

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

December 5, 2012

MEMBERS PRESENT: Chairman Richard Katz; Members John Wyckoff, Tracy Kozak, George Melchior; City Council Representative Esther Kennedy; Planning Board Representative William Gladhill; Alternate Dan Rawling

MEMBERS EXCUSED: Vice Chairman Joseph Almeida

ALSO PRESENT: Nick Cracknell, Principal Planner

I. OLD BUSINESS

A. Approval of minutes – August 1, 2012

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

B. Update on proposed HDC exemptions before the City Council

Councilor Kennedy briefly updated the Commission on the status of the proposed HDC amendments currently before the City Council.

C. Petition of **Stone Creek Realty, LLC, owner**, for property located at **55 Green Street**, wherein permission is requested to allow exterior renovation of an existing structure (add door to existing bay) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 119 as Lot 2 within Central Business A, Historic, and Downtown Overlay Districts. *(This item was postponed at the November 14, 2012 meeting to the December 5, 2012 meeting.)*

This item was withdrawn from consideration by the applicant.

II. PUBLIC HEARINGS

1. **(Work Session/Public Hearing)** Petition of **Theodore M. Stiles and Joan Boyd**, for property located at **28 South Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing barn) and allow a new free standing structure (construct new barn) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 43 and lies within General Residence B and Historic Districts.

WORK SESSION

- Chairman Katz informed the public that the Commission had two work sessions and a site walk for the property.
- Ms. Joan Boyd was present to speak to the application. She stated that the project required a variance which they had since received. Since meeting with the Commission, they had removed a dormer and reduced the length of the garage by a few feet.
- Mr. Wyckoff asked about the specifications for the windows and doors. Ms. Boyd said that they were proposing true divided light Marvin windows and wood doors.
- Ms. Kozak asked how the area above the garage doors would be treated. Ms. Boyd said that there would be a piece of wood which would represent what was there currently. Ms. Kozak was concerned that there would probably be a seam. Ms. Boyd asked if would be acceptable to use a composite material instead. Mr. Rawling asked if they had considered glass instead. Ms. Boyd said they would consider it. Ms. Kozak said that if wood was used, she was curious as to how it would work. Councilor Kennedy added that she was fine with the current design. Mr. Wyckoff said that he did not like the glass panel idea. Chairman Katz stated that it was acceptable to him but that he had a few reservations. He suggested continuing the vertical elements to match the proposed garage doors. Councilor Kennedy thought that was a good solution.
- Mr. Gladhill asked about the roofing material. Ms. Boyd stated that they had not looked into that yet but that the materials would match the house.

Hearing no other discussion, Mr. Wyckoff made a motion to move from work session into a public hearing. The motion was seconded by Councilor Kennedy. The motion passed by a unanimous vote.

SPEAKING TO THE PETITION

Ms. Boyd stated that she was amendable to the addition of a two foot panel above the garage door.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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 of the application as presented with the following stipulation:

- 1) That a 2' height panel be included in three sections above the garage door to match the garage door.

The motion was seconded by Councilor Kennedy. There was no additional discussion. The motion passed by a unanimous vote.

- 2. Petition of **Craig W. Welch and Stefany A. Shaheen, owners**, for property located at **77 South Street**, wherein permission was requested to allow new construction to an existing structure (construct rear addition with associated renovations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 48 and lies within General Residence B and Historic Districts.

Councilor Kennedy recused herself from the discussion and vote.

SPEAKING TO THE PETITION

Ms. Sarah Hourihane of DeStefano Architects was present to speak to the application. She stated that they had been before the Commission last month for a work session and that they were happy with the comments they received. She said that they had not changed much of the design and then proceeded to guide the Commission through the submitted plans.

Mr. Gladhill asked if the new foundation would be brick. Ms. Hourihane replied yes.

Mr. Gladhill asked about the simplification of the brackets at the front door. Ms. Hourihane explained that they wanted to carry that simplification through the entire project.

Ms. Kozak asked if all of the windows would be replaced. Ms. Hourihane replied yes.

Mr. Wyckoff asked about the molding on the panels. Ms. Hourihane said it was scotia. Mr. Wyckoff stated that the original brackets over the front door were hard to lose. Ms. Hourihane said that there had been significant discussion with the homeowner about the brackets but that the simpler bracket was the homeowners' preference. Mr. Wyckoff thought it was a problem because the proposed brackets did not go along with the house. Chairman Katz asked the rest of the Commission their thoughts on the proposed brackets. Mr. Gladhill said that he would prefer the current brackets but he was not sure if they were even original. He said that he would allow the proposed brackets if the existing ones were not original. Ms. Kozak said that she would approve the proposed brackets. She said that the brackets were original but they did not fit the house. She felt that they were too ornate for a house like this that was so simple and modest. She added that it would make sense to use simpler brackets on a home like this one. Mr. Rawling and Chairman Katz agreed with Ms. Kozak.

Ms. Kozak pointed out that there were a number of window patterns. There was detailed discussion about what window pattern worked best on the various facades. It was agreed that all of the new windows on the rear addition should have either a 4/1 or 6/1 pattern.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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 with the following stipulation:

- 1) That 2/1 windows shall be used on the original structure and 4/1 and 6/1 windows shall be used on the new addition.

The motion was seconded by Mr. Melchior. Chairman Katz asked for discussion.

Ms. Kozak stated that this was a very appropriate application and was in keeping with the original structure. She felt the proportions fit well with the site.

Mr. Wyckoff added that it was a good simplification. He said that he did not approval of the removal of the brackets but would support the motion.

Hearing no other discussion, Chairman Katz called for the vote. *The motion passed by a unanimous vote, (7-0).*

3. Petition of **Paulette A. Common and James G. Dinulos, owners**, for property located at **3 Hancock Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace French door, add two new windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 85-1 and lies within Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

Mr. James Dinulos, owner of the property was present to speak to the application. He stated that he would like to discuss two topics: the replacement of a damaged French door at the rear of the structure and the addition of two new windows.

Mr. Dinulos stated that he was proposing an Andersen 400 Series French door with true divided lights and a screen door in the middle panel.

Mr. Dinulos also explained that they would like to remodel the kitchen and so were proposing the addition of two new windows in the back part of the house. He reminded the Commission that had been before them recently and received approval for windows on the rest of the house. He would like to use the identical window for this application as well. The purpose of the two new windows was to allow more light into the kitchen. He submitted new drawings for the Commission to review.

Mr. Wyckoff asked if the new windows would be trimmed out to match the existing trim. Mr. Dinulos replied yes. Mr. Wyckoff asked if the window sill would match as well. Mr. Dinulos replied yes.

Mr. Rawling stated that he was troubled by the proposed double windows. He felt they could be improved by adding a wider mull strip. It would put it more in proportion with the existing windows. Mr. Dinulos said he thought that was a reasonable request.

Mr. Gladhill pointed out that the house was not historic. He also pointed out that symmetry was very important and that this house was located across from Strawberry Banke. He said he was having a hard time with the application.

Councilor Kennedy commented that she liked Mr. Rawling’s idea. She pointed out that a double window could be seen on a neighboring house in one of the pictures. Mr. Wyckoff suggested a three or four inch dividing casing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

Councilor Kennedy made a motion to grant a Certificate of Approval for the application as presented with the following stipulations:

- 1) That the new window trim will match the existing window trim.
- 2) That a 3-4” post shall be installed between the existing and proposed windows on the west elevation.

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

Mr. Gladhill commented that the symmetry was broken but he would support the motion.

The motion passed by a unanimous vote, (7-0).

4. Petition of **Portwalk Residential, LLC, owner**, for property located at **99 Hanover Street**, wherein permission was requested to allow exterior renovations to an existing structure (changes to the first floor storefront façade) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 23 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Ms. Lisa DeStefano, of DeStefano Architects, Gary Simon and Doug Freeman of British Beer Company were present to speak to the application.

Ms. DeStefano said that her presentation would follow the discussion from last month's work session. She then guided the Commission through the submitted plans.

Councilor Kennedy asked if the black paint would go all the way around the building. Ms. DeStefano said that the painted black would be on Hanover Street, and would wrap the corner to the first bay at the parking lot. On Port Walk Place, it would stay pre-cast.

Chairman Katz asked if there were anymore questions for the applicants. 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. Arthur Carakatsane of 77 Hanover Street said the building went through years of approval before, and it appeared it was now going to go through drastic changes. He wondered how they would deal with ingress and egress for deliveries, parking in the back for residents, trash removal, noise control, and emergency access.

Chairman Katz said those activities were not part of their purview, that the Commission only determined the compatibility to the design of the building, so he asked Mr. Carakatsane to contain his questions to the design. Mr. Carakatsane said his question was about the design of the entrance and exits.

Ms. DeStefano said regarding the storefront, they had said from day one that they would come back to discuss the design further when they had a specific user. The design plans were for restaurant use, and the plans for deliveries and trash removal had already been reviewed and approved by the Technical Advisory Committee and the Planning Board.

Ms. DeStefano said there was access coming off Port Walk Place and Hanover Street for users of the space. Councilor Kennedy asked to confirm that currently there were three doors, and Ms. DeStefano said that was correct.

Hearing no other questions, Chairman Katz declared the public hearing closed and awaited a motion.

DECISION OF THE COMMISSION

Mr. Wyckoff made a motion to grant a Certificate of Approval as presented. Ms. Kozak seconded.

Mr. Wyckoff said the plan was a definite improvement to the streetscape with a very high quality storefront, and he wished it could go up the entire building, which still looked like a blank palette awaiting more improvements.

Ms. Kozak said she applauded the effort. She said it was a big step in bringing the building closer to the essence of downtown Portsmouth with elaborate and varied storefronts.

Councilor Kennedy agreed, but she wished developers would share the plans ahead of time with the public.

The motion passed by a unanimous vote, (7-0).

5. Petition of **Parade Residence Hotel, LLC, owner**, for property located at **100 Deer Street**, wherein permission was requested to allow exterior renovations to an existing structure (install awnings, install seasonal outdoor dining barriers) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 22 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

SPEAKING TO THE PETITION

Sarah Hourihane, from DeStefano Architects spoke on behalf of the owner and tenant. She passed out a lighting amendment, and reviewed the changes.

Councilor Kennedy wondered why the applicant wouldn't go before the City Council as everyone else that had outside seasonal dining since the City took care of the street. Mr. Cracknell said it was not a City street, but a private street which the City had an easement. Ms. Hourihane said outside dining was on their approved plans that went before the Technical Advisory Committee and Planning Board so the plan had been vetted through legal and she believed the City would maintain the street even though it was a private street. Councilor Kennedy said she was fine with the awnings, but she couldn't vote on the rest of it without consulting with an attorney because she didn't want to set a precedent, especially if they were serving alcohol. She said the City had only approved outside dining for a few establishments as a test pilot, and it wouldn't be fair to approve them when they had already denied others.

Chairman Katz said he thought they were trying to determine the appropriateness of the fencing, not if it was legal or not. Mr. Gladhill said it was a gray area because they did give a Certificate of Approval. Chairman Katz said the approval was contingent on everything else being approved. Ms. DeStefano said they usually received follow up from the Planning Department if there were any issues, so they could make a stipulation, but she would like to proceed with a decision on the project as presented. Mr. Wyckoff said this had happened many times before, they had given approval and then it was bounced back, so he felt they could proceed. Ms.

DeStefano said it was part of the process to go to the HDC first, and then proceed with other meetings before returning. Mr. Melchior said they had a City Councilor and a Planning Board representative on the Commission, and suggested they clarify for future issues what their role in the procedure would be so they could address issues appropriately when brought up. Mr. Melchior said the stipulation would then kick it to another party "if required". Mr. Gladhill said because it was an easement, it would go to the City's Legal Department. Mr. Cracknell said because it was unusual to have a private way maintained by the City, they could consider a stipulation that would say "if required by the City Attorney, the applicant shall seek approval from City Council for outdoor dining use." Councilor Kennedy suggested they change the stipulation to say the applicant would "follow the application procedure" because only so many approvals were given out, and she wanted to make sure it was done right and fair to other business owners who also pay taxes. She said she still could abstain from voting, however.

Ms. DeStefano said everything on the outside was within the HDC's purview so they were showing the barriers to them. Chairman Katz asked the commissioners to continue reviewing the appearance of the barriers. Mr. Gladhill said he thought the diamond shaped, wire mesh barrier looked like a chain link fence, and he wasn't sure they should approve it for the Historic District. Mr. Rawling said there were many different fence designs, but it was fairly clean and simple contemporary design in a contemporary part of town so he would approve it. Ms. Kozak said the fence did look like wire mesh, but was rigid and had a cleanly formed frame that didn't look like a chain link fence to her, and it fit with the contemporary design of the building. Mr. Wyckoff, Mr. Melchior, and Chairman Katz all agreed that it was appropriate to the building.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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 moved to grant a Certificate of Approval for the request as presented with the following stipulation:

- 1) That if required, the applicant shall follow the application procedures of the City for outdoor dining use.

Ms. Kozak said it fit well with what had already been established. Mr. Gladhill said he would probably be for it if it was a different shape, but he opposed the diamond shaped mesh.

Mr. Gladhill voted opposed, Councilor Kennedy abstained, and the motion passed, 5-1.

III. WORK SESSIONS

A. Work Session requested by **Gary S. and Janice M. Colby, owners**, for property located at **308 Pleasant Street**, wherein permission is requested for renovations to an

Request To Postpone

existing structure (misc. changes to the side and rear elevations). Said property is shown on Assessor Plan 109 as Lot 18 and lies within General Residence B and Historic Districts.

At the applicant's request, the Commission voted to postpone the application to the January 2, 2013 meeting.

B. Work Session requested by **Eport Properties 1, LLC, owner**, for property located at **173-175 Market Street**, wherein permission was requested to allow new construction to an existing structure (construct addition) and allow exterior renovations to an existing structure (misc. renovations). Said property is shown on Assessor Plan 118 as Lot 4 and lies within the Central Business A, Historic, and Downtown Overlay Districts.

Carla Goodnight and Bill Bartel from CJ Architects went before the Commission on behalf of the owners Ken, Corey, and Chris Erickson who were also in attendance. Ms. Goodnight said they were still addressing the Market Street elevation and side addition. She reviewed the most recent changes to the plans.

Councilor Kennedy said she was uncomfortable with the round half circles around the windows, and did not think the dormers and the bays matched the streetscape. Ms. Kozak agreed that the dormers and the bay were a deviation from what was down the street, but she saw improvements and they seemed to sit well with the overall lines, so she could not say it was inappropriate. Mr. Rawling said he was apprehensive with the dormers and the bay too, but said the changes made them more acceptable. But he said he was troubled with the paired windows, and would like to see a lower key element like the rest of the street. Chairman Katz said the dormers bothered him as well, and he would consider low level skylights in place of the dormers for more light. Mr. Gladhill said dormers on the historic building didn't fit in the streetscape, nor did they fit in the streetscape on the new building. He said he had trouble with the bay as well, but agreed that the design had improved. Mr. Wyckoff said the dormers had a Greek revival quality to them, and they stood up too high. He suggested looking at a low shed dormer. Mr. Ken Erikson pointed out that there were shed dormers on the building next door and asked if they were out of the question. Mr. Katz said he didn't like the shed dormers on the building next door either. Mr. Melchior said he could not support anything with dormers, but could be convinced with skylights.

Mr. Melchior said he also was not sold on the mass of the addition and the blank wall yet. Ms. Kozak said Market Street was all aligned and asked why the new building was set back. Ms. Goodnight said there was a narrow sidewalk and it created a separation and a destination. Chairman Katz agreed with Ms. Kozak that it disturbed the rhythm of the street. He said except for the dormers they did a fantastic job with the original building renovation and asked why they didn't just continue the building design. Mr. Wyckoff agreed. Councilor Kennedy said it was known as Merchants Alley, but the sidewalk did get narrow there, so she understood the setback. Ms. Kozak said she appreciated the effort put into giving an identity to a new building, instead of an exact copy, and they could work through the controversial elements. Councilor Kennedy said she was okay with distinctions at the lower level, but thought the top floors should have more consistency between the two buildings. Mr. Wyckoff said there were a few contemporary

elements in the design but they weren't looking at anything that had never been done in Portsmouth before, and he was okay with the setback. He said he was glad to see the restoration to the storefront. He said he was not bothered by the rounded windows, and he was glad to see restoration of the second and third story windows as well. He said it was a modern building that was transitioning at the end of the historic line that made sense against the salt piles in the background. Mr. Wyckoff said Mrs. Morton redid the building in 1975 and before that the street was all bars, and no one lived up stairs. Mr. Katz said there were some differences of opinion on some features, but they all agreed that something needed to be done about the upper levels to make it a habitable space.

Mr. Melchior asked how tall the back of the building was from grade from Ceres Street to the top of the flat roof, and Mr. Cracknell said it was 60-65 feet.

The Commission recommended another work session.

C. Work Session requested by **Maplewood and Vaughan Holding Company, LLC, owner**, for property located at **111 Maplewood Avenue** (presently a two-story mixed use building). Said property is shown Assessor Plan 124-0000-0000 and lies within Central Business B, Historic, and Downtown Overlay Districts.

Mr. Gladhill moved to postpone the application to the January 2, 2012 meeting at the applicant's request. Mr. Wyckoff seconded, and all were in favor.

IV. ADDITIONAL DISCUSSION REGARDING PROPOSED AMENDMENTS BEFORE THE CITY COUNCIL

Mr. Cracknell said Item 6 was a clarification on replacing a door or window in kind with what was already there, or installing historical replacements. Councilor Kennedy said there was also a request to include design with the materials.

Mr. Cracknell gave an overview of the proposed amendment to the building height ordinance. He said Planning Director, Rick Taintor drafted the proposed amendment, and he was meeting with design consultants who had some concerns.

Councilor Kennedy said there were some projects that were in work sessions that might be affected by the new proposal, but none with current building permits. Mr. Cracknell said he understood a project would be grandfathered and protected from the amendment if they already filed an application with the Planning Board and had a public hearing notice in the paper prior to the City Council's public hearing for the potential adoption of the amendment. Mr. Cracknell said he was not an attorney and couldn't say for certain, but thought projects like 111 Maplewood Avenue, 173 Market Street, and 80 Wright Avenue could potentially be impacted because they only had work sessions and hadn't had a public hearing.

Mr. Cracknell said the issue came to their attention when the Port Walk project was reviewed and it was discovered that large portions exceeded the building height limit of 60 feet. It happened because measurements were done from different areas such as measuring from screen walls, and averages were taken. He said their first goal was to be sure that future developments didn't exceed the building height ordinances by moving the 30-40 year old benchmarks to include the gutter heights, ridge heights, and topography of sites to calculate the perceived height from sidewalks, total height, and zoning height. Mr. Cracknell said they received a grant from the State for Form-Based Coding, and they were collecting data on 400 properties in the CBA and CBC Districts to capture, analyze, and assess how they should work new developments into the diverse, historic Downtown area. He pointed out the Eagle Photo building that was built in the last 50 years as a good example of what worked even though it was 60 feet in height with three distinct buildings, three and four stories high, and a right-of-way that varied from 75 feet to 110 feet. He said height and the right-of-way and design were integral, and they should encourage pitched roofs when proposals were up against the right-of-way, and sidewalk, or encourage step backs if a pitched roof wasn't wanted because very few 60 foot building designs would be appropriate without that balance.

Chairman Katz asked how the changes would affect what the HDC did. Mr. Cracknell said it was not clear how high some of the current building proposals would be, but their biggest issue would be not to exceed the building height restrictions. He said it would be fine to take the average height but no portion of the building could exceed the maximum building height.

Ms. Kozak asked how they would measure the maximum building height when there were four street fronts on one building. Mr. Cracknell said the maximum height would be measured from the lowest elevation, but the right of way and street wall would also be taken into consideration. This would prevent buildings from exceeding the height limit by using averages as Port Walk did. Most of the buildings in the downtown were averaged at a 31 foot range, no where near 60 feet.

Mr. Melchior said the HDC had a pretty good track record of scrutinizing height limits. He asked Councilor Kennedy who else besides architects, construction engineers and developers were opposed to the proposed height restrictions. Councilor Kennedy said those were the only groups that spoke out against it. Others said they didn't want a canyon effect in Portsmouth. They said they wanted art and history to be the focus in Portsmouth. She said the Boards did not go around with measuring tapes. There was nothing in place to stop developers from building exceedingly high structures, except for the HDC to say they wouldn't approve a structure because it didn't fit in the historic setting. It was a lot of pressure on the HDC because the other boards didn't have that right because it was legally acceptable. Mr. Gladhill said it was challenging because it was not clear cut for the HDC. Mr. Cracknell said when they looked at the criteria for the HDC that building height, scale and massing was in their jurisdiction, but it was unfair for the HDC to be the sole governing commission to deal with such substantial differences, and this amendment was an effort to move away from this problem. Mr. Melchior asked what the hurdle was if most of the population was for it. Councilor Kennedy said the decision was postponed because they wanted to give opposition an opportunity to speak with the Planning Department. Mr. Wyckoff asked how many votes were required, and Councilor Kennedy said three votes were required with a public hearing.

Mr. Wyckoff said he didn't want to see the lower end around Daniel Street broken up, but he also was concerned that buildings would all be the same height even with height restrictions. He said he had been in support of differentiating the corner of Port Walk on Hanover and Maplewood. He said he was hesitant to say no building should be 60 feet high because doing so would limit some unique buildings like the North Church steeple so he thought every project needed to be discussed case by case. Mr. Cracknell said the proposed amendment was more about encouraging sloped roofs than it was about enforcing uniform cornice heights, and they should not consider mansard roofs the same as flat roofs as they had. He said the only difference in height for a building like Port Walk would be 50-60 feet instead of 60-70 feet, but there would still be variation because of the public way and the topography of the site. Mr. Cracknell said except for the steeples, all the churches were in the 40-50 feet range. There were very few buildings in the City that exceeded 55-60 feet except for buildings like 55 Congress Street, the Custom House on State Street, the Franklin Building, the Frank Jones Building, the Harborside, the McIntyre Building, the Odd Fellows Hall, or the Rockingham Hotel, most of which were originally designed as non-profit, civic, Federal or religious buildings, some of which exceeded 60 feet and wouldn't be allowed today. If someone came before the City with a proposal for a building of that magnitude and quality they could still request a variance. Mr. Cracknell said the amendment and form based zoning was an attempt to address development proposals more carefully than what was done in the last thirty years. Mr. Rawling suggested that it was also important to consider view corridors.

Mr. Cracknell said he took the Portsmouth Advocates data and reviewed four-hundred properties that were broken down into categories of iconic focal buildings, terminal vistas, contributing buildings, or constraining and intrusive buildings. He said he walked through town like a visitor to see through fresh eyes and yet he liked one of the churches and felt it was precious even though it was considered non-contributing because it was newer. For that reason he thought the categories should be expanded to include more diversity and value. He said it would be challenging because the buildings were so diverse and some were mixed outside of "inner sanctum" of Market Square. He said most would agree that they should keep the iconic buildings, but there would be disagreement over other buildings so guidelines would be helpful to assist in determining priorities, especially when they were inundated with applications.

Mr. Wyckoff said he could see how there could be disagreements in the "non-contributing" categories that were considered expendable such as the McIntyre Federal Building, for instance, but the City was not a developer. Mr. Cracknell said that was why they should do a composite of where they agree, and discuss how they disagreed because things were not static; keeping in mind that some areas may not be considered very aesthetic, but they were functional, such as parking areas. Councilor Kennedy asked the commissioners what their consensus was on the topic, and most were in agreement that it was a good idea. Mr. Wyckoff said he was moderately in support of the amendment, but he had some difficulties with a definite 60 foot limit in all areas. Chairman Katz said he wasn't driven to oppose it, but thought the HDC already had the authority to limit mass and height if they justified it. Mr. Cracknell said the HDC had to deal with the context of the site, the prevailing height and the maximum height allowed, but that was more theoretical than practical with the existing zoning since it rarely happened when someone proposed a taller building so it would be helpful to bring the ceiling down. Mr. Rawling said

height should have been listed on the applications even for work sessions. Councilor Kennedy said they consulted with the Legal Department, and the HDC had the right to address height. Mr. Cracknell said the HDC had to be reasonable, and follow their criteria, but it was not off the table.

V. ADJOURNMENT

At 10:45 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 November 6, 2013.