

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

**April 9, 2014
reconvened from April 2, 2014
to be reconvened again on April 16, 2014**

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

MEMBERS EXCUSED: Planning Board Representative William Gladhill

ALSO PRESENT: Nick Cracknell, Principal Planner

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I. APPROVAL OF MINUTES (CONTINUED)

1. November 6, 2013

*Vice-Chair Kozak moved to **approve** the November 6, 2013 minutes. Mr. Melchior seconded. The motion **passed** unanimously with all in favor, 7-0.*

2. November 13, 2013

*It was moved, seconded, and **passed** unanimously to **postpone** the approval of the above-referenced minutes to the April 16, 2014 meeting.*

II. NEW BUSINESS

A. Request for re-hearing of 40 Bridge Street application – filed by 7 Islington Street, LLC, owner

Chairman Almeida reminded the Commissioners that there were very specific criteria to follow. The consideration for the request for a rehearing was whether or not an unlawful error was made, whether the decision was reasonable based on evidence submitted, or whether any new evidence presented by the petitioner that was not available at the time would change the outcome of the decision. It was not about design issues, although they could be discussed by the applicant.

Mr. Katz stated that the application had quite a history, and in following the guidelines about whether an error was made in the last hearing, or denial, or no new evidence presented, he

thought it was a real mess. A significant number of people on the Commission were not familiar with the project. Following the criteria, he saw no reason to grant a rehearing.

Councilor Kennedy arrived at that point.

Mr. Wyckoff stated that it had been the Commission's standard that they grant a one-year extension. He read the expiration of approvals, Section 10.636. 'The Certificate of Approval shall lapse one year from the date of the Commission's action unless the applicant requests an extension of no more than one year prior to the expiration of the original action. Such extensions may be granted without a public hearing unless the Commission deems one to be in the public interest.' Mr. Wyckoff then read from Section 10.636.72: 'No more than one extension shall be granted unless authorized, following a public hearing convened to consider such a request.' Mr. Wyckoff stated that the previous month, they had the public hearing for the second extension. It was overwhelmingly in support of not renewing the request. At that time, seeing that some of the ordinances had changed since the project started six years before, they took the action to not grant the extension, and he believed that the expiration of approvals justified that.

Chairman Almeida asked Mr. Wyckoff whether he felt that an error had been made, and Mr. Wyckoff said that he did not. Mr. Rawling commented that, even though there had been some discussion about the design details in the building, plenty of consideration had been given to the events leading up to the lack of construction on the project, and that was not the determining ruling behind the vote or the total judgment applied to that ruling. Councilor Kennedy agreed with Mr. Wyckoff and stated that she was not in favor of the extension because one had been given previously.

Vice-Chair Kozak stated that she would not be voting on the application because the applicant's attorney was a client of hers.

*Councilor Kennedy moved to **deny** the request of a rehearing as presented 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.*
- 4) Many changes to the membership of the Historic District Commission have occurred since the original approval.*

*Mr. Wyckoff seconded the motion. The motion to deny **passed** with all in favor, 7-0.*

III. OLD BUSINESS (PUBLIC HEARING)

The Board's action in these matters has been deemed to be quasi-judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.

1. (Work Session/Public Hearing) Petition of **Portwalk HI, LLC, owner**, for property located at **195 Hanover Street**, wherein permission was requested to allow amendments to a previously approved design (changes to all facades) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 1-2 and lies within Central Business B, Historic, and Downtown Overlay Districts. *(This item was postponed at the April 2, 2014 meeting to the April 9, 2014 meeting.)*

Mr. Jeff Johnston representing Portwalk and his architectural team Mr. Chris Lizotte, Mr. Jim Loft, and Mr. Matt Worth were present to speak to the application as well as Mr. Jim McNeely, the third-party consultant.

Mr. Johnston stated that Mr. McNeely, the third-party reviewer, would be speaking to the changes and his team would be available for comments. Chairman Almeida stated that the work session would consist of the introduction, Mr. McNeely's description of the changes, and the review of Mr. McNeely's findings. He said that Mr. McNeely was hired as an independent consultant to determine exactly what changes were made from when the HDC approved the project to the point that the construction documents were generated.

Mr. McNeely told the Commission that he had re-categorized things in a different order from what the contractor did to pick out the significant points and to reduce attention to those points, which seemed to be either indifferent or added to the quality of the project. He ended up with six material change items, and he stated that he would go through each one in order and give some detail as to why he said what he did in the report.

1. Banding

Mr. McNeely showed a photo of the band above the storefront and stated that the band was changed from pre-cast to concrete. They had all seen the mockup, and he had pointed out to the architects that it was difficult to make a judgment about it because it didn't show a relationship to the column, and he felt that it would be much more effective if the 'T' could be seen. He had not known what the joint would look like, but he had seen that the materials matched one another closely in terms of texture and color. Beyond that, it seemed that it would work visually. He did not believe that it would weather the same but understood that the materials could be painted if necessary. If considering the classical idea of it as being one material, it was a concern, but the fact that it was well above eye level was a mitigating circumstance.

Mr. Katz asked if there would be remedies for discrepancies. Mr. McNeely replied that paint was the remedy, and it was a maintenance issue. He did not foresee it happening in the near future and thought it was good for a decade or so.

Ms. Ruedig stated that she was concerned about the banding because she had walked by it during sunset and could see the textural difference and the sheen on the part of the glass where there was not one on the concrete. The weathering differences might be minimal, but she preferred to see it all the same material. The desired effect was for it to look like stone columns that should all be the same material. She didn't know if it was a structural issue or if the framing wouldn't hold up the cast concrete panels.

Chairman Almeida thought it would be a good thing for the Commissioners to begin by saying what they wanted to see, rather than get into the explanation of why it could or couldn't be done. What concerned him about the banding wasn't that it would look like a different material but that the seams looked like they were segmented in small pieces so that it was not structurally convincing that it was an authentic material. Because it was a fiberglass material, he didn't see why they couldn't extrude the seams that went from one center line of column to another and miter them around so that they were one piece across each bay and one seam right in the center line of the column. It would be more convincing if it was the same material. The seams gave it away immediately because they were so small and didn't make sense as to where they fell.

Mr. Rawling wholeheartedly agreed and stated that he was concerned about the weathering characteristics of it ten years down the road. When buildings went through difficult economic times, maintenance was not performed and they started to deteriorate. He had concerns about the flattening of all the molding profiles throughout the hotel, and he thought it was significant because the Commission worked to get away from flattening of contemporary buildings, yet they had seen it in all the drawing versions of the design approvals.

Vice-Chair Kozak agreed with Mr. Rawling about the flattening of the profiles. She didn't think it was a perfect match, but worse than that, it was flatter and not solidly blocked. She thought that perhaps it would be installed differently, but it didn't look like a real piece of masonry. The previous details the Commission had seen helped to make it more convincing with some depth and texture, but it was flat and needed shadows.

Mr. Melchior agreed but thought that the reduction of the shadow would exacerbate the challenge because it had no thermal properties and no entropy. It would be less than ten years, maybe even five, before a stark difference would be noted, and the shadow line would draw more attention to the difference in material, so he suggested breaking up the material. The structural issue was the weight of the original material that caused a contortion, and breaking up the material would create depth. The flat panel would create a different size to minimize the FRP (fiber-reinforced plastic) profile.

Mr. Rawling was concerned about warping in the flat panel over time because it didn't appear to be supported well. Chairman Almeida told him that Mr. Melchior's suggestion would address it well. Mr. Melchior added that it would greatly reduce the vertical profile of the FRP itself because the FRP was its own structural material.

2. Changing the sizes and proportions of the various storefronts

Mr. McNeely pointed out the hotel façade on the corner of Deer Street and the fact that there was quite a pitch to the street that made the storefronts at the corner of Deer Street and Maplewood Avenue look taller than the others. There was a lot more glass on Maplewood Avenue, and the glass proportion changed dramatically from the Maplewood Avenue side, particularly the transient panel. It was nicely proportioned in one spot but looked lean in another spot, which was caused by the street being higher and the spandrel panels being thicker. They couldn't change the street elevation or the structure, but the awnings could be a mitigating factor. The awnings were an interesting part of the project because they were at eye level and did not seem to be extruded from one piece of material but might have a variety of different colors and signage. He suggested that the awnings be used extravagantly on the street facades because the spandrel was too heavy at one point and the glazing was lost. The awnings were what would be noticed at the entrances and points of interest, and not the proportions of the glass.

Councilor Kennedy asked they could request that the glass be put back the way it was originally approved. Chairman Almeida asked her if she meant the stepping. Councilor Kennedy replied that she liked the stepping and liked that it was thinner in one spot and had more texture versus looking institutional. Vice-Chair Kozak stated that what was appealing on the original application was the differentiation between the bands at the lower panel of windows, which made it seem thinner. The drawings made it look like one giant band, and if it were striated horizontally, whereas if it were one continuous band all the way across instead of just a bunch of little panels, it would seem less monolithic. The awnings could potentially do the same thing to break it up horizontally.

Mr. Wyckoff thought that Mr. McNeely's suggestion of having more awnings was a good one because it would mitigate the problem. He felt that it might be better to do away with the horizontal line on the windows altogether because it didn't make as much sense as it had originally when it looked like there was 2' of glass. Only the proportions were better previously. Chairman Almeida agreed that the addition of that much horizontal treatment made a huge difference, but he felt that it was too much of the same color.

Mr. Rawling asked if the storefronts were individual storefronts. Mr. Johnston pointed out that the retail stores started one bay over from the tower and wrapped around down Maplewood Avenue to the last two bays. He said they would be amenable to having awnings, and tenants would put up their own awnings when they moved in, subject to HDC approval.

Mr. Melchior thought that the project reduced the width and the effect of their facade by adding a second column that created challenges on the storefronts by not putting in spandrel. Along with the addition of the extra column of windows on Deer Street, it lent more monotony to the façade. He felt that the applicant should look into how to strongly differentiate the pedestrian level of the storefronts from the rest of the façade and break up the horizontal run because it translated down to the storefronts. They should minimize the aesthetic degradation and separate the storefronts from the façade above, which would help with the spandrel treatment. Retrofitting could create a better independent rhythm on the first floor, which showed how drastic the change had been to the overall design. The cornice turning the corner was more than just dealing with the spandrel

and the storefront because it was about the entire elevation on Deer Street and Maplewood Avenue, not just the storefront. Mr. Rawling agreed that the whole rhythm changed significantly. It looked like all the columns were made uniform sizes, where before they had alternated between wide and narrow.

Chairman Almeida appreciated that the project had not lost how the feature of glass coming down to the sidewalk, and he felt it was an opportunity to add a feature like a light fixture on the pilasters and was in agreement with mitigating the design by adding additional features rather than changing it. The effort it would take to change it would be better spent on other mitigations.

Mr. Wyckoff asked the architectural team why the vertical beams between the cast stone pilasters had become so large and flat and whether they were a different material because they seemed wider. Mr. Lizotte replied that they were wider but the same material. Chairman Almeida asked if there was a way, from the column out to the storefront, to have some detail that could taper it back to the storefront. Mr. Rawling asked how far back the center columns were set. Mr. Lutz stated that some columns projected and some were flatter, and some carried across and some were set back 4". Chairman Almeida noted that the columns were in the same grid. Mr. Rawling thought that maybe an overlay treatment could be done to narrow the appearance. Mr. Lutz stated that they could put another piece in the front and set it back.

Councilor Kennedy asked Mr. Lizotte if he could put together an area of the suggestions so that the Commission could go to the site and virtually look at the results, and she cited the mockup of the trim as an example. Mr. Lizotte agreed that they could do that. Chairman Almeida stated that when the Commission got to the point where they could approve something, they could make it contingent on approving the final mockup as well.

3. Adding columns, pilasters and expansion joints at the porte cochere

Mr. McNeely stated that the developer added pilasters on the central porte cochere bay and the brick piers had doubled. They were treated symmetrically and he hadn't found any problem with it, but he hadn't seen the expansion joint material, which could be the key as to what color it would be and how it would be treated. Mr. Lizotte showed an example of a compression joint.

Councilor Kennedy asked where the material would be used. Mr. Loft replied that it would be on the vertical run all the way up to the roof. Mr. Lizotte said that there was no real joint on the opposite side but they had a brick reveal, so the width was the same. Vice-Chair Kozak asked if the face of the joint was flush with the brick or if it was set back. Mr. Loft said it was set back about an inch. Vice-Chair Kozak assumed that it would be a shadow, and Mr. Lizotte agreed. She asked about the color and was told that it was adobe tan.

Mr. Melchior asked if they had considered putting the joint behind a veneer. Mr. Lizotte said they had discussed it, and because it was brick on both sides, it might be an aluminum coat. Mr. Melchior suggested that they disguise it by putting the joint between two columns and covering it with a monolithic brick veneer. Mr. Lizotte stated that the whole building was separated by the 3" space and there was nothing in-between. Mr. Melchior asked if they could do it with metal. Mr. Lizotte said they could set it back and have metal because it was their building

envelope. Councilor Kennedy asked them if they really thought it looked good. Mr. Lizotte said it was pretty good in the world of expansion joints, but they could look at other options.

Chairman Almeida thought that Vice-Chair Kozak's question was a good one because the Commission had seen expansion joints flushed with brick, and in some cases they were squeezed out of the brick, so the further back it could be, the better.

Mr. Melchior stated that an expansion joint was not the façade of the building. They were closing out the envelope with an expansion joint, and that was where the movement happened. They were not supposed to slam into each other. It was a veneer, so the joint could be set back and covered and could be made a standard detail. Chairman Almeida thought that they would see the metal instead of the rubber because it would be placed where they wanted separation. Someone mentioned that the detail on top wouldn't be seen from the second floor, and if it was stepped back, it would look like a shadow line and wouldn't be visible. Mr. Wyckoff agreed and thought that a 1-1/2" vertical line on that location would not be a detail that he would notice.

4. Gas regulator enclosure on the Deer Street sidewalk

Mr. McNeely showed a representation of a screen would be in front of the gas regulator. Mr. Wyckoff asked if the bollards were necessary. Mr. Johnson replied that the bollards were what they were trying to hide. Chairman Almeida commented that mechanical systems were not defined in a project's early stages, but it was still painful to see banks of gas meters and rooftop units and PVC vent pipes sticking out of the designs that evolved. He noted that there seemed to be a lot of horizontal piping. Mr. Loft replied that the piping was part of the temporary heating system and once it was gone, there would be just vertical piping with the regulator centered on the pilaster. Mr. Lizotte noted that if someone walked down Deer Street and looked down, the regulators would not be seen because they were tucked up.

Mr. Rawling noticed a certain door and asked if it went into the hotel. Mr. Loft told him that it was the back part of the retail. Mr. Rawling thought that a planter would be appropriate, especially if it was extended in a rhythm and worked as an entrance moving closer to the doors. Mr. Wyckoff asked where the trees would be located, and Mr. Lizotte pointed out three tree planters on Deer Street. Mr. Wyckoff thought that Mr. Rawling's idea of bracketing the door with planters would work.

Councilor Kennedy asked why they decided to put a door in a particular location. Mr. Lizotte said it was another way out at that end of the retail space. Chairman Almeida thought it activated the street and that it would be awkward not to have a door along that whole length.

5. Spandrel glass on Maplewood Avenue

Mr. McNeely pointed out that the rendering of the spandrel glass was poor because it made the glass look black, but it was an opaque reflective glass, and when he had viewed it, he had seen no difference between the spandrel glass and clear glass. There was no glass yet in the storefront areas, so he couldn't say how it would look, but the other windows were glazed and looked okay. He said it could have been done with recessed brick as if they were all windows that had been

bricked out, and it was still an option. He asked if the Commission could see that the whole bay was an egress stair and would it be hidden. Mr. Wyckoff noted that it was a definite exit with no entry at all. Councilor Kennedy said she had gone by earlier that day and she could see a difference in the afternoon light.

Mr. Johnston asked if they could expand on the spandrel glass at the corner of Maplewood Avenue. Mr. Lizotte stated that they had originally called out spandrel glass in the corner because of the traffic control cabinet, but after the cabinet was set in place, they found that the spandrel glass wouldn't be necessary. Mr. Rawling was glad that the spandrel glass was removed from that corner because he thought that standard glass was better. He had been concerned about it being black when the rest of the building was illuminated.

Vice-Chair Kozak said that she understood the landing in front of the window but asked why they could not have clear glass at ground level, even though there was a stairway. She thought it was important to have pedestrian connection at street level into the building. Mr. Loft replied that it was currently a concrete block, and Mr. Lizotte said that they might have to remove some of the block at the lower part. Mr. Loft reminded them that it was only an exit stairway. Someone suggested that the glass could be frosted to make it light, and someone else mentioned that an awning could be lowered to come down closer to the pedestrian level. Mr. Melchior liked Vice-Chair Kozak's suggestion and said that they could add something sheer so as not to block it out and open up the first floor to have a continuous façade.

Chairman Almeida thought that it was a good opportunity for shadow boxes, signage, or directories within that void that could be illuminated because they would be going on the building at some point. The Commission could insist that the bay be a custom wood so that it was decorative. They didn't want to draw people in too much because it was an egress stair, but there was enough depth to put those items in.

6. Windows on the two towers

Mr. McNeely stated that he misspoke when he said it would be difficult to see the windows from Portwalk Place. Mr. Lizotte had pointed out that there was a pedestrian passageway that focused on one of them, so they would clearly be seen. Mr. McNeely thought that there was a big difference between a square window and a rectangular one, and he preferred the square one.

Chairman Almeida noted that the rectangular space was previously square, and he asked if it would have a heavier sill. The dimensions had changed, so he wasn't sure if going to the square form would center them a bit. Councilor Kennedy also asked what the rationale was to change the dimensions. Mr. Loft stated that when they did the original design, they assumed a certain depth of wood truss for the roof and engineered it to have less depth of wood truss. The top stayed the same but the lower part was brought up to allow more wall space and to increase the amount of glass, which was a modern interpretation. Mr. Wyckoff thought the double hung windows would open it up. Mr. Loft said they were operable so that they could be cleaned from the inside. Mr. Wyckoff said that he preferred the square windows.

Vice-Chair Kozak said what struck her at first was the height of the cornice, and she thought that if someone looked at the top of the building from the street, the cornice would be seen as the height of the building. It would look as if the building got a little taller because it would seem like another story. Previously, it was more of a transom decorative element. Chairman Almeida asked her if she thought a square window would alleviate that. Vice-Chair Kozak replied that it was not just square windows but pulling the whole cornice down like it was before. It reminded her of the façade treatments seen through Portsmouth with the big storefront level, the repetitive windows in the middle, and the tiny windows up top where the servants used to live. That had precedence all over the District, and it was becoming more homogenous. She was told that the cornice wasn't in yet. Chairman Almeida asked if it would relate to the windows as it did before, and he was told that it would. Vice-Chair Kozak thought that the applicant should do what they first presented. Councilor Kennedy thought it looked much better because the other version looked institutionalized. Mr. Wyckoff said that the back side of it facing the courtyard didn't bother him as much. Chairman Almeida asked if the window heads were in the same place. Mr. Worth told him they were higher, but they would bring the window heads down and leave the sills where they were. Vice-Chair Kozak thought that the Maplewood Avenue side was the most important side, and she stated that her same comments applied to the back side.

Mr. Rawling noted that a change had been made on the pilaster details on each side of the windows. There was a pier-type pilaster on the elevation, which he found more appealing. He was told that the previous one was brick with a reveal, so when they changed the trim, they did a different panel. Vice-Chair Kozak remarked that it looked like there was a shadow cast by the pilasters a few inches out, and she cautioned them about the fiber cement because it was often flush, and she was told that it would be built out. Chairman Almeida said they could go back to the previously-approved one, and the project team agreed and said it would be fiber cement with two cementitious pieces that looked like pilaster.

Less significant items

1 – Omit the cornice trim. Mr. McNeely said there was a piece of trim that stuck up above the cornice but was not too visible from the street. It was actually the wall behind the cornice coming up with a piece of trim on it.

2 - Decrease the brick corbels that are just below the square windows. With the veneer brick, they'd gone back to 1", and Mr. McNeely showed an example of the shadows from the corbels that were not as dark with the 1" as they were with the 2". Vice-Chair Kozak verified that it was soldier coursed and suggested turning the brick sideways and getting the depth because the depth and shadow were important. There was more discussion about the brick. Chairman Almeida thought they could solve the issue by going back to see how they were oriented.

3 - Enlarge pre-cast pilaster capitals. The Commission was told that they went from 6's to 24's. Mr. Wyckoff asked if they previously projected beyond the bricks and was told that they were shorter and flush. Mr. McNeely said that he had thought the increase in the canopy projection was required by the City but it was really to keep the trucks from hitting it. Mr. Lizotte showed the profile and said that the 6' above was still there. The lower part of the canopy was pulled in and was now in the 10'2" range, up from 9".

Mr. Wyckoff verified that the aluminum fascia had been approved. Chairman Almeida thought they had twice as many pieces than previously approved because of the way it was segmented. Looking at the wrapping of the canopy at the Hilton, in the drawings it was a smooth curving surface, but in reality it was all little pieces of metal. He asked why there was a horizontal seam in between. Mr. Lizotte told him that it hadn't been fabricated yet. Chairman Almeida asked if it could be one piece, and Mr. Loft said they would check on it. Mr. Wyckoff said that he preferred having the vertical lines, as on the previous version. Mr. Lizotte said they could make it wider so that they were 2" all the way around. Vice-Chair Kozak noted the corner on the original, as the vertical met the underside of the canopy, looked like a top and bottom cap trim. Mr. Lizotte stated that they could still do that. Councilor Kennedy asked about the trim line above the doorway. Mr. Lizotte said they didn't have the height to keep that one piece above the door the same, but the door would still recess in like the original. Councilor Kennedy asked if they added the extra trim. Mr. Lizotte said that it was still there but not as deep. Mr. Loft pointed out the little piece above the head of the windows and said it was the height of the windows, and they would reduce that piece of trim. Mr. Wyckoff was more concerned with missing the sides of the third floor and the corners of the balconies that got reduced. He said it almost looked like a deck-sized suburban balcony and thought the balconies were more impressive before. Chairman Almeida said the drawing was rendered with shadow and brought the centerpiece out more. Councilor Kennedy asked if they could build them like the approved version and was told that the posts would be widened.

Mr. Rawling referenced the tower again and said that if they compared the cornice and trim details to the existing trims, it was a different molding. The top part of the tower looked like a narrow rectangular band on page 10, but on page 11 it was much taller and the horizontal band seemed reduced in size. Mr. Wyckoff agreed that it appeared to be a little different, but it didn't bother him. It was hand-drawn, and the shadows were shown on the drawing. They further discussed the projection and the taller appearance.

4 – Add pre-cast pier facing Portwalk Place. Mr. McNeely pointed to an extra column on one page and compared it to another drawing where there was no column. Chairman Almeida thought it matched the previously-approved termination on Deer Street. Vice-Chair Kozak thought it was an improvement that helped separate the façade into separate buildings. Mr. Melchior disagreed and said they lost the distinct characteristics that broke up the long horizontal run down the street. Councilor Kennedy thought it looked institutional again. Mr. Johnston explained that their design intent was to keep the windows under the bay, similar to those on the Marriott. The angle made a break in the building to make the street front appear different. Chairman Almeida noted that the addition of a pedestrian entrance was another thing that related to the change. Mr. Melchior stated that the Board specifically had not wanted it to look like the Marriott. Vice-Chair Kozak thought that it was a helpful element that differentiated it from the other buildings along the long stretch of Portwalk.

5 – Metal windows to vinyl. Councilor Kennedy asked if the change was truly approved or if the windows were simply put in elsewhere. Mr. Lizotte said they had vinyl on the residential units that were approved. Councilor Kennedy stated that the Commission asked people to put in metal windows because vinyl windows looked cheap. Mr. Johnston explained that vinyl windows

were necessary because it was a LEED-certified building. Metal windows made the interior of the building cold and were not as efficient as fiberglass or vinyl windows. Chairman Almeida stated that he was very difficult concerning windows, and when he looked at the building from the sidewalk, he could not tell they were vinyl, even though he tried hard to find a difference.

6 – Widen the piers on the corner tower. Vice-Chair Kozak said she liked it better and thought that it was an improvement. Mr. Melchior, Councilor Kennedy and Chairman Almeida agreed.

7 – Metal panels to fiber cement panels. Mr. McNeely said that the metal panels were changed to fiber cement panels throughout the storefront and on the tower. Mr. Wyckoff asked if they were dark bronze and was told that they were. He said that he preferred the fiber cement over the metal, due to the big expanses.

8 – Add column of windows facing Deer Street. Mr. McNeely stated that previously there were seven windows near the tower and now there were eight, but it was not jarring or noticeable. Chairman Almeida agreed with Mr. Melchior that there was a feeling of over-repetition of equally-spaced windows, but that it could be mitigated and that what happened in the first 14' of the building was far more important than what happened 40' out. Mr. Wyckoff agreed and said that when he drove by the building every day, he hadn't noticed the repetition of the windows on the 3rd and 4th floors until it was pointed out. Vice-Chair Kozak thought it was a lot more successful than before because of the rhythm of the bays. Mr. Melchior disagreed but said he would discuss it more when they revisited it.

9 – Remove soldier courses facing Portwalk Place. Mr. McNeely wasn't sure that it was shown very well on the drawings. Mr. Lizotte said they had a few courses below the top window and a few rows of soldier courses wrapping around and facing the intersection of Maplewood Avenue and Deer Street. Chairman Almeida said it could be put back, mitigated, or accepted.

10 – Change granite bases to pre-cast concrete in the parking lot. Mr. McNeely showed some photographs and said he didn't think it was significant. Mr. Lizotte noted that it wouldn't be seen from the street at all. Chairman Almeida noted that the top and edges looked tampered.

12 – Increase window casings in fiber cement siding in the courtyard. Mr. McNeely showed blowups of them, saying they went from 2-1/2" to 3-1/2" to make it more traditional.

13 – Change façade details under the porte cochere. Mr. McNeely pointed out a number of glazing and masonry changes. Chairman Almeida noted that the doors that appeared to be two service doors flanking a bank of four formal doors into the hotel were now sideways. He was told that they would automatically open as people walked in. Councilor Kennedy stated that she missed the windows that were previously above the door. She was told that the top half was spandrel glass to hide a big piece of steel behind it.

Chairman Almeida told the Commission that they could vote on some of the changes immediately so that they didn't have to revisit them. Councilor Kennedy asked if they could extend the work session to the following week because she hadn't had a chance to look at the plans and wasn't comfortable voting on anything at that time. Mr. Katz felt that it would be ill-

advised to further discuss or vote on anything because the Commission had been presented with a lot of material, and other applicants were waiting for their work sessions.

Chairman Almeida called for public comment but no one rose, so he closed the public comment session.

*Vice-Chair Kozak moved to **postpone** the application to the April 16, 2014 meeting for another work session/public hearing. Mr. Melchior seconded. The motion **passed** unanimously with all in favor, 7-0.*

IV. WORK SESSIONS

A. Work Session requested by **City of Portsmouth, owner, and Portsmouth Housing Authority, applicant**, for property located at 5 Junkins Avenue, 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 110 as Lot 1 and lies within the Municipal and Historic Districts.

Mr. Craig Welch, Executive Director of the Portsmouth Housing Authority (PHA), Commissioner Mike Kennedy, Mr. Jeff Aleva of Civil Consultants, and Ms. Dee Flynn, Advisory Board Member and resident of the Connors Cottage Apartments, were present to speak to the application.

Mr. Welch told the Commission that Connors Cottage Apartments was owned by the City but was on a 99-year land lease and was fully redeveloped in 2004 by the PHA. He said that when he joined the PHA, he discovered that the windows were failing in a major way and had to be replaced. Because of financing and subsidy issues, replacing \$5,000 worth of windows was a major issue. The current windows were Eagle windows, which were not part of the original window specifications. Marvin windows were supposed to have been installed but were replaced during the project because they were cheaper. It was also decided at the time not to replace the wooded panning system round the masonry as a cost-saving measure. For the proposed new windows, they wanted to preserve the look of the current windows, but the panning system was a problem. The windows were big double hung windows that were difficult for the elderly residents to operate, and he felt that awning windows might be the best solution.

Mr. Aleva told the Commission that the vinyl replacements installed in 2004 were an issue from the beginning and that several windows had blown in during windstorms. They needed windows that would last, would be easy to operate, and would reduce maintenance costs. They considered a previous project's paradigm window that looked like a double hung window but was an awning window that had the same style but was easier for the elderly to operate. They researched similar systems that would provide fresh air openings and found a Harvey system that was attached to a vinyl awning style window with a secure opening that covered up the existing wood frame and snapped in. It was quick and easy to install, met the inside requirements of the window, and the color matched. The other part of the project was the conservatory areas, where there was a mix of casement and fixed windows that were showing signs of failure and moisture infiltration.

They would address flashing issues and replace the wood with a composite material that would have the same outward appearance and better maintenance.

Ms. Flynn told the Commission that she moved to the Connors Cottage Apartments in the fall of 2008, at which time it was comfortable, but when the winter arrived, it was horrendous. The cold would blow through the windows and actually blew down two community room windows, and some windows came down on people's hands. She felt that the seniors deserved better.

Mr. Wyckoff stated that he didn't accept the description given of the window panning system and the existing trim that was left with the replacement windows as flimsy, and he did not accept that there were cheap vinyl windows installed. Windows were designed for average sizes, and if they weren't well-engineered windows, they wouldn't work with maximum sizes. He had seen casement windows that were so large that the crank couldn't be worked to open them. He understood the situation and wanted the Connors Cottage Apartments to have quality windows that worked properly, but he was not willing to accept the first solution that arose.

Councilor Kennedy asked if the conservatory windows would be left the same and the trim replaced. Mr. Aleva said that they wanted to replace the windows because of the moisture infiltration around the perimeter, and they would use the same type of window, either large picture windows or casement windows, so that the appearance would be the same. Councilor Kennedy asked about the panel windows. Mr. Aleva said they were casement windows with wood paneling to create the divider between the 2nd and 3rd stories. Due to water infiltration, the wood was rotting there were flashing issues. The appearance of little panels of glass and divided light would stay the same. The awning style of window would keep it sealed tight, and the fixed top area would help give it more strength along the intermediate sash.

Chairman Almeida asked if that detail applied to all the window types and was told that it was just for the masonry windows, which were the single double hung windows around the perimeter. The picture windows would be no different. The woodwork below would be replaced with a composite panel and painted the same color and details, and only the composition would be different to reduce maintenance.

Ms. Ruedig asked if the Lafayette School had similar-sized windows and whether Mr. Aleva had checked them to see how they functioned and if they were too big to open properly. Mr. Wyckoff noted that only the bottom portion opened, which was better than what he originally thought, and he felt that the awning windows were better than casement windows because if casement windows were left open a few inches during a rainstorm, the water would go in. Ms. Ruedig noted that there were no exterior screens as well. Vice-Chair Kozak thought it would look different because there would be a 2" mid rail instead of a 1" mid rail. Mr. Aleva agreed.

Mr. Wyckoff asked if they were still replacement windows and was told that they were, but that some of the wood frames were still in good condition and others should have been pulled out when the replacement windows were installed. Mr. Wyckoff asked why they had not gone back to Eagle to complain. Mr. Welch said that Eagle had been bought by Andersen.

Vice-Chair Kozak asked to see a sample of the window. Mr. Welch hadn't brought one. Mr. Katz asked if the proposed windows were the same as the Lafayette School ones. Mr. Aleva said they were proposing Harvey windows that were similar in approach, design and installation with the exception that they had a metal pan that could cover the opening in the masonry and have lower maintenance. Mr. Katz considered the Lafayette School conversion a successful one and thought it would be easier if the same windows were used, especially since the Lafayette School was a historic building and the windows did not detract from the neighborhood.

Mr. Wyckoff said that he was willing to go with the awning window style, but the metal pan bothered him. The trim had to be repaired before it was covered, otherwise it wouldn't hold the replacement window tightly. If Mr. Aleva went to the effort of repairing the exterior casings, the original trim should be repaired and painted as well. Vice-Chair Kozak said that, because of the way the new windows were installed, they wouldn't get the proper overlap with the brick mold to the new window plan and it wouldn't be sealed properly. Mr. Aleva said their concern was the cost, and they chose the metal pan because they wanted a system that would cover up the woodwork and provide a seal for the new window. Vice-Chair Kozak replied that several window manufacturers made metal brick molds that would be appropriate. She found the side panning system objectionable because it had the same profile as the sill and looked like a big picture frame box. If they could get a different profile on the top and sides and recess it back so that the sill protruded further, it would be more in keeping with the historic structure.

Mr. Aleva reminded them that the other building had flat casing with a square edge, with no molding around it. The Harvey window measured inside on the bottom sash and was about the same glass width, and that was why he wanted to put them on side-by-side. Chairman Almeida asked if it was possible for the detail to go back as well. Mr. Aleva said it was possible for it to shrink in depth so that they wouldn't lose the extension and the reveal inside the opening. The screen would be on the inside of the awning window. Chairman Almeida asked if they would use any double hung windows, and Mr. Aleva told him that they wouldn't.

Councilor Kennedy asked how old the trim wood inside the windows was because she felt that if it was cheap pine, they would all be rotted if the windows were taken out. Mr. Aleva said that was the reason he had thought about doing a mockup, to see what it looked like when they pulled out the window. He doubted that the trim was original, based on looking at old photographs. Mr. Wyckoff said he didn't believe it. In older homes, usually the jambs and the window sills lasted and the replacement windows failed. He thought the window frame would still be in good condition even though the replacement windows were cheap and installed sloppily. Mr. Aleva said that they were more than 30 years old and it didn't look like they had been replaced.

Chairman Almeida thought that it would be okay for them to do a mockup on site for the Commission to look at. Vice-Chair Kozak reminded him that it was a vinyl window, and they had rejected that type of window on other applications, and Councilor Kennedy agreed. Vice-Chair Kozak wanted to see a sample and remarked that vinyl windows were cheaper but didn't last as long as other materials. Mr. Katz said he would take a closer look at the Lafayette School.

Mr. Aleva asked if the consensus was that the panning system would not be acceptable. Chairman Almeida replied that it depended on how it was detailed. If it was able to be pushed

back to maximize the brick return, and if the panning system had a profile instead of the brick mold, it would help. However, if the vertical elements of the panning system were identical to the sill, that would be unfortunate.

Councilor Kennedy agreed with Vice-Chair Kozak about being consistent and fair in dealing with vinyl windows. Vice-Chair Kozak said that vinyl expanded and contracted a lot, which loosened the gaskets and sealants. Chairman Almeida said that, as far as consistency, every situation was unique, and they should not state overall that they would not allow something in the Historic District because each application was different. Mr. Melchior considered it a gross hardship to the residents in that particular case and, as stated in the Commission's ordinance, if there was gross hardship, there was room for exception. Chairman Almeida agreed.

Mr. Welch promised that they would make every effort to do something that was consistent and respectful to the building, but he could not stress enough how difficult the economics were to make it work. Mr. Katz asked if the Lafayette School was financed by a grant. Mr. Welch explained that they had two kinds of housing, one of which was public housing built with Federal money, but there was no more public housing being built in the United States. Their project had a loan and very complex layers of subsidies.

Chairman Almeida called for public comment.

Ms. Marie Hunkins of 5 Junkins Avenue stated that her apartment was in the corner of the building. She had been through her first winter and had photos of snow coming in through her bedroom window sill, with marking tape around the frame. The panes in the front six windows didn't leak, but the casing did, and she could feel the cold air coming in. Her heat was set to 76 degrees and it went down to 56 degrees in the cold weather.

Chairman Almeida closed the public comment session.

The applicant indicated that they would move forward with a public hearing.

B. Work Session requested by **Hunking Holdings, LLC, owner**, for property located at **311 Marcy Street**, wherein permission was requested to allow new construction to an existing structure (construct one story addition, add dormers, construct new front porch, install rear skylight, install HVAC unit) and allow demolition of an existing structure (remove chimney) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 2 and lies within General Residence B and Historic Districts.

Councilor Kennedy recused herself from the work session.

Ms. Anne Whitney, the project architect, was present to speak to the petition. She stated that the house was a unique classic Gothic in the middle of the South End with vinyl siding. Most of the windows had been replaced. The lot was tight with a big front yard, making it prominent coming up from Marcy Street. Ms. Whitney wanted to completely renovate it and remove the vinyl siding and metal-coated trim, and the clapboards underneath would remain. Three additions were proposed, the first of which was a front entry addition that would be a porch with front

steps. The second addition would be small shed dormers over the three windows on the front 2nd floor. The third addition would be an 8' x 12' one-story addition with the existing deck and steps removed. She wanted to remove the remaining chimney on the back side, which was one of two original chimneys, because the kitchen wouldn't work if the chimney remained. She would add a faux chimney if necessary on the Marcy Street side.

Ms. Ruedig asked her if she had found historic photographs of the house because she wanted to know what the original design intent was and if there would be shingling under the vinyl and gable front. Ms. Whitney stated that she had not been able to find any photographs. Ms. Whitney pointed out the front elevation with the picture window and two narrow double hung windows and said she would use the existing openings for 2' double hungs and would bring the height of the windows down from 4'4" to 5'. Vice-Chair Kozak mentioned that it looked as if the double picture windows were put in and the dormer was added in the front. Ms. Whitney told her that the interior was gutted, and the center gable and roof framing were original. Mr. Katz asked if the picture windows were expanded. Ms. Whitney said if they were, it had been done a long time before. The windows were taller at that time. The other windows in the house were the original size. She thought there might have been two double hung windows instead of three previously because there was not a lot of new framing except where they lifted the window up. She had also thought about installing a traditional peaked dormer but felt that it might be too much. Mr. Katz thought it looked successful. Mr. Wyckoff said that he would put the peak gables on it because on that type of Gothic house, people didn't hold back. Ms. Whitney thought they should hold back in that particular environment, not because of cost but because it was a calmer way to use a shed dormer. Chairman Almeida thought either way would be successful.

Ms. Whitney said that the house had the original rugged 2-1/4" thick front door that needed some work. The panels were imbedded and beveled with a little Gothic arch and the original moldings for the opening, and she could put a transom light above it and probably have a storm door to protect it. She would choose a square column rather than brackets, and put panels on the side of the porch and the dormer that would transition into trimmed out and painted Hardiplank panel. Mr. Rawling thought there was a lot of improvement, but he felt that it was a little flat, especially on the 1st floor levels. He thought it needed more decoration above the windows and on the gable ends on the Marcy Street side.

Ms. Whitney showed the view of the existing gable and the new addition and said there was access to the basement by the side door where they would put foundation under the addition and put a bulk head on the end. Chairman Almeida asked if she would install a brick shelf so that the new foundation matched the existing, and Ms. Whitney told him that she would do it on the Pickering Street side and perhaps on the back side. The back elevation had a double hung window that shouldn't be there according to code, so she proposed a small casement window for the half bath on the 1st floor and a skylight on the roof to let some light into the upper stairwell. Chairman Almeida said that it appeared that the rear wall facing the abutting property and the driveway was very visible. Ms. Whitney said it was visible only in that location. Chairman Almeida asked if there was a way to keep the dimension of the window on the back elevation. Ms. Whitney said she might have to move it. It was a 24" double hung, and the height would stay the same, which would be helpful. Chairman Almeida agreed that it would be helpful. Ms.

Whitney said that most of the windows in the house were 34" to 36", and that particular window was 30", so she would try to keep it. Chairman Almeida thought that the window added interest.

Ms. Whitney stated that she would need to add some detail on top of the windows and asked if the Commission had issues with the triple windows in the front. Mr. Wyckoff said he wanted to retain the existing rough opening and if not, he would replace the windows with the same size. Mr. Rawling thought that the proposed solution was much better than the existing windows. The additions with the hoods would be more appropriate, and the paired windows on the right side elevation replaced by a triple window would be more successful. Ms. Whitney said it was just a 12' wide gable, so the triple might be too much. If they did three 2' triples, they would be equal. She was trying to be consistent with the size of the double hung. It was more the proportion of the 12' gable. There was room in the gable to match whatever top detail she did. Mr. Rawling said that he found that the proportion of paired windows didn't seem right.

Mr. Katz asked Mr. Whitney why, if she moved the three narrow windows instead of the double, she would not carry the same width to the front. Ms. Whitney replied that it was the light for the house, other than the window on Marcy Street, and she preferred doing double windows, which were common in that Gothic style. She thought the balance worked with the triple window, and going to the double on the smaller gable made sense.

Mr. Ruedig said that she didn't care for the dog ears on the dormers. Ms. Whitney told her it was the wall and that she would wrap the rake 3" and go into the Hardiplank with the trim board. If she filled it in with the roof, it wouldn't be seen. Mr. Wyckoff told Ms. Whitney that it would be interesting to take off some trim of the front door because she might find a gable detail.

Ms. Whitney said that the Commission could do a site walk because the only place the chimney could be seen was on Hunking Street. Mr. Rawling was concerned about the legacy of the Historic District having a house with no chimney. Ms. Whitney said it was such a tiny house, and they could relocate the existing chimney to the Marcy Street side where it would be more visible. They would not do a full masonry chimney that would look like the old chimney. Mr. Melchior stated that he did not want to see the chimney go. Mr. Wyckoff said he could see it go if there was an effort to bring the Gothic details back to the house. Ms. Whitney said a lot of period houses didn't have a lot of Gothic detail but she would research it.

Chairman Almeida called for public comment.

Mr. Rick Beckstead of 1395 Islington Street stated that the Commission had seen several applications with chimneys in the last four months, and there seemed to be a precedent currently given on fake chimneys. He counted at least six stucco chimneys, and said they looked nice for 6-8 years and then the plywood gave or the AZEK moved, and the neighborhood was stuck with the result. He stressed that the Commission needed to start putting the brick chimneys in.

Ms. Barbara Ward of 16 Nixon Park stated that there were plenty of ways to determine the age of the house. It seemed like the Commission was speculating a lot about what was original, so it seemed to make a difference how old the house was. It would be a shame if the house was truly an 1840 building and its age was not respected. She said that there were plenty of photographs at

the Portsmouth Athenaeum, and fire insurance maps could indicate the footprint of buildings going back to 1860. She felt it was worth the effort and encouraged the owners to find out more about their house before they finished the renovation.

Ms. Beth Margeson of 24 Marcy Street said that she walked by the house every day and was delighted that it was finally being worked on. She agreed with Chairman Almeida that reducing the window or not having one on the back of the house would ruin it. She walked by another house on School Street where the window was removed and it made the house look worse. Removing the window on the rear would detract from the back of the house.

Chairman Almeida closed the public comment session.

The applicant indicated they would move forward with a public hearing.

C. Work Session requested by **Strawbery Banke, Inc. owner**, for property located at **off Washington Street**, wherein permission was requested to allow a new free standing structure (construct skating rink and associated outbuildings) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 7 and lies with the Mixed Residential Office and Historic Districts.

Chairman Almeida and Vice-Chair Kozak recused themselves from the application. Mr. Katz conducted the work session.

Mr. Brian Murphy, the project architect, Mr. Larry Yerdon, President and CEO of Strawberry Banke Museum, Mr. Rodney Rowland, Director of Facilities at Strawberry Banke Museum, and Mr. Jeff Keefe, Co-Chair of the Planning Committee for the project were present to speak to the application.

Mr. Murphy told the Commission that the Puddle Dock Pond would be an outdoor seasonal skating rink on the grounds of the museum. The vision was to create a place of activity and healthy community engagement in the winter, and the rink would be out from December through February and then put into storage. It would be thoughtfully designed and would be a temporary situation that would compliment its surroundings. A few facilities would be included with the rink, one of which was a temporary chiller that would be used to freeze the ice as well as an enclosure that would surround it to block the sound of the chiller. The other structure would be a temporary pavilion to house the skate rental and ticket operation. There would also be temporary light fixtures on wooden posts. The structures were based primarily on their function and were not meant to look like any particular structure on campus but had some elements that were inspired by Strawberry Banke. An image of the Cooperage as shown in the material illustrated the siding similar to the one they would use on the building. Also, an image of the greenhouse at the Goodwin Mansion was an example of a function-specific building on campus, and was not meant to look like the greenhouse but would use a similar siding. The pavilion's design was based on ease of assembly, disassembly, and storage. The skate racks would be the walls of the structure. The roof was made of lightweight and easy-to-handle fiberglass panels. The panels would be translucent to let daylight in and to avoid the use of excess energy. The lighting inside of it would be dark-side compliant as if it were outside to prevent light bleed at night. The

chiller enclosure was simple and functionally-driven to mitigate the sounds of the chiller, and it would be 13-1/2' high and made of wood board construction, similar to a fence.

Mr. Katz confirmed that the Commission would be reviewing one permanent structure (the fence) and two temporary structures. Mr. Murphy disagreed and said that everything was temporary. Mr. Katz asked Mr. Keefe if the three temporary structures were the extent of their purview. The rink itself was not something they would consider. Mr. Keefe agreed and said that the lighting would also be included. He stated that the fence around the rink should also be looked at as a temporary structure. Mr. Murphy pointed out a sketch showing what the fence would look like and said that it was designed by the people providing the rink, and the sketch was only his interpretation of it. The Commission asked him to include it in the application. Mr. Katz asked if all the light posts were indicated in the site plan and was told yes and that they would also be temporary. Mr. Wyckoff asked how they stayed up and was told concrete posts. Mr. Katz asked how many there were and was told that there were 15 posts.

Mr. Wyckoff stated that he found the chiller enclosure the biggest drawback and asked if it could have a faux roof on it that was open to let heat out and maybe 8-9' walls rather than just a 13' fence. He suggested building a teepee-like structure that would be easy to disassemble and would mitigate the noise. Mr. Murphy said he wasn't sure how much the Commission wanted to see because it was just a frame. He had spoken to the vendor and understood that the enclosure had to be open on top for the air flow, but he would discuss it with the vendor.

Ms. Ruedig stated that she had only positive things to say and thought that all of the designs of the structures were great in that they took their cues from the other buildings on campus but were not trying to be old. They were modern, with good materials and techniques. She thought the biggest plus was that the system was completely reversible with no lasting impact.

Mr. Cracknell asked how the chiller would be moved, and Mr. Murphy replied that it would be moved by crane. Councilor Kennedy asked how big the chiller was. Mr. Murphy said that the size of the inner box was 31-1/2' x 8'. Councilor Kennedy assumed then that it would be a 44' x 20' enclosure, 13' high. Mr. Cracknell asked how tall the chiller was and if it would be moved off-site entirely. Mr. Yerdon replied that it was 8' and that it would be moved off-site.

Mr. Melchior stated that he was in full support of the application exactly as it was presented. However, he suggested a band molding or wooden cap on top of the fence.

Councilor Kennedy was curious about the light poles because the community was concerned about the lights, but she noted that the lights were directed downward. She wondered what would be left when the equipment was moved. She was also curious about the fence surrounding it and the material for the roofing because it was fiberglass, and she wanted to see a sample of it. She also wanted to know the exact dates when the equipment would be installed and then taken away. She asked about the type of windows on the sheds. Mr. Murphy replied that there were two wooden double hung windows.

Mr. Rawling stated that he was fine with the application but was concerned about the chiller enclosure because he thought it needed something to break the scale. He mentioned that Federal

sheds used to have overlay with pilasters, of which there were several examples of around town. He thought it would soften the enclosure. Mr. Murphy replied that details like that could become challenging in the assembling and disassembling. Mr. Rawling asked if it would be weathered or painted wood. Mr. Murphy thought it would be a natural finish due to maintenance concerns. Mr. Wyckoff thought that if it was going to be panelized in 8' or 10' sections, it could have some relief along the top. He also agreed with Mr. Melchior's idea of a horizontal wooden cap but would also reduce the height by adding another horizontal band around it to stabilize the structure. Otherwise, he thought it could be a problem on windy days. He asked if it would have collar ties or corner bracing because it was a 44' x 20' building at 14' tall without a roof to stabilize it. Mr. Murphy stated that the structure would have bracing.

Mr. Yerdon asked the Commission if it was a problem that the chiller door was not a set-in door but was part of the appearance and looked more like a gate. He was asked if it would be made out of the same board, and he said that it would. Mr. Yerdon was also concerned about the Commission's question about the lights and stated that the lighting system had already been reviewed and met the zoning requirements. He asked what further detail they needed. Mr. Cracknell told him that they just needed the proposed system and an illustration showing what the posts and the fixture would look like as well as the fence around the rink.

Councilor Kennedy asked if there was some kind of a cap that would go in place when the posts were taken out. Mr. Murphy said that a cap would go on and would be covered with soil so that it would not be seen. Mr. Katz said that he was in favor of the application as presented and had no questions.

Mr. Katz called for public comment.

Ms. Beth Margeson of 24 Marcy Street stated that she was a direct abutter and thought that the structure seemed at odds with Strawberry Banke because it looked very contemporary and would be somewhat permanent. She didn't care for the translucent roof because there was nothing like it at Strawberry Banke or in the neighborhood. She wondered if there would be wooden casings for the speakers and had thought they would be mounted on poles. She also thought that the rink had to be ADA-compliant and wondered why there was no detail on the ramps. A project team member told her that the speakers would be on poles, there were no ramps, and the rink was ADA-compliant. Ms. Margeson stated that those items should have been noted.

Mr. Katz closed the public comment session.

The applicant indicated they would move forward with a public hearing.

D. Work Session requested by **233 Vaughan Street, LLC, owner**, for property located at **233 Vaughan Street**, wherein permission was requested to allow amendments to a previously approved design (changes to materials) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 124 as Lot 14 and lies within Central Business A, Historic, and Downtown Overlay Districts.

Ms. Carla Goodknight of CJ Architects and Mr. Bill Bartell were present to speak to the application. Ms. Goodknight told the Commission that she would address the seven amendments to the approved design. The changes pertained to material choices and were primarily driven by details developed in cooperation by the contractor and subcontractors in preparation for construction.

1. The Kawneer 1600 system was changed to the Kawneer 451T system. Ms. Goodknight brought a sample for the Commission to review and stated that it was a nice system that would be the same color as before and would be easier to detail around the balconies.
2. The 4th floor window height was changed and a brick sill was added instead of the extruded metal-wrapped blocking, which was deemed to be problematic for installation and finishing around the edges. The windows were reduced in height by 4” to accommodate the brick sills.
3. The entry canopy was changed from an aluminum sunshade to a glass canopy, which was more appropriate. Mr. Wyckoff asked if the structural support would be seen. Ms. Goodknight said that it would and would also be detailed and finished to a t-shape with a channel on the end.
4. The cornice material change would not change the profile at all. A metal-wrapped blocking with applied and painted AZEK pieces was originally proposed but would have been difficult to attach, paint and maintain, so a one-piece seamless fiberglass system was decided upon. Mr. Wyckoff asked if there were solid brackets on it. Ms. Goodknight stated that there were brackets that would be molded into one piece like a fiberglass form and custom made to specifications.
5. The glass railing was changed to a cable rail system due to a pushback on the maintenance of the glass railing. It could be adapted to the heights of the balcony, parapet and top railing.
6. The standing seam metal roof manufacturer was changed from Warren to Kaddis, which was a preference of the contractor.
7. The ground face manufacturer was changed from Westbrook to Genest.

Chairman Almeida stated that he saw improvements in everything. He liked the Kawneer 451 series better than the 1600 series and thought that the cable rail system was an upgrade.

Vice-Chair Kozak stated that she didn't care much for the Genest product and the landscaping material and planter walls. She thought the other type had warmer colors and was more subtle. She asked what the highest elevation of it was. She was told that it was about 30” and that it would be facing the planters and would not be on the building. Mr. Rawling liked the cable rail system but preferred the vertical rather than the bow. Chairman Almeida preferred the bow and thought that the smaller rails on the parapet were a nice touch.

Chairman Almeida called for public comment but no one rose, so he closed the public comment session.

The applicant indicated they would move forward with a public hearing.

E. Work Session requested by **Eport Properties 1, LLC, owner**, for property located at **173-175 Market Street**, wherein permission was requested to allow exterior renovations to an existing structure (renovations to existing structure) and to allow new construction to an existing structure (additions to the existing structure) as per plans on file in the Planning Department. 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 of CJ Architects, the owners Mr. Ken Erickson, Mr. Chris Erickson, and Mr. Corey Erickson, and Mr. Heinz Sauk-Schubert were present to speak to the application.

Mr. Chris Erickson told the Commission that they were before them because of the BOA's reservations about the rear façade facing the water. Before addressing the rear façade concerns, he wanted input from the Commission on various pieces of the façade that would make the project more successful.

Ms. Goodknight told the Commission that she was in an information gathering mode and that her project team would meet with the Portsmouth Advocates the following week. They were considering the execution of the design on Ceres Street and the concern about the subordinate design of the existing structure. Chairman Almeida stated that he had watched the BOA hearing and noticed that the various components of the building were labeled a, b, and c, where the existing building was considered as one building, the left one had a second element, and the remaining corner was a third element. Mr. Chris Erickson replied that the team was responding to allegations by the various petitioners about enveloping the existing structure, and he had tried to point out that there were two lots they were dealing with. One of the lots was where the existing building was, and the other lot was the one next to it. Therefore, they were treating the project as two separate buildings that were placed next to one another. The argument could be made that by building next to the other building, they were enveloping a historic structure, and they felt that it was not fair that because an existing building happened to be on an adjacent parcel next door, the lot was not buildable. Councilor Kennedy said she also watched the BOA hearing and there were questions about whether or not it fit into the surrounding context as well as concerns about Ceres Street and the brick and façade. She thought the Commission should address the list they had put together at the previous session and go through the items in the future.

Mr. Chris Erickson said that one of the challenges they faced was having gone through the process for ten months and having put a lot of thought into decisions, yet they were given 45 minutes to present their project to the BOA. They could have spent eight hours talking about the bricks alone. Therefore, they had a daunting task to bring forth the understanding as to why certain decisions were made, and they were obviously unsuccessful in explaining things. They took a breather after the BOA hearing to take a new look at the project and started thinking about Ceres Street as a whole and how they could approach that entire back area and make it successful for everyone involved, kind of an extension of the public portion of Ceres Street.

Ms. Goodknight showed an artist's rendition of the design elements that had more of a commercial focus in one area and stated that they wanted to talk to the neighbors again to see if there was a way to look at the entire context in a more holistic manner. The site plan focused on the Ceres Street right-of-way where it exited into the Moffett-Ladd property and turned back to Market Street. She said it was advantageous in site planning because it gave vehicles additional radius. The other issue was the amount of surface parking in the area, from the neighbor to the salt piles to the beginning of Merchants Row. She said that they were in the middle of that condition and were looking to start the connection to provide the bridge. She felt that it was advantageous for all the properties to make it more appealing and pedestrian-friendly along with the retail portion. They pulled the building back an additional 3' to facilitate a wider portion of the right-of-way yet still maintain the required parking. Parking was now completely under cover, and they did not want to expose it or have vehicles back out into the right-of-way. Chairman Almeida asked if the reduction in the building went elsewhere. Ms. Goodknight told him that it didn't.

Mr. Goodknight mentioned the preservation briefs and said that they looked at alternative materials to see if they could use a lighter material on the addition to the historic building and how far they could carry it while still meeting the parking requirements.

Mr. Sauk-Schubert told the Commission that it was a very general site plan that followed the property lines. He pointed out that Ceres Street began with the one-story supporting structure and could argue that the right-of-way was a restrictive one. Some might argue that it would stop the view of Ceres Street, but he thought that it would break up the view positively because when people walked down Market Street from Market Square to the Bow Street intersection, they would see a drastic turning of Market Street that would add to the experience.

Mr. Wyckoff stated that one of the complaints from the Historic Preservation group was covering the bricks with another veneer, and he asked if they had considered closing up any chippings and coating or painting the building. Mr. Chris Erickson replied that a lot of people didn't realize that there were varying conditions depending on which wall they were dealing with. The wall facing the vacant parcel was removable latex paint, but the wall facing the garden had cement under its latex paint.

Mr. Tony Coviello, a local engineer, stated that the quality of the brick was not very good. When they made the brick, it was variable and the building was not insulated, so there was thermal drive in the wall. In the past when they constructed buildings, they put the best brick on the outside and the bad brick on the inside. If they insulated the building, they would change where the dew point was occurring and the condensation point would be brought inside the building, doing a lot of damage to the wall. The wall had to be able to withstand the weather and freezing cycle, and it couldn't.

Mr. Chris Erickson stated that the incorrect assumption made by critics was that the developers came into the project wanting to just build another wall, but they had done a lot of research and testing to figure out the best way to handle the conditions, and the conditions were what made them go in the particular direction they had to go in, not personal benefit or cost-cutting.

Ms. Goodknight stated that the proposed bricks were reproduction water-struck brick and not extruded, so they were a different size and more costly. The pattern that they were committed to matched the brick pattern on the existing building, and when the brick was originally installed, it had thin joints, which current materials couldn't do. She explained the bricks further and summarized that they would have to be altered and installed in such a way with bricks, joints, and a pattern not commonly used to replace what was done on the original building. Mr. Melchior stated that he didn't know anyone on the Commission who had issues with it or was against it. Mr. Chris Erickson said that it was brought up by the BOA and the appealing process, so they had to address it. Chairman Almeida thought it was an issue brought up by others and not the BOA. He asked if they anticipated major restoration issues with the southwest wall facing the vacant lot. Mr. Chris Erickson told him that it was a challenging interior wall for which they had discussed interior drainage behind it but they wouldn't be covering it. Chairman Almeida confirmed that Mr. Chris Erickson had said they would strip the wall that was getting encapsulated. Mr. Chris Erickson said that it wasn't noticeable because it was a white coating and he thought there was a bonding agent added to the brick that became part of it. They had shown a video of it at the BOA hearing and had tested it to see if they could remove the coating, but they weren't successful. Chairman Almeida asked if it was an issue for anyone. Mr. Wyckoff stated that it was not an issue. If people had done extensive research, he was willing to accept engineers' opinions. Mr. Melchior said that it was not an issue for the Commission.

Mr. Goodknight said they had also considered mitigating the grade changes on the retail level on Ceres Street, and they wanted to extend the wine shop retail space at that level. They would deal with the flood plane, raise the floor, and work on it. She didn't know if they could pursue it and asked the Commission if it was worthwhile to pursue. Chairman Almeida thought it was a wonderful chance to add more commercial space in the back.

Vice-Chair Kozak noted that the Commission had approved the previous design, but it was the BOA who shut it down, so it wasn't what the Commission thought but what the BOA thought, and it was hard to do. From watching the hearing, she thought the BOA had two concerns, one of which was the obscuring of the water view of the Frank Jones Building because the façade was significant, and perhaps there was too much glass. She felt that the Commission needed to respond to their concerns. Chairman Almeida said that he also heard a concern about the back corner, Part 3 of the development. Councilor Kennedy said that they did not view the surrounding properties and take them into account. Vice-Chair Kozak said they may love the commercial storefronts on the bottom and the idea of the brick, but it didn't matter because they had already given their opinion. Chairman Almeida stated that the Commission would be asked to approve or deny the project, and nothing prevented a project from being appealed again.

Mr. Sauk-Schubert told the Commission that they were looking for guidance primarily on the rear façade to address the BOA's concerns on how to make the design on the back end more successful.

Ms. Goodknight was concerned that the BOA had a very limited time to learn what took the project team almost a year to figure out, and that some of their opinions and observations needed to be worked on. She felt that a great deal of information was missed on their part. Ms. Ruedig was concerned about the back side as well. Being a preservationist, she was familiar with their briefs, and she appreciated the pulling back and decrease of the height, the changing of material,

and the simplification of the back addition because it made the actual historic building pop out. It drew the eye and wasn't just trying to piggyback off the historic building with the brick and make it just a bigger building that happened to be attached to it. It now looked like a secondary addition, and she thought it was a huge improvement. Mr. Chris Erickson asked her if she felt the connection to the new addition should be clapboards, for example, transitioning from the addition off the existing building to the old building that sat in the other parcel. Ms. Ruedig thought it was up to them, that they could either make it its own long building or continue it. Councilor Kennedy knew that the Portsmouth Advocates were looking at it as almost two separate projects and were not in favor of the back part of the historic portion.

Mr. Katz said that he had the same misconception as Ms. Ruedig because it looked like the building had been lowered. He thought they would have to simplify the riverfront façade and lose a story. Playing games with clapboards would not make a difference. The addition would overpower the original buildings, so they would have to decide if they could diminish the additional building and still make it worthwhile. The alternative would be to make some changes and go through the HDC and have it approved, and it would probably be appealed and they'd be back in the same situation. Mr. Chris Erickson told him that the reason they were meeting with various groups was because they didn't want to relive that process.

Ms. Goodknight said she wanted to know in what way the addition was not subordinate to the existing structure because it was less than half the size and it was pulled back from the corner. Chairman Almeida thought that the building was considered unique due to the radius piece and that it remained a distinct building from the other one and was subordinate to the historic building. They had pulled the entire façade back, and he wasn't sure that had been necessary. There was a sidewalk issue, but it could be a porte cochere that could be covered and the floors above could extend over it. They perhaps needed to put the volume back out to where it was before, which might give them license to remove some volume on Section 3. Differentiation and depth were important. He didn't want them to give up on the process and stated that the Commission would come up with a design that worked so that they could move forward.

Mr. Chris Erickson stated that the Conditional Use Permit had been held up by the BOA. The zoning change had been dropped into their lap, so they needed the Conditional Use Permit to keep the amount of floors that they already had. Mr. Cracknell said that they may have to modify it because the Conditional Use Permit was upheld. Ms. Ruedig said that they would hear from the Portsmouth Advocates that it was not subordinate because it was the same height as the original building and added almost as much depth to the back. Mr. Chris Erickson told her that the BOA had discussed the glass in the round in the back, and perhaps they could look at the fenestration and material and different ways of addressing it to mitigate the BOA's concerns and simplify it because it had a different look in the back than in the front. Mr. Wyckoff told him if he dropped a floor, his life would be much easier.

Mr. Chris Erickson said they would be meeting with the Portsmouth Advocates. Councilor Kennedy encouraged it and said that comments were based on the surrounding properties and the oval structure and the glass. People wanted to see Ceres Street look like Ceres Street. Chairman Almeida asked if they had enough positive feedback. Mr. Chris Erickson wondered if it would work if they changed the material on the back to maintain the look of two buildings.

Mr. Sauk-Schubert thought if they tied the clapboards into a brick structure and made an indentation, it might be a tradeoff. They could keep the new building where it originally was, but they wouldn't have much room for parking.

Chairman Almeida called for public comment.

Mr. Jeff Kissell of 21 Ross Road reminded the Commission that they had already approved the exact design and asked why they wanted to go back on what the BOA had decided when it was not their concern. He recommended that they move forward, find a new material for the rear façade, and let the developer go on to the next step. He had seen the building from the river and thought that the developer had done a great job.

Ms. Barbara DeStefano of 99 Hanover Street stated that she had been in favor of the project all along, and she had watched in horror what the BOA did to the project relating to issues with the brick on the garden side that needed to be covered and the rear façade and the amount of visible glass. She thought it was a great project and hoped that the developer could go forward.

Ms. Barbara Ward of 16 Nixon Park stated that she watched the video of the BOA hearing and understood from it that their focus was on the waterfront characterized by its warehouses, and they regarded the building as a historic warehouse building. Adjacent to it was a clapboard building that was torn down in the 1930s and was originally a sail loft fronted on Market Street with a gambrel roof structure. She thought it was a great opportunity for the developer to reach out to a neutral consultant because the situation had become very emotional for them as well as a lot of citizens. They needed to get expert advice on how to make their building reflect the warehouse district, which was what people really wanted.

Chairman Almeida closed the public comment session.

*The Commission **recommended** another work session. It was moved, seconded, and **passed** unanimously.*

V. ADJOURNMENT

At 11:40 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 June 4, 2014.