

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**7:00 p.m.**

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

**MEMBERS PRESENT:** Chairman Richard Katz; Vice Chairman Joseph Almeida; Members John Wyckoff, Tracy Kozak, George Melchior; Planning Board Representative William Gladhill; Alternate Dan Rawling

**MEMBERS EXCUSED:** City Council Representative Esther Kennedy

**ALSO PRESENT:** Nick Cracknell, Planning Consultant

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**I. OLD BUSINESS**

A. Approval of minutes – July 11, 2012

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

Approval of minutes – July 18, 2012

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

**II. PUBLIC HEARINGS**

1. Petition of **Hill Condominium Association, owner and One Rocks Road, LLC, applicant**, for property located at **400 The Hill, Deer Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace cedar roof shingles with asphalt roof shingles, install concealed fire escape ladder) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 26-10 and lies within Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Ms. Nancy Lord, new owner of the property was present to speak to the application. She stated that she would like to replace the existing cedar roof with an asphalt roof. She guided the Commission through the submitted plans and highlighted the fact that the asphalt shingle chosen had the look of cedar.

Mr. Gladhill asked why the change from cedar to asphalt. Ms. Lord said that they had originally thought they could proceed with the cedar but found out that the cost and maintenance involved

was a detriment. It would require cleaning and there was the concern of fungus growth. She also added that the close proximity to salt water had an impact on the life of the cedar shake.

Mr. Gladhill asked if the condominium association approved the asphalt roof. Ms. Lord replied yes and added that the association would like a coordinated effort to stay within a certain color range. Ms. Lord also stated that another reason for the choice of asphalt was that it was a roof that was not very prominent.

Mr. Rawling commented that the color of the asphalt shingle should reflect the color of a weathered cedar shake. He felt it should be a gray color.

Ms. Kozak added that the shingle proposed was a good shingle with three different grades. She has installed all three and noted that there was a difference with all three. She strongly encouraged the triple laminate shingle since it most resembled the cedar shake.

Mr. Almeida stated that he was concerned with losing a wooden roof on the Hill. He said he was disappointed with the loss of the wooden roof a couple years back and felt it was a big mistake to have granted that approval. He added that he thought this particular roof was very visible from other vantage points and would like to be able to retain all of the wooden roofs on the Hill. Mr. Gladhill agreed and said that he would have a problem voting for anything but cedar shakes on any building on the Hill and would like to see their historic and traditional nature preserved.

At this point in the meeting, Chairman Katz polled the rest of the Commission. Mr. Wyckoff stated that the building had a shallow hip roof, he was not quite as adamant as Mr. Almeida and Mr. Gladhill. He pointed out that as for longevity, the existing cedar shingles were 40 years old. He noted that recently he had to replace some IKO architectural asphalt shingles and pointed out that they were only 14 years old and already very brittle. Mr. Melchior stated that he would not vote in favor of the application. He pointed out that the Hill and Strawberry Banke were centers of gravity for the foundation and preservation of Portsmouth. He said that this was an area where they were supposed to be the most conservative and the most protective of Portsmouth's heritage and historic fabric. Mr. Rawling said that he would support the wood shingles. Ms. Kozak stated that she would support the application in this particular location.

Discussion shifted to the proposal of the exterior fire escape. Ms. Lord explained that the fire escape was housed in a five inch column that looked like a downspout. It could be painted the exact color of the house so that it would not be noticeable.

Mr. Gladhill asked for its exact location. Ms. Lord said that it would be located on the back wall of the building. She added that it could be mounted to either the left or the right of the windows on the right side of the building. She also stated that the addition of a lattice panel would help to conceal it.

Mr. Gladhill asked how high above the roofline it would extend. Ms. Lord said that it would not extend above the roof line; it would be two feet above the window.

Mr. Wyckoff stated that the act of making the fire escape look like a downspout was a mistake. He also noted that the fire escape would be totally useless because there was no way a person could get out the third story window because of its size. Ms. Lord responded by saying that the insurance company had not said anything about the size of the windows but she was looking into retrofitting the window to make it a tilt out window.

Mr. Almeida stated that he thought they were getting into a work session.

Mr. Cracknell explained that these were two new uses that did not currently exist in the building right now. Currently there are offices in the upper floors but the applicant was proposing to change the uses to residential.

Mr. Almeida stated that he did not feel that he had enough information to move forward. Ms. Kozak said that it was a very simple, straightforward application and she did not feel there was much to talk about. She said she was comfortable voting tonight.

Ms. Lord told the Commission that she was also concerned about maintaining the look and integrity of the building. She added that she was willing to add a trellis and also pointed out that there was a nearby tree that would also serve as a shield.

Chairman Katz stated that there were some concerns with members of the Commission.

**DECISION OF THE COMMISSION**

Mr. Wyckoff made a motion to postpone the application a work session/public hearing at the November 14, 2012 meeting. The motion was seconded by Mr. Almeida. The motion passed by a vote of 6-1 with Ms. Kozak voting in opposition.

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2. Petition of **177 State Street Real Estate, LLC, owner**, for property located at **177 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (relocate fire escape ladder and railing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 44 and lies within Central Business B and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. John Greenlaw, representing the applicant was present to speak to the application. He stated that they would like to relocate an existing fire escape ladder and railing using the existing components. They would like to move it just four feet from its original location.

Mr. Almeida pointed out the red panel on the building where the ladder was proposed to be located. Mr. Greenlaw thought that a door was located behind it but that it was not an operable door. He added that the fire escape ladder needed to be relocated to accommodate the nearby

dumpster. Mr. Almeida asked if another dumpster location was explored. Mr. Greenlaw replied yes but noted that putting it next to the building next door was not a good option.

Hearing no other questions, 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**

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

Ms. Kozak stated that it was a straightforward application and would not make any visual difference to the area. She agreed that the closed opening was strange but it was a better location for the ladder.

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.

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3. Petition of **John and Joan Schorsch, owners**, for property located at **53 Pray Street**, wherein permission is requested to allow an amendment to a previously approved design (increase size of deck, replace Request To Postpone on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 40 and lies within Waterfront Business and Historic Districts.

At the applicant's request, the Commission voted to postpone the application to November 14, 2012 meeting.

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4. Petition of **Charles E. Locke Living Trust, Charles E. Locke, trustee and owner**, for property located at **220 New Castle Avenue**, wherein permission was requested to allow exterior renovations to an existing structure (replace cedar shakes on barn with asphalt shingles) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 207 as Lot 44 and lies within Single Residence B and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. Paul Careno, representing the property owner was present to speak to the application. Mr. Careno stated that they would like to replace the cedar shakes on the existing building with asphalt shingles. He said that the barn was built in 1993 and since then a substantial amount of maintenance has been done to the roof regularly. He added that they were proposing to use a hunter green shingle to match the house and garage.

Mr. Wyckoff asked what Landmark series they were planning on using. Mr. Careno said they were using Landmark with the 130 mph wind warranty.

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. Melchior. Chairman Katz asked for discussion.

Mr. Wyckoff explained why he was willing to approve this application for Landmark shingles but not the prior application. He said that all of the other houses in the area had these types of architectural shingles and it was not an historic structure. Also, they were not looking at a special preservation area like the Hill is.

Mr. Rawling said that he had a reservation with the color of shingle being proposed. He felt the weathered wood color would be more appropriate.

Mr. Almeida stated that he could not support the motion because it was the loss of a shake roof. The building was a replica of a wharf building and the roof made it that much more special. He also agreed with Mr. Rawling that a weathered wood color would make a big difference. Mr. Gladhill agreed with Mr. Almeida.

Mr. Wyckoff asked the applicant if they were agreeable to using a different color shingle than the one proposed. Mr. Careno said they did not have a problem changing the color.

Mr. Almeida noted that the only reason the Commission was discussing color was because there was a substitution of the color.

Mr. Wyckoff withdrew his motion and made a new motion to grant a Certificate of Approval for the application with the following stipulation:

- 1) That the shingle shall be a Landmark Weathered Wood shingle.

The motion was seconded by Ms. Kozak. There was no discussion.

The motion to grant a Certificate of Approval for the application with the following stipulation passed by a vote of 5-2 with Mr. Almeida and Mr. Gladhill voting in opposition :

- 1) That the shingle shall be a Landmark Weathered Wood shingle.

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5. Petition of **8 Adams, LLC, owner**, for property located at **65 & 67 Mark Street**, wherein permission was requested to allow demolition of an existing structure (remove right side addition and rear decks) and allow new construction and exterior renovations to an existing structure (misc. changes to facades) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 51 and lies within Mixed Residential Office and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. Brendan McNamara, representing the property owner was present to speak to the application. He told the Commission that they were taking a restorative approach to the structure, replacing and restoring after the removal of the asbestos siding. He explained that they would be maintaining the core of the house but demolishing the additions on the right and rear sides of the structure. The replacement additions would be across the rear of the home. He added that they have included a more developed door surround for the 65 Mark Street section. Green Mountain windows were being proposed. Mr. McNamara had a sample window with him and at this point in the meeting; the Commission took time to inspect the window up close. A window representative, name not given, was present to answer the Commission’s questions.

Mr. Almeida asked if the gutters would remain. Mr. McNamara said that there are gutters there currently and they would like them to remain because there was somewhat of a water situation in the area.

Mr. Rawling stated that it was an attractive design and would really enhance the house.

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. Almeida 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. Almeida stated that this was a beautiful application. He also said that the window choice was very appropriate. He felt it was going to be a fantastic renovation.

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.

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6. Petition of **8 Adams, LLC, owner**, for property located at **46 Mark Street**, wherein permission was requested to allow demolition of existing structures (demolish existing house and shed) and allow a new free standing structure (construct new single family home) as per plans on

file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 52 and lies within Mixed Residential Office and Historic Districts.

### **SPEAKING TO THE PETITION**

Chairman Katz informed the public that this application has been the subject of both a work session and a site walk.

Mr. Brendan McNamara, representing the property owner was present to speak to the application. He guided the Commission through the submitted plans. He highlighted the fact that the porch would have an Azek system and the foundation would be faux brick.

Mr. Almeida asked if any of the concrete foundation would be visible. Mr. McNamara replied no.

Mr. Rawling asked how the water run off would be handled. Mr. McNamara stated that he would put in a stone drip perimeter drain system around the house.

Mr. Rawling asked about the wood shingles proposed on the house. Mr. McNamara said they would be white cedar shingles from Kennebunk. He added that the color had not been determined yet.

Mr. Almeida asked if the copper drip edging would continue over the window heads. Mr. McNamara said that it did not need to occur on the window heads. He explained how that detail would be handled.

Mr. Wyckoff asked what the window pattern would be. Mr. McNamara stated that they would be a 2/2 pattern.

Mr. Wyckoff urged that a packet of information be submitted to document the existing structure and its historical nature.

Mr. Almeida stated that he felt the Commission had satisfied the review criteria. Ms. Kozak disagreed. She said that she was having trouble losing a barn since there were not many left in Portsmouth. Mr. McNamara stated that a barn would be a heavy timber structure and this building was not. He felt it was more of shed than a barn. Ms. Kozak said that her concern was that the district would lose the nature of the whole property and that this was one of the last ones left in Portsmouth.

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

Mr. Almeida stated that the barn was gone a long time ago and recreating it would be counterfeit. He said that he that he felt the Commission had done their due diligence in the review of the demolition. He went on to say that the new structure was in keeping with the neighborhood and that every detail was thoroughly thought out.

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

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7. Petition of **Brina Lampert Revocable Trust, Brina Lampert, trustee and owner**, for property located at **212 Islington Street**, wherein permission was requested to allow new construction to an existing structure (install awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 137 as Lot 21 and lies within Central Business B and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. David Yennaco, owner of Boston Awning Company was present to speak to the application. He stated that he was proposing a fixed frame awning with an umbrella fabric across the front window of the building. The color of the awning would be yellow with no signage.

Mr. Wyckoff asked if there would be lighting within the awning. Mr. Yennaco replied no.

Mr. Rawling asked Mr. Yennaco why he did not consider covering the entry also. Mr. Yennaco said that the client did not want to cover the entry but wanted to instead shield the front window from sun that comes in during the day.

Chairman Katz asked if there were anymore 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. Almeida made a motion to grant a Certificate of Approval of the application as presented. The motion was seconded by Mr. Melchior. Chairman Katz asked for discussion.

Mr. Almeida stated that it was a very clear application and a very appropriate awning.

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 unanimous (7-0) vote.

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8. Petition of **State Street Crossings, LLC, owner, and Orange Door, Inc., applicant**, for property located at **218 State Street**, wherein permission was requested to allow a new free standing structure (install chiller and fence enclosure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 68-101 and lies within Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

Chairman Katz pointed out to the Commissioners that they had a letter from an abutter concerning this application at their desks this evening.

Mr. Bob Sena, project manager, was present to speak to the application. He stated that they were before the Commission for a work session a couple months ago and the concerns that were stated had to do with the aesthetics of the unit and the noise level. He said he was proposing a solid cedar fence to surround the unit. He also added that he met with the abutter directly behind the building who was in favor of the fencing.

Ms. Kozak asked if there was a site plan showing where the fence would go. Mr. Sena explained that the fencing would be going around the chiller unit. All four sides of the chiller would be enclosed with the wood fence.

Mr. Almeida stated that many times, the Commission hears concerns from abutters or other interested parties after the application has been heard and voted on. He pointed out that this was a situation where there was a work session, the Commission gave the applicant direction, and the applicant has complied.

Mr. Almeida asked that in the event the condominium association was in agreement, could screening be extended along the back of the property. Mr. Sena said that the fence would be on two different levels. Mr. Almeida stated that he did not want to discount the abutter's concerns but it was not something that was before them at this time.

Chairman Katz asked if there were anymore 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. Almeida made a motion to grant a Certificate of Approval for the application as presented. The motion was seconded by Mr. Melchior. Chairman Katz asked for discussion.

Mr. Almeida stated that as discussed in the work session, the equipment would be shrouded by the fence. He believed it would become a nondescript part of the landscape and would not detract from the historic 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.

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9. Petition of **Coventry Realty, LLC, owner**, for property located at **111 State Street** wherein permission was requested to allow exterior renovations to an existing structure (install lighting on front façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 50 and lies within Central Business B and Historic Districts.

**SPEAKING TO THE PETITION**

Mr. Jason Morin, representing the current tenant of the building was present to speak to the application. He stated that they would like to install marquee rope style lighting around the main window facing State Street. Chairman Katz pointed out that the lighting had already been installed.

Mr. Gladhill asked how the rope lighting was attached to the building. The contractor for the project, his name not given, stated that it was drilled into the brick using stainless steel screws. He explained further that every light had two anchor points on it.

Mr. Almeida stated that had this application come to them before it was installed the Commission would have probably asked for more sensitive placement of the holes into the façade. He said that he found the marquee lights awkward looking on a historic building.

Mr. Wyckoff asked what the size of the drill holes were. The contractor said the hole sizes were 3/16”.

Ms. Kozak said that if this were an application for proposed work, the Commission would typically request that all conduits be concealed and junction boxes not be exposed. She added that this was one of her biggest struggles with the application. She said that she was hard pressed to find precedence that this was in keeping with the historic nature of the building.

Chairman Katz said that if this were not an after-the-fact application, how would it be considered. He asked for a poll from the Commission. Mr. Melchior said that he would not support the style of lighting or the way it was installed. Mr. Wyckoff agreed. Mr. Gladhill agreed and was concerned about the number of holes that were now in the building. He was not sure about the appropriateness of the lighting. Mr. Almeida stated that the lights looked like they were trying to grab attention and he did not think they were appropriate for a historic façade on State Street. Ms. Kozak added that she did not think the style of lighting matched the historic style of architecture and did not relate to the building it was on. Mr. Rawling agreed also.

Mr. Gladhill asked that at this point, was it better to leave the fasteners in the brick or to pull them out.

Mr. Morin apologized for going ahead with the project without approval. He said they thought it was a minor project as they have a sister restaurant in Newburyport where the same lighting is installed in an older district in the town. He added that it was not their intent to violate the procedures.

Chairman Katz informed the Commission and the applicant that they had to consider the application as if it had not been done.

Chairman Katz asked if there were anymore 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**

For the purposes of discussion, Mr. Gladhill made a motion to grant a Certificate of Approval for the application as presented. For the purposes of discussion, Mr. Almeida seconded the motion. Chairman Katz asked for discussion.

Mr. Almeida stated that the lights did not belong on the building.

Ms. Kozak said that she felt terrible that this has happened. She felt it was the failure of the City for not publishing the requirements well enough so that people do not proceed without going through the process. She added that lighting on historic buildings was very tricky because they did not have artificial lighting when these buildings were built. She said that these buildings should be illuminated in this day and age and if so, then the light fixture should be discreet, historic in nature and not the focus of attention of the building. She said she could not support the application.

Mr. Wyckoff pointed out that the Commission has approved many times the gooseneck lighting. He said that the spotlights illuminating the projecting sign and the exposed conduit on the building were not approved. He recalled the approval for the folding windows and the rounded pediment over the front door to allow the restaurant to have the personality it was looking for. He was in agreement that the proposed lighting was inappropriate and he added that it was unfortunate that there were probably 50-80 holes drilled into the building.

Hearing no other discussion, Chairman Katz called for the vote. The motion to approve the application as presented failed to pass by a vote of 0-7 with all members voting in opposition.

Chairman Katz informed the applicant that they had the right to file for a re-hearing if they felt that the Commission erred in their decision or if there was new information to present.

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- 10. Petition of **General Porter Condominium Association, owner**, for property located at **32 Livermore Street**, wherein permission was requested to allow demolition of an existing structure (remove fencing and rear stairway) and allow a new free standing structure (install new

fencing) and allow new construction to an existing structure (install spiral staircase) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lot 20 and lies within the General Residence B and Historic Districts.

### **SPEAKING TO THE PETITION**

Mr. Larry Haas, contractor for the project and Mr. John Wastrom, conservation mason, were present to speak to the application. He stated that he was seeking new fencing in front of the structure and a spiral stair at the rear of the building.

Mr. Almeida clarified that the applicant was asking for removal of the wood fence and the replacement of a wrought iron fence. Mr. Haas said that was correct. Mr. Almeida pointed out that the Commission recently granted approval for repairs to the existing wood fence. He also said that the wood fence matched the fence in front of the adjacent house.

Mr. Almeida stated that the fence the applicant was proposing was appropriate; however, the fence that was there coexists with the one that is next to it and clearly appropriate and elegant.

Mr. Wyckoff asked about the photos of the granite showing existing holes. Detailed conversation ensued about what those holes might have been used for. Mr. Wastrom, a historical preservationist on the project, stated that he found evidence of holes in the straighter sections of granite which could be an indication that a cast iron fence was once in front of the home. He added that the house has been moved twice over the years. Mr. Almeida asked if it was possible that the holes were anchors for the fence that was currently there. Mr. Wastrom said that there was evidence with many of the houses along Pleasant that iron fences were once there.

Mr. Almeida commented that Mr. Happy has produced many fine fences and railings in the South End but mostly for simple houses. He felt that the rail detail for this project was lacking in formality for a house such as this one.

Mr. Rawling pointed out that the curved sections had no fence on it which would result in a two foot gap.

Mr. Wyckoff felt that they did not have the details that they needed to vote on it.

Ms. Kozak pointed out that the same handrail was installed on the front of the Wentworth Gardner mansion on Mechanic Street. She said that was a formal house with a simple handrail.

Mr. Almeida stated, with regard to Mr. Wyckoff's comment, that the sketch provided a fair level of detail so he was wondering if it was the design he had an issue with. He added that it looks like there are gaps with the curvature of the fence. Mr. Wyckoff said that he thought it was a little to plain for a house that was built in 1730.

Mr. Almeida said that he wanted the quality of the renovations to continue but he liked how the existing fence coexisted with the neighboring fence. He suggested that the applicant propose further proof of an iron fence.

Ms. Kozak commented that it was nice to see an iron fence being proposed because Portsmouth is losing many of their iron and metal fences.

At this point, the discussion moved to the spiral staircase.

Mr. Gladhill felt they needed to see an illustration of the staircase. Mr. Almeida agreed.

**DECISION OF THE COMMISSION**

Mr. Almeida made a motion to postpone the application to the November 14, 2012 for a work session/public hearing with the work session to begin at 6:30 p.m. The motion was seconded by Mr. Gladhill. There was no additional discussion.

The motion to postpone the application to the November 14, 2012 for a work session/public hearing with the work session to begin at 6:30 p.m. passed by a unanimous (7-0) vote.

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11. Petition of **Portsmouth Athenaeum, owner**, for property located at **9 Market Square**, wherein permission was requested to allow exterior renovations to an existing structure (install new windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 21 and lies within Central Business B, Historic, and Downtown Overlay Districts.

**SPEAKING TO THE PETITION**

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

Mr. Richard Adams, representing the owner, was present to speak to the application. He stated that he would like to replace eight windows in the rear of the building. Currently, the existing windows were Brosco windows and they would like to replace them with Andersen Woodwright 400 Series windows with a 6/6 window pattern and 3/4" grills.

Mr. Almeida asked if the window was an all wood exterior or did it have a cladding. Mr. Adams said that they would be clad in a vinyl material.

Ms. Kozak asked if the windows would be replacement inserts that would sit with the existing sill and casing. Mr. Adams said that the entire assembly would be replaced. Ms. Kozak then asked if there would be a trim or brick mold around the window. Mr. Adams explained that the new windows would look as they do now.

Mr. Adams noted that a few years ago, the Peirce Block Condominium Association replaced their windows with Harvey windows and they had considered proposing the same window for the sake of continuity but he learned that the Commission did not favor Harvey windows.

Mr. Almeida stated that he was struggling with the use of vinyl on the Athenaeum. He asked Mr. Adams if they had considered an all wood window. Mr. Adams pointed out that this was not the historic part of the Athenaeum. He also said that most of the other windows in that courtyard were vinyl clad.

Chairman Katz polled the Commission as to their favorability with the project. Mr. Melchior, Mr. Gladhill, Ms. Kozak, and Mr. Rawling stated that they would support the application. Mr. Almeida was undecided.

Seeing no one left in the audience, Chairman Katz closed the public hearing and awaited a motion.

### **DECISION OF THE COMMISSION**

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

Ms. Kozak stated that for the back of the building, she felt this window was appropriate.

Mr. Almeida said that he would not be supporting the motion because he places special consideration on the courtyard. He said the Commission keeps selling it short. He thought the proposed windows were quality windows but he felt they could do better on the building in this location.

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 5-1 with Mr. Almeida voting in opposition.

### **III. 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 March 6, 2013.