel antennas behind three faux chimneys with associated equipment) as per plans on file in the Planning Department. Said property is shown on Assessor

Plan 117 as Lot 9 and lies within the Central Business B, Historic A, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Attorney Scott Lacey, representing Metro PCS and Mr. Bill McQuade of New England Wireless Solutions, LLC, were present to speak to the application. He stated that this application has been before the Commission and the applicant has now changed the design to install wireless communication facilities on the roof top. The proposal was to enclose the antennas within three faux chimneys. He also pointed out that the screening height would match the existing screening height currently on the roof. Attorney Lacey also said that the faux chimneys would be made of fiberglass would be brick textured and color to match.

Mr. Almeida asked if they had a sample of the fiberglass material. Mr. McQuade said that they brought a sample with them to the first public hearing.

Mr. Almeida asked if the simulated surface would show brick corners. Attorney Lacey said that the material was designed to replicate the brick look and it would match the coloring of the building. There would not be a chimney cap. Mr. Almeida asked if the material came in pieces. Attorney Lacey replied yes but that the seams would not be visible.

Ms. Maltese stated that she was not at the last work session but she asked if there had been a discussion against faux chimneys. Chairman Dika replied yes. Ms. Maltese commented that she would have a problem looking at fake chimneys. Mr. Almeida said that there was significant discussion and the majority of the Commissioners felt the chimneys were appropriate.

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

Ms. Maltese felt that adding false chimneys rather than allow adding new technology to a roof that already had technology on it was not appropriate. She added that these were extensive measures for something that would add an aesthetic that will not make sense. She said she was against the application and noted again that she was not a part of the work sessions on this application.

Ms. Kozak stated that they spent three meetings on this project and it was a tough decision. She said the chimneys were not pretty and the Commission does not like fake things either. She pointed out that the size and the bulk of the equipment would affect the skyline of the City

Councilor Coviello commented that there were valid points on both sides. He said that the top of the building was unattractive but he did not think that the equipment brought it down that much further. He said he would support the application.

Chairman Dika said that the faux chimneys were not a favorite with her either. She pointed out that when church bells were introduced they built beautiful towers to hold them so she was wondering when new technology would find some type of an architectural feature that would make it more attractive. She said she would vote in favor of 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 passed by a 5-1 vote with Ms. Maltese voting in opposition.

6. Petition of **58 State Street Condominium Association, owner**, for property located at **58 State Street**, wherein permission was requested to allow new construction to an existing structure (construct pergola on portion of rear deck) 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.

Councilor Coviello stated that he would be recusing himself from the discussion and vote.

SPEAKING TO THE PETITION

Ms. Jennifer Ramsey, representing the applicant, was present to speak to the application. She stated that they would like to construct a pergola on the fourth floor rear deck of the building. She said that the Court Street view of the property was hindered by other structures surrounding it. The rear of the building sat back approximately 60 feet from Court Street and was a series of tiered decks. Ms. Ramsey pointed out that the area they were looking to construct the pergola was approximately 85 feet back. She showed a salvaged window that would be incorporated into the pergola design. At this point in the presentation, Ms. Ramsey walked the Commission through the submitted plans.

Mr. Almeida asked if the pergola would be seen from Strawberry Banke. Ms. Ramsey did not think so but maybe during the winter months.

Mr. Almeida asked what materials were being proposed. Ms. Ramsey replied that currently they were proposing mahogany that would be painted.

Mr. Almeida expressed concern that some of the changes on State Street were creating a wall from Strawberry Banke. He said that this project was tucked back behind the building. He felt it was a very tasteful application.

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 said that when you look at the surrounding features on the building, the pergola was appropriate to its immediate context. He pointed out that there was new construction going on in every direction.

Vice Chairman Katz commented that it was a delightful addition to the structure. He was reminded of the time they have put into this structure and how they wondered if the tree on the property would survive all of the construction and it appeared to be flourishing.

7. 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 a new free standing structure

(install sign) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 8 and lies with Central Business A, Historic A, and Downtown Overlay Districts.

Mr. Almeida and Councilor Coviello both stated that they would recuse themselves from the discussion and vote.

SPEAKING TO THE PETITION

Mr. Mike Leary of Sundance Signs was present to speak to the application. He stated that they were proposing a free standing sign to be located at the front of the lot. He said that the structure would mimic the building and would be made of black and brown aluminum. He pointed out that there were other free standing structures in the area.

Ms. Maltese asked if the owner really felt the sign was necessary for the building. Mr. Leary replied yes and said that the four sides of the building bordered four separate streets.

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. Kozak 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.

Ms. Kozak stated that the sign design fit with the building. She said it would not be something she would want to see on Bow Street or Market Street but given its location, it meshed with what was happening with the building behind it.

Ms. Maltese did not think the sign fit with the surroundings as a whole. She pointed out the groups of houses and the cemetery across the street. She added that she was not in favor of this section of town having this type of signage. Chairman Dika agreed with Ms. Maltese.

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 3-2 with Vice Chairman Katz, Ms. Kozak, and Mr. Melchior voting in favor and Ms. Maltese and Chairman Dika voting in opposition.

8. Petition of **Robert A. and Eileen C. Mackin Living Trust, owner, Robert A. and Eileen C. Mackin, trustees**, for property located at **56 Dennett Street**, wherein permission was requested to allow a new free standing structure (install shed) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 140 as Lot 13 and lies within the General Residence A and Historic A Districts.

SPEAKING TO THE PETITION

Mr. Bob Mackin and Mrs. Eileen Mackin, owners of the property were present to speak to the application. Mr. Mackin stated that they have received approvals from the Conservation Commission and the Planning Board and were now before the Historic District Commission as the final phase of the process. He explained that they wanted to install an 8'x12' pine storage shed on their property. The shed would be purchased through a local building supply store.

Vice Chairman Katz asked, when looking at the Google Earth photo provided, if the shed would be located within a cluster of trees. Mr. Mackin replied yes, it would be sandwiched between some birch and evergreen trees. Vice Chairman Katz felt the shed would have minimal visibility.

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 Mr. Melchior. Chairman Dika asked for discussion.

Vice Chairman Katz stated that this was a reasonable request. He felt the impact would be minimal.

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.

III. WORK SESSIONS

A. 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 of C.J. Architects was present to speak to the application. She explained that this would be the last work session as they planned to go for a public hearing next month.
- She pointed out that page 3 of the plans showed an updated rendering of the new building inserted into the old landscape as the background. The roof plan was shown on the left hand side of the page and indicated some green roof locations.
- Mr. Melchior asked if he was seeing a course of masonry under the upper granite banding. Ms. Goodknight replied yes.
- Ms. Kozak asked if the railing on the edge of the roof was higher than the sloped roof. Ms. Goodknight replied yes.
- Ms. Goodknight said that page 4 of the plans showed the pitch of the roof and a section through the tower. She added that they were proposing wall panels, a Conair curtain wall system and were specifying a granite base.
- Councilor Coviello asked if there would be a canopy over the entryway. Ms. Goodknight answered yes. Ms. Kozak asked how it would be held up. Ms. Goodknight explained a couple options that might be used.
- Ms. Goodknight explained in detail the various materials and details of the building.
- Mr. Almeida asked if the glass would be tinted. Ms. Goodknight said they would propose clear glass.
- Ms. Kozak asked if there was a roof on the penthouse. Ms. Goodknight explained that it would have a partial roof. Ms. Kozak wondered if there would be a view down onto this roof from surrounding buildings.
- Mr. Almeida liked the idea of screening the rooftop mechanicals.

- Ms. Kozak asked if the lower balcony would have railings. Ms. Goodknight replied yes and said they would have the same treatment as the other railings.
- Ms. Goodknight pointed out some recessed windows on the Green Street elevation.
- Mr. Melchior stated that he would like to see how the canopy interfaces with the curtain wall system and how the curtain wall system interfaces with the masonry and how it interfaces with the roof.
- Mr. Almeida was concerned about seeing fluorescent lighting strips in the parking area. He suggested that the openings be low enough to block the lighting.
- Ms. Kozak asked if the brick was proud of the stone veneer base. Ms. Goodknight said that they would not be on the same plane.
- Mr. Almeida wondered if there was a need for some type of venting in the tower area to release some of the heat that would be generated there. Ms. Goodknight explained that some of the window panels would be operable. Ms. Kozak stated that that would change the look and she did not like that idea. Mr. Melchior suggested vents on top.
- Mr. Almeida commented that page 3 was very helpful to understand the project.
- Some of the Commissioners stated that they felt they would need more details for the public hearing.
- Ms. Maltese reminded the Commission that at prior work sessions they felt that the back side of the building had very minimal details. Page 10 of the plans showed that elevation. Ms. Maltese suggested making it not look like the back side of the building. Mr. Almeida suggested more openings to the garage area. Ms. Kozak suggested making changes to the door on that elevation.
- Mr. Almeida said that if there was going to be a restaurant in the building, they would need to see the venting plans. Ms. Goodknight thought it would be internal.

B. Work Session requested by **ED PAC, LLC, owner**, for property located at **152 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (misc. renovations). Said property is shown on Assessor Plan 116 as Lot 37 and lies within the Mixed Residential Office and Historic A Districts.

- Mr. Dave Paolini and Mr. Earl Cheney were present to speak to the application. Mr. Paolini stated that it was their intention to renovate the historic part of the building by re-clapboarding it, replacing the windows, and reroofing. He also said they were thinking about relocating some of the windows on the east side of the structure to make them more uniform. He added that they were thinking of using a cementitious siding in place of wood clapboards so that it would last longer.
- Mr. Almeida commented that it was important to treat the historic part differently than the rest of the building. He said that the historic building needed to be as pure as possible so he suggested keeping the wood siding. Ms. Maltese agreed and pointed out that the building had high visibility. Vice Chairman Katz commented on the difficulty of having the courses break beneath the window sills when using cementitious siding.
- Ms. Maltese asked if the windows were the original windows. Mr. Paolini said he did not think so. Councilor Coviello suggested talking with Strawberry Banke or the Athenaeum to see if they had old photos of the building. Mr. Almeida mentioned that if it was determined that they were the original windows, then that would make the argument to keep them in their original locations.
- Mr. Paolini stated that they would like to change the use from commercial to mixed use with commercial entities in the front building and residential units in the back part of the building.
- Mr. Paolini pointed out that there were 21 windows in the building. Vice Chairman Katz suggested contacting the Planning Department to look at other window replacement applications.

- There was discussion about reroofing the building. Mr. Paolini anticipated using the same asphalt material that was existing but he wondered if it would be more historically accurate to use cedar shakes. Mr. Almeida said it would something they would love to see but it was the applicant's decision.
- Mr. Paolini explained the constraints of the very narrow lot that the structure is on. He said that parking was tough and they were thinking of underground parking.
- Mr. Paolini told the Commission that they were proposing individual townhouses for the rear section of the building. Mr. Cheney added that variances would be required.
- Mr. Almeida noted that they were raising the building up considerably. Mr. Paolini pointed out that because of the narrowness of the building; it was the only way to get adequate square footage for the units. Councilor Coviello pointed out that there was a height restriction.
- Mr. Paolini explained that they were proposing a flat roof for drainage and so condensers could be located up there. He also said they were proposing clapboard on this building as well. Chairman Dika wondered if cementitious siding would appropriate on this section of the building. Mr. Almeida thought it would be appropriate.
- Ms. Kozak commented that she would like to see a gap between the two structures or have them relate more to each other. Mr. Paolini was not sure whether they were allowed to have two buildings on a lot. Councilor Coviello said the lot would need to be subdivided.
- Ms. Kozak thought the proposed rear structure was to big and square and did not relate to the historic structure.
- It was suggested that the applicants meet with the Planning Department to explore options.
- There was discussion about putting windows that don't currently existing on a property line. Mr. Paolini told the Commission there was a right-of-way along the building.
- Vice Chairman Katz commented that there were a lot of issues to resolve before the applicants came back for more discussion concerning the back portion of the building. Ms. Maltese pointed out the Commission would have to consider the demolition of the structure but not until the issues were resolved.
- Ms. Kozak felt the original massing was good but she noted that it was too small for what the applicants wanted to do with the property.
- Mr. Almeida, Ms. Maltese, and Vice Chairman Katz were supportive of two separate structures. Chairman Dika, Ms. Kozak, and Mr. Melchior had trouble with the massing.

IV. ADJOURNMENT

At 9:35 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on May 5, 2010.