

**ACTION SHEET
HISTORIC DISTRICT COMMISSION
PORTSMOUTH, NEW HAMPSHIRE
1 JUNKINS AVENUE**

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

**November 6, 2013
to be reconvened on November 13, 2013**

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

MEMBERS EXCUSED:

ALSO PRESENT: Nicholas Cracknell, Principal Planner

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I. APPROVAL OF MINUTES

Approval of minutes - December 5, 2012

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

Approval of minutes - February 6, 2013

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

II. OLD BUSINESS (MISC.)

A. Request for re-hearing of HDC Certificate of Approval granted to 173-175 Market Street on August 7, 2013. (*This item was continued at the October 2, 2013 meeting to the November 6, 2013 meeting.*)

After due deliberation, the Commission voted (4-3) to deny the request for a rehearing for the following reasons:

- 1) No evidence was presented to show that a technical error was made that would materially affect the decision;
- 2) No evidence was presented to show that the decision was unreasonable based on the evidence submitted to the HDC;
- 3) No new evidence was presented by the petitioners that was not available at the time of the decision that would have materially changed the outcome of the decision.

B. Request for re-hearing of HDC Certificate of Approval granted to 111 Maplewood Avenue on August 7, 2013. *(This item was continued at the October 2, 2013 meeting to the November 6, 2013 meeting.)*

After due deliberation, the Commission voted (4-3) to deny the request for a rehearing for the following reasons:

- 1) No evidence was presented to show that a technical error was made that would materially affect the decision;
- 2) No evidence was presented to show that the decision was unreasonable based on the evidence submitted to the HDC;
- 3) No new evidence was presented by the petitioners that was not available at the time of the decision that would have materially changed the outcome of the decision.

C. Request for re-hearing of HDC Notice of Disapproval granted to 18 Manning Street on October 2, 2013.

After due deliberation, the Commission voted unanimously to grant the request for a rehearing. The rehearing will be held at the next regularly scheduled Historic District Commission meeting on December 4, 2013.

D. Update on HDC expansion request

An update was given.

E. Update on zoning amendments

An update was given.

III. NEW BUSINESS

1. Form Based Code update

An update was given.

2. Request for one year extension of the Certificate of Approval for 28 South Street granted on December 5, 2012.

The Commission voted to grant a one year extension of the Certificate of Approval for the application. The Certificate of Approval will now expire on December 5, 2014.

3. Request for one year extension of the Certificate of Approval for 99 Marcy Street granted on November 14, 2012.

The Commission voted to grant a one year extension of the Certificate of Approval for the application. The Certificate of Approval will now expire on November 14, 2014.

IV. PUBLIC HEARINGS (OLD BUSINESS)

A. (Work Session/Public Hearing) Petition of **Middle Union Condominium Association, owner, and Paula A. Chalfin, applicant**, for property located at **496 Middle Street**, wherein permission was requested to allow new construction to an existing structure (construct a two story addition and a one story addition on rear of structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 135 as Lot 21-1 and lies within Mixed Residential Office and Historic Districts. *(This item was postponed at the October 2, 2013 meeting to the November 6, 2013 meeting.)*

The Commission voted to postpone the application to the November 13, 2013 meeting so that additional information could be submitted and reviewed.

V. PUBLIC HEARINGS (NEW BUSINESS)

1. Petition of **Theodore M. Stiles and Joan Boyd, owners**, for property located at **28 South Street**, wherein permission was requested to allow amendments to a previously approved design (remove two windows required by building code, change from clapboard to composite material) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 43 and lies within General Residence B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes No - Preserve the integrity of the District
- ✓ Yes No - Maintain the special character of the District
- ✓ Yes No - Assessment of the Historical Significance
- ✓ Yes No - Complement and enhance the architectural and historic character
- ✓ Yes No - Conservation and enhancement of property values
- ✓ Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- ✓ Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- ✓ Yes No - Compatibility of innovative technologies with surrounding properties

2. Petition of **Salvatore C. Sciretto III and Meegan A. Sciretto, owners**, for property located at **419 Marcy Street**, wherein permission was requested to allow new construction to an existing structure (install skylight on rear elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 35 and lies within the General Residence B and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- ✓ Yes No - Consistent with special and defining character of surrounding properties
- ✓ Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- ✓ Yes No - Compatibility of innovative technologies with surrounding properties

3. Petition of **Edward N. and Margaret Weissman, owners**, and **James and Roxanne O'Donoghue, applicants**, for property located at **110 Chapel Street**, wherein permission was requested to allow exterior renovations to an existing structure (reconfigure and replace two basement windows, replace right rear door, remove left rear door and replace with window, rebuild rear deck, railing, steps, and HVAC screening) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 3 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

After due deliberation, the Commission voted that the request be **approved** as presented with the following stipulation:

- 1) That the existing left doorway will remain as is and the deck will be extended to include the doorway.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

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B. Review Criteria:

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- ✓ Yes No - Relation to historic and architectural value of existing structures
- ✓ Yes No - Compatibility of design with surrounding properties
- ✓ Yes No - Compatibility of innovative technologies with surrounding properties

4. Petition of **Nina Shore, owner**, for property located at **18 Mt. Vernon Street**, wherein permission was requested to allow demolition of an existing structure (remove existing fencing) and allow a new free standing structure (install new fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 27 and lies within General Residence B and Historic Districts.

After due deliberation, the Commission voted to **deny** approval of the application for the following reasons:

The majority of the Commission felt the fence portions between the applicant and the neighbor at 14 Mt. Vernon Street were inappropriate in height and style and not in keeping with the character of the Historic District.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

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- Yes No - Preserve the integrity of the District
- Yes ✓ No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes ✓ No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values

Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

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B. Review Criteria:

- Yes No - Consistent with special and defining character of surrounding properties
- Yes No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

5. Petition of **Hobbs Building LLC, owner**, for property located at **161-165 Court Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows, repair awning, add two HVAC units to roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 27 and lies within Mixed Residential Office and Historic District.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- ✓ Yes No - Consistent with special and defining character of surrounding properties
- Yes No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

6. Petition of **Dennett Investment Group, LLC, owner**, for property located at **44 & 46 Dennett Street**, wherein permission was requested to allow exterior renovations to an existing structure (misc. renovations) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 140 as Lot 12 and lies within General Residence A and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District
- ✓ Yes No - Assessment of the Historical Significance
- ✓ Yes No - Complement and enhance the architectural and historic character
- ✓ Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

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B. Review Criteria:

- Yes No - Consistent with special and defining character of surrounding properties
- Yes No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

7. Petition of **Robert A. and Eileen C. Mackin Revocable Trust, owners**, for property located at **56 Dennett Street**, wherein permission was requested to allow demolition of an existing structure (removed existing fencing) and allow a new free standing structure (install new fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 140 as Lot 13 and lies within General Residence A and Historic Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- ✓ Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District

- ✓ Yes No - Assessment of the Historical Significance
- ✓ Yes No - Complement and enhance the architectural and historic character
- ✓ Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

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B. Review Criteria:

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- Yes No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

8. (Work Session/Public Hearing) Petition of **Donna P. Pantelakos Revocable Trust, owners, G.T. and D.P. Pantelakos, trustees and Chris Crump, applicant**, for property located at **138 Maplewood Avenue**, wherein permission was requested to allow new construction to an existing structure (infill area in rear, construct second floor roof deck, reface existing chimneys) and allow exterior renovations to an existing structure (reconfigure misc. windows, replace windows, replace siding, trim, and shutters with composite materials) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 6 and lies within the Central Business A and Historic Districts.

After due deliberation, the Commission voted to **postpone** the application to the December 4, 2013 meeting so that additional information can be submitted and reviewed and a site walk can be scheduled.

9. Petition of **National Society of Colonial Dames, owner**, for property located at **Market Street**, wherein permission was requested to allow a new free standing structure (construct dumpster enclosure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 5 and lies within the Central Business A, Waterfront Industrial, Historic, and Downtown Overlay Districts.

After due deliberation, the Commission voted that the request be **approved** as presented.

Findings of Fact: The proposed application meets the following purposes of the Historic District ordinance (as applicable):

A. Purpose and Intent:

- Yes No - Preserve the integrity of the District
- Yes No - Maintain the special character of the District

- Yes No - Assessment of the Historical Significance
- Yes No - Complement and enhance the architectural and historic character
- Yes No - Conservation and enhancement of property values
- Yes No - Promote the education, pleasure & welfare of the District to the city residents and visitors

The proposed application also meets the following review criteria of the Historic District ordinance (as applicable):

B. Review Criteria:

- Yes No - Consistent with special and defining character of surrounding properties
- Yes No - Relation to historic and architectural value of existing structures
- Yes No - Compatibility of design with surrounding properties
- Yes No - Compatibility of innovative technologies with surrounding properties

VI. ADJOURNMENT

At 11:35 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good
HDC Recording Secretary