

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

January 2, 2013

MEMBERS PRESENT: Chairman Richard Katz; Vice Chairman Joseph Almeida; Members John Wyckoff, Tracy Kozak, George Melchior; City Council Representative Esther Kennedy; Planning Department Representative William Gladhill; Alternates Dan Rawling, Reagan Ruedig

MEMBERS EXCUSED:

ALSO PRESENT: Nicholas Cracknell, Principal Planner

Chairman Katz opened the meeting introducing the commissioners. Then Chairman Katz went on to note the passing of a neighboring institution, Rand Lumber in Rye, that was run by Jim, Ken and Cathy who ran a personal type of business, providing building materials for many of the buildings in Portsmouth that are a part of its heritage.

I. NEW BUSINESS

1. Election of officers – Chairman and Vice Chairman

Chairman Katz asked for nominations. Mr. Wyckoff nominated Chairman Katz as Chairman, and Mr. Melchior nominated Mr. Almeida for Chairman.

Mr. Melchior said he saw no need for further discussion.

Mr. Wyckoff said Chairman Katz has done a good job, putting a lot of extra time into it, and believes he should continue.

A written vote was taken. Alternate Reagan Ruedig asked if she should abstain, and Chairman Katz said she could be a voting member.

There were four votes for Commissioner Almeida and three for Chairman Katz. Mr. Cracknell said he believed the ordinance requires five concurring votes for the chairmanship.

Chairman Katz said they could postpone voting for the Chair until the end of meeting.

Mr. Wyckoff moved to postpone the vote until the end of meeting. Mr. Melchior seconded, and all were in favor.

Mr. Wyckoff moved to postpone voting for the Vice Chair until the end of the meeting as well. Mr. Melchior seconded, and all were in favor.

II. OLD BUSINESS

A. Approval of minutes – September 5, 2012

Mr. Wyckoff made a motion to approve the minutes for September 15, 2012. Mr. Almeida seconded, and all were in favor.

Councilor Kennedy arrived.

Chairman Katz said he thought they could resolve voting for the chairmanship with Councilor Kennedy’s arrival. Councilor Kennedy said she would prefer to wait until the end of the meeting and hear why the two nominees would want the position.

III. PUBLIC HEARINGS

1. 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 (install spiral staircase at rear of property with privacy enclosure) 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 Districts.

SPEAKING TO THE PETITION

Attorney Jim Nocas came before the Commission representing the applicant, and accompanied by general contractor, Larry Haas. The applicant wants to replace the wood staircase that protrudes from the back of the property with a spiral staircase that will fit into the recessed area. One of the reasons for doing this is they need a stairway as a second egress, similar to a fire escape for the multiple unit condominium. The area is very narrow, 10 feet wide, with a five foot wide stairway. The code requires that the stairway turn and have a landing, but he said it is a difficult spot to build a wooden staircase, and it would block one or both of the windows so a spiral staircase would take up less space. Screening is being proposed for the back area in response to concerns raised at the last meeting that the stairwell would be.

The property abuts Pleasant Street Cemetery, and Attorney Nocas said it is difficult to see the back of the property unless looking from the Wentworth Home parking lot. They looked at how second egresses were dealt with in the Downtown area along Pleasant Street and the Historic District. Attorney Nocas shared some photos taken earlier in the day, showing exposed fire escapes, metal and wrought iron stairways visible and going up as much as four stories off the backs of buildings on Bow, Ceres, Daniel, Livermore, Pleasant, and State Street. He also showed photos of newer construction with wooden stairways and platforms. Attorney Nocas said these stairways were not a requirement 50 and even 30 years ago and are not historical, but they need the stairs, are willing to screen them, and do it in a way consistent with historical development around the City, while still doing it in an economical way.

Mr. Gladhill asked if the screening was an option, or if it is something the applicant wants. Attorney Noucas said they originally did not want the screening, but if the commission wants it, they would do it. Mr. Gladhill said he thinks the screening is not necessary, and would be fine with no screening.

Mr. Almeida said the scrutiny was because the building is one of the finest pieces of architecture in the City, and deserves special attention and scrutiny, not because they were trying to set a precedent with spiral staircases in the rest of the city. Although he appreciated the photographs presented, none of the buildings shown fell into the same category. However, the restoration has been top notch, and agrees that the stairs can stand alone without an enclosure.

Mr. Rawling said he did not think the screening was needed either, or it could be simplified. However, the property is currently not in compliance because of the removal of the fence at the front of the property, and they should stipulate that the front fence be replaced in kind within 90 days.

Attorney Noucas said he would be more than willing to accept a stipulation to replace the fence, but they didn't put in a new application for the fence at this time because they need to do more research. He said it was pointed out at the last meeting that the house was put on the historical register, and there were questions of what type of fence was there before, and what type of fence should replace it. Attorney Noucas said they are not ignoring the issue, and will return with an application and answers when that research is completed.

Mr. Rawling said there were several work sessions with the applicant, and there have been multiple opportunities to address replacing the fence that was taken down before the previous application for another design, which was voted down.

Attorney Noucas said the fence was taken down because it was a safety hazard. It was rotten, and when someone fell while going out the front door, the railing came apart, and part of the fence came with it. He said they could replace it if they wanted them to, but they were trying to sort out what the Commission wanted.

Mr. Cracknell said the applicant came to a work session in October with plans for the fence and a spiral staircase. It was denied in November. The fence was removed months ago, and the disassembled fence sat in the side yard for several weeks. Mr. Cracknell said the fence was removed prior to the application, and it is his interpretation that is a violation on the property. Until the fence issue is addressed to replace the wooden fence in kind using the exemptions in the zoning ordinance, they will not be eligible for a building permit for the spiral staircase even if a favorable decision was made for it during this meeting.

Attorney Noucas said they would be glad to deal with the fencing issue as it progresses, but would appreciate the Commission acting on the staircase issue first even if they have to address not getting a building permit right away. He said they know there are issues that need to be dealt with, but his clients have nothing but good intentions having put hundreds of thousands of dollars into the property; adding that no one is derelict in their performance, and they intend to

comply fully. Mr. Cracknell said there was no barrier to continuing with the discussion and voting on the application, but it was important that the applicant be aware there would be an issue with the building permit in relation to the fence.

Mr. Melchior said he thought they needed to resolve whether screening would be necessary in the application as presented. Mr. Almeida said two members already agreed that it was not necessary since it is hidden behind the property. Mr. Melchior and Ms. Kozak also agreed that it is not necessary.

Mr. Almeida asked if they had enough information about the spiral staircase. Mr. Wyckoff said the spiral staircase is a basic contemporary staircase with pipe railing, and no details that would make it historic. Much of the building is 120 years old, but 95% of the examples presented were done either previously and without approval.

Mr. Gladhill noted that the color was listed as galvanized gray, and wanted to know if it would be painted another color. General contractor, Larry Haas said it would be painted black.

Councilor Kennedy said the pictures were in the downtown area, not in this part of town. The Commission has fought against outside staircases for many years, and this is of great concern to her since they would be setting precedence. But she understands that they need access so she is torn on this one. If it was on the outside and more visible she would be against it, but it will be set back and not visible. However, she is still concerned that precedence is being set and hopes it will be kept in check.

Ms. Kozak said she supported the proposal the first time and still does. She also said she did not think the screening is required. Attorney Nocas said they will remove the screening from the application.

SPEAKING TO, FOR, OR AGAINST THE PETITION

DECISION OF THE COMMISSION

Mr. Almeida made a motion to grant a certificate of approval for the request as presented with the following stipulations:

- 1. That the applicant shall resolve the front fence removal or replacement prior to the issuance of a building permit for any subsequent work on the property.*
- 2. That the rear stair privacy enclosure is removed from the application.*

Ms. Kozak seconded the motion and all were in favor, 7-0.

2. Petition of **Boxer Family Trust 2010, Stuart D. and Paula A. Boxer, owners and trustees, and Jay McSharry, applicant**, for property located at **601 Islington Street**, wherein permission was requested to allow exterior renovations to an existing structure (misc. renovations to entire structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 164 as Lot 7 and lies within the Business and Historic Districts.

SPEAKING TO THE PETITION

Mr. Jay Pruett came before the Commission on behalf of the applicant, Jay McSharry and the designer, Brendon McNamara, both of whom could not attend. The current use is divided between a taekwondo studio and a previous retail store. They are proposing to remodel the exterior façade, and reorganize the interior space for a White Heron Tea and Coffee cafe to be established at the front of the building, with the left rear to be used for White Heron's wholesale formulation and packaging operation. The remaining retail space is intended for surfboard sales, and the upper floor will be used for local design professionals, with the taekwondo studio remaining in its current configuration. They are intending to rebuild the existing eave/soffit, continue the pitch of the main roof, removing the "dog legs", reside the two-story gable roof structure in a Colonial fashion, adding more traditional windows, using Marvin Integrity's Wood Ultrix series, rearrange the windows on the east side, use a traditional pediment entrance, and install two over two lights.

Mr. Wyckoff said he liked the fascia on the back of the building, the corner boards, and the windows. Mr. Wyckoff then asked if they are reshingling the roof entirely, noting that the front building has a 60's design, attempting to give the roof a chalet style, but it then fell apart when they added the "dog legs". Mr. Pruett said they would reshingle the entire roof.

Mr. Wyckoff asked if they would be able to change the slant of the roof to remove the awkward detail of the slant projecting out more in the center than it does on the sides since the roof is already being rebuilt. Mr. Pruett said unfortunately one side of the wall is a couple of feet taller on the right side than the left. Mr. Wyckoff said he was talking about where the gable projects further out from the building than it does from the sides, making it necessary for the brackets to get shallower as they go down. Mr. Melchior said they were referring to the right of the west elevation where the top of the roof sticks out further than the bottom. Mr. Pruett said they could probably change it so long as it is just the roof that sticks out and not the building. Mr. Wyckoff said it would be a good time to try to make improvements so long as they were redoing the entire roof.

Ms. Kozak said she didn't want to make it a work session, and commended the applicant for trying to revitalize the collection of buildings as the proposal is a clear improvement. She said she thought it will always look like a 60's chalet even with brackets and battens, and doesn't have a problem with the prow, so she is okay with the roof either way. Mr. Almeida said he agreed with Commissioner Kozak.

Mr. Wyckoff also agreed that is it is a major improvement, but the bracket looks very awkward when looking at the colored pictures and cannot be ignored.

Ms. Kozak noted that the depiction of the brackets on the hard lined elevations were a bit different than the perspective rendering and she wanted to know which one they were proposing to do. Mr. Pruett said they were going with the elevated rendering. Ms. Kozak said the brackets appear to protrude past the fascia board more on the rendered elevation than they do on perspective rendering. Mr. Wyckoff said that was a good point, and the attempt to make all the brackets project out at the same distance with smaller angles made it look awkward.

Mr. Almeida said it appears that the brackets were also used for hanging signs which made sense in that case. Mr. Wyckoff asked if he was comfortable with the brackets getting smaller and smaller. Mr. Almeida said the building is quirky and weird, so thinks they couldn't ask for greater improvements.

Mr. Rawling agreed that it is a quirky building, and they are working with existing conditions. He suggested they could bring out the bottom part of the overhang to match the top to get a wider overhang, which would fit with the Craftsman bungalow style detailing, but the current angled overhang is also perfectly acceptable as part of the building's history.

Councilor Kennedy said so long as they go with the plan that follows the setbacks, she would be fine with the brackets, but she would have a problem with it if the brackets extend beyond the roofline as shown in the drawing. Beyond that she said they need to respect the history of the building designed in the 70's, and commended the design improvements.

Ms. Kozak said she thought they made good improvements to a challenging and eclectic group of buildings.

SPEAKING TO, FOR, OR AGAINST THE PETITION

DECISION OF THE COMMISSION

Ms. Kozak made a motion to grant a certificate of approval for the request as presented with the following stipulation:

- 1) That the bracket design shall match the elevation drawings.*

Mr. Almeida seconded, and all were in favor, 7-0.

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

SPEAKING TO THE PETITION

Mr. Jason Moore, General Manager of Agave representing owner, Dawn McCandless presented a request to install four shaded lights below each window on the second floor. Mr. Moore said the lighting on the street is great, but too dark and not great for business. Looking from the Rusty Hammer down State Street it looks dark, they sometimes feel uncomfortable leaving at night, and it is also dark three months of the year before they open.

Mr. Wyckoff asked how they proposed to install the lights below the windows. A gentleman named Dave (no last name given) said the lights would be mounted on conduit boxes on the façade.

Mr. Wyckoff asked if there would be a conduit mounted horizontally across the whole building. Dave said they could drill through the building from the inside. Mr. Wyckoff said he would be more comfortable with that idea. Mr. Almeida said the fixtures and locations selected are excellent, but said the manufacturer makes a work box that goes with the light fixture instead of mounting it on a galvanized box. He would also like to be sure the lights are placed under the windows just as shown in the drawings, and agreed with Mr. Wyckoff that they need to be fed through the wall.

Councilor Kennedy asked if the copper would be preserved, or if it would darken over time. Dave said he thought they were bronze, but with a copper color that is sealed to keep them from tarnishing

Mr. Almeida said it would be nice to change the other lights with a conduit on the outside, at the same time, but that is not part of this application, and this lighting proposal is a nice addition to the building.

SPEAKING TO, FOR, OR AGAINST THE PETITION

DECISION OF THE COMMISSION

Mr. Wyckoff made a motion to grant a certificate of approval for the request as presented with the following stipulation:

- 1) That the conduit for the fixtures shall be fed into the workbox from inside the building.*

Councilor Kennedy seconded and all were in favor, 7-0.

Mr. Wyckoff asked Dave what they were going to do about filling in the holes, and Dave said they've found a brick colored masonry cement that stays soft to expand with heat and cold and won't fall out.

4. Petition of **Livermore Condominium Association, owner**, for property located at **290 Pleasant Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace rolled-asphalt roof section with rubber roofing system) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lot 19 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Andre Petrin with M.J. Murphy and Sons Roofing presented their proposal to take the existing roof off down to the roof deck, repair any damage or rot, and put in a rubber roofing system which would be fully adhered to a half inch fiber board.

Mr. Almeida said it seems like a straight forward application, but would like to know how they would treat the seam at the chimney. Mr. Petrin said the existing material is just torched up to adhere, and they use the same bonding adhesive to adhere the rubber roofing to the fiber board, then use a cut off bar to prevent water from getting in. Mr. Almeida asked if they would be going

any higher up the existing chimney, and also asked if they would use a copper drip edge. Mr. Petrin said they would not be going up any higher on the chimney, and said the edging could be any material but they were proposing aluminum painted white, which was already being used.

Mr. Almeida said it is a very important building, and the changes were appropriate.

SPEAKING TO, FOR, OR AGAINST THE PETITION

DECISION OF THE COMMISSION

Mr. Almeida made a motion to grant a certificate of approval for the request as presented with the following stipulation:

- 1) That the drip edge shall match the existing drip edge.*

Mr. Wyckoff seconded, and all were in favor, 7-0.

5. **(Work Session /Public Hearing) Petition of Gary S. and Janice M. Colby, owners,** for property located at **308 Pleasant Street**, wherein permission was requested to allow exterior renovations to an existing structure (reconfigure and replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lot 18 and lies within General Residence B and Historic Districts.

SPEAKING TO THE PETITION

Mr. Rich Page returned to discuss plans for renovations on the Colby property. Last time he had talked about changing the kitchen side entry, but there were objections so they have decided to leave the entry as it is.

Mr. Page referred to the west elevation on page 3 of the plans that looks as if it may have been separated from the main house at one time with very old clapboards, a door that goes no where, an elevation lower than the interior floor, a brick cistern beneath the nearby foundation, and what looks like a coal storage area. The Colbys would like to retain this feature. They will be adding some new double hung, aluminum clad windows with full screens of similar scale to the existing window. Mr. Page showed the windows to be removed, replaced, and reconfigured. The cedar trim will be site made and reflect the original detail. The wood clapboard siding would remain the same. They will be adding more windows with same detailing on the east elevation, and a larger palladium style window on the south elevation. The trim, clapboard and corner boards wouldn't change.

Mr. Wyckoff asked how the windows would match and Mr. Page said the casing will be similar with wide window sills and the brackets will mimic what's there.

Mr. Rawling said he was troubled by the uncharacteristic paired windows on the west and kitchen elevations that are not in any other place on the house. Mr. Page said there is a considerable amount of ganged up windows on the east and south elevations. Mr. Rawling said they relate to the proportions of the double hung windows, and are divided by the wider boards. Mr. Page asked if the double wide windows would work better with eight inch wide trim in

between. Mr. Rawling said it would improve it, but suggested a double hung window that would be similar to the south elevation window, similar to the palladium window which is more proportionate and more characteristic to the others than paired windows. Mr. Page asked if a five inch casing with two inch clapboard in between the windows on the east elevation would satisfy the conditions instead of joining them. Mr. Rawling said yes.

Ms. Ruedig asked when the L was built. Mr. Page said the siding and the foundation in one section of the house seems to be very old, but the two story south addition is all new, perhaps built in the 1970's. The connector between the L and the two story addition is new, as are the kitchen interior and those windows. Ms. Ruedig said she didn't know if this renovation was supposed to bring the L back into the original house, or if they're trying to make it phony colonial. Ms. Kozak said the pitch of the roof on the back L looks as if it is pitched lower. Ms. Kozak said she would not like to see the window encroach on the frieze board, and would prefer a shorter window or a lower counter. Mr. Page said he didn't know why the height was so different, but he is trying to be sympathetic to the original building. Mr. Page said the sunroom is a fairly recent proposal, and he is trying to add some light where the clients do their dining, and improve their view over the countertop with the taller double hung windows to see the backyard that they intend on developing.

Ms. Ruedig said the palladium window seemed rather large. Mr. Almeida said the window has come down in size. Mr. Page said he told the clients that there is a lot of wall beneath the window, and their solution is to do some plantings of large bushes. Ms. Ruedig said she doesn't mind the wall, but a palladium window seems out of place on this kind of building, and wanted to know how visible it is. Mr. Page said the back of this building is only visible from the surrounding parking lots and insulated from street view. Mr. Wyckoff said it is visible from Mark Wentworth Home. Mr. Almeida said it is important to apply the back of house rule. He said he has been by the house many times and has never seen the back of the house.

Councilor Kennedy said she has trouble with the double window by the side door that is visible from the street. She said she agrees with Mr. Rawling that a wider board is probably needed.

Mr. Wyckoff said he also agrees with Mr. Rawling that dividing the two windows by five or six inch casing would be better than conjoining them, and putting molding around the casing would help bring the arrangement into style with the rest of the windows. It would bump into the frieze board, but that had already been done. He said he had no trouble with the east side that is out of site, especially when using back of building rule.

Mr. Almeida said the single window looks lost as depicted in photo 3, especially when compared to the double windows, which bring a higher degree of formality. He was also concerned with mixing window pane sizes. Mr. Page said it's about proportions. A window representative (name not given) said windows are sized by glass size, and can be sized to be proportionate.

Mr. Wyckoff suggested putting a band molding around the double windows on the side, and Mr. Rawling said he thought it would emphasize the proportional difference and didn't think it should be framed out twice the size of the originals. Mr. Wyckoff said looking at the windows from an angle throws the eye off. Mr. Rawling recommended framing two rectangular windows

with the band mold, repeat the framing of the rectangular form, and keep it proportionate with the existing windows. Mr. Wyckoff said you need to be careful about increasing the space between the windows up to eight or nine inches which is too much so a smaller band molding would be better. He said he would really like to see the Greek revival extension on the upper portion of the casings just like the rest of the house and what's on the door too.

Councilor Kennedy referred to the Greek revival look on the trim and door and noted that it is missing on the window in picture 3. Councilor Kennedy wondered if a wider band in between and continued on outside of windows would be an option.

Ms. Ruedig said putting the dog ears on a really wide window would make proportions look weird because it's short, whereas the front façade is long enough so it covers a third of the height. Mr. Page said he wondered how it would look when it meets the frieze on the top. It's one thing when it stands alone on a perfectly symmetrical original building, but couldn't see it working with the frieze there. Councilor Kennedy said picture 4 showed how it could be carried around to the back of the building.

Mr. Almeida reiterated that the simplest direction for the applicant would be to trim out, separate and band together the west elevation window on photo 3 like the rest of them in that view.

Mr. Page asked if that would include the dog ears, and the commissioners said without.

Mr. Wyckoff said he doesn't see any problem with the band molding going up and around the frieze board. Mr. Wyckoff asked if everyone is happy with the palladium window.

Mr. Almeida said it would not be his choice as he would prefer to see it without the arch top, but he's okay with it because it meets appropriateness and back of house rule.

Ms. Kozak made a motion to go to public hearing, Mr. Almeida seconded, and all were in favor, 7-0.

For the record, Mr. Page said he is was amending the application to include expanding the distance between the two side by side double hung windows to 5-6 inches, and add band molding along each side and across the top of the windows on the west elevation as discussed during the Work Session.

SPEAKING TO, FOR, OR AGAINST THE PETITION

DECISION OF THE COMMISSION

Mr. Almeida moved to grant a certificate of approval for the request as presented. Mr. Wyckoff second, and all were in favor, 7-0.

I. NEW BUSINESS Continuation

1. Election of officers – Chairman and Vice Chairman

Mr. Wyckoff motioned to proceed with the vote for Chairman and Vice Chairman. Mr. Almeida seconded. All were in favor.

Mr. Wyckoff asked nominees why they would want to be Chair.

Chairman Katz said he had been a voting member since 2005, and had seen the nature of the Commission change with the passing of the old guard, which might be a statement of how the new commissioners came to be. Chairman Katz said they're there to integrate new influences into the city, and the Historic District, using the best of their abilities to determine what is appropriate when approving an application. He said preservation is an important part, but not the only part, and felt they should give the applicant the greatest possible latitude to come to some sort of resolution so long as it's compatible with criteria set forward in the ordinance. As guided by the Planning Dept, the chairman takes a subordinate role in the discussions, and cannot take the lead in setting up an approach. He weighs the input of others, and only adds his input at the end if appropriate. He would like to continue, but respects commissions wishes.

Mr. Almeida said he thought the chair should be someone who everyone wants to see in the chair position, and not just determined by who has been on the Commission the longest. Mr. Almeida said he's very passionate about the Commission's role, and wants them to work twice as hard as they have even if they have to meet twice a month. The Commission set several goals for themselves and have only moved toward one, the list of exemptions, which they still haven't voted on so they can't claim completion. Whoever is the chair needs to push every member harder to nail down basic things like application criteria, design criteria, and windows. He said he has the energy to push the Commission to work harder with a sense of urgency.

Mr. Rawlings said he appreciates Mr. Almeida's approach, and his openness when relating to design problems, but also thinks Chair Katz does a very good job on mediation.

Mr. Wyckoff said he wouldn't want to be the chair because he wouldn't want to lose the opportunity to talk, and because Mr. Almeida is often at the top of the heap in discussions, he is afraid they would lose the benefit of his input.

Mr. Melchior disagreed that Mr. Almeida would become insubordinate to discussions because there is no rule stating that he can't contribute to discussions, and would still have the opportunity to offer his opinion at the end. Mr. Melchior said they have a lot of work in front of them, and they had better be ready to work regardless of who the chair is.

The commissioners voted 6-3 in favor of Joe Almeida for Chairman.

Mr. Melchior nominated Mr. Katz for Vice Chair, and Mr. Katz declined.

Chairman Almeida nominated Ms. Kozak for Vice Chair. There was a voice vote and all were in favor.

IV. WORK SESSIONS

Mr. Almeida assumed the chairmanship at this point in the meeting. Mr. Katz left the meeting.

A. 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.

Ms. Carla Goodknight and Mr. Bill Bartell from C.J. Architects, and the Ericksons came before the Commission with the intent of devoting the session to the Ceres street elevations. Ms. Goodknight said they pulled the rear portion of the building back substantially and reconfigured the parking scheme. The access point would be on Ceres Street, and the second level, on Market Street, would be residential.

Ms. Goodknight said they were looking for direction on how different or alike the existing building and additions should be while they try to establish unique identities for the project.

Ms. Goodknight said they haven't changed the brick yet, some of the brick facing has pulled off when water got behind a substance that was adhered to it. Ms. Goodknight said they are looking to preserve the exposed brick, but doesn't seem possible. Chairman Almeida asked if a lime wash might be appropriate. Ms. Goodknight said it might have been at one time, but probably needs a stronger paint now. They also talked about painting all over new addition which would create a demarcation.

Councilor Kennedy said she is more enthusiastic about the traditional look, and would like to keep the line and profile of the old building.

Ms. Ruedig said she thinks old and new materials can be difficult to match, and thinks the differences between the old and the new are too stark, and looks fake. Ms. Ruedig said she thinks it is better to keep them different, and tie the old into the new with a theme.

Vice Chair Kozak said she likes the playful, quiriness of the back elevation, which is characteristic of Ceres Street. She said she thought the finished balconies look too high end when you look down Ceres Street, but they can be worked on. Ms. Goodknight said they don't want to put a lot of fire escape looking balconies and would like them to integrate into the building. Vice Chair Kozak also said she thought the overall scale is overpowering and diminishing the original building, making it appear arbitrary. Councilor Kennedy asked how high it was, and Ms. Goodknight said they are not exceeding the allowable height. Mr. Melchior said he thinks it is too tall by a floor. Ms. Goodknight said the height is in keeping with the context of the area, and many with six floors, and theirs is three floors showing in the front, and was afraid their three and four floors would be dwarfed while others are up to six floors.

Mr. Wyckoff agreed that some of buildings on Ceres Street do have issues with the height, but he still agrees with Mr. Melchior that the context is how you make a determination, and some of the views look awkward. Mr. Wyckoff said the awkwardness would be resolved if the building was reduced by a floor. He also said he was comfortable with the balconies, and likes the Market Street view, but was afraid the closeness to Ceres Street would create some kind of hazard when pulling out of the parking garage.

Councilor Kennedy wanted to know how far they were coming out onto Ceres Street, and Ms. Goodknight said they're extending about four feet beyond the pole. Mr. Almeida said all the access issues have a huge impact on the architecture.

Ms. Goodknight said they met with TAC earlier in the day, and the Fire Chief was there to speak to safety issues. He found no issues considering there is no access in the back already. They also did not get a lot of negative feedback regarding vehicle circulation. PSNH did not think there was a need for a pad transformer because of the minimum number of units, and there will be trash roll off. Chairman Almeida asked about the location of the poles and wires, and Ms. Goodknight said the wires will be underground.

Councilor Kennedy wondered how they would get in and out of the parking, and who checks into that. Mr. Cracknell said TAC will look into it. Mr. Cracknell there is 20' between the building walls to get a car in and out. Mr. Wyckoff said it would be impossible to get an oversized vehicle like a suburban in and out however. Councilor Kennedy asked if they turn left or right and Mr. Cracknell said they turn either direction, but he is more concerned with how they would turn around and back into the spaces once they're inside the garage. Chairman Almeida asked if they'd considered two garage doors instead of one, and Ms. Goodknight said they had, and agreed that two doors looked good, but their civil engineer recommended that they make their garage door larger. Mr. Wyckoff said there had been a property on the back of Court Street that used two nice looking carriage style doors, but they changed it to a single door also.

Mr. Melchior asked if they had to ventilate the garage, and Ms. Goodknight said they did, and it would probably be from the back elevation, but they were still in the early stages. Mr. Cracknell said he thought it would be helpful to mark the proposed building walls with chalk.

Mr. Rawling said the proposal has a lot of nice features, but he said he still struggles with the two different styles attach to each other, and wondered if they would consider a design that would put a neutral divider between the two buildings. Mr. Rawling said white pops out in the foreground too much, and he suggested toning down the design by using darker color trim. Chairman Almeida agreed that it would look better if the new building doesn't swallow the old building. Vice Chair Kozak also agreed, saying she thought the buildings looked too modern in the Ceres Street setting, and was afraid of making the buildings look completely different. She said she hoped they would respect the quiriness of Ceres Street and not deviate from it too much. Ms. Ruedig said most of Ceres Street is very flat, and there are too many planes in this proposal. Mr. Wyckoff said he thinks the building is too close to the street, and it creates an institutional look like a hospital that doesn't fit on Ceres Street, and was not sure where there were going with it.

Ms. Goodknight said Ceres Street has a Federal block style, and they are approaching their design from a marketing and interest standpoint with fewer exterior balconies to get some light in. Chairman Almeida said it is a successful area, and there would be no trouble marketing a good project. Councilor Kennedy agreed that it is a historic area, and there are choices to be made with investments that respect the area.

Ms. Goodknight suggested a site walk, and Chairman Almeida agreed that they should schedule a site walk.

Chairman Almeida summarized by saying they would also like to keep the line of the old building, call out the actual heights on the drawings for the site plan too, possibly take a level off, try darker colors and avoid light colors, consider avoiding a contemporary expression with the curved glass, and show sidewalks and lighting in next drawings so the building doesn't look plopped down.

B. Work Session requested by **Maplewood and Vaughan Holding Company, LLC, owner**, for property located at **111 Maplewood Avenue**, wherein permission is requested to allow a new free stand (**Request To Postpone** the building). Said property is shown Assessor Plan 124 as Lot 8 and lies within Central Business B, Historic, and Downtown Overlay Districts.

It was moved, seconded, and passed unanimously to postpone the application to the February meeting.

C. Work Session requested by **OAL Properties, LLC, owner**, and **David Takis, applicant**, for property located at **103 Congress Street**, wherein permission was requested to allow new construction to an existing structure (install awning). Said property is shown on Assessor Plan 126 as Lot 6-106 and lies within Central Business B, Historic, and Downtown Overlay Districts.

Ms. Jessie Aikman and Mr. David Takis came before the Commission to get some preliminary impressions on their proposal to replace outside patio umbrellas that have been problematic when the weather goes bad, and replace them with an awning with roll down sides. The structure will come down each fall season. She showed how the awnings are set under the eaves at Pocos and BG's Boathouse so they aren't visible when rolled up. Chairman Almeida asked how far off the ground the awning would be, and Ms. Aikman said it would be eight feet from the sidewalk.

Councilor Kennedy asked what kind of structure would hold the awning up. Mr. Takis said they thought they would put footings underneath the bricks that are there.

Councilor Kennedy said that is City property, and they go before the City Council to renew their agreement every year so she is concerned about putting something on City property. Ms. Aikman said the footings would be flush to the brick and nothing would stick up beyond the bricks. Ms. Aikman said the post would come down nine inches in from the outside edge of the fence. Councilor Kennedy said the City allows them to put the fence onto the City property, but it is basically a gift. Mr. Cracknell asked for clarification if the footings, and the entire structure would be on private property. Mr. Cracknell said the awning is on Congress and the drawing showed the building is setback within the property line. Chairman Almeida showed the photo of where the pole will come down.

Mr. Wyckoff asked if the material would be a canvas awning with a valance, and Ms. Aikman said it would, and they also want to integrate some frosted material into the top of the awning to allow light to come through. Mr. Wyckoff said he thinks the clear plastic side drops would look

awkward in that location. Ms. Aikman said they would be rolled up 90% of the time except if there was a driving rain, or it became windy or unseasonably cold.

Chairman Almeida said an awning design with traditional elements is usually desired, but this location calls for a more contemporary look. Ms. Aikman said it would be the same things, but will extend out further and not go up as high. Vice Chairman Kozak expressed concern that the height would be too low, and asked how it compared to other awnings down the street. Ms. Aikman said the awnings were ten feet, and they are proposing to make the new awning eight feet off of the ground which is back to the height where everything started. Vice Chairman Kozak said she is not concerned with how high it goes, but concerned with how low it is off the street, and she was afraid that bringing the awning two feet lower would break the rhythm of the street. She asked why they wouldn't make it higher. Mr. Takis said they started with ten feet, but then thought it might be too high, so they changed it to eight feet. Chairman Almeida suggested they might make it appear a little smaller by making it eight feet. Mr. Rawling said he thought eight feet would give the area a heavy feeling of an awning over head whereas ten feet higher would feel lighter. Councilor Kennedy said she thought the height needed to come up to be equitable to next building. Chairman Almeida asked about keeping it at the same height as it goes out to the street, and Ms. Aikman said that might work. Councilor Kennedy said she was concerned that would block off the street view.

Chairman Almeida asked if they considered a layered look, and Ms. Aikman said that might cause leakage.

Mr. Rawling said working in the transparent material will be important to lighten it up. Ms. Aikman said they were considering skylight panels. Vice Chair Kozak said she thought it would enliven the corner.

Councilor Kennedy said street cafes are one thing, and she would be okay with an awning to keep people in the shade and out of the rain, but she was not in favor of an outside room even though temporary. Chairman Almeida said he was thinking of the awnings over Poco's and the River House decks. The HDC was hesitant at first, and understands their hesitancy, but once they were complete, the energy on street level was amazing, and this is a place that needs some energy. Mr. Wyckoff said he disagreed with his interpretation of energy and playfulness, and equates the idea of plastic panels with Salisbury Beach. Councilor Kennedy said the structures for some of the places mentioned like Poco's were designed to be part of a permanent outdoor room. Chairman Almeida said the hard tent structure outside of Mombo's on Macy Street was approved by the HDC. Mr. Wyckoff said this proposal doesn't work for the behind building rule.

Vice Chairman Kozak said she thinks patio umbrellas are okay for alleys, piazzas, and side streets, but not for formal fronts like Congress Street, and a hard built retractable awning is more fitting, and would be an improvement. She said she does have a problem with temporary fences, however. Chairman Almeida agreed that temporary fences in front of some places aren't attractive and look like they belong at a fair ground, and he'd be more concerned if they were in front of Kearsarge House or on Market Square, but this seems appropriate here. Mr. Wyckoff said Kearsarge House is across the street, and didn't think they should allow it just because it is a modern structure. He also said he felt the old Poco's deck awning was an embarrassing

abomination. It would be one thing if it was on the second floor or in an off area, but this is too close to the sidewalk. Ms. Aikman said they were considering bringing the awning nine to ten feet off of the ground instead of eight, and would bring in a model for the next meeting. Chairman Almeida said that would be helpful, and they would schedule a site walk.

D. Work Session requested by **Wright Avenue, LLC, owner**, for property located at **Wright Avenue**, wherein permission was requested to allow demolition of an existing structure (demolish existing building) and allow a new free standing structure (construct 4-5 story mixed use building). Said property is shown on Assessor Plan 105 as Lot 18 and lies within Central Business B and Historic Districts.

Jennifer Ramsey with Somma Studios presented design revisions with an aerial photo of the building proposal in context of the City. She said they tried taking a floor off and it was a completely different design that looked like a small kid “wearing his dad’s big cowboy hat in Disneyworld’s Main Street USA” that wouldn’t have the same aesthetics and spirit. They took six feet off the building initially, and have continued to make tweaks to the building. A building of this size would have high 8-1/2” ceiling heights on residential levels.

Mr. Wyckoff said he thinks the roof looks awkward, and asked if they would bring the roof structure down, and if they ever thought of a flat roof to give it the look of Brookline/Boston row apartments. Ms. Ramsey said they considered a flat roof, but it would take away the character and energy from the unique design of the roof design that has dormers and cathedral ceilings on the fifth floor.

Ms. Ramsey said they went before the TAC earlier in the day and it went well. She said they moved the pedestrian entrance along the conservatory door to access the elevator and mailboxes, and moved the garage door.

Ms. Ramsey went on to detail the conservatory piece and the bay facing Wright Avenue. They narrowed, sculpted, and added curvature paneling and more articulation to the windows. Mr. Wyckoff agreed that it was an improvement over the square bay. He also said the bay, door placement, and windows in the parking garage in the center of the building on Wright Avenue are an improvement for Wright Avenue. Ms. Ramsey said there will be vegetation and park benches near the windows.

Councilor Kennedy said this is the entrance to the historical district of the City, and she is still having a hard time with the height and the tower not fitting in. She said she would like to see a historic looking building that fits in with the South End. People will be coming off the Memorial Bridge to see Strawberry Banke.

Chairman Almeida said they had discussions of what it should be, that it should be current architecture for the skyline, and now they’re on Work Session 6 so he stressed the importance of being direct on how they feel about the project and whether or not they should continue.

Councilor Kennedy said she thought the building is too tall for the historic entrance, and asked what gives a building the right to be this active. She said she couldn’t vote in favor of it.

Ms. Ruedig said she gets post modernism architecture, but it does not reflect any of the surrounding buildings in height and style, the projecting tower looks out of place, and it looks like Boston Back Bay, or Disneyland, out of context for the first thing coming into Portsmouth.

Mr. Wyckoff said he is not convinced it is out of place, but he still has a problem with the high hat appearance on the fifth floor. He said it looks like a historical building, but not sure what year. If it was built in the 80's it wouldn't be so vertical. However, in defense of its modernism, he pointed out that the Memorial Bridge will have a modern, wider look with sidewalks included in the bridge instead of hanging off so the building may fit in the context better.

Chairman Almeida said he is not afraid of building height, but the mass which includes dumpsters, delivery trucks, and storage at the street level exaggerates the building's size, and is very close to the lot lines. He went on to say if they're going to "give it the right to be such a big building," it needs to be very special, and not be afraid of a new expression. They have never seen anything like this roof in any new development in Portsmouth, and the top "hat" would be an interesting addition to the skyline, though the rooflines are perhaps still too high. It is very different from its surroundings, and needs to be careful keeping it somewhat traditional with materials and proportions and overall. Chairman Almeida said he too thought of Boston's Back Bay, but not meant negatively, thinking of other grand buildings like the Kearsarge house, and the Rockingham Hotel. He also said there is an opportunity for wrap around parking, and an opportunity for a court yard. He is eager to see more on the conservatory, and perhaps some awnings which could create a special, intimate space on a human scale at the lower level.

Vice Chairman Kozak said she thinks it is too tall and would like to see the roof lowered, or drop the corner span down. But she agrees it needs to be a special landmark focal point when coming over the bridge and not boxed like the buildings behind. She said she sees the exuberance, but thought it might be too much exuberance for the setting, and more subtlety could help it blend in with its surroundings better.

Councilor Kennedy asked how many parking spots there would be, and Mr. Cracknell said there would be 40-48 angled spaces to maximize parking with a one way loop onto Daniel Street. Councilor Kennedy said the parking lot will have cars so it won't really be open space.

Chairman Almeida said it is a Gateway building and they need to consider how it will look with cars and headlights. Ms. Ramsey said they will be planting vegetation to block the façade windows from headlights. Ms. Ramsey said they reassessed the streetscape showing the building in context from the Rockingham down State Street, noting that they originally couldn't spot the building because it blended in so well. She said it blends in with the look of a downtown urban setting, doesn't think the building has anything to do with Strawberry Banke. Councilor Kennedy said she thought the building might look fine on the North End, but this location is an introduction to the South End, and doesn't think it fits in.

Mr. Melchior said he thinks it looks iconic, and they should not be afraid of experimenting with different forms. He said many tourist photos are of the larger buildings that are rich in detail, and they should keep in mind the Gateway is for tourists not residents.

Vice Chairman Kozak said they should take a drive by the Sinclair Mansion or the Frank Jones House that has the same feel. It has a more delicate roof scale, is slanted differently, and is more confined, but thinks that type of grace would help the impression of weight on this design. Chairman Almeida said there are other examples of large buildings in Portsmouth as well.

Mr. Rawling said he still feels tension around the tower. He said he thinks the City can handle the height, but articulation is important, and doesn't want flat roof boxes of interchangeable stories. The building needs to be designed as a composition in the context of the area, and setbacks are important to avoid massive walls against the street. This building design does a lot to break those elements down, but they could use elements to break down the scale of the tower, and moving away from paired windows would do a lot to break up the repeating design on every floor.

Chairman Almeida suggested a two over one window pattern. Ms. Ramsey said larger windows would give a higher end look. Mr. Wyckoff they should use a two over two window pattern on average, but they could have special windows in the tower.

Chairman Almeida asked if the chimneys would be authentic or fake. Ms. Ramsey said they were working chimneys for gas fireplaces. Mr. Wyckoff said if you're going to draw the chimneys like that, you need to build them like that because they gave approval for chimneys on another project, which was a major design feature and then changed them out, changing the whole design.

Mr. Wyckoff said there has been a trend lately to make large buildings look like a number of separate buildings, but he said they are not convincing when all floor levels and windows are the same. Ms. Ramsey said they considered that, but then decided on one size and one building

An unnamed individual from the public expressed concern about the massing, saying it does look a bit like Boston's Commonwealth Avenue, and thinks it will come across even higher than it looks in the pictures. She said she thought the Chapel Street elevation is more successful than the Wright Avenue elevation.

Another unnamed individual representing the Warner House, and a property owner on State Street said the new Memorial Bridge will be a simplified bridge, and this building looks like it might go better with the original Memorial Bridge. He also said it will block the view of downtown Portsmouth. He said the Warner House was very different for its time, but can't see this building fitting because even the large buildings nearby will look dwarfed by comparison. It will be surrounded by Federal style buildings, and might look better if it was facing the other way.

Chairman Almeida cautioned Ms. Ramsey to be aware of the height issue, and should look into taking down a full level in some areas. Ms. Ramsey said the top floor is a story and a half to hide mechanicals by capping, and they have already looked into taking down two areas that were necessary.

V. ADJOURNMENT

At 10:55 p.m., a motion was made to adjourn, was seconded, and was passed unanimously.

Respectfully submitted,

Jane K. Kendall
Acting Secretary

These minutes were approved at the Historic District Commission meeting on August 7, 2013.