

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

**March 7, 2012
to be reconvened on March 14, 2012**

MEMBERS PRESENT: Chairman Richard Katz; Vice Chairman Joe Almeida, Members John Wyckoff, Tracy Kozak, Elena Whittaker; City Council Representative Jack Thorsen, Planning Department Representative William Gladhill

MEMBERS EXCUSED: Alternate George Melchior

ALSO PRESENT: Nick Cracknell, Planning Consultant

I. OLD BUSINESS

1. Approval of minutes – December 14, 2011

It was moved, seconded, and passed unanimously (7-0) to approve the minutes as presented.

II. NEW BUSINESS

- A. Request for a one year extension of the Certificate of Approval granted for 233 Vaughan Street on March 2, 2011.

The Commission voted unanimously (7-0) to grant a one year extension of the Certificate of Approval. The Certificate of Approval will now expire on March 2, 2013.

III. PUBLIC HEARINGS

1. Petition of **Zoe Moses, owner**, for property located at **53 Humphreys Court**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 39 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Ms. Zoe Moses Daboul, owner of the property, was present to speak to the application. She stated that she would like to replace sixteen windows in her home with the Andersen Woodwright 400 Series window because many of them did not function properly. She added that the size and location of the windows would not change.

Mr. Wyckoff asked if the storm windows would be removed and if the outside windows casings and sills would remain the same. Ms. Daboul replied yes. Mr. Wyckoff asked if the two over two pattern would remain the same. Ms. Daboul replied yes. She added that the new windows would have a permanently affixed interior and exterior grill with a spacer.

Ms. Kozak asked Ms. Daboul if she had considered repairing the windows. Ms. Daboul said that she had a couple windows in her home that were repaired and they were not holding up.

Mr. Almeida asked if the new glass would be on the same plane as the existing glass. Ms. Daboul said that she did not know the answer to that question but she told her contractor that the windows needed to look the same as they do currently. Mr. Wyckoff said that he thought the glass would be in the same location. He added that he thought the screen channel would project out. He asked Ms. Daboul if she had considered a half screen. Ms. Daboul said that she would be happy to use a half screen.

Hearing no other questions or comments, Chairman Katz 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 Approval for the application as presented with the following stipulations:

- 1) That the windows will have half screens.
- 2) That the plane of the glass will match the existing glass plane.

The motion was seconded by Ms. Whittaker. Chairman Katz asked for discussion.

Ms. Kozak stated that she would support the motion but pointed out that they often have discussion about retaining original windows. She said that this was a solid, contributing house but it was not on a primary thoroughfare so she felt a replacement was okay. She urged the applicant to investigate restoring the windows because it could be cheaper and just as energy efficient as a replacement window.

Hearing no other discussion, Chairman Katz called for the vote. The motion to grant a Certificate of Approval for the application as presented with the following stipulations passed by a unanimous (7-0) vote:

- 1) That the windows will have half screens.
- 2) That the plane of the glass will match the existing glass plane.

2. Petition of **Brian J. Bednarek, owner**, for property located at **10 Humphreys Court**, wherein permission was requested to allow an amendment to a previously approved design (construct two front dormers instead of three dormers, install one window on side elevation instead of two windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 43 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Ms. Sophie Bednarek, owner of the property was present to speak to the application. She passed out photos of the project to the Commission and explained that they would like to amend their design. She said that it was determined that three dormers on the front elevation were too much so they were proposing two dormers instead. She also said that they wished to change the second floor windows on the Marcy Street elevation to only one window.

Ms. Whittaker asked if the chimney had changed as well. Ms. Bednarek replied no.

Mr. Wyckoff stated that he agreed with the changes. He pointed out that the dormers were built much bigger than what was originally approved. Ms. Bednarek said that the original dormers were approved at five feet. She thought the discrepancy might be in the angle of the submitted photo. Mr. Wyckoff thought that could be it but he pointed out that the dormers were constructed differently than the approved design and that they appeared to be taller. Mr. Almeida agreed.

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

Ms. Whittaker made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Mr. Almeida. Chairman Katz asked for discussion.

Ms. Whittaker stated that she hoped that this application would go down as an exception to the rule. She said that the work that has been constructed was different than what was approved. She thought that three dormers constructed in the way they had been constructed would be too much for the house. She added that what has been constructed does not deter from the neighborhood however, she did not want to set a precedence that people should adapt to the designs that were approved. She pointed out that it was within the HDC's right to make someone change them back if they did not agree with them.

Mr. Wyckoff commented that it was well said. He asked builders to please build what was presented on the plans.

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

3. Petition of **Lawrence A. and Janet Y. Larose, owner**, for property located at **171 Gates Street**, wherein permission was requested to allow demolition of an existing structure (demolish shed) and allow a new free standing structure (construct new shed) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 3 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Lawrence Larose, owner of the property, and Mr. Bob Lasivick, contractor for the project were present to speak to the application. Mr. Larose said that he had a shed in poor condition that he would like to demolish it and replace with a building on the same footprint with the same dimensions that would continue to serve as a shed but also as a summer kitchen. He said that the submitted drawings of the proposed shed were prepared by TMS Architects.

Mr. Wyckoff asked Mr. Larose how the style of architecture for the shed was chosen. Mr. Larose explained that the shed would not be part of their historic colonial home so they did not want to try to fake something. He thought the style was tasteful and would not stand out from anything. He pointed out that the shed was not visible from the street.

Mr. Almeida commented that he thought it was a beautiful structure. He pointed out that the description indicated that the shed would be placed on concrete piers; however, the drawings showed the building would be at ground level. He wanted to make sure they would not see an elevated building hovering over the landscape. Mr. Lasivick explained that the bottom part of the water table would cover up the concrete pavers. Mr. Almeida commented that on almost every elevation, the door sills appear to be very close to grade. He wondered if that was achievable. Mr. Lasivick said no, it would not be achievable in that location. He indicated that they would be stepping up into the shed so there would have to be some sort of trim piece installed. Mr. Almeida said that he did not want the building to be elevated.

Ms. Kozak asked what the current height of the shed to the ridge was. Mr. Larose said the proposed plans showed the same height as the current shed.

Ms. Kozak asked Mr. Larose if he had any other photos that showed current views from other areas. Mr. Larose replied no.

Chairman Katz stated that he was not able to get close to the area to view it because of all of the fences and so it was essentially invisible from the street with the exception of maybe two rows of roof shingles. Mr. Almeida said he was curious as to whether there were any abutters present who might have a clear view of it.

Mr. Rawling said that the plans seem to indicate that the exterior doors would be overlaid on the frame; therefore it would allow it to extend down to the grade line. He asked if the intent was to bring them down to the grade or have them follow the floor level. Mr. Lasivick said that there would have to be a threshold under the door and a trim piece under it. Mr. Wyckoff added that

the threshold would probably be about fifteen inches off of the ground so a granite step might be needed but it was not a deal breaker for him.

Mr. Almeida asked if all of these problems could be solved if they poured a slab on grade. Mr. Lasivick said that it was considered but it was difficult to get to this spot in the yard.

Ms. Kozak said that she had a concern that there was no building between this shed and Marcy Street. She added that this shed could become the street front if the existing fence was ever removed and that concerned her. She also had an issue with the brackets but she was pleased to hear that the roof would be cedar shakes.

Mr. Gladhill asked if the doors would be sliding on a track or hinged. Mr. Lasivick said that on the gable ends they opened up on hinges and on the front and back of the structure, they were pocket doors. Mr. Gladhill asked what type of hinges and handles were they proposing. Mr. Lasivick said that they had not determined that yet but would use something in keeping with the design.

Hearing no other questions, Chairman Katz asked if anyone from the public wished to speak to, for, or against the application.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Mr. Joe Galley of 209 Marcy Street, a direct abutter, spoke in favor of the application. He said that the Laroses have made many improvements which have added value to their home and to the neighborhood. He added that because the proposed structure would be of the same footprint and same height, he supported the proposal.

DECISION OF THE COMMISSION

Ms. Whittaker made a motion to grant a Certificate of Approval of the application as presented. The motion was seconded by Mr. Almeida. Chairman Katz asked for discussion.

Ms. Whittaker stated that the Commission did not have precedence over outdoor kitchens but she was delighted to see this before them. She said that sometimes they get a bad rap that the Commission is not willing to see something new but this was new. She was glad they were not trying to falsify history. If the fence comes down at some point, it would stick out but it would never appear, to her, something that it is not. She was glad they were using a professional architect and that made her comfortable with it.

Councilor Thorsen reminded the Commission of Ms. Whittaker's earlier comments about contractors not following their plans and noted that he had heard differing opinions on the threshold. He agreed with Ms. Whittaker and said they should recognize in the approval that the actual build may deviate from the submitted documents. Mr. Almeida stated that the contractor assured the Commission that the skirt board would go down to grade.

Mr. Wyckoff stated that he felt the proposal was an attempt to design a small Greek revival building and they made up their own details along the way that did not fit in. He said he would not be supporting the application.

Chairman Katz said that for him, one of the determinants was the impact on the neighborhood and he felt they would be hard pressed to see it so it did not present a problem for him.

Hearing no other discussion, Chairman Katz called for the vote. The motion to grant a Certificate of Approval of the application as presented passed by a 6-1 vote with Mr. Wyckoff voting in opposition.

4. Petition of **7 Islington, LLC, owner**, for property located at **40 Bridge Street**, wherein permission was requested to allow demolition of an existing building (demolish existing structure) and allow a new free standing structure (construct new multi-story building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 52 and lies within Central Business B, Historic, and Downtown Overlay District.

SPEAKING TO THE PETITION

Mr. Steve McHenry of McHenry Architecture was present to speak to the application. He stated that this was a reapplication of the previously approved scheme. A work session was held last month to reintroduce the project to the Commission. Mr. McHenry explained that one extension was granted on the approved design but then the approval was allowed to lapse so that was why they were before the Commission again.

At his point in the presentation, Mr. McHenry guided the Commission through the submitted plans. He explained that this was a transitional building because it sits on the edge of couple of different zoning districts. He closed his presentation by saying that despite the contentious struggle for the original approval, they were able to come up with a compromise that everyone was happy with in the end.

Mr. Almeida asked Mr. McHenry to speak about the wood framed structure that they were proposing to demolish in order to construct the new building. Mr. McHenry stated that the building was shown as a carriage house on an early map but only by designation of its footprint. He said that after evaluating the existing structure, it was noted that the building had been totally gutted and repurposed in the 1970's. So it seemed like the evidence was clear that if it had been an old building, nothing remained.

Mr. Almeida noted that smooth cementitious siding was being proposed. He asked Mr. McHenry to make sure that was employed because on a couple of projects that were approved recently, the rustic grain was showing up and it was not appropriate for the historic district. Mr. McHenry said that he would make sure it would remain a smooth finish.

Mr. Wyckoff asked why there were no corner boards on the shingled bays. Mr. McHenry explained that the stepping and staggering of the shingles would allow for that detail.

Mr. Gladhill noted that the stairs on the Buckminster mansion were not removed in the proposed plans. Mr. McHenry explained that there will be no change to the Buckminster structure at this time.

Mr. Gladhill asked what material the egress doors on the back would be made of. Mr. McHenry stated that they had not specified a material but he said he was open to solid wood or painted steel doors. Mr. Gladhill felt wood would be more conforming. It was agreed that the rear egress doors would be wood.

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.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Mr. Bill Brassil, president of 7 Islington Street Condominium Association spoke to the project. He stated that he attended the Pre-Tac meeting where this project was not advanced because of an issue he brought up. He said they have three deeded parking places at the Buckminster house and with the proposed building; there were no parking spaces left. He said that Steve Kelm has promised him that he would be proposing to the Planning Department five parking places under the new building with access from Tanner Street. So he thought the plan had changed from what was being proposed this evening.

Ms. Whittaker recalled seeing a plan at one time where parking was a part of it but that was not the plan before them this evening. She said that the Commission would need to act on what was being proposed this evening. She explained that if the applicant wished to put five spaces in the proposed building, they would have to come back and amend their approval.

Chairman Katz asked if there was anyone else wishing 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. Almeida made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Ms. Whittaker. Chairman Katz asked for discussion.

Mr. Almeida stated that they have seen this project many times and so the Commission was not taking the decision lightly or in haste. They were very familiar with it and felt that all of the issues had been addressed. Mr. Wyckoff added it was appropriate for the district.

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

5. Petition of **Christopher S. Martin and Thomas W. Martin, Jr., owners**, for property located at **508 Marcy Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove aluminum siding, install gutters, reconfigure one window) and allow a new free standing structure (remove existing fence, install new fence) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 57 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Chris Martin and Mr. Thomas Martin, owners of the property were present to speak to the application. Chris Martin stated that they would like to replace the chain link fence with a scalloped white picket fence. There would be gates where gates existed now. They would also like to replace the gutters with k-style aluminum gutters in the same locations. Mr. Martin also said they wanted to modify a window on the west facing wall. They would reduce the height to half of its size but would retain the same width. The window proposed would be an Andersen Woodwright 400 series window to match the rest of the windows in the house. He explained that this window was in a shower area. Lastly, he stated that they would like to remove the existing aluminum siding to expose the existing wood clapboards and shakes underneath.

Mr. Gladhill asked if the clapboards and shakes were in good condition. Thomas Martin said that if they were not, they would replace them in kind.

Mr. Wyckoff commented that it was not often that he gets excited about a 120 year old house renovation but he was excited about this one. He said it had a number of details that he wanted to see exposed.

Chairman Katz said that when the applicant first came to the Commission with a previous application, he thought there was a really nice house underneath the siding. He shared Mr. Wyckoff's pleasure in seeing the applicant taking this direction. It was a very visible house and it could not help but to add to the neighborhood.

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 Approval for the application as presented. The motion was seconded by Ms. Kozak. Chairman Katz asked for discussion.

Mr. Wyckoff stated that it was a very appropriate renovation.

Ms. Whittaker added that the house had such a delightful location in the city. She said that there was a great house underneath everything.

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

6. Petition of **Strawbery Banke, Inc, owner**, for property located at **454 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove wooden steps, reuse existing granite steps, add railings, install copper gutters) and allow new free standing structures (install A/C compressor pad and compressor units, add fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 7 and lies within Mixed Residential Office and Historic Districts.

Ms. Kozak stated that she would be recusing herself from the discussion and vote. Mr. Rawling voted in her place.

SPEAKING TO THE PETITION

Mr. Bob Cook of Adaptdesign and Mr. John Schnitzler of Strawbery Banke were present to speak to the application. Mr. Cook stated that the existing granite steps did not meet code so they would like to build wooden steps over the existing granite steps to provide safe access into the building. He said they would also like to add C-shaped copper gutters to all four sides of the building.

Mr. Wyckoff asked for clarification about the wooden steps. He wanted to know if they were going to be two separate wooden steps or one long wooden step. Mr. Cook explained that the existing granite steps would be cleaned up and the wooden steps would be two separate sets of steps. He said they did not want to remove the granite. Mr. Wyckoff asked if the granite would be exposed in the middle. Mr. Cook replied yes and added that it would also be exposed on the ends.

Mr. Cook also stated that they would like to construct four metal racks that would hold twelve a/c units on the rear elevation. They would build a six foot high solid board fence around them to conceal them and to dampen any sound. Mr. Almeida asked if the piping would go up the side of the building. Mr. Cook said no, it was his understanding that it would be going in through a rear door. He added that the two existing windows open onto a vault so they planned to cover them with shutters so they would look like shuttered windows. There was also a metal louver which would be removed and would be shuttered as well.

Mr. Gladhill asked the height of the fence enclosure. Mr. Cook said the fence would be 6'6" in height. There was additional discussion about the height of the fence and what the fence height would cover of the building.

Mr. Almeida asked if the shutters they were planning to use would be true shutters. Mr. Schnitzler said they would be solid board shutters over the sash. Mr. Almeida asked if hardware would be visible. Ms. Schnitzler said he would use butt hinges.

Councilor Thorsen asked if there would be any buildings with a higher elevation that would have a view down into the equipment area. Mr. Cook said the only building that might have an obstructed view would be a brick building on Marcy Street but it was a distance away.

Ms. Whittaker asked how many units would be installed. Mr. Cook replied twelve. Mr. Rawling confirmed that the dimensions of the unit would be 12 5/8 inches tall.

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 Approval for the application as presented. The motion was seconded by Mr. Gladhill. Vice Chairman Katz asked for discussion.

Mr. Wyckoff stated that it seemed that the museum has done the best it could do to hide the condensers with the fence. He also said that the keeping and cleaning of the granite and the covering of the granite was a temporary improvement but he supported the application.

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

7. Petition of **Joseph J. and Jennifer Almeida, owners**, for property located at **103 High Street**, wherein permission is requested to allow new construction to an existing structure (remove existing fence on east side, install new fence on east side, or, construct new steps to shed, add chimney caps) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 22 and lies within Central Business B, Historic, and Downtown Overlay Districts.

Request to Postpone

DECISION OF THE COMMISSION

At the applicant's request, the Commission voted unanimously (6-0) to postpone the application to the March 14, 2012 meeting.

8. **(Work Session/Public Hearing) Petition of General Porter Condominium Association, owner**, for property located at **32 Livermore Street**, wherein permission was requested to allow new construction to an existing structure (reconstruct rear dormer) and allow exterior renovations to an existing structure (remove third floor stairs, replace railings, change front roof from asphalt shingles to cedar shingles, add shutters, changes to fence and posts) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lot 20 and lies within General Residence B and Historic District.

WORK SESSION

- Mr. Jon Merkle of TMS Architects and Mr. Joe Paquet of Portsmouth Builders were present to speak to the applications. Mr. Merkle stated that he would address each item separately so that questions could be asked after each item.
- Mr. Merkle said that they were now proposing two rear dormers that were connected and which would match the other existing gable units. Mr. Wyckoff asked if it was clapboarded in between the two dormers. Mr. Merkle replied yes and said it would be set back six inches.
- Mr. Merkle explained that when the building was being modified and turned into condominiums, a beam was removed and they are now in the process of correcting that issue with steel beams.
- Mr. Rawling asked if there would be trim on the dormers. Mr. Merkle said they would use flat stock and would match what was on the existing dormers. He pointed out that the dormers on the rear of the building were different from the dormers on the front of the building. He felt that the rear dormers were added after the original structure was built.
- Mr. Almeida stated that he thought it was a wonderful design. He felt they solved the problem.
- Mr. Wyckoff asked detailed questions about how the dormers would be constructed. Mr. Merkle assured the Commission it would be built the way it was shown.
- Mr. Merkle stated they would like to remove the third floor stairs and platform and the inspection department has said that they can be removed. He also said they would like to replace the exterior deck and stair railing so that they would meet code. They were also proposing to replace the existing asphalt roof with red cedar shakes and that project was currently underway. He added that the shutters would be replaced on the north side of the building. They would be on hangers and would not be screwed against the building. Mr. Merkle ended his presentation by saying that they would like to add the gambrel trim boards on the south side of the building to show the profile of the original building. Mr. Almeida commented that it was the one change he did not understand. Mr. Merkle pointed out that this was a request from the owner and he referenced a building in Strawberry Banke with the same profile. Mr. Gladhill said it was Stoodley's Tavern building. Ms. Whittaker commented that it would not stop her from supporting the application. Mr. Wyckoff agreed with Ms. Whittaker. Ms. Kozak stated that there are other houses with additions that have a trim board separating the new from the old. Mr. Rawling said he would not have done it but he would support the application. Councilor Thorsen said he would defer to others who were more familiar with the architecture in the area. Chairman Katz weighed in on it and said it would not be a deal breaker for him. Mr. Almeida clarified his comments and said that this would not prevent him from approving the project because overall, the project was appropriate but he felt this one feature was highly inappropriate to the elevation. He also asked if the trim board would need to be flashed. Mr. Merkle replied yes.
- Mr. Merkle spoke to the repair and replacement of the fence posts. Mr. Paquet said that at the front of the house, it would be returning to the existing conditions approximately twenty years ago. He also pointed out that on the rear addition, the starting newels on the stairs would have the same finial, but it would be a scaled down version. Mr. Wyckoff

stated that he thought the finial was awkward because it was tiny and very tall. Mr. Almeida and Mr. Rawling both saw issues with the finial as well. Mr. Merkle said that the railing was the most important thing so he said he would be willing to come back for an approval on the finial at a later date.

At this point in the meeting, the work session concluded and the Commission moved into a public hearing.

SPEAKING TO THE PETITION

Mr. Merkle stated that they were proposing to replace the shed dormer on the rear of the building with two gable dormers with a shed dormer in between them to make one continuous dormer. It would be wood trimmed with wood clapboards in between the dormers. There would be no change to the roof pitch. He also said they were proposing to remove a stairway and platform leading to the third floor on the rear of the building. The rear deck and stair railings would be replaced as well. He added that the asphalt shingles on the front of the building would be replaced with cedar shingles. The shutters on the north wall would be replaced. Mr. Merkle said that they would like to continue the gambrel profile on one side of the building and they would like to fix the fence post on the front of the property. He added that they would remove the decorative finials on the rear of the building from consideration at this time.

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 Approval for the application as presented. The motion was seconded by Mr. Almeida. Chairman Katz asked for discussion.

Mr. Wyckoff stated that the project was very appropriate for the building and the neighborhood.

Mr. Almeida thanked the applicant and the homeowner for undertaking the project and their patience with the Commission.

Hearing no other discussion, Chairman Katz called for the vote. The motion to grant a Certificate of Approval for the application as presented passed by a vote of 6-1 with Mr. Gladhill voting in opposition.

Mr. Gladhill asked that the minutes reflect the fact that Stoodley Tavern was the building with the same profile as the application and not the Chase Home.

9. Petition of **Brendan S. Goodspeed, owner**, for property located at **28 Chapel Street**, wherein permission was requested to allow exterior renovations to an existing structure (install

two skylights) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 25 and lies within Central Business B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Patrick Driscoll, the contractor for the project and representing the applicant, was present to speak to the application. He stated he was aware that skylights were a point of contention in historic districts and understood why they were frowned upon. He explained that the structure at 28 Chapel Street was in the process of being converted back into a completely residential structure. There was an addition in the rear of the home that was probably built in the 1970's. He pointed out an outcropping on the right rear side of the building that was impossible to see from any street or public way. He said that the only way to get natural light into that interior space was to install two fixed skylights that would be as small as possible and would align with the windows on the second floor. Mr. Driscoll pointed out that of the five abutters within that courtyard, four of them had skylights. He closed by saying that the skylights would provide more good than harm in the historic district and the household itself.

Mr. Almeida asked if the skylights would be aluminum. Mr. Driscoll replied yes and added that they would be trimmed in black and would match the existing shingles of the roof.

Mr. Wyckoff expressed a concern that the skylights proposed might be oversized and would not allow for proper flashing. Mr. Driscoll explained that the soffits on the addition were smaller than the average soffit. He assured the Commission that the size of the skylight did allow for proper flashing.

Mr. Rawling said that he felt this was an extremely difficult installation where there would be continual water problems. He explained that the pitch of the roof should have at least a 4/12 pitch in order to prevent leaking. He said he would be surprised if there was not a water problem now. Mr. Driscoll informed the Commission that he has talked with the Velux representative about the pitch but he did not talk to him about the windows above it and the way they were flashed but he did not have any doubt that the skylights would function properly.

Chairman Katz stated that this was not within the Commission's purview to determine whether the skylights would leak or not. That would be the applicant's problem. He added that the Commission needed to determine whether the skylights were appropriate in the proposed location.

Mr. Almeida agreed and cautioned Mr. Driscoll to pay close attention to the rake board because it was currently extending well beyond the overhang. He also said he was confident that the applicant would be able to address these issues. He felt he was aware of the challenge of installing the skylights.

Mr. Driscoll asked if there could be a stipulation in the motion to approve this size skylight or one smaller in case he did run into problems. Some of the Commissioners commented that they thought that was a good idea.

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 Approval for the application as presented with the following stipulation:

- 1) That permission is granted to install slightly smaller skylights if necessary.

The motion was seconded by Ms. Whittaker. Chairman Katz asked for discussion.

Councilor Thorsen stated that he agreed with Chairman Katz's earlier comments. He said that this may seem like a difficult project but the risk was on the owner's side.

Hearing no other discussion, Chairman Katz called for the vote. The motion to grant a Certificate of Approval for the application as presented with the following stipulation passed by a unanimous (7-0) vote:

- 1) That permission is granted to install slightly smaller skylights if necessary.

Chairman Katz reminded the Commission of the upcoming joint meeting with the City Council, Planning Board, Historic District Commission, and Economic Development Commission on March 26, 2012. He also reminded them of another joint meeting with the Planning Board on April 26, 2012 to discuss possible zoning amendments.

In other business, Ms. Whittaker asked to amend the minutes that were approved earlier in the meeting to reflect that she was present at that meeting. It was agreed to amend the December 14, 2011 minutes.

IV. ADJOURNMENT

At 9:15 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on June 6, 2012.