

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**September 11, 2013  
reconvened from September 4, 2013**

**MEMBERS PRESENT:** Chairman Joseph Almeida; Vice Chairman Tracy Kozak; Members Richard Katz, John Wyckoff, 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

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**I. PUBLIC HEARINGS (OLD BUSINESS)**

A. *(Work Session/Public Hearing)* Petition of **F.A. Gray, Inc., owner**, for property located at **30-38 Daniel Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 16 and lies within the Central Business B, Historic, and Downtown Overlay Districts. *(This item was postponed at the September 4, 2013 meeting to the September 11, 2013 meeting.)*

**WORK SESSION**

The owner Mr. John Gray said he was coming forward with a new layout plan for 2/2 windows throughout the building with inserts on the outside, a spacer bar, and inserts on the inside. Chairman Almeida clarified that Mr. Gray was looking at replacements for both buildings. Mr. Gray said he had to do all the windows in the brick building and some of the windows in the blue building due to the fire. Chairman Almeida said there had been a concern about the initial window at the last work session. Mr. Gray said the concern had been with the 2/2 window. The original building had 2/2 windows on the back of it. Mr. Gray said he was proposing Andersen 400 series, vinyl-clad windows, white on white. He preferred full screens but understood that the Commission wanted ½ screens. Mr. Gladhill confirmed that it was fixed grills on the interior and the exterior, with a spacer bar in between. Mr. Gray said yes.

Ms. Ruedig asked how old the building was. Mr. Gray said it was built in 1805, and the blue section was rebuilt after a fire. Most of the updates had been done in the 1950s and 1960s. Ms. Ruedig said the photo of the 2/2 window was a later edition and she thought the 6/6 windows were more appropriate if the building was that old. Mr. Wyckoff asked when the coin style

corners on the brick building were installed because they were not in the 1902 photo. Mr. Gray said he didn't know when they were put in. Mr. Wyckoff said they needed a compromise with the 1900s 2/2 sash. It was appropriate on a colonial building, but on a 3-1/2 story brick commercial Federal building, he felt it should be 6/6 window. He wanted 2/2 windows in the small building and 6/6 windows in the Federal building.

Councilor Kennedy asked if the existing window in the blue building was a 6/6 window. Mr. Gray said it was. She asked if he would replace all the windows in the blue building. He said there were 45 windows in the entire facility, three of which were damaged in the fire, and he would replace all the windows. Councilor Kennedy asked him if he would be opposed to doing 6/6 windows in the Federal building and 2/2 windows in the blue building as a compromise. Mr. Gray said he could do 6/6 windows on the street side and 2/2 windows on the other sides. Councilor Kennedy approved because the back of the building had 2/2 windows. Mr. Gray said he was willing to do nine 6/6 windows and 2/2 windows everywhere else. Mr. Rawling clarified that the smaller building had 3/3 windows and not casements with divided light or a fixed unit. He said they should be double hung windows with 3 lights over 3, not a picture window with a dividing bar in the center.

Chairman Almeida asked why they were talking about some windows being 6/6 and some being 3/3. Councilor Kennedy said the Federal brick building had 6/6 windows on two floors, 3/3 windows on the very top floor, and the blue building had 2/2 windows on the back and sides. Chairman Almeida said it would depend on how the windows were hung in the openings. The sample showed a window set back from the casing and the masonry opening having a brick mold to finish off the window after it was placed. He wanted to ensure that the windows hung properly. The existing ones were correct, and if the new replacement windows were out any further than they currently were, the HDC could not approve it. Mr. Gray said most of the existing wood trim on the building was staying, and the new windows would be the same configuration as the existing ones in size, width, and color.

Mr. Gladhill suggested 6/6 windows for the two windows up against the coins. Chairman Almeida said the two windows were very visible on the corner looking up Daniel Street from Market Square and suggested that Mr. Gray do 6/6 windows. Mr. Gray agreed and then asked about full screens. Mr. Wyckoff said the HDC had recently insisted on half screens to emulate a historic window look with the screen on the bottom. He felt that the full screen obscured the view of the muntins on the window. Councilor Kennedy asked Mr. Gray if he was agreeable with 1/2 screens facing Daniel Street, and he said yes.

Mr. Gray added that he was improving the facility further by installing internal HVAC units. Comcast would also remove six lines that fed through window frames in the front of the building and route them to the back.

### **SPEAKING TO THE PETITION**

Mr. Gray told the Commission that he wanted permission to replace windows at 38 Daniel Street. He wanted to use 6/6 windows on Daniel Street, 3/3 windows on the top floor, and 2/2 windows on the blue building's remaining windows and the sides of the brick building. He

would use Andersen 400 series windows with ½ screens, mullions on the inside and outside, with a spacer bar in between.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

### **DECISION OF THE COMMISSION**

*Councilor Kennedy moved to **grant** the Certificate of Approval for the application as presented with the following stipulations:*

*The following stipulations apply to 38 Daniel Street (the brick building):*

- 1) The façade windows shall have 6/6 windows on the second and third floors and 3/3 windows on the top floor.*
- 2) The two windows adjacent to the street on the western side of the building shall be 6/6 on the third floor and 3/3 on the top floor. All remaining windows shall be 2/2.*
- 3) The windows shall be Andersen 400 Series, double hung, simulated divided lights (with exterior grill, spacer bar and interior grill) and use a half-screen.*

*The following stipulations apply to 30-32 Daniel Street (the older wood building):*

- 1) All windows may be replaced on the building with 2/2 windows.*
- 2) The windows shall be Andersen 400 Series, double hung, simulated divided lights with exterior grill, spacer bar and interior grill) and use a half-screen..*

*Mr. Wyckoff seconded.*

Mr. Wyckoff said the application met all the criteria for improvement of the building, especially compatibility of design.

*The motion **passed** unanimously with all in favor, 7-0.*

B. *(Work Session/Public Hearing) Petition of **Lynn Fedorowich, owner**, for property located at **63 Humphreys Court**, wherein permission was requested to allow demolition of an existing structure (demolish existing garage and connector) and allow new construction to an existing structure (construct new garage and connector, rear deck) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 38 and lies within General Residence B and Historic Districts. *(This item was postponed at the September 4, 2013 meeting to the September 11, 2013 meeting.)**

Vice-Chair Kozak recused herself from the vote.

### **WORK SESSION**

The project architect Mr. Bob Cook talked about the north elevation of the project first. After the Commission had suggested making the windows proportionate, he made them 2'4" x 2" windows

with two windows mulled together. He had cut sheets for a garage door that they liked and also for an alternative garage door that was plainer. He showed diagrams for the front door, the back door by the mud room on the deck, and the light fixture selected for the front and back doors. He said the transom may not be needed since the garage door already had windows.

Mr. Gladhill and other Commissioners said they preferred the carriage-type garage door. Chairman Almeida asked if it was a painted steel door. Ms. Fedorowich, homeowner, said it was painted factory-finish white and insulated. The Commission decided that transom lights were not necessary.

Mr. Rawling brought up the vertical proportion of the windows that they had previously discussed. Mr. Cook said there were some horizontal windows and he thought they matched well. The two front doors matched and were painted wooden Simpson doors with true divided lights. The Commission said the front doors were acceptable.

Mr. Cook said another change was the 15" deck. He removed the rail and made the stairs extra wide. He also installed a glass dome that offered light and egress to the basement's playroom. Councilor Kennedy asked how high it would come up. Mr. Cook said it would come up above grade, about 8".

Chairman Almeida asked if the roof materials would match the existing ones. Mr. Cook said they were architectural shingles in a gray and black combination and would match. Chairman Almeida asked about the clapboards, and Mr. Cook said they were 4" clapboards with sills around the windows and a 6" baseboard.

### **SPEAKING TO THE PETITION**

Mr. Bob Cook said he was the architect from Adapt Design and was before the Commission to present new drawings based on suggestions from the previous work session. They had discussed doors and windows on the front of the building, and he made the suggested changes to fit in with the other houses. He changed the door on the back side to a half door with glass and changed the deck height to 15". He put in a monumental stair look where the existing bulkhead was. Instead of the proposed new bulkhead, he put in a window well to be used as an egress to the basement playroom.

Chairman Almeida confirmed that the front elevation sides would align. Mr. Cook said there had been a drawing error that he corrected and the front corner would align all the way up. The windows over the garage would be two pairs of windows.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

There was no one to speak to the petition, so Chairman Almeida closed the public hearing.

### **DECISION OF THE COMMISSION**

*Mr. Katz moved to **grant** the Certificate of Approval for the application as presented with the following stipulations:*

- 1) That the transom will be removed and replaced with siding and trim.*
- 2) That the windows over the garage will be paired.*
- 3) That the side wall will be aligned.*

*Councilor Kennedy seconded.*

Mr. Katz said the Commission had spent a lot of time with the applicant for a structure that was well out of the way of casual viewing in the Historic District, and he hoped that the applicant was happy with the design as presented. He was eager to see the final results.

*The motion **passed** unanimously with all in favor, 7-0.*

## **II. PUBLIC HEARINGS (NEW BUSINESS CONTINUED)**

13. Petition of **Bo Patrik and Eva Frisk, owners**, for property located at **44 Pickering Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing garage and one story addition, and deck) and allow new construction to an existing structure (construct one and two story additions, porch addition, and detached garage) and allow exterior renovations to an existing structure (install solar panels, replace windows/doors) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 19 and lies within General Residence B and Historic Districts.

### **SPEAKING TO THE PETITION**

Councilor Kennedy recused herself from the vote.

The architect Anne Whitney representing the owner of 44 Pickering Street told the Commission that the owner had a change of heart since the last work session, so the plan layout had changed. Ms. Whitney started with the site plan. The front of the property abutted Pickering Street but the bulk of the property aligned with Pickering Avenue. She was proposing to remove the attached garage and the L-shaped 1-story addition on the east and south sides. She would put a 1-story addition on the east side attached with a 1-story porch. A 2-story addition would go on the right lot line as well as a new garage addition.

Ms. Whitney had updated photos of solar panel views showing the existing structure and views from various vantage points, the most visible of which was the view of the building from the causeway. The west elevations could not be viewed from a distance.

The main body of the house with the kitchen and living room got flipped. The 1-story addition on the east elevation would be a kitchen that used to have full-size double hung windows, but they wouldn't fit there now. She showed new drawings with new elevations to reflect the window size changes. The main building would have Marvin replacement windows sized exactly to the existing windows. The 1-story addition projected out and Ms. Whitney proposed awning windows and would do 2'8" x 4" awning windows in a similar configuration as before with the

four windows and 3" stud pockets that would wrap around. There would be one window in the 1-story north elevation. In the rear elevation of the addition, the porch would have a window instead of the double French door. She would put a single French door on the porch. The porch would have a simple square column with a bed mold and wood railings with steps going down.

Ms. Whitney showed the 2-story addition. It took about seven steps to enter the house on the Pickering Avenue side, so Ms. Whitney stepped down the addition, coming in a half-level below the main level of the house, which reduced the scale of the 2-story addition. It was now a 1-1/2 story with a new wall and a dormer. The gable elevation of the addition maintained the existing attic and 2<sup>nd</sup> story windows except for one. Ms. Whitney proposed 2/2 windows and downsized the height of the windows on the addition because it was a smaller structure than the main house. The door was a painted Therma-Tru fiberglass door and would have a small roof with a bracket with 30" of overhang.

The garage would be on the east side elevation and would be a simple 1-story garage with unfinished attic space. The two garage doors had a cottage-style look and there were two choices. One was a 1950s traditional door with four semi-raised panels, and the other was a smooth flush panel door. There would be 18 large panel solar arrays on the south elevation garage. The garage on the north elevation would have a door and a single window. The materials were painted clapboard with AZEK trim and the roofs were architectural asphalt.

The west elevation showed a small alley between the buildings. On the existing building, two double hung windows would be removed and replaced with 2'4" windows. The window above the bath would be replaced with a double hung window. The roof would have 12 solar panels that would not be seen, and the dormer addition would also have a set of panels. The dormer would have a small awning window and a double hung window matching the other double hung windows, and then smaller double hung windows on the back. The garage would have two windows on that elevation, and the left elevation would have a simple stairway. The addition's rear elevation would match the existing pitch on the addition, and the roof details would match. The deck would have columns instead of brackets. A double door would be installed on the deck to comply with the Commission's suggestion.

Chairman Almeida asked how far back the dormer was set from the gable roof edge on the west elevation. Ms. Whitney said it was 2'4" from the wall line and 3'4" from the roof line.

Ms. Whitney said she would do a deep energy retrofit by adding 2" of insulation over the roof and wall surfaces. The existing section had most of the trim taken off, so she would cut the overhangs off and wrap the roof and wall continuously with sheathing, then build back an overhang that would bring them out an extra 2-1/2". The profile of the return elevation would match the addition. The rakes would have a simpler detail, and the rake boards would have a shorter overhang and a gutter in between. The porch detail had an 8" square column with a 9-1/4" wrap with bed mold and corner cap and simple square wooden railings.

Chairman Almeida asked for details about the rake and corner boards. Ms. Whitney showed the illustration of the 3" overhang on the rakes. As the corner board went up, it would transition into

a frieze on the same plane, and the rake would stand out by a few inches. A gutter would float in between the two.

Mr. Gladhill said he had been leery of the solar panels throughout the application. He had walked down Pickering Street and found an area where the 12 solar panels on the original structure would be visible. Ms. Whitney said it was unusual to have as much roof area hidden as she had. She was going to get rid of the skylights on the water side to do the roof retrofit. If there was a concern, she could go a few panels back and lose two panels on the west elevation. Chairman Almeida wanted a consensus of the removal of one or two panels. Mr. Wyckoff and Mr. Katz said Ms. Whitney did not need to drop any panels. Mr. Melchior agreed, and said the idea was not to hide but subordinate the panels with the environment, and pulling back a few panels would not make a difference.

Mr. Wyckoff asked for more details on the porch ceiling. Ms. Whitney said the ceiling would be flat tongue and groove board, whether it was AZEK or not. Mr. Wyckoff said he liked the proportion of the awning windows for the kitchen and asked Ms. Whitney if she would have the spacer bars dividing them to look like double hung windows. Ms. Whitney said she was not proposing to put the meeting rail as a double hung because they would obstruct much of the view. She was proposing a 7/8" muntins but could do a thicker muntin of 1 and 1/8". Mr. Wyckoff said a 7/8" grid would be a 4-pane look. Ms. Whitney said she would try to match the proportion of the 2/2 window but not make it look exactly like a double hung window. Mr. Wyckoff approved.

Ms. Whitney preferred to have full screens but was amenable to half screens. Chairman Almeida called for a consensus. The Commission preferred half screens. Chairman Almeida mentioned the HSD basic criteria and verified that they were preserving the integrity of the Historic District by their decisions.

Ms. Whitney asked the Commission which garage door option they preferred and she said she liked the one with lights. The Commission said they agreed with her choice because it was compatible with the design of the surrounding properties.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

Ms. Robin Normandeau of 15 Pickering Avenue said she lived directly across the street and she and her husband fully endorsed the plans. They had lived in the house from 1996 to 2005, so they were very familiar with it. She said it was an incredibly inefficient home, not just from the layout standpoint but also energy-wise. She was glad that Ms. Whitney was improving the energy level of it. Her current house had been designed by Ms. Whitney as well as the two properties across the street on Pickering Street, and they were confident that Ms. Whitney had given careful consideration to fitting the property into the neighborhood.

### **DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to **grant** the Certificate of Approval for the application as presented with the following stipulations:*

- 1) *That there will be a flat ceiling in the porch.*
- 2) *That all windows shall have half screens.*
- 3) *That the garage door showing lights shall be used.*

*Vice-Chair Kozak seconded.*

Mr. Wyckoff said the application met the defining characteristics of the property. He felt that the innovative use of technology criteria was the best served because of the solar panels and the compatible exterior design.

*The motion passed unanimously with all in favor, 7-0.*

14. Petition of **Middle Street Baptist Church, owner**, for property located at **18 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (repairs to cupola using composite materials) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 2 and lies within Mixed Residential Office and Historic Districts.

#### **SPEAKING TO THE PETITION**

Lisa DeStefano of DeStefano Architects representing Middle Street Baptist Church reminded the Commission that they had a site walk in June and discussed the repairs the congregation wanted to pursue to the Pierce Mansion. They also had a work session in August and discussed how to best repair the upper cupola and how visible it was. Ms. DeStefano had proposed AZEK to replace rotting trim and said anything in molded detail would be milled and replaced in kind with wood. The flat stock needed to be replaced with AZEK, and she said that it was similar to the approvals received for the dormer in the Kearsage Building. It was a material that could be maintained and would mimic the existing flat stock.

Ms. DeStefano had new information about replacing the four windows in the cupola and showed images of the interior for the windows. They had three 9/6 windows, the front and the two sides, and the rear was a 6/6 window, with two panels below accessing the upper roof. She believed that it was up high enough to present the clad window and said that Jeld-wen had the ability to make the windows. They were easy to remove and replace and had no screens.

Ms. Ruedig said the replacement window looked like the framing would stick out and asked what the exterior material was. Ms. DeStefano said it was aluminum clad on the exterior, and because it was a custom window, the profile and sash would match the existing window and there would not be any extra reveals or projections. The trim as a flat stock would be AZEK and the same proportion as the existing wood trim. Chairman Almeida stated that, given the history of the building, he could not support the use of replacement materials and could only support full restoration.

Mr. Gladhill asked if a single pane wooden window was ever discussed or if there had been talk of full restoration. Ms. DeStefano said no because she had been trying to make it as low maintenance as possible due to the difficulty of getting up that high. They hoped to use materials



that replicated the existing 16" or 1' x 4' window. Mr. Gladhill said they had not allowed one piece of AZEK on the John Paul Jones house. The Pierce mansion was like nothing else in town and he could not see using materials other than wood.

Mr. Wyckoff said they were essentially looking at repairs 40-45' high with materials that could not be discerned from below. If people could not tell what the material was and the building was repaired and remodeled, he did not see that it was the HDC's purview to discuss it. It would be different if it were at street level and could be touched. Mr. Gladhill said he could look more into Criteria #2, the assessment of historically significant conservation and enhancement of property values. Mr. Katz said he would reference criteria #4, the encouragement of innovative use of technologies, materials and practices provided that are compatible with the character of surrounding properties.

Councilor Kennedy asked how old the cupola windows were. Ms. DeStefano said some of the windows had been replaced in the 1950s. They had done repairs that were exempt from the HDC because they were replaced in kind. She cited the #1 exemption, ordinary maintenance and repair of any exterior architectural feature not involving a change in design, materials or outward appearance. Their proposed changes were not design or outward appearance but only material.

Chairman Almeida asked about the building's history. Ms. DeStefano said it was attributed to Charles Bullfinch. The building's interior had been well maintained, but the challenge with the exterior was that the vinyl siding was added as well as the side windows and had to be maintained. Everything that had been done to date had been done with the integrity of the Pierce Mansion in mind. However, the rooftop was challenging to maintain, and she thought the AZEK was appropriate because it was 45' high and stepped back from the eave.

Chairman Almeida said that, in the HDC review factors, the importance of #4 related to a historically-recognized individual or event. The building was a Charles Bullfinch design and was an important piece of architecture that deserved the highest restoration. Mr. Wyckoff said he looked at it differently. In the past, Bullfinch designs were published and people copied them. He was more concerned with the maintenance issue and felt that the top of the building should be repaired instead of totally restored.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

Mr. Eric Gustafson, owner of 145-147 Middle Street, said he directly abutted the property and had owned his house for 43 years. He had seen church members on the roof trying to maintain the property every two years or so. He tried to maintain his property and found it extremely difficult, so he fully supported what the applicant was trying to do to fix the cupola.

### **DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to **grant** the Certificate of Approval for the application as presented. Mr. Katz seconded.*

Mr. Wyckoff said the repair was unnoticeable from the ground and used innovative technology. It was a historical building, but it was important to fix the top with a new roof and repair the balustrade. Mr. Katz felt that the #4 criteria gave the applicant the authority to propose the changes and carry them out, and he doubted that anyone would notice that the top was AZEK.

Councilor Kennedy asked if the paint would come off the AZEK eventually. Ms. DeStefano said Sherwin Williams had recently made a type of paint that bonded to AZEK and did not have to be repainted. Councilor Kennedy said she was still troubled about the windows because they were over 50 years old and had not been replaced in a long time but still looked good.

Mr. Melchior said he did not support the use of artificial materials on a historically-significant building like the Pierce Mansion. He was disappointed that the building already had some compromise due to vinyl siding and fake shutters, and there was no reason to progress any further. He said the difference would be noticed over time by a process called entropy.

*The motion to grant the Certificate of Approval for the application as presented was **denied** by a vote of 4-3 for the following reasons:*

- 1) *The majority of the Commission did not support the use of artificial materials on a building of such historical significance.*
- 2) *The building is classified as 'focal' on the Portsmouth Advocates Historic Survey and believed to be a Charles Bullfinch designed building; therefore, deserving of the highest level of restoration.*

Vice-Chair Kozak, Mr. Katz, and Mr. Wyckoff voted in favor of the motion and Chairman Almeida, Councilor Kennedy, Mr. Melchior, and Mr. Gladhill voted against the motion.

### III. WORK SESSIONS

A. Petition of **Peter Cass and Mara Witzling, owners**, for property located at **33 Hunking Street**, wherein permission was requested to allow demolition of existing structure (remove existing porch) and allow new construction to existing structure (construct new porch and new rear addition). Said property is shown on Assessor Plan 103 as Lot 38 and lies within General Residence B and Historic Districts.

*At the applicant's request, Mr. Gladhill moved to **postpone** the Certificate of Approval for the application to the October 2, 2013 meeting. Mr. Melchior seconded.*

*The motion **passed** unanimously with all in favor, 7-0.*

B. Work Session requested by **Middle Street Baptist Church, owner**, for property located at **18 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove vinyl siding, replace with wood siding, replace/restore windows and misc. trim) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 2 and lies within Mixed Residential Office and Historic Districts. *(This item was continued at the August 21, 2013 meeting.)*

Lisa DeStefano of DeStefano Architects, John Wilson, Richard Johnson of Pine Brook Corporation were present to speak to the application.

Ms. DeStefano told the Commission that she had gone on a site visit with her team and had focused on the windows from the 1<sup>st</sup> floor through the 3<sup>rd</sup> floor. The lower floor had new windows, and the windows on the other floors were a mixture of original and replacement windows. About 70-80% of the side windows were original and the ones on the lower section were installed when the building was renovated in the 1950s. Overall, the majority of the windows were original windows in variety of shapes and conditions. (At that point in the presentation, Mr. Wilson said there was no reason to give an overview because he felt that the Commission's minds were made up).

Mr. Ruedig said they had discussed the difference between the front and the rear and sides of the building, and there were windows they could not touch. She had an image of an inside corner of some of the existing windows. An elevator had been approved about eight years before, and next to it were existing windows.

Ms. Ruedig then discussed the rear and sides of the building. The brick piece was the new addition with a Marvin simulated divided light, insulated glass window and to the left were existing windows that were hidden by storms. The mullion scale, size and proportion appeared to be the same, but the actual depth of the window could be seen without the storm. She had found no images of what could be there as a replacement in the rear and sides, and the depth that they got from the window had incredible value. She wanted to discuss the option of replacing the sides and rear windows to match the existing windows in the elevator tower.

Ms. DeStefano asked her if she had images of the sides and rear, and Ms. Ruedig said she did. Ms. DeStefano asked if the brick section had storms on the windows, and she said they did. Councilor Kennedy said the windows looked original and asked how old they were if they were not original. Ms. DeStefano said they were not all original. It varied depending when the building was built and moved or when repairs happened year and year. Chairman Almeida said if any of them were truly original, they were clearly valuable.

Ms. Ruedig said she might approve replacement windows in the newer brick section because it was not original, but she would rather see nice storm windows over original windows with a single-pane sash than replacement windows. Mr. Gladhill said the HDC had agreed to keep the wooden windows and have storm windows over the original windows.

Mr. Katz said the Scagliotti home at 46 Livermore Street had windows as a result of the recommendations that Mr. Wyckoff had implemented at the time. He had ensured that the front façade had original windows, and energy-efficient windows were allowed on the side and back facades. He felt that was something the HDC could at least consider before saying nothing could be done. Chairman Almeida said the Scagliotti home was one of the most successful restorations in Portsmouth. The windows were historic and made a huge difference compared to the new windows. Mr. Melchior agreed with Chairman Almeida and said they had to be consistent. However, there could be negotiation on the back of the building that had no original

windows. Chairman Almeida thought there had to be grants available for preservation. Ms. DeStefano said there were, but the primary issue was maintenance.

Ms. DeStefano said the siding was one of the real challenges in the project. In the previous work session, they had talked about removing the vinyl siding due to the paint cracking and the lead issue and replacing it with pine. When she brought it up with the church committee, they were not amenable with the amount of maintenance between pine as opposed to cedar. Chairman Almeida asked why the church thought cedar was a longer lasting wood. Ms. DeStefano said someone at Strawberry Banke had talked with them about wood that they had repaired and replaced with cedar.

Mr. Johnson said experience had taught him that cedar held paint better than pine. Chairman Almeida said that cedar had an oil in it that resisted paint and could also rot. Mr. Johnson said it needed to be done properly. For 40 years, cedar held up much better than pine in the buildings he had worked on. Chairman Almeida said there were old-growth pine clapboards with 4' sections of beveled edge and had an issue with the quality of the pine. Vice-Chair Kozak asked how the Commission could dictate the species of wood the applicant could use if they were painting it. Chairman Almeida said it was because the issue was replacing the existing historic clapboard with wood. Vice-Chair Kozak said if it was painted, she could not tell the difference. Ms. Ruedig said if the wood beneath was found to be in good shape, it would hold up better because it was old growth. She didn't understand the lead issue, however, because removing the siding would kick up just as much lead as scraping and painting it. She asked why it was necessary to remove all the wood in the first place. Ms. DeStefano said that they were removing the whole material itself instead of removing just the six layers of paint because it was spidery.

Mr. Johnson said if the paint layers were not removed, a new coat would not bond properly. To remove the coatings chemically would cost around \$200,000, and the congregation just wanted to re-vinyl the building. The less costly option was to remove the old-growth clapboard that was coated with lead. There were too many issues with lead, and new paint coatings were long-term maintenance problems. They were trying to avoid putting vinyl on the building but couldn't put more paint on the building because it had already had nine layers. Ms. Ruedig said a lot of old buildings were the same age and still had paint on them. Mr. Johnson said the main issue was to prevent the building from being sided with vinyl again. Mr. Wyckoff said an option was to take the vinyl off and replace it in kind with new vinyl. Chairman Almeida said it would be encapsulated and it was an historic surface. Mr. Gladhill said that future technology might allow better restoration of it.

Chairman Almeida asked if vapor barriers would be placed under the siding if the assembly was put back. The lead paint had encapsulated the old-growth wood, and the worst that could happen if they replaced the siding was that it would fail. The sheathing board nails were rusty and probably non-existent and had to be refastened. Mr. Wyckoff agreed, but asked what that had to do with the HDC. Mr. Katz asked if the HDC would allow them to remove the siding. Chairman Almeida said they would not, and asked why they were even discussing it.

Mr. Wyckoff said the biggest challenge would be the sides of the casings, and it was important to remove the old paint from the sides before putting the clapboards on. Ms. DeStefano asked if they had to install new wooden shutters if the old ones were removed. The Commission told her

to leave the shutters off completely. Councilor Kennedy asked what the historical significant of the shutter was. Ms. DeStefano said she would research it. Councilor Kennedy mentioned that Ms. Ruedig had a good point about the old-growth wood. Mr. Wyckoff agreed and said that new bonding primers were available that would cover heavy wood or clapboards and then could be painted over with quality paint. It would be less expensive than everything else that had been proposed for the windows.

Mr. Johnson asked about replacement storms. Mr. Wyckoff said they would have to be wooden storms. He mentioned that Howard Street had a variety of wooden storms and they were energy-efficient as well. They could tighten the windows up and remove the pulley system. When the windows were retrofitted 100 years ago, they used pulleys and most of the ropes were gone. They didn't open the windows anyway, so if the pulleys were gone and the weights removed, there was a lot of dead air. Ms. DeStefano said she had someone do the energy scan around the windows for heat loss. She said her team was going to meet with the congregation committee the following Monday to try to tighten up the existing windows and leave the storms there.

*The Commission moved to **recommend** another work session. It was seconded and passed unanimously with all in favor, 7-0.*

C. Work Session requested by **Dale W. and Sharyn W. Smith, owners**, and **Green and Company, applicant**, for property located at **275 Islington Street**, wherein permission was requested to allow demolition of an existing structure (one-story building) and allow a new free standing structure (constructed building). Said property is shown on Assessor Plan 144 as Lot 8 and lies within Central Business B and Historic Districts. *(This item was continued at the August 21, 2013 meeting.)*

*At the applicant's request, Mr. Gladhill moved to **postpone** the Certificate of Approval for the application to the October 2, 2013 meeting. Vice-Chair Kozak seconded.*

*The motion **passed** unanimously with all in favor, 7-0.*

D. Work Session requested by **143 Daniel Street, LLC, owner**, for property located at **143 Daniel Street**, wherein permission was requested to allow new construction to an existing structure (add second story to gymnasium section, construct multi-story building at rear of lot). Said property is shown on Assessor Plan 105 as Lot 19 and lies within Central Business B, Historic, and Downtown Overlay Districts. *(This item was continued at the August 21, 2013 meeting.)*

Ms. Ruedig recused herself.

Carla Goodknight of CJ Architects, Bill Bartell, and Steve Wilson presented.

Ms. Goodknight told the Commission that the packet had the pre-submittal information incorporated into it. Option 1 illustrated a more traditional storefront design. A plaza area was shown with full wrapping stairs on both sides of the buildings and a punched opening approach for balconies. Item 2 incorporated the different renderings of the storefront with a more recessed balcony area that divided the mass into two distinct areas. It broke up the massing on the upper

floors more and introduced the round top element into the storefront. Option 3 illustrated the building in context to show how it would look with the building to the left. They had also revised the storefront detailing and the entrance by pulling the recessed entry section all the way down. The plaza was revised with more stair sections instead of wrapping all the way around.

Mr. Wyckoff asked if the building was 45' or under and whether the half-story at the top made it 50% of the floor area beneath it. Ms. Goodknight said it was a 4<sup>th</sup> story. Mr. Wyckoff said they would have to address the size and massing first. Vice-Chair Kozak said some of the Commissioners had not been present at the last work session, and it was important to hear their opinions.

Ms. Goodknight presented Page 3, showing the second structure on the lot. They had talked about window patterns and shutters, so she presented the option of retaining the existing window pattern and moving the shutters, or revising the window pattern and retaining the shutters. Page 4 showed the building in the streetscape. Ms. Goodknight said she experimented with colors to give an idea of how it would fit into Chapel Street. Councilor Kennedy asked how many units were on Chapel Street, and she was told four.

Page 5 gave an overview of the three structures and their connections. The Daniel Street building with the plaza, the ramp, the storefront, and the recessing openings was shown. The Army and Navy Building and the footprint for the Chapel Street house was shown, with the ramp going under and the circulation connection between the two buildings allowing access to the parking garage below. Ms. Goodknight said she wanted to discuss whether they should maintain circulation through Daniel Street to Chapel Street or if they should have a separation. She showed the Army Navy Building's height analysis and eave height and the gambrel slope change, and the height, mid-slope and eave of the proposed new structure.

Mr. Wyckoff asked if the mid slope was 40' and was told 35'. Councilor Kennedy asked how the height was measured. Ms. Goodknight said the dimensions illustrated the Army Navy building to the top of the curve line, and the building to the left showed the top of the plaza which stuck out 6' from the building. Mr. Wyckoff asked if the grade started to ramp down at the entrance to the parking garage. Ms. Goodknight told him there was a transition.

Mr. Wyckoff said he appreciated the sidewalk flow from Chapel Street. Mr. Bartell told him that the Planning Board and TAC had requested that the sidewalk be continuous through the curb into the ramp. Chairman Almeida said he was glad there was alley access with the Wright Avenue project. Mr. Wyckoff said he liked the window treatment of the shutters and thought the single double hung windows were more appropriate than the ones shown on Page 3.

Vice-Chair Kozak was confused as to why they were even talking about it because their objective was to preserve the historic integrity of the District, and the building would not be doing that. Chairman Almeida said that allowing the historic building to stand alone without the gymnasium meant more to the historic integrity of the neighborhood. The gymnasium had been haphazardly constructed and placed against the building. Although the gymnasium had a history on the interior and great memories, the exterior detracted from the streetscape and was preventing a more appropriate building on the site. He felt that the Commission was not

accepting the fact that the building would be gone, and they needed to discuss it. Mr. Cracknell said they should look at the Portsmouth Advocates survey to see if both buildings were contributing or not. Mr. Wyckoff asked if they should even discuss it then. Chairman Almeida said it was critical and should be discussed. The gymnasium was a huge mistake architecturally, and they needed everyone's opinion.

Ms. Goodknight said that another driving force was that the floor height was significantly above the pedestrian level. They had discussed at the form-based meetings how certain areas of hotel development did not allow for pedestrian interaction with the building. The windows of the gymnasium could not be seen in or out of, so there was no pedestrian interaction and it would not have residential use. The reason they could continue residential use in the Army Navy Building was because they could not alter its interaction with the street.

Mr. Wyckoff said if it were a perfect world, the City should have kept that building and repaired it, and they would have the Connie Bean Center the way it was in the past. The City decided to sell it and did not think the gymnasium was worthy of preserving. The original Army Navy building was the building that was protected and the one the Commission had to work with, so they should just let go of the gymnasium. Mr. Katz said the gymnasium could be made to work in some function if a great amount of effort were put into designing its inner structure, like making the windows more accessible. However, he agreed with Mr. Wyckoff and Chairman Almeida that the gymnasium should be demolished and replaced with something more appropriate. Councilor Kennedy wanted to know how the Portsmouth Advocates felt. She had hoped to see more of a tribute to everything that what happened in the gymnasium, like the basketball games and father-daughter dances. She and a lot of other people had voted against selling it and had an attachment to the many activities that had taken place in it.

Mr. Melchior said he did not support the gymnasium's demolition. Mr. Wyckoff said he had also decided against the demolition because it was part of their history. He wanted more public comment. Mr. Rawling said the gymnasium was overwhelming to the original Army Navy building and it had been some time before he realized what the Army Navy building actually looked like because the gymnasium dominated it. One issue to evaluate was whether everything built deserved to be preserved forever. A lot of historic centers had been improved by removing later additions, and the Commission currently did that by renovating different neighborhoods and communities that had buildings out of context with them, and that was the criteria they had to look at. Chairman Almeida thought that was a good point. He said a good test to separate emotion from criteria would be to test it in reverse and ask if they were attached to the building because of what had happened inside of it or because of its architectural features and what it contributed to the Historic District.

Mr. Wyckoff wanted to elaborate on Mr. Rawling's comment by mentioning the Wentworth Gardner House. When it was purchased and renovated by Wallace Nutting, it had additions on the sides and an elaborate Victorian entry with column, and all of it was removed by the new additions. People now thought it was the epitome of a Georgian Colonial. That was an example of a building that had a lot removed to get back to where it started, and it worked.

Mr. Wyckoff felt that the design on the proposed building was too busy. Councilor Kennedy said she could not make a decision that evening until she heard the Portsmouth Advocates report. Chairman Almeida asked Ms. Goodknight if she could give them an example of the elevated plaza somewhere else in Portsmouth. Ms. Goodknight said there was an example in Market Square and one in Newburyport. Mr. Wilson said he had heard from people in the neighborhood who supported demolishing the gymnasium and putting up more appropriate building. If the gymnasium were 50,000 square feet, they could do an internal atrium, but the building would be bigger, not smaller. Demolishing the gymnasium would reinstate the Army Navy Building.

Mr. Wyckoff asked if the projecting balconies were necessary because there was nothing like them in the area. He thought it would look better as a 3-1/2 story building with standard windows and storefronts. Mr. Wilson said he would like productive input on the building design so he would know whether or not it should be done, especially if the Board was against taking down the gymnasium. He liked the input about the balconies and thought they broke up the building vertically, even though they were ornamental, and made it look like a traditional row house.

Councilor Kennedy and Chairman Almeida said they could not give a definitive answer on the demolition at that time. Ms. Goodknight said they had struggled with it from a design standpoint and had to look at the buildings individually and as a group. The restoration of the Army Navy building was accepted and put to the side while they talked about everything else, but a third of it was about maintaining and restoring the building as exact as possible. They were focusing on things they needed to discuss to determine the appropriateness of it, and what they were already doing was beyond appropriate. In proposing to demolish the gymnasium, they didn't think about attaching something else because the biggest obstacle of its construction was that it attached to the Army Navy building. Chairman Almeida said they could discuss it later but they had to provide an answer and move on. Councilor Kennedy said perhaps they could separate the application.

Mr. Cracknell said to consider 275 Islington Street as an analogous project. People were set against the demolition regardless of what was proposed to replace the structure. Others said they might be supportive if it was replaced with a good design, and still others approved the demolition. On the project before them, some Commissioners might say that the new building's design mattered and would want more information on the preservation and survey to see if the building augmented the design by being less busy or simpler.

Mr. Katz thought they could expedite the situation by someone admitting that they were okay with the demolition because then there would be a reason to proceed with the design. The design could influence those people to vote for demolition if they felt that way. Mr. Gladhill said he did not want to spend a year talking about it and then deciding against the demolition and felt that the public should weigh in on the demolition. Vice-Chair Kozak said they could not take a straw poll without a public hearing at that point.

Chairman Almeida asked why covenants were not placed on the gymnasium before or at the sale if it was so important. Suddenly, some people thought it had some value. Mr. Katz said they usually had public comment after deciding the size and mass issue, but instead were jumping ahead to the details. Chairman Almeida asked if anyone could be convinced. Mr. Rawling said



he supported the demolition. Mr. Melchior opposed the demolition but was willing to discuss the architectural merits. Mr. Cracknell said they already had three work sessions and he was still hearing comments regarding the latest set of drawings. It was time to wrap up that level of analysis and move it to a public hearing, or refine it once more at a design or work session. They could then have public comment on the design as well as the demolition. It wasn't about the details, the dormers, the balconies, or the windows, but rather how they were going to bring the people over the finish line to approve the project. They needed meaningful public comment instead of ten work sessions.

Chairman Almeida said the Commission was supposed to be addressing the criteria such as preserving the integrity of the Historic District and so on, and he wondered if they could get public input immediately if they had the time. Mr. Cracknell said it would be more effective to post a public hearing so that people would come and speak. It should be done strategically, not whimsically. Councilor Kennedy agreed and said it had to follow the precedent. Mr. Katz said if they were going to discuss demolition, they would have to consider what would take its place. He felt they had a lot of conflict because of the height and mass. Public comment could be on architectural details or they could have subjective opinions on basketball games and dances, and there was no place in the criteria for it.

Mr. Gladhill asked Mr. Wilson if he could do a work session/public hearing. Mr. Wilson said they could get into the next work session. He had taken the design beyond the demolition, and it showed a nice pedestrian access to break the block up and so on, and they could make it its own building again. There were many public benefits to taking the gymnasium down. Mr. Katz agreed. If people were going to comment on the project, they needed to know what the building would look like. Mr. Wilson said they would go to the next work session and reduce the project down to one or two plans. Vice-Chair Kozak thought the Commission needed to figure out a way to get public comment without having a public hearing. Councilor Kennedy said they could still present everything and just have a public hearing on the demolition.

Mr. Cracknell said the Commission should decide that night whether both parties would come in and have a hearing at the next meeting on the demolition permit, or if the applicant would be allowed one more work session. Chairman Almeida said it was the applicant's decision, not theirs. Mr. Wilson said the Commission would have their full submission by Friday. He asked if they could analyze the details for the new building at the public meeting and was told yes. Councilor Kennedy thought they would want to vote at the public hearing on whether or not to demolish the gymnasium. Mr. Cracknell said it was not just up to the applicant because the Commission had to get feedback to the applicant when it was time to elicit public comment or it could go on forever. Chairman Almeida said he was leaving it up to the applicant to make the decision on how to proceed and said they knew the Commission wanted to move forward. Ms. Goodnight said she could further illustrate what was presented in the package, and gray areas could be remedied by presenting alternate options. Mr. Wyckoff said it would be important that Ms. Goodnight have multiple renderings showing the building context in more detail.

*The Commission **recommended** a work session/public hearing. It was seconded.*

*The motion **passed** unanimously with all in favor, 7-0.*

(Ms. Ruedig left the meeting).

E. Work Session requested by **Thirty Maplewood, LLC, owner**, for property located at **30 Maplewood Avenue**, wherein permission was requested to allow a new free standing structure (construct new, mixed use, four story structure) to be filed in the Planning Department. Said property is shown on the 125 as Lot 2 and lies within Central Business B, Historic, and Downtown Overlay Districts. *(This item was continued at the August 21, 2013 meeting.)*

*At the applicant's request, the Commission voted to **postpone** the Certificate of Approval for the application to the October 2, 2013 meeting. It was seconded.*

*The motion **passed** unanimously with all in favor, 7-0.*

#### **IV. OTHER BUSINESS (CONTINUED)**

##### 1. Discussion and Prioritization of HDC Tools Request to the City Council

Item 1, review criteria. Chairman Almeida said the HDC often lacked a direct reference to the review criteria and it was important to the deliberation of criteria because it was the primary basis of review and approval of the application. The suggested action was that minor projects should include a blanket statement of the main motion that referenced the findings of facts and review of criteria. Chairman Almeida believed that the Commission was using the review criteria but should make it more deliberate and clear. Mr. Cracknell said it was important that they reference the criteria for major projects, and it was critical for denials especially so they could substantiate why the application was not approved and anchor it into the criteria. They needed it for the Letter of Decision.

Item 2, work sessions. The HDC lacked a formal review process beyond the evaluation forms that they use and there was a great need for improvement. Mr. Cracknell said he tried to do a high level outline of how one might go through a work session for a major project starting with the neighborhood context and getting into the style issue. Vice-Chair Kozak asked what happened when someone presented an application that did not meet the criteria and they kept coming back. Mr. Cracknell said they had to deny it. Vice-Chair Kozak asked if they had to re-file for a new project if they wanted to come back with a third scheme. Mr. Cracknell said if it was rejected, yes. Councilor Kennedy said it would be a process and that a major project should be defined as being over \$25,000 so people would know whether a project was major or minor. She also thought it could be simplified through steps, i.e. public input would be Step #2. Mr. Cracknell said it would need a lot of work but once Step #2 was taken, the Commission could determine if they wanted a public hearing based on what was presented. He preferred a revised 4-step template.

Item 3, electronic plans for public review process. It was important to ensure that electronic plans and applications were always available to the public. Councilor Kennedy said part of the

review process was that they needed minutes of completed sessions. Mr. Cracknell said he would address it at the next meeting.

Item 4, building height amendment. The City Council reviewed it and decided that the HDC should be the permit granting authority for the Conditional Use Permit above 45' or 3-1/2 stories. Mr. Cracknell suggested that they let the City Council know they supported it.

Item 5, administrative approval or minor changes after an approval. Changes such as relocating a meter socket did not require the HDC's review and approval. Mr. Cracknell said he took a condition from another ordinance stating that people who received a Certificate of Approval and then had minor changes would not have to go back to the HDC for approval. He had to review the amendment and write it up and give it to the Commission at their regular meeting. Councilor Kennedy wanted to know what qualified as minor changes and also wanted to see examples. She thought it should be more detailed.

Item 6, Consent Agenda. Mr. Cracknell said they needed to get it right and the Legal Department had to read it, then they would send it to the City Council for adoption.

Item 7, expansion of the HDC. It would be discussed at a public hearing in October with the Planning Board. Councilor Kennedy thought it would be at the October Planning Board meeting and the HDC should participate in it rather than do it twice.

Item 8, 3D model. Everyone wanted to know what it was. Mr. Cracknell said they needed clarity and cost estimates. Vice-Chair Kozak gave more detail and showed some examples of 3D electronic models. She said they were valuable because they gave real life prospective use instead of having to look down at something on a table. She said examples of Google Earth were shown at the joint session with the City Council, Planning Department and HDC. Downtown buildings were modeled in 3D, but they were inaccurate and did not have topography, and to be a useful tool for the entire District, it had to encompass the whole District. Vice-Chair Kozak went through the different steps of taking the satellite data of building measurements and putting it into a model and then interfacing it. She said the Commission would have to figure out how much detail they needed because it had different levels of detail and interaction. Councilor Kennedy asked who inputted the data. Vice-Chair Kozak said if someone were technologically savvy, they could do it, or someone could be hired, but it was important that the data be kept current. Mr. Cracknell said they had a good GIS system. Chairman Almeida asked how the applicant would put it into the system. Vice-Chair Kozak said there were different ways to do it, but it was mainly for big projects. Councilor Kennedy asked what the dollar amount would be. Chairman Almeida said it would be expensive if a high level of quality was expected. Councilor Kennedy said it would have to go out to bid and they had to discuss the criteria they wanted for the bid.

Chairman Almeida asked what was preventing it from taking the next step. Mr. Cracknell said it was the scope. Councilor Kennedy said that the building heights that went beyond the blocks and had building skins needed to be part of the scope. Chairman Almeida asked if they would grant the permission for the RFP. Mr. Cracknell said they would probably need an estimate for the cost and then the authorization. They had to present a scope with an estimated budget to the City

Manager. He said he would work with Vice-Chair Kozak and the GIS technician for the scope and would bring it back to the October meeting for the Commission to look at. Chairman Almeida thought they would have to develop the procedure for the applicant to interface with it. Mr. Rawling asked if the buildings would be in the plan when they were built or approved. Mr. Cracknell said it would happen at the beginning of the work session. Chairman Almeida confirmed that after it was approved, there would be an 'as built' model' at the beginning of the work session. Mr. Cracknell said yes, and he would add it to the scope.

Item 9, design guidelines. Chairman Almeida said he had an example of the document that was the gold standard because it was the highest level of effort. Councilor Kennedy said they should put their best effort forward in front of the City Council and let them accept or reject it. She mentioned that there were a lot of historical grants available. Mr. Cracknell said he needed a cost estimate ranging from \$10,000 to \$100,000 to give to the City Council in addition to an example. He said he would put a package together before the October meeting.

Item 10. survey update. Chairman Almeida said they needed to update the survey in the areas where the Historic District had expanded. He also talked about a disclosure form for being in the Historic District so when someone bought a house, it would apprise them that they were in the Historic District. Mr. Cracknell had asked the City Council to take it to the Delegation Committee to forward it to the State.

## V. ADJOURNMENT

*At 11:00 p.m., it was moved, seconded, and **passed** unanimously to adjourn the meeting.*

Respectfully submitted,

Joann Breault  
Acting HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on March 12, 2014.