

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

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**May 7, 2014  
reconvened on May 14 & 21, 2014**

**MEMBERS PRESENT:** Chairman Joseph Almeida; Vice Chairman Tracy Kozak;  
Members 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:** Nick Cracknell, Principal Planner

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**I. APPROVAL OF MINUTES**

1. January 8, 2014
2. February 12, 2014

*Mr. Wyckoff moved to **approve** the minutes as presented. Mr. Katz seconded. The motion **passed** unanimously with all in favor, 7-0.*

**II. DEPARTMENTAL UPDATES**

- A. Design Review Toolkit
- B. Character-Based Zoning

*Due to the length of the agenda, these reports were **moved** to the May 14, 2014 agenda.*

**III. PUBLIC HEARINGS (CONSENT AGENDA ITEMS)**

*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.*

Chairman Almeida stated that there were six Consent Agenda Items, and he asked if any Commissioners, applicants, or members of the public wanted to remove any items. Ms. Lisa DeStefano requested the removal of Item #5, the 36 Market Street petition so that she could made an amendment to it. Mr. Gladhill requested the removal of Item # 1, the 110-130 Congress Street petition and Item #6, the 420 Pleasant Street petition.

1. Petition of **CFS Condominium Association, owner**, for property located at **110-130 Congress Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace cornice at top of building) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 9 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

### **SPEAKING TO THE PETITION**

Ms. Julie McDonald and Ms. Lisa DeStefano of DeStefano Architects representing the owner were present to speak to the application.

Mr. Gladhill asked what the reasoning had been for the parapet cap instead of the restoration of the brick and ceramic style. Ms. McDonald stated that it due to the speed of repair and to keep the businesses up and running, and that cost was also a factor. Mr. Gladhill said that he had researched the building and found two different construction dates of 1920 and 1931, and it seemed that the current type of style was more appropriate to the time of the building, whereas the parapet wall cap did not seem to fit in as well. Ms. McDonald replied that they needed to keep it low-lying and similar to what was currently there instead adding a crown molding. Mr. Rawling asked if it could be done in two colors because a solid color on a profile made it heavy and it would be better if it were broken up in the color banding. The burgundy color should remain on the lower part and the top color should be a lighter color, specifically, a 10 ¼” band in burgundy and everything else a color similar to the brick. Mr. Wyckoff felt that it was an inappropriate renovation of the parapet, and if it needed to be rebuilt, the tiles should be replaced. He did not care for the parapet’s new design and felt that the building was a 1920’s commercial block and should not be sold short, considering all the renovations that had been done over the years. It had greatly improved and should be maintained. Mr. Gladhill stated that he believed in restoration. Ms. Ruedig and Councilor Kennedy agreed.

Ms. McDonald thought that the color could be addressed easily because it was painted material and it would help make it seem more in keeping with existing. She told the Commission that she would appreciate their input on how better to improve the building or stipulations on changing the design because the owner had chosen not to repair the building for his own reasons. Ms. DeStefano stated that one of the major problems they had was the subsurface and water infiltration, and replacing or repairing the tile meant pulling off a lot of existing surface to remedy the problem. There was also a safety issue because the tiles were falling off. Chairman Almeida asked her whether she meant that the tiles would be removed to put covering on them, or that the covering would encapsulate the tiles that were falling. Ms. DeStefano replied that the covering would encapsulate, but the problem was that if they removed the tile to repair or replace it and there was a can of worms behind it, they couldn’t simply remove a single tile. Ms. Ruedig asked if they could simplify the cap even more, seeing that it was the only way to go without the whole parapet falling off. She thought it would be nice to see more of a simple, decorative type treatment following the lines of what was there currently. Ms. McDonald told her that if she compared the cross-section of what currently existed to what they were proposing, it was the same number of offsets. They intentionally kept it as simple as possible and added the vertical reveals 4’ on center because they didn’t want it to look overly decorative or trite. Ms. Ruedig noted that the profile was similar but the rendering threw it off a bit.

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

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

## **DECISION OF THE COMMISSION**

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

- 1) That the lower band (10 ¾") shall be burgundy in color and that the 1" aluminum cap and all other trim shall be colored to match the ceramic brick.*

*Mr. Melchior seconded the motion.*

Mr. Katz said it seemed to be a question of materials rather than appearance, so they had to decide how far they would go down the preservation trail as opposed to approving an application that for the casual bystander was no real difference. He felt that no one would notice the difference. If the same situation had been presented in the two-story art deco building next to it, he would have been hesitant to go in that direction, but he did not see it as a threat to the integrity of the District. Mr. Melchior supported it because it was a very minor application and they were not sacrificing the good for the sake of perfection. The applicant was not destroying anything but simply encapsulating it, and it would be a tremendous burden to restore it. It was a completely reversible application that would better protect the building and was appropriate for their budget. Mr. Rawling thought the two colors would maintain the similar appearance and not be perceptible yet would still keep the design intent of the original building.

Mr. Wyckoff stated that he was swayed because they were not taking down the parapet but simply encapsulating it, which was important in case water penetrated it. Mr. Gladhill stated that half of his approval was because it was encapsulated and at a later date might be revitalized. The other half required a stipulation that the color scheme stay the same. Ms. McDonald stated that they should also include in the stipulation that the aluminum cap match the burgundy color since they were indicating something that was dark. Chairman Almeida asked for the dimension, and Ms. McDonald said it would be the 1" pre-finished aluminum cap and added that it wouldn't be appropriate if they were doing something that was brick or limestone-colored.

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

5. Petition of **36 Market Street Condominium Association, owner**, for property located at **36 Market Street**, wherein permission was requested to allow an amendment to a previously approved design (install mechanical equipment in courtyard area) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 117 as Lot 29 and lies within Central Business B, Historic, and Downtown Overlay Districts.

## **SPEAKING TO THE PETITION**

Ms. Lisa DeStefano of DeStefano Architects was present to speak to the application. Ms. DeStefano said she had a minor amendment related to the interior screen surrounding the mechanical system. Originally, it would have matched the gate that was closer to the public way, but the unit owners had told her that they preferred a solid interior screen that did not have the lattice to have more of a barrier between the screen and the open space that would be left. The screen would be a PVC screen because it was close to the mechanical system, and maintenance was an issue. They had amended the gate on the back side of the alley to be wood, but because it was set back into the courtyard, the screen would be PVC. Mr. Wyckoff asked if the gate was still present. Ms. DeStefano replied that it was just like the approved design but in wood and painted white. She also said that there was one vertical mechanical duct coming up between the buildings instead of the two that were previously approved. The Commission had requested that it be painted black, but the building had a white surface. Chairman Almeida asked that it be stipulated that the wall color match the unit color. Mr. Gladhill asked how close the mechanicals were to the vertical shaft. Ms. DeStefano said they were right up to it, about 1'9". Mr. Rawling encouraged the Commission to vote against the PVC fence because it would set a precedent of introducing vinyl fences into the District.

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

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

## **DECISION OF THE COMMISSION**

Councilor Kennedy agreed that it should be a wooden fence because they asked everyone to do wooden fences. She thought the chimney should match the side of the building.

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

- 1) That the fence shall be wood and designed as submitted and presented.*
- 2) That the rooftop mechanical equipment shall be painted to match the wall behind it.*

*Mr. Gladhill seconded the motion.*

Councilor Kennedy said that the Commission had to stick to their protocol of no shiny PVC fences in the District because they did not fit in with the surrounding properties. Mr. Wyckoff felt that the wooden fence was more consistent with the neighborhood's defining character, and painting the mechanicals a similar color to the background would help. Chairman Almeida stated that he had always been vocal about the special back courtyards or alleyways in the Historic District, and he resented that people used them for storage and mechanicals, but no Commissioner expressed that concern, so he would support it and simply call it appropriate because it had become the norm. He hoped that someday the back courtyards and alleys would be recognized for their potential of being additional storefronts and cafes.

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

6. Petition of **Neal Pleasant Street Properties, LLC, owner**, for property located at **420 Pleasant Street**, wherein permission was requested to allow exterior renovations to an existing structure (remove single meter socket, install four socket meter in new location, add roof covering) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 56 and lies within the General Residence B and Historic Districts.

Mr. Kenny Dare of Power Pro Electric was present to speak to the application.

Mr. Gladhill asked if there was an alternative location for the meter and said that he preferred the back of the building. Mr. Dare replied that it was all parking, so there was no other place, but he felt that it was a good spot for hiding it because it was further away from the main street and halfway down the building. Mr. Gladhill brought up a historic structure on Islington Street with meters that were right up against the street and stuck out, so he wanted to make sure that there was no alternative location for them. He asked if there could be evergreens planted down Pleasant Street to block the meters more. Mr. Dare told him that there was a utility pole in that location, but he didn't think the owner would have a problem with planting.

Chairman Almeida said his bigger concern was when the service came to the pole from the house. An electrician normally oversized the conduit because it was easier to pull the service through and it looked ridiculous, and he asked what size the conduit would be. Mr. Dare stated that the building next door had gone through the same process and had a 4-unit meter socket that was 6' away from Pleasant Street, while their socket would be halfway down the building. They wouldn't have to use that large of a conduit nor do the work because PSNH would provide the wiring from where it attached to the building down to the meter socket, with no conduit.

Chairman Almeida told the Commission that a stipulation could be made that the service entrance from the pole to the house to the meter bank would not be in a conduit. Councilor Kennedy was perplexed as to how it would affect parking. Mr. Dare replied that the meter could not be in an area where it could be damaged by cars and had to be protected, it had to be away from windows and roof clearances, and it had to be accessible enough for PSNH. Councilor Kennedy asked if it could be lower, and Mr. Dare said that PSNH had strict rules. The lowest distance allowed was 2'6" from the lowest meter, and they had to be at 5' to the center of the top meter. Chairman Almeida believed that it was also a requirement that it directly enter the panel and not be snaked through the building.

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

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

### **DECISION OF THE COMMISSION**

*Mr. Wyckoff voted to **grant** a Certificate of Acceptance for the application as presented with the following stipulation:*

- 1) That the service entrance from the pole to the meter socket will not be encapsulated.*

*Mr. Melchior seconded the motion.*

Mr. Wyckoff stated that they had a location problem generated by PSNH. Moving it back to the center of the house helped the historical and architectural value of the house, and being in the 21<sup>st</sup> century, it was about the best they could do.

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

2. Petition of **Russell T. Hammer and William J. MacMillan Revocable Trust, owners, and 3 West Restaurant Group, Inc., applicant**, for property located at **49 Pleasant Street**, wherein permission was requested to allow new construction to an existing structure (install heat make up air unit on roof) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 37 and lies within Central Business B, Historic, and Downtown Overlay Districts.

3. Petition of **Philip W. Hodgdon Revocable Trust, Philip W. Hodgdon, trustee and owner**, for property located at **65 Bow Street**, wherein permission was requested to allow exterior renovations to an existing structure (install lintels above window openings on rear elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 52 and lies with the Central Business A, Historic, and Downtown Overlay Districts.

4. Petition of **DiLorenzo Real Estate, LLC, owner**, for property located at **37 Bow Street**, wherein permission was requested to allow exterior renovations to an existing structure (install vent for furnace) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 49 and lies within the Central Business A, Historic, and Downtown Overlay Districts.

#### **SPEAKING TO THE PETITIONS**

There were no issues or questions from the Board on the above three petitions.

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

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

#### **DECISION OF THE COMMISSION**

*Mr. Gladhill moved to grant the Certificates of Approval for the applications as presented. Mr. Wyckoff seconded. The motion passed unanimously with all in favor, 7-0.*

#### IV. PUBLIC HEARINGS (REGULAR AGENDA ITEMS)

*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.*

7. Petition of **Frank and Irja Cilluffo, owners**, for property located at **179 Pleasant Street**, wherein permission is requested to allow **Postpone** of an existing structure (remove widows walk) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 108 as Lot 15 and lies within the Mixed Residential Office and Historic Districts.

#### DECISION OF THE COMMISSION

*Mr. Gladhill moved to **postpone** the application to the June 4, 2014 meeting. Councilor Kennedy seconded. The motion **passed** unanimously with all in favor, 7-0.*

8. Petition of **PF Jax Real Estate, LLC, owner**, and **Bryan Pappas, applicant**, for property located at **159 Middle Street**, wherein permission was requested to allow a free standing structure (install free standing sign) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 127 as Lot 4 and lies within the Mixed Residential Office and Historic Districts.

#### SPEAKING TO THE PETITION

Mr. Brian Pappas, one of the owners, was present to speak to the application. He wanted to install a free-standing pylon directory sign in front of the building. The property was purchased with the purpose of providing small office space, and while interviewing prospective tenants, the main request was for exterior signage for the building. The existing signage had a structure that was not appropriate for adding or changing signs out when tenants moved. The proposed design fit well with the design of the building and the surrounding properties in the Historic District.

Mr. Rawling thought that the signage worked pretty well but felt that the posts would be better if they were glossy black. Since the posts would be on the street edge, they would tie in more with the other sign fixtures and would not only play down the size of the massive sign but would make the placards stand out more. Mr. Wyckoff agreed but felt that it was a very contemporary sign system for an 1820 Federal mansion. He referenced the signage for the Clark office that he thought had more historic appeal. The black posts would help, and he had no problem with the sign system, especially if part of the approval was the removal of the other signs. Vice-Chair Kozak agreed that it was a contemporary design but thought that having the top banner suspended between the posts would make a difference. Mr. Pappas said the current sign was installed on a raised bed. Their original design fell within the 7' criteria, but once it was put on the raised bed, 16" of it would have to be taken off the sign. The property would be shrunken between the posts, and if the posts were raised, it would make the sign less visible at 5' high. Their design was simple, and the typeface fit in. He said that he would talk to the designer about the black posts but would be hesitant about lowering the sign any further.

Chairman Almeida was uncomfortable with the sign altogether because he felt it had a billboard look to it. He pointed out the 147 Middle Street example and thought it was highly inappropriate for its location because it would block a huge amount of view up and down the street and would be simply black posts with nothing reflecting the piece of architecture behind it. He thought the example of the carved sign with gold leaf at 93 Middle Street that was parallel to the building instead of perpendicular to it was better and believed that a house of that quality required carved wooden signs hanging from wrought-iron hangers. The proposed sign was vinyl and modern with PVC board, and he thought they could do better with an eye-catching quality sign that was higher on the building rather than a standard sign that would just become part of the landscape.

Councilor Kennedy stated that the Commission spent a lot of time looking at signs and trying to lower them and had encouraged elegant signs that denoted the businesses in a clear but creative way, causing people to pay more attention to the signs as well as sign clutter. She didn't mind signs hanging off buildings because it reflected historic buildings with signs. She agreed that the Hatfield sign was very contemporary, and she thought something in a metal format would look better than a PVC backing. Mr. Melchior agreed with all the comments and added that proportional signs did not overpower the framing elements of the building's architectural language. The posts and the head should be much thinner in relationship to the architectural details on the building that were in close proximity.

Mr. Pappas said that if the design was too contemporary, he could discuss it with the designer, but he felt that a very small space existed between the building and the wrought-iron fence, so the sign would not be glaring or contrast with the look of the neighborhood. He agreed that the sign on 147 Middle Street was massive and the placards did not fit, yet it had been approved. They had done substantial renovations in the building's interior and put a lot of effort into providing office space as well as on-site parking. It was a desirable building that needed signage on the exterior of the building. It would not be cost-effective to have fancy wooden signs hanging from the building because if a tenant stayed for only a few months, the sign would have to be removed and replaced. The wind was a safety issue because it might cause the wooden sign to bang around, which had happened to a previous temporary wooden sign. He felt that his proposed option was best, for safety and ease of editing the sign if necessary.

Chairman Almeida asked if all the tenants would be entering the building using the same location. Mr. Pappas replied that most of them would enter the front of the building with the exception of the Upton and Hatfield tenants, who would go in by the side. Chairman Almeida noted that in an office park there was a common lobby, but in a historic building there were multiple entrances like porches and side entries which made the building more interesting. Mr. Pappas told him that they had a directory on the interior of the building for people to get around. The other issue was visibility to people walking through or driving by.

Mr. Katz verified that eight spaces were required and the most important aspect of the sign was the address. He asked Mr. Pappas if he would consider making the names of the tenants smaller so that the sign didn't dominate the building. He felt that as long as people saw the address, they would find the offices that they needed to find and it would be on a smaller scale. Mr. Pappas said the sign would be 68" high by 34" wide, and every individual sign below it would only be 4" high. He thought people driving by would not be able to see it if it was smaller. Mr. Katz disagreed. Ms. Ruedig thought that it was not an enormous sign and it was a small space, and



the signs in front of buildings in the District were important, but the applicant's sign was a removable sign that would not make a lasting impact on the property. Mr. Rawling thought that rounding the posts would soften the sign. Mr. Katz asked if the Commission had objections to the amount of space the sign took up. Chairman Almeida didn't think it was appropriate that the sign was in the planting bed but others seemed fine with it.

Mr. Katz asked the applicant if he would consider a work session/public hearing so that he could present a few more designs that took up the same space. Mr. Pappas agreed. Mr. Gladhill assumed the application was before the Commission even though the sign had been approved by the BOA because it was larger than what the Zoning Ordinance allowed in the District. He asked by how many square feet it was larger by. Mr. Pappas replied that, although the physical structure of the original design fit into the BOA's guidelines, the sign was on a raised bed that was 16" above the center line of the road. The BOA added those 16" to the sign's height, so Mr. Pappas had to take 16" off the sign's height, which was a challenge.

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

There was one to speak to the petition, so Chairman Almeida closed the public hearing.

### **DECISION OF THE COMMISSION**

*Mr. Katz moved to **postpone** the application to a work session/public hearing at the May 14, 2014 meeting. Councilor Kennedy seconded. The motion **passed** unanimously with all in favor, 7-0.*

9. Petition of **Martingale Wharf Limited Partnership, owner**, for property located at **99 Bow Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace wood railing with metal guardrail system that matches existing balconies) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 54 and lies within Central Business B, Historic, and Downtown Overlay Districts.

### **SPEAKING TO THE PETITION**

Mr. Steve McHenry of McHenry Architecture and the owner Mark McNabb were present to speak to the petition. Mr. McHenry was requesting a change in the approved design for the guardrail system on an existing balcony at the Martingale Wharf Building. He pointed out the existing wood railing system in the plan as well as examples of other wood railing systems. Instead of the previously-approved glass design, they wanted to use the existing metal and cable rail system for the rest of the waterfront railing to replace the wood railing. The owner had a change of heart about the installation of the glass design because he felt that it was too contemporary and would require high maintenance. He also felt that the metal and cable system on the other portions of the building was very successful and provided a lot of visibility to people on the deck, as well as the potential for an LED lighting system.

Councilor Kennedy verified that the wood railing was originally approved rather than the glass that would replace the wood. Mr. McHenry confirmed that the existing wood railing was the original design but a few other areas had the metal system in place. They had come before the Commission to have other changes approved, and that was when the glass system was approved. They wanted to remove the wood and put in the cable system instead.

Mr. Rawling noted that the actual wharf was built long before the building was. Mr. McNabb agreed and said that the Martingale Wharf was built a decade before and the pressure-treated wood dock was never part of the Martingale project when it first came before the Commission. The dock and the railing existed, and the seawall was built eight years before Martingale was built. When they built Martingale, the developers felt that the pressure-treated railing on the dock component needed to be replaced because of its quality and the fact that it didn't fit into the project. They then thought it would be good to do a glass system, but after building the actual metal railings with the stainless steel cables on three other balconies, Mr. McNabb didn't care for the glossy glass and the stainless steel and thought there would be maintenance issues due to the salt water, so they went back to the material they had already used. He ensured that the existing pressure-treated railing on the dock was never part of the Martingale improvements.

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

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

### **DECISION OF THE COMMISSION**

*Vice-Chair Kozak moved to **grant** the Certificate of Approval for the application as presented. Mr. Melchior seconded.*

Vice-Chair Kozak believed that the proposal was an improvement to what was originally submitted. The cable and post railing would be less reflective and more in keeping with the black metal fire-escape language found on the waterfront.

*The motion **passed** with 6 in favor and 1 opposed (Mr. Gladhill).*

10. Petition of **Strawbery Banke, Inc., owner**, for property located at **82 Jefferson Street**, wherein permission was requested to allow a new free standing structure (construct c.1940's chicken coop) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 7 and lies within the Mixed Residential Office and Historic Districts.

### **SPEAKING TO THE PETITION**

Vice-Chair Kozak recused herself.

Mr. Larry Yerdon, Strawbery Banke President and CEO, and Mr. Rodney Rowland, Director of Special Projects at Strawbery Banke were present to speak to the application. Mr. Yerdon stated that they wanted to recreate and reproduce a historic chicken coop from the 1940s that existed

behind the Abbott Store. Strawberry Banke was a living history museum and a setting for learning the history of everyday lives of ordinary people, and the proposed chicken coop was based on historical documents with the purpose of animating the story of the Puddle Dock neighborhood of World War II. Mr. Rowland pointed out that the location for the chicken coop would be between the Abbott grocery store and the Victory Garden. The materials would match the depicted ones as shown in the historic photograph and would include a membrane roof, painted trim, windows of three different sizes, a unique asphalt shingle siding, and concrete piers. The wire fence surrounding the chicken yard would have round cedar posts and a wooden gate. Also included was a blow-up of a photo of the original coop to show the construction elements so the Commission would know where the elements were pulled from.

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

Mr. David Noard of Fleet Street stated that he was a keen observer of the political scene in Portsmouth and wondered if the chicken coop would be zoned for human habitation.

Mr. Jeff Bolster of Gardner Street stated that he was a UNH Professor of History and was in strong favor because it would add historical value to the interpretation of Strawberry Banke. He knew that some people had concerns about the noise but was confident that the small scale of the operation would be no noisier than barking dogs or wind chimes. He had raised poultry in the past and knew that the odor would not be an issue and could be managed with peat moss or such.

No one else rose to speak, so Chairman Almeida closed the public hearing.

### **DECISION OF THE COMMISSION**

Chairman Almeida reminded everyone that the HDC's approval of the coop related only to the architecture and that they were not giving permission to actually populate it with chickens.

*Mr. Gladhill moved to **grant** the Certificate of Approval for the application as presented. Mr. Melchior seconded.*

Mr. Gladhill thought it fit their criteria well because it not only preserved the integrity of the District but brought it back. Councilor Kennedy noted that there had been controversy in the District about the coop and wanted to be clear that the HDC was voting for the building and what it looked like. She was fine with that phase of the project because it reflected the actual 1940s chicken coop, but she also knew that other phases were coming forward in the future.

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

11. Petition of **Worth Development Condominium Association, owner,** and **Scott Pulver, applicant,** for located at **113 Congress Street,** wherein permission was requested to allow new construction to an existing structure (remove existing awning, install new fixed awning with signage) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 126 as Lot 6 and lies within Central Business B, Historic, and Downtown Overlay Districts.

## **SPEAKING TO THE PETITION**

Mr. Scott Pulver, an owner of The Friendly Toast and Ms. Jessie Aikman of Back Channel Canvas Shop were present to speak to the application. Ms. Aikman stated that the existing awnings in front of The Friendly Toast were damaged by wind and had been in disrepair for some time. They wanted to install a fixed-frame system with two separate awnings, one where each of the current rollout awnings were. They thought that it would give waiting patrons coverage in inclement weather and would be safer than the rollout awnings.

Mr. Wyckoff confirmed that there were two awnings. Ms. Aikman stated that there was a large one and a smaller one. Mr. Wyckoff asked if the signage 'The Friendly Toast' was written on the existing awnings. Ms. Aikman replied that it was just on the larger awning, and that the new larger awning would be in the same spot where it said 'The Friendly Toast' over the entryway, with the smaller awning off to the side. Mr. Wyckoff asked if it had a hanging valance and wondered why it looked scalloped. Ms. Aikman replied that it would be a fixed valance on the frame. It only looked scalloped because she had drawn the feature in on the photo to define the edge, and it would not actually be scalloped. Chairman Almeida said that Ms. Aikman had presented many awnings to the Commission previously and had done a fantastic job, but he felt that it was a shame to cover up a landmark sign on Congress Street. Ms. Aikman replied that she would try to replicate the signage on the front of the awning. Mr. Pulver added that it would be the same 'funky' lettering and color scheme. Mr. Rawling found it disturbing that they were changing the retractable awnings to fixed awnings. He felt that it was a complete change of character for the streetscape where the other awnings were welcoming, and the new awnings would subject people to water drips. He also thought that the awning had a different visual characteristic. Mr. Pulver stated that they were concerned for the safety of people waiting underneath the awnings during inclement and windy weather. Mr. Rawling told him that there were awnings with automatic retracting systems for wind gusts. Ms. Aikman stated that awnings had 'minds of their own' and tended to go in and out, and she always advised her customers against the automatic wind packages because they were more trouble than they were worth.

Councilor Kennedy asked how long the awning was and how far off the wall it came. Ms. Aikman replied that it was approximately 20' long, and the length off the wall depended on how far the awning was rolled out. Councilor Kennedy was curious as to how it would all line up. Ms. Aikman stated that the bottom line could be similar, depending on how far it was rolled out. Councilor Kennedy asked how the awning would look in comparison to the awnings nearby. Ms. Aikman replied that the height would be about the same, with a different projection. Chairman Almeida noted that when the Commission approved a rigid frame for a permanent awning, they consistently asked for a loose valance because it created some movement rather than what could easily start to look like a contemporary strip mall-type of awning. He asked if the sides were closed on the proposed awning. Ms. Aikman replied that they were, but she could make it a loose valance. Chairman Almeida said that the combination of the loose valance and the open sides may strongly suggest a rollout design and might work.

Ms. Ruedig asked about the existing vertical board signage that Ms. Aikman had not alluded to, and she asked if it was part of the application. Ms. Aikman replied that the signage would be

removed and that they would place something on the front of the awning instead. They were open to either option. She had met with the building inspectors the previous day and had been told she could keep the original sign because of the square footage. Mr. Pulver stated that he would love to keep the original sign up.

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

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

### **DECISION OF THE COMMISSION**

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

- 1) The awning shall have open sides and a loose scalloped valance as drawn and presented.*
- 2) That the existing signage shall be retained.*

*Councilor Kennedy seconded.*

Councilor Kennedy thought that the scallop shape would give it more variety and would not look so institutional. Mr. Wyckoff stated that it was an addition that needed to be done due to the damage to the existing awning.

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

12. Petition of **Olde Harbour Condominium Association, owner, and Sean T. and Ann F. Roskey, applicants**, for property located at **135B Market Street**, wherein permission was requested to allow new construction to an existing structure (install semi-permanent awning) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 34 and lies within the Central Business A, Historic, and Downtown Overlay Districts.

### **SPEAKING TO THE PETITION**

The owner Ms. Ann Roskey and Ms. Jessie Aikman of Back Channel Canvas Shop were present to speak to the application. Ms. Roskey said she wanted to install an awning on her small rooftop 11' x 11' deck. The deck was five floors above the Oar House restaurant and not really visible to passersby. Her current sun protection was an umbrella that was unsafe in high winds, so they had decided to put in a permanent 11' x 5' awning that would be affixed to the building but could be removed at the end of the season. Ms. Aikman said she would knock a small track below the soffit, and the pitch would only be 6" due to the height. Rainwater would seep through the awning's mesh material. The main objective was to provide shade because the deck heated up. The awning would have minimal impact, would have no valance, and would be affixed to the building. Mr. Wyckoff asked if the gutter would be removed. Ms. Aikman told him the awning would go underneath the gutter due to the small space. Mr. Katz asked what the mesh cover consisted of. Ms. Aikman showed a sample of the material and said it blocked out 90% of the sun. Chairman Almeida asked if the frame was a galvanized pipe frame and was told

that it was. He then asked about the grommets, and Ms. Aikman replied that there was a track on one side and grommets on the other three sides.

Councilor Kennedy asked if it would be taken down during the winter season and was told that it would. Vice-Chair Kozak asked if the frame came down with the fabric and was told that it did. Mr. Gladhill asked how many colors the awning came in and if they would match the tiles if it were in a more prominent location. Ms. Aikman replied that there was a variety of colors and the color they chose matched well with the brick.

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

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

### **DECISION OF THE COMMISSION**

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

Mr. Katz said that the design was compatible with innovative technologies and surrounding properties and would have little impact on the integrity of the District. It was almost invisible to passersby and had very little impact to the building. Vice-Chair Kozak thought it was important that the awning be seasonal because it interrupted the roof line. Although it was not highly visible, it would be if someone looked for it, but it was a temporary structure, so she approved.

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

13. Petition of **J.H. Sanders Revocable Trust, owner**, for property located at **30 Walden Street**, wherein permission was requested to allow demolition of an existing structure (demolish chimney, rebuild chimney) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 101 as Lot 18 and lies within the Waterfront Business and Historic Districts.

### **SPEAKING TO THE PETITION**

Vice-Chair Kozak and Councilor Kennedy recused themselves.

The owner Mr. Jim Sanders stated that he discovered that the chimney was severely damaged with cracks when he began a demolition project. He had built the cinderblock chimney 33 years before. There was a chimney fire five years before, so he covered the chimney up, and when he fixed it, he just put back the exterior portion of it because it was a woodstove chimney.

Mr. Melchior asked Mr. Sanders why he wanted to put the faux chimney back. Mr. Sanders replied that it was for the looks of it and mentioned that he had done the same thing for the Fish Market. Ms. Ruedig asked Mr. Sanders to explain the two available options. Mr. Sanders said that the first option was the thinly-sliced brick, which he preferred because of the weight factor. When he took down the chimney, he saved the bricks, and the second option was to use those

older bricks for the exterior, although they would require maintenance support. He preferred to use plywood and face it with the thin brick, with a copper cap and flashing. Ms. Ruedig confirmed that there was no interior chimney structure left. Mr. Gladhill asked if it would look like the original chimney with the same brick work, and Mr. Sanders agreed that it would look absolutely the same. Mr. Rawling stated that it was a characteristic of the District to have chimneys in the skyline, and he had seen a lot of fake chimneys with copper caps lately that were noticeable and didn't look real, so he supported the chimney with the original bricks.

Chairman Almeida asked if there was an additional chimney and was told no. Mr. Melchior confirmed that the chimney had no other function but to look like a fake chimney. Mr. Gladhill preferred the original bricks with the original configuration. Mr. Katz cited two successful applications of veneer brick in the District and said that it would take a practiced eye to tell that they were fabricated rather than masonry, so he supported the application.

Mr. Sanders told the Commission that he built the apartment building at 25 South Mill a few years before and had done the same thing with the veneer brick using a dual chimney system. Chairman Almeida felt that it was one of the most successful chimneys ever constructed in the District, but if the Commission went for the option of the thin brick, he asked that they specify the actual brick and thought it could be the exact brick that Mr. Sanders had already used.

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

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

### **DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to **grant** a Certificate of Approval as presented with the following stipulation:*

- 1) That the replacement veneer chimney shall be designed to match the brick and design of the chimney built at 25 South Mill Street.*

*Mr. Katz seconded.*

Mr. Wyckoff said that Mr. Sanders was attempting to maintain the characteristic of the surrounding properties, and there was no real value to what existed. Because Mr. Sanders wanted to bring back a historic detail of the house, he supported it. Mr. Melchior said he would not support it because he did not find a fake chimney with no function except for representation appropriate for the Historic District, nor was it conducive for the protection and integrity of the District itself. Ironically, the structures were built for economy and efficiency driven primarily by function, yet the applicant not only wanted to install a chimney that served no function, but it did not even replicate a character-defining feature of the structure. The chimney being moved was not a character-defining feature of the structure, and he found it more appalling than trying to replicate a historical element to the structure.

*The motion **passed** with 4 in favor and 3 opposed (Mr. Rawling, Mr. Melchior, and Mr. Gladhill).*

14. Petition of **Rockingham House Condominium Association, owner**, for property located at **401 State Street, Unit P101**, wherein permission was requested to allow new construction to an existing structure (construct masonry wing wall and support structure for wood pergola) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 3S and lies within the Central Business B, Historic, and Downtown Overlay Districts.

### **SPEAKING TO THE PETITION**

Mr. Steve McHenry of McHenry Architecture said the purpose of the project was to create a protective barrier wall for Unit 101 from the restaurant exhaust fan. A photo showed the U-shaped configuration of the interior courtyard and a small chimney. He showed photos of vantage points of the existing conditions that included a large exhaust fan that The Library restaurant used that was located outside the kitchen. The problem was that the fan spewed out smoke and grease and was a terrible inconvenience to the tenant of Unit 101, who had already replaced outdoor furniture as a result of the damage caused by the fan. The fan needed to be cleaned frequently, but it was difficult to gauge when to clean it, so it got overwhelmed and spewed out grease. Mr. McHenry said that the proposed brick barrier wall over the reinforced wall protruded out 6.4" from its base, was flush on the inside face of the brick planter wall, and was a solid barrier that supported the structure with a translucent polycarbonate panel shield. Rafters were supported by beams that had a saddle bracket attached to support the masonry wall but also to provide shelter for the entrance to the unit. It was a simple design that had been approved by the Board of the Rockingham Building with no objections.

Mr. Gladhill asked if he had found a brick that blended in with the existing brick. Mr. McHenry replied that he intended to match the existing brick. Chairman Almeida verified that the existing brick was not the historical brick of the Rockingham Building but a much later brick. Almeida assumed that the trees in the planter would remain. Mr. McHenry said that they had discussed how it would be planted out and that it would require repair of the existing planter, but the configuration, size and shape of it would stay the same. They wanted to keep the tree in place because it provided visual protection to the tenant in the patio.

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

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

### **DECISION OF THE COMMISSION**

*Vice-Chair Kozak moved to **grant** the Certificate of Approval for the application as presented, with the following stipulation:*

- 1) That the brick will match the brick in the adjacent planter.*

*Mr. Wyckoff seconded.*

Vice-Chair Kozak stated that the wall would be located in a minimally-visual location and would be obscured by most public ways. The materials were well matched to the building and the form



of the pergola was in keeping with the District. The translucent panels were not seen on that era of building but would not be visible to anyone unless they were actually in that corner.

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

15. **(Work Session/Public Hearing) Petition of Hunking Holdings, LLC**, for property located at **311 Marcy Street**, wherein permission was requested to allow new construction to an existing structure (construct side addition and porch addition, add dormers, replace existing windows, add skylight, install HVAC units and generator) and allow demolition of an existing structure (demolish chimney and rebuild chimney in new location) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 2 and lies within the General Residence B and Historic Districts.

### **Work Session**

Councilor Kennedy recused herself.

The architect Ms. Anne Whitney and the owner Mr. Pete Morin were present. Ms. Whitney told the Commission that there had been some mistakes on the window schedule and she had more details, otherwise everything else was the same. She had ripped off some of the aluminum trim from the existing structure and had found that there was a flat fascia with an angled trim on the right side that wrapped around in both the rake and the soffit. The lower roofs were the same pitch and had a similar double fascia with a shadow board detail.

Mr. Wyckoff asked her if she had removed anything from the front section. Ms. Whitney said she pulled the dormer back and found a 10" painted board. An old photo showed it as a simple trim with the picture windows that wasn't sided in vinyl then. Mr. Katz asked if there was any indication when she gutted the interior of original roughs for the window openings. Ms. Whitney told him that it was a similar rough opening with no headers, and the side windows were a similar head height, so the height was probably the same. They wanted to stay with the triple windows on the front façade with the double hung windows flanking a wider center double hung instead of a picture window. They went from a 1" x 5" to a 1" x 8" header, and the angle brackets would stay the same to give a stronger head to the windows. She further discussed the head and side casings, the end caps overlapping and the bracket layouts, and stated that the height of the head trim would be reflected. Another change was on the front elevation where she replaced a 6-light on the door with a 4-light to reflect the 2/2 window. Chairman Almeida verified that she hadn't changed the actual glass area.

Ms. Whitney stated that, due to the big overhang at the dormer, there would either be AZEK or a Hardiplank panel with trim that would be painted on site. She removed more of the trim around the front door that was set in, so the doorway thickness opening was 9" and she would recreate what was there and add back the transom. Ms. Ruedig asked if it was salvageable. Ms. Whitney said it was probably all lead paint, and aside from the large cove molding, everything was re-creatable. Chairman Almeida verified that Ms. Whitney was asking for permission to replace in kind and recalled that at the last work session, she was eliminating or drastically reducing the

window on the back side. Ms. Whitney said she reduced it and then did a revision because the owner spoke with neighbors who had hoped it would stay where it was, so they kept the same size window and replaced it and shifted it about a foot.

On the rear elevation, they would replace the existing chimney that was probably built as a coal stove because the upper section was added. They wanted to put back a thin brick chimney with a copper cap in a Morin Red color. Ms. Ruedig asked her why she wouldn't put in two chimneys like there were before. Ms. Whitney felt that the chimneys existed previously but were not a feature of the building, there were very few places where they could be seen, and there were cost and maintenance issues. Ms. Ruedig asked her why she would do it at all, in that case. Ms. Whitney did not think the Commission would go for no chimney at all on the house. Mr. Wyckoff thought that a chimney was important on a house, and if it was being moved closer to the street in the location it used to be, it was a good compromise. Other Commissioners agreed.

Mr. Melchior thought that it was a precedent of moving chimneys. Ms. Whitney stated that the existing chimney was in terrible shape and would have to be rebuilt, and its present location affected the kitchen, so they would eliminate one chimney and replace a chimney in a location where there used to be one. Mr. Katz was not sure whether the Commission was pushing their mandate limits by stating that if it looked like a real chimney, they had to use it. Chairman Almeida said that if it were a 1780 structure with a chimney in every room, the Commission would not allow them to be removed. There were few chimneys that were actually used. Each case was different, and depending on how integral the chimney design was, the Commission had to decide. He wasn't sure if they were setting a precedent if the chimneys were reconstructed with real brick and flashed into the roof and the materials were authentic on the inside.

Mr. Wyckoff was pleased with the details added to the window heads but wasn't sure about the angle or brackets because he felt they were too stark. Ms. Whitney said she worked hard to get good proportions. Mr. Wyckoff thought it would be better if they matched the proportions between the stud pocket and the window. The window sills in a similar structure would be 3-1/2" thick and have a certain heft to them, which was important on a Revival Gothic building. Mr. Gladhill asked why the dormers were flat and not angled. Ms. Whitney said that, due to the location and the neighborhood's context, it was a subtle way of getting the light in.

Mr. Rawling noted that there were a lot of nice changes but he had a few comments on the details, like the scaling of the heads and the fact that the mullions should match the casings and be increased. Mr. Wyckoff disagreed and felt that a stud pocket was sufficient. Mr. Katz thought they needed to be careful in making suggestions and ask themselves if they were based on historic appropriateness or subjective wants. If an applicant presented a submission that could be justified historically and was appropriate to the area, he saw no reason why the Commission would force them into something more to their liking. Chairman Almeida agreed but thought that Mr. Rawling had a right to bring forth ideas, especially if something good came out of it. A stud pocket might be an improvement and was an easy thing to do. Mr. Wyckoff noted that the gable ends were missing a frieze board. Ms. Whitney replied that there wasn't a frieze board, and the clapboards went right up to the soffits.

**Chairman Almeida opened up the work session to public comment.**

Mr. Rick Becksted of 1395 Islington Street stated that the Commission had set a precedent on chimneys and asked if there was a reason why the chimney could not be real brick instead of plywood-faced. He mentioned Mr. Sanders' application earlier in the evening, saying that the Commission had agreed to a thin brick even though Mr. Sanders had been willing to put a full brick chimney. More residents were installing faux chimneys, and the character of the District was being jeopardized by them. He said that it was not Disneyland but was integrity, and when someone bought a home in the Historic District, he or she was obligated to maintain the character of the District, not the character of the house. He asked the Commission to stop letting applicants get through with fake chimneys and start insisting on real brick.

Mr. Jerry Atkin of 346 Marcy Street thought that the proposed improvements were totally appropriate for the house, the street, the neighborhood and the District and would make a positive impact on the house and everything surrounding it. He strongly urged support of it and mentioned that he lived directly across the street from the house.

No one else spoke, so Chairman Almeida closed the public comment session.

### **The application went into the Public Hearing.**

### **SPEAKING TO THE PETITION**

Ms. Whitney mentioned that she had a signed petition from the immediate abutters of the house. She summarized that she was completing a renovation to the structure that consisted of two additions, one of which was an 8' x 12' one-story addition, and the other a porch. She was removing the vinyl and going back to double siding corner boards and windows as drawn. There had been a concern about the window on the rear elevation, so it was changed back to the original size. She was proposing to remove the chimney from the rear to the east side of the roof and install it in the existing opening and then rebuild it with Morin Red brick and a cap. Changes from the work session were to increase the height of the cap, going to the 5/4 brackets to give them more heft and 5/4 for the cap, and also to match the mullions between the windows as well as the side casings. Chairman Almeida confirmed that the last two changes were the result of the work sessions.

Mr. Wyckoff asked about half screens on the windows. Ms. Whitney said she had hoped not to do half screens because the top of the window could not be opened, and she referenced a project she had done on Pleasant Street that had full screens. Mr. Wyckoff said the half screen could be slid up to open the top of the window, and it replicated single-pane windows, while a full screen obliterated the window's muntins. Chairman Almeida added that the Commission had been insisting on half screens, and he couldn't recall the last time they consciously approved a full screen. Mr. Wyckoff noted that full screens had often been hidden in applications. He gave the example of the applicant's window schedule that stated the screens would be the same color but didn't state what kind of screens they would be. Unless the Commission was on top of it, full screens could sneak by them and it was disturbing after the fact. Ms. Whitney stated that she could add the stipulation of half screens. Chairman Almeida acknowledged for the record the receipt of ten direct abutters in support of the project to the property.

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

Mr. Pete Morin, the property owner, stated that the screen issue was new to him. In case Commissioner Wyckoff thought they were trying to slide it past the Commission, he emphasized that he had not known until recently that there even was such a thing as a half screen. He preferred a full screen because he kept the top window down all the time

No one else rose, so Chairman Almeida closed the public hearing.

## **DECISION OF THE COMMISSION**

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

- 1) That the chimney brick will be Morin Red.*
- 2) That the mullions will match the window casing dimensions.*
- 3) That a 5/4" cap will be used on the window awnings.*
- 4) That half screens shall be used.*

*Mr. Katz seconded.*

Mr. Wyckoff thought the project was consistent with the special character of the property because it had a style that was historical, and the building was being maintained and replicated. The design fit in with the surrounding properties by using innovative technologies for the materials and windows, and the owner was making the effort to bring back the historic style. Mr. Katz thought the most important thing was that they were rescuing a house from its vinyl prison and rectifying the rest of the damages that were done to the house over the years.

Mr. Melchior stated that he was not in support and would reference his many objections to fake chimneys. In that particular case, there was a chimney in the house that was an original feature and the Commission was taking it away from all future homeowners, which was not consistent with the integrity of the building or the District and did not uphold the integrity or character of the architecture of the property itself. Mr. Gladhill stated that he would not support it because the angled dormers were more appropriate to the house, and he was also against the destruction of the original chimney.

Chairman Almeida stated that he would definitely support it. He had been waiting for someone to give the house what it really needed. The house was in a prominent location in the South End, and it was an important house among some of the finest historic homes in Portsmouth. He was excited to see the finished project and thought it was more than appropriate as well as a wonderful design. The fact that all the abutters gave the project such strong support spoke volumes to him, so he would enthusiastically support it.

*The motion **passed** with 5 in favor and 2 opposed (Mr. Melchior and Mr. Gladhill).*

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

### **SPEAKING TO THE PETITION**

Mr. Bill Bartell of CJ Architects told the Commission that, as the project moved into the construction phase, he had been working with a contractor and had come up with a few slight refinements of materials and details. He had a list of the following seven items:

1. A change from the Kawneer 1600 system to the Kawneer 451T glazing system at the three tower glazing elements of the project.
2. The addition of a brick sill at the 4<sup>th</sup> floor windows and a change to the window height accordingly, replacing the previous metal sill detail.
3. A change to the entry canopy from an aluminum sunshade to a glass detail.
4. A change to the cornice material from PVC and a metal assembly to a fiberglass system, keeping the same profile and changing the glass handrails to a cable railing.
5. A change of the metal siding and seam roofing manufacturer, with no appreciable difference to the design.
6. A change of the manufacturer of the concrete block of landscaping planters, matching the color and material as closely as possible.
7. Use of the Genest ground face block and the proposed ATAS standing seam metal panel.

Mr. Bartell then reviewed the submission package with the Commission. Mr. Wyckoff noted that the glass railing fad seemed to have faded away and asked if it was due to having to clean it. Mr. Bartell agreed that it was due to maintenance issues. Mr. Wyckoff also noted that the black railings with the horizontal stainless cables maintained the industrial look that worked well with some buildings, and he asked if the difference in the Kawneer system was that it was a smaller system that was set back deeper. Mr. Bartell agreed and said that the profile was square and had less depth than the previous system and worked better with the canopy and balcony elements. Mr. Wyckoff thought it gave more of a reveal with the exterior building system. Chairman Almeida noted that, because it was so much narrower and finer, it allowed a full expression of the sill. Mr. Bartell replied that it was more flexible in working with the angles.

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

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

### **DECISION OF THE COMMISSION**

*Vice-Chair Kozak moved to **grant** a Certificate of Approval for the application as presented. Mr. Katz seconded.*

Vice-Chair Kozak stated that all of the proposed changes improved the quality and authenticity of the materials, and she applauded the application. They were getting rid of the glary glass railings and going to a metal language that was consistent with the fire-escape railing systems in the District. The masonry brick sills were far better than the metal-wrapped wood. She was glad to see it going away from the cornice as well because over time those systems aged poorly, and going with something more monolithic was definitely better. The depth of the storefront windows would provide a greater shadow of relief and texture and would help animate it and make it look like a real masonry building. Councilor Kennedy thanked the applicant for presenting the changes to the Commission before they started the project and wished that other applicants did the same. She stated that she would support the project.

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

17. Petition of **Harbour Place Group, LLC, owner**, of property located at **2 Harbour Place**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows and trim) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 2 and lies within Central Business A, Historic, and Downtown Overlay Districts.

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

Mr. Mike Wood of 2 International Construction told the Commission that he wanted to replace all the exterior windows with the Andersen A series and also the exterior trim with AZEK trim that would be painted to match the existing 8/8 simulated divided light windows.

Councilor Kennedy asked what the current trim was. Mr. Wood replied that it was a 1" x 6" trim that wrapped around the window with a small molding that went against the brick, and they would match the same profile. Councilor Kennedy asked if the materials were the same, and Mr. Wood replied that rotting wood currently wrapped around, but he was proposing AZEK trim and they would replace the wood. Councilor Kennedy verified that Mr. Wood's plan was to replace the wood with AZEK. Mr. Rawling asked what color the jamb liners would be and Mr. Wood told him they would be white. Mr. Rawling asked if he could get them in a darker color and was told yes. Mr. Rawling thought that it would be a noticeable improvement and referenced the photos of the white jamb liners standing out on the dark windows. He thought they were inappropriate and drew attention to themselves, so using a darker color would be better. He asked Mr. Wood if he could specify what he might be able to get. Mr. Wood replied that he could get a bronze color that was much darker. Mr. Rawling thought it would be a great improvement, and Chairman Almeida and Mr. Wyckoff agreed.

Mr. Wyckoff was surprised that the A Series had a white jamb liner because he had thought they were a wooden texture. He asked what type of screen Mr. Wood would use. Mr. Wood stated that he would agree to half screens. Mr. Wyckoff said that the ultimate improvement would be no screens. Chairman Almeida added that a screen that was recessed inside would work as well. Mr. Gladhill asked if the windows would be simulated divided light with interior and exterior grills and a spacer bar, and Mr. Wood agreed. Chairman Almeida asked if there was a brick

mold surrounding the existing trim. Mr. Wood replied that it was a one inch-wide, flat molding that went up the brick and was dark so it could hardly be seen unless someone walked up to it. Chairman Almeida confirmed that Mr. Wood would replace it. Councilor Kennedy stated that if Mr. Wood used the AZEK trim to replace the wood, she could not vote for it because the Commission had voted for wood on numerous occasions. Mr. Wyckoff told her the Commission had approved AZEK about 200 times, so he would have no problem with it as long as Mr. Wood used workable materials, the size was the same as the wood, and a carpenter put everything together. It was a one-to-one replacement of wood instead of molded pieces. The photos showed what happened to wood windows after 20 years, and the building's windows went back to the 80s. They were not replacing historic windows. Mr. Rawling felt that the Commission did not usually look at generic window cuts that didn't show how the window would be installed in the existing conditions. Chairman Almeida agreed.

Vice-Chair Kozak asked if the intent was to put the new window in the same location, and Mr. Wood stated that it was. Mr. Katz felt that was sufficient. Chairman Almeida asked if the AZEK would be painted on site. Mr. Wood stated that it would and would match the color of the window exactly. Chairman Almeida stated that the tipping point for him was that the AZEK be painted after the installation was complete so it would cover the nail heads and give it a true authentic look.

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

Mr. Rick Becksted of 1395 Islington Street agreed with the use of AZEK because it expanded and contracted, and the joints would not open and close. He wondered how it would be installed on a masonry building, but because it was painted dark made it a complying paint because vinyl could not just be painted. He suggested the alternative of mahogany for the sills and trim, like he used, which could be a maintenance issue but if done properly, it held up for a long time.

No one else rose to speak to the petition, so Chairman Almeida closed the public hearing.

### **DECISION OF THE COMMISSION**

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

- 1) That the jambs shall be brown.*
- 2) That half screens shall be used.*
- 3) That the windows shall be placed/installed in the same location/plane and the trim work will be field painted after installation.*

*Vice-Chair Kozak seconded.*

Mr. Katz stated that the application was straightforward, and if it weren't for the change in material, it would be a replacement in kind. He noted that there were instances of wood trim rotting rapidly, and he thought the Commission would see more applications using composite material because the combination of natural materials did not hold up to the New England environment. He felt that the project was an application of current technology.

Mr. Melchior supported the application but thought that the Commission needed to be more consistent with AZEK and should discuss the use of artificial materials in the near future. They were probably 50/50 when it came to AZEK, especially for mud sills or trim, and they approved it close to the street and/or away from the street at times, and other times denied it.

Chairman Almeida asked Mr. Cracknell whether or not all the issues would be solved with the Commission's design guidelines. Mr. Cracknell stated that they should be. Chairman Almeida thought that the City staff should be more focused on the design guidelines that the entire City desperately needed, especially the applicants, and it was unfair to make the applicants as well as the Commission go through what they had to go through. The fact that the Commission's design guidelines were not in the works was shocking to him, and he believed that the Planning Department had to focus on processing the guidelines so that the Commission could use them.

*The motion **passed** with 6 in favor and Councilor Kennedy opposed.*

18. Petition of **Harbour Place Group, LLC, owner**, for property located at **1 Harbour Place**, wherein permission was requested to allow exterior renovations to an existing structure (install venting) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 105 as Lot 2 and lies within Central Business A, Historic, and Downtown Overlay Districts.

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

Mr. Mike Wood of 2 International Construction told the Commission that he was seeking permission for two vents that were installed on two gas fireplaces that protruded from the brick on the 4<sup>th</sup> floor to above the window. They had previously installed 15 of them and there had been no issues, but it was brought to his attention that the Commission had to approve the vents.

Mr. Gladhill asked why there wasn't more symmetry in placing the vents throughout the building. Mr. Wood replied that they had tried to get them in line, but there was limited space to install the vents between the studs, and a piece of steel forced them to drop a vent a few inches lower than the other. Vice-Chair Kozak asked what the size of the vents was. Mr. Wood replied that the vents were 12" x 12" square and stuck out 6". They were curved in the front and painted a brick color to blend in with the building. Councilor Kennedy asked why Mr. Wood had not come before the Commission while the project was in process. Mr. Wood replied that they had previously installed several vents, but there was a change in the rules that they were not aware of when they put additional vents on the building.

Mr. Wyckoff noted that Mr. Wood chose the wrong location for the vents. Mr. Gladhill asked if there was an alternate location. Mr. Wood stated that there wasn't because there was no way to get the vent above or below the window due to the piece of steel. Mr. Gladhill noted that a vent was placed on top of a small granite piece, and another vent was placed next to it, and he asked why Mr. Wood couldn't have placed both vents the same. Mr. Wood blamed the building's frame and the fact that the studs had 3" between, but one stud had 7", so they were able to sneak the vent in. Mr. Gladhill asked what would happen if he Commission didn't approve the vents.



Chairman Almeida stated that the vents would have to be removed. Mr. Wyckoff asked if there were any fireplaces in the bedrooms, and Mr. Wood said there was a fireplace in a bedroom and one in a living room. Mr. Wyckoff said that the one in the living room could be vent-free.

Chairman Almeida noted that the ceiling behind the wall where the ductwork typically traveled must be above the keystone. Mr. Wood said that it was built into the corner of the room, so it was below the bedroom's ceiling. Chairman Almeida asked why it could not go any higher, and Mr. Wood replied that it was due to the big piece of steel.

Vice-Chair Kozak stated that it was a regular-framed building and imagined that every column was similar, with the steel beam supporting the top floor and running its whole length. She thought it was strange that a few vents were up and a few were down because they should all be the same. Mr. Gladhill asked when the house was built and was told 1987 or so. Mr. Katz thought there were the two factors that exacerbated the situation, one of which was that it was the front of the building. The other factor was that he found it jarring that the vents were at different heights and thought that if they were at the same height and had matching paint, they would be less obvious. For a formal building that was so symmetrical, the vents were a distraction. He understood the distress of the abutter who wrote the letter the Commission had, and he felt some reasonable effort should be expended to see what could be done.

Chairman Almeida stated that the most concerning vent was the one at the right because he wouldn't want an un-vented gas fireplace anywhere in his unit. Mr. Wyckoff noted that as long as it wasn't in a bedroom, it was acceptable by code. Mr. Katz felt that the Commission should not be solving an engineering problem and was at the point where they could say it was a problem due to the height differences and it was at the front of the building, so some effort should be made to resolve it. Mr. Melchior stated that the Commission didn't create the problem and needed to make a motion and move on.

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

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

### **DECISION OF THE COMMISSION**

*Mr. Melchior moved to **deny** the Certificate of Approval for the application as presented for the following reasons:*

- 1) That the vents are inappropriate on the front of the building.*
- 2) The two different heights of the vents were inappropriate.*

*Councilor Kennedy seconded.*

Mr. Melchior stated that the application as presented did not adhere to any of the Commission's review criteria. It had not gone through that assessment to begin with, and it was not in keeping with the architectural and historical nature of the District. Mr. Katz hoped that it was an impetus to come up with a solution that was amenable to everyone.

*The motion to **deny** the application **passed** with 6 in favor and Chairman Almeida opposed.*

19. Petition of **Bo Patrik and Eva C.F.K. Frisk, owners**, for property located at **44 Pickering Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace front door and transom) and allow new free standing structures (install stone wall and fence, install mechanical equipment) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 102 as Lot 19 and lies within the General Residence B and Historic Districts.

### **SPEAKING TO THE PETITION**

Councilor Kennedy recused herself.

The architect Ms. Anne Whitney and Mr. Charles Hugo of Charles Hugo Landscape Design were present to speak to the application. Ms. Whitney stated that there were three items that she was submitting, one of which was the front door. They wanted to get some light into the hallway, so they were proposing to replace the front door and add a transom light above it. The canopy would remain. She said that it was tall, with a panel that was 3' from the top of the doorframe to the ceiling of the canopy, and she thought that the door should be replaced because it was in rough shape. The new door would be 7' with a transom and a little trim above. The siding would be removed because they were doing exterior insulation and then it would go back on. The roof of the existing canopy was a flat roof and the adjacent bay had more of a hip roof, so they would do more of a hip roof above the canopy.

Mr. Katz asked the size of the existing door. Ms. Whitney said it was 6'8" going to a 7' door to make the transom work. Ms. Ruedig asked if the transom was original. Ms. Whitney said it was painted paneling that might be original because there was similar paneling on the canopy's ceiling, but it was an awkward proportion because the door was so tall. Ms. Ruedig thought that the height was a character piece of the doorway because it was sort of grand. Ms. Whitney said she didn't think that would change because the door would be a bit taller with the transom light above it. Ms. Ruedig felt that the door was being replaced because of the transom, but it was such a unique doorway that could be preserved. The hip roof problem could be solved by adding a smaller hip roof rather than a prominent one. Ms. Whitney said that it could be a bit lower, and she showed a photo of the house next door with a hip roof that they wanted to replicate. Ms. Ruedig stated that she'd like to see the door surround retained and maybe have the hip roof so gentle that it did enough to shed the water but not create a new hip roof. Ms. Whitney said that the hip on the bay was minimal, about two clapboards up, and she could match it. Mr. Rawling asked if she was saving the brackets and was told yes.

Mr. Hugo talked about the proposed fence and wall combination. The challenge of the property was the significant grade change from the street-side front entry where the garage and driveway were, which was almost 6'. To gain some level land in the front yard, they were proposing a retaining wall that stepped down to minimize its impact following the road as the road grade dropped, with a 5' natural wood picket fence on top of that wall. Chairman Almeida asked what the height of the existing fence was and was told it was 4'. Chairman Almeida noted that the retaining wall was 7-1/2' high for quite a run, which was very excessive in that neighborhood.

Mr. Hugo said it was because the site was very challenging, so the wall provided 5' of privacy from the yard. The issue was the grade change, and he had worked it out numerous ways to minimize the presence. Having the wall take up part of the height and putting the fence above it broke it up and lessened the impact. Chairman Almeida thought it added to the fortress-like quality of the wall because the pickets were so tight together. Mr. Hugo disagreed, saying that it was 30% open and would allow a lot of air and light through. Mr. Wyckoff stated that it was 7'4", and as it went down the street, it must be 8-1/2' high when it got to the porch railing. He thought they could have stepped the wall a bit sooner or had a few more steps in the wall. Mr. Hugo said that it related to the inside because they were trying to get a level section of yard off the porch and running the length of the bump-out addition so that the steps in the wall coincided with the architecture. Mr. Wyckoff asked if there were retaining walls within the yard. Mr. Hugo said there were walls where the second step down was.

Mr. Wyckoff noted that besides the spacing being close, there was no break provided by a post or two, so it made it look like a contemporary fence, especially seeing that it was 70-80' long. Chairman Almeida stated that there were strict rules for fences on corners due to car visibility. Mr. Cracknell cited Section 10.516.30, Corner Lot Vision Obstruction, which stated that 20' up from the corner in each direction, a fence could not be taller than 2-1/2' without a variance. Chairman Almeida stated that it was such a drastic change to the design that the Commission would have to table the fence part of the application unless others felt that it could be resolved.

Vice-Chair Kozak asked what type of stone wall was being proposed, and Mr. Hugo said that it was local granite. She asked if the wall cap was also stone and was told that it was bluestone. Mr. Rawling stated that he knew the fence design would be revised, but it was a bit overwhelming due to the repetition over great distances as well as the fortress look. He suggested that a variation of a few different designs mixed up with some landscaping might work. Mr. Hugo said that landscaping would be incorporated that was not represented in the drawing. Mr. Rawling also suggested a rougher stonework because the chosen stone would reinforce the prison-wall look. Mr. Hugo disagreed.

Chairman Almeida suggested that the Commission remove the wall and fence from the discussion because there were too many questions. Ms. Whitney stated that they used the wall to solve the grading issues from one end of the site to the other. The wall was created because of the porch that came out of the house and then another four steps down to try to make up the difference and filling it in, and it was an integral part of the landscape and the grading and was critical to the seeding. The fence had a more flexible component to it. Mr. Katz noted that there were several high-board fences in the District and suggested that Ms. Whitney gather related information to bring to the next meeting. Ms. Whitney agreed that it wasn't uncommon, but said it would be helpful if the wall could be resolved that evening. Mr. Wyckoff said he didn't have a problem with the wall itself, but he did with the fence on top of it because it started at 7'4" in one location and ended up being over 8' tall. Chairman Almeida said he didn't see a drastic drop and asked if they were trying to get it dead level on a run of 50'. Ms. Whitney further explained the reason for the wall, fence and the grade change.

Chairman Almeida asked the Commission if they were comfortable with the stone wall and prepared to approve it without the fence. Mr. Gladhill said the fence was part of the wall.

Chairman Almeida concluded that the success of the fence and the wall were integral and suggested tabling it to the next meeting. Mr. Cracknell noted that the two mechanical pieces of equipment behind the garage, the generator and the HVAC, had to be 10' away from the property line or a variance would be necessary. He cited the code reference and they discussed it further. Chairman Almeida asked if the applicant could be accommodated any further, and Mr. Wyckoff said that only the door was left to rule on. Since partial rulings had been discouraged in the past, they decided to postpone it to a future meeting.

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

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

### **DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to **postpone** the application as presented to the June 4, 2014 meeting. Vice-Chair Kozak seconded.*

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

20. Petition of **30 Maplewood, LLC, owner**, for property located at **30 Maplewood Avenue**, wherein permission was requested to allow amendments to a previously approved design (changes to doors, windows, patio design and fencing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 2 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

### **SPEAKING TO THE PETITION**

The architect Ms. Jennifer Ramsey of SOMMA Studios was present on behalf of the applicant. Ms. Ramsey stated that she would review several previously-approved changes and amendments to those changes. She began with the roof plan and site plan that showed areas of the penthouse deck that were expanded as well as a change to the patio design. On the Maplewood Avenue elevation, they were adding transom windows over the common entry door system at three locations. They were replacing a door with a closed shutters detail for code reasons and were putting back the existing door because it worked. Across the lower portion of the penthouse, all of the J windows had changed a bit and the sills had come down. As a result of the expansion of the penthouse, there were new windows that grew by 9' in that portion of the building. A smaller window was replaced with a typical 1<sup>st</sup> floor window, with a fixed panel with an awning and a wood panel below, and there was an additional window shutter change because the window worked and the shutter wasn't closed anymore.

The Hanover Street side showed the new patio where a window was changed to a door and the patio style had changed. There was a considerable grade change on the brick sidewalk, causing the walk to be separated by a raised granite surface with a metal railing system on top of it. Sections were divided by granite posts so that the patio would be slightly above the grade of the sidewalk. There was also a raised landing area further down, allowing the ADA-accessible

outdoor dining space. The previous design had been low piers, but the tenant would have landscaping and a fence enclosure was needed, which the City preferred for liquor service. The enclosed area's fence was extended due to the addition and now went from the addition to the corner. They had put back the Nano door system, and there was fencing on the one-story addition on the roof deck, which was the same as the previously-approved one for the top floor decks. The windows changed to a closed shutter detail, and the penthouse J windows grew slightly. They traded an N window for a J window, and transoms were added to the 2<sup>nd</sup> floor over the main entry to give it prominence. Mr. Gladhill noted that the penthouse had a window that was on the previously-approved design, but the proposed design had a door. Ms. Ramsey said he was correct, that it was the door that was stacked above the two closed shutter details.

The transoms on the 2<sup>nd</sup> floor over the main entry facing Bridge Street had windows added on the one-story addition. They were adding a maintenance door to the back of the building, so a new opening was being put in. The expanded fence was taken one more window beyond. The door-door-window pattern above the one-story addition on Bridge Street would be changed to a door-window-door pattern. On the Deer Street side, a center detail was changed to a window and a top half became a standard B window. On the 1<sup>st</sup> floor closed shutter to a window, an entry system was put back with the awning over it, and they were adding a door for ADA accessibility on the one-story addition where there was none before.

Councilor Kennedy felt that it should be a work session due to all the changes. She asked if the doors on Page 5 were removed on the top part. Ms. Ramsey said that they eliminated those doors. Councilor Kennedy stated that the Commission had spent a lot of time on the placement of doors and windows and felt like they were back at the starting point due to all the changes. Ms. Ramsey thought the changes were the result of the condominium buyers making interior changes, and they had worked with them to lay out the rooms so they could install fenestration to meet their needs. The penthouse had been expanded and the doors no longer accessed a deck.

Vice-Chair Kozak referred to the Deer Street elevation above the one-story addition where it was noted that a 6' privacy fence was added to exterior decks and asked if it was shown anywhere on the Bridge Street elevation. Ms. Ramsey said that the Bridge Street elevation showed the taller fence after the door-door-window pattern, and there was another one two piers further down. The two privacy fences were vertical elements.

Mr. Rawling thought that the changes were neutral or enhancements to the building and liked the changes to the fenestration pattern because they broke up the repetition well. It looked like the height of the penthouse had been increased, yet there was no mention of it in the application. Ms. Ramsey stated that it had not increased. The line weights were different on the previously-approved compared to the proposed, and the windows had grown down in the sill heights. Mr. Rawling noted that when he measured from the existing roof line to what was shown, the penthouse was taller in the revised drawings and also noted that the windows were taller. Ms. Ramsey said the penthouse should not be taller and the windows were taller because they were grown down, but the height hadn't changed. She saw a 6' difference that made the railing appear taller but it shouldn't be. Mr. Wyckoff suggested marking the Maplewood Avenue elevation from grade to peak on a piece of paper and place it on the proposed. Chairman Almeida thought

that something graphically must have caused the illusion because the proposed and previously-approved versions were identical.

Councilor Kennedy stated that she was uncomfortable with the smaller window in the penthouse because she didn't want the penthouse to stand out and the smaller window wasn't anywhere else. She didn't like the inconsistency of the window pattern because it made the penthouse stand out even more. Mr. Gladhill thought that the penthouse seemed to flow more in the previously-approved version and looked sporadic in the proposed version, and he was also uncomfortable with the window patterns.

Chairman Almeida noted that the addition of doors on the 1<sup>st</sup> level was a positive thing, so the added door on Page 5 was very positive, and the added door between the windows with the awning above activated the street level much better. Most of the other changes were neutral, considering that the Commission's comments from the beginning still applied. Things had changed slightly, and they were not looking at a regular repetitive building, and he referenced the windows on Page 2 that didn't align with the windows below because they were set back further. He thought that the double door at street level was positive, and the only unfortunate thing was the loss of the window on Page 3 and the extension of the fencing, but the opening of the shutter was retained, which he thought was positive. Mr. Katz thought that the addition of the transom above all of the windows and entrances added a lot of interest.

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

Mr. Rick Becksted of 1395 Islington Street thanked the developer for presenting the changes to the Commission before doing them out in the field.

No one else rose to speak to the petition, so Chairman Almeida closed the public hearing.

### **DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to **grant** the Certificate of Approval as presented and drawn. Vice-Chair Kozak seconded.*

Mr. Wyckoff stated that there had been no appreciable difference to the building, so the previously-approved design hadn't changed. There were so many openings on the building that he felt it was neutral, and he agreed that having more doors on the 1<sup>st</sup> floor helped the building as it related to the streetscape, so it was historically appropriate.

Councilor Kennedy stated that she would not vote for it because she was not in favor of the penthouse addition and felt that it made the building a different structure. She was also uncomfortable with a few of the window placements. She agreed that the door placements added positively, but she felt that one side of the penthouse looked like a blank slate and didn't fit in with the rest of the building.

Vice-Chair Kozak agreed with Mr. Katz that the transom windows at the entry fenestrations were great because they recalled the rhythm of the street as well as the District. By not having a long monotonous façade with the same windows, it broke it up a bit and emphasized the entrance.

*The motion passed with 6 in favor and Councilor Kennedy opposed.*

21. Petition of **F.A. Gray, Inc., owner**, for property located at **30-32 Daniel Street (also know as 96 Penhallow Street)**, wherein permission was requested to allow exterior renovations to an existing structure (replacement of doors and windows, changes to downspout) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 16 and lies within Central Business B, Historic, and Downtown Overlay Districts.

### **SPEAKING TO THE PETITION**

The owner Ms. Susan Wolfe stated that she wanted to improve upon a nook in downtown Portsmouth in an area that was once an old warehouse district. She wanted to replace two overhead doors and a window in their existing openings and also add a window into an existing door, and doing so would add energy-efficient code-compliant windows and doors. There was also a downspout that would be shortened and turned into an internal drain.

Mr. Gladhill asked if the dumpster would be removed after the renovations were completed. Ms. Wolfe said that the dumpster was there due to the recent fire on Daniel Street. Chairman Almeida asked if Ms. Wolfe intended to make the nook into a storefront area. Ms. Wolfe agreed and said that the door to the left would go to an entrance to the 2<sup>nd</sup> floor that would be business office space, while the downstairs floor would be retail space. Chairman Almeida thought it was wonderful that she was activating a small nook.

Mr. Wyckoff was confused about the type of windows and doors because there was mention of Kawneer and Universal and asked what exactly was being installed. Ms. Wolfe told him that the Kawneer doors were proposed in the large overhead door opening on the 1<sup>st</sup> floor and were extruded aluminum glass doors consistent with Downtown retail storefronts, while the 2<sup>nd</sup> floor had an overhead door that rolled up and was floating, so it would be turned into a fixed window with two awning-style openings in the middle. Chairman Almeida asked about the upper left window. Ms. Wolfe said that it was made by the Universal Window and Door Company and had the exact metal that would fit into the opening with the same awning style.

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

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

### **DECISION OF THE COMMISSION**

*Mr. Katz moved to **grant** the Certificate of Approval as presented. Councilor Kennedy seconded.*

Mr. Katz thought that the project was good news for the space, and the doors and windows were utilitarian in nature. He had great hopes that the access provided would generate activity and add

to the Downtown vitality. Chairman Almeida made a side comment that the building on Daniel Street looked beautiful.

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



#### IV. PUBLIC HEARING (OLD BUSINESS)

*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.*

22. (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 16, 2014 meeting to the May 7, 2014 meeting.*)

##### **Work Session**

Mr. Jeff Johnston of Cathartes Private Investments, and Mr. Chris Lizotte and Mr. Jim Loft of Pro Con, Inc. were present to speak to the petition.

Chairman Almeida gave a brief summary of the project's changes. The final ACC approval was given on August 1, 2012. Design changes were made until 2014, and new design changes were proposed for 2014. A revised plan submission of design changes in the hotel portion were presented on March 27, April 6, and May 1, 2014. A third-party review was done on April 8, and a partial approval was done at the last HDC meeting. They would review the changes for the remaining nine items for the hotel that included material changes and, most important, the composite band above the storefronts, changes to the storefronts and doors, added columns and pilasters and joints, and the 3<sup>rd</sup> story windows and towers. The Consent Agenda Items were the cornice trim above the towers, the decrease in brick and canopy projection, the added column of windows facing Deer Street, and the removal of soldier courses facing Portwalk Place. The goal was to agree on these items so the Commission could move on to the rest of the building.

Mr. Johnston stated that he would stick to Mr. Cracknell's memorandum relative to the material changes.

##### Infill Details on the Portwalk Place Elevation with Capstone Detail

Councilor Kennedy was concerned about a dark tint to the windows and thought they were supposed to be clear glass windows. Mr. Lizotte stated that the glass had a coating that tinted it a bit, but there was no colored glass. Mr. Loft stated that they had developed the capstone, which was a pre-cast piece that fit on top and helped break up the linear façade and give it substance. Chairman Almeida thought it was good that they were able to introduce pre-cast back into the band at the capitals. Mr. Wyckoff asked if they projected 8" and was told that they did. He noted that they didn't look as drawn and didn't seem to be enough to cover up the miter joint between the fiberglass and the pre-cast. Mr. Lizotte said that the capitals were mitered and the pre-cast capital sat on top of the pre-cast pier and would become the new joint. Chairman Almeida felt that it was a very important item because the introduction of pre-cast back into the band in that elevation was a huge concern for the Commission. The band itself was also

supposed to be pre-cast, but in lieu of that, the cap on top of the pilasters into the pre-cast went a long way. Ms. Ruedig hoped that it mitigated the fact that the lintels over the pilasters were significantly different colors as built and thought it would be better to have a consistent material all the way around. Mr. Lizotte said that the projection of it sticking out would allow it to be different material that was close in color. Mr. Wyckoff asked if they could match the color because it was very obvious that the fiberglass panels were not the same shade as the pre-cast. Mr. Loft stated that he thought that they could.

Councilor Kennedy stated that she did not want to hear the words 'I think' because she was concerned that the material would be very shiny and different and would not fit into the neighborhood. She wanted to see a mockup of the two materials together. Mr. Wyckoff mentioned that it could be seen on Maplewood Avenue, and that the applicant could just have a few pre-cast capitals sitting on top of the new columns and could paint a section of the horizontal band so that the Commission could see it. Mr. Johnston agreed.

Chairman Almeida asked about a product he took a photo of that seemed to be fiberglass-reinforced masonry panel. Mr. Lizotte stated that it was a GFRC (glass fiber reinforced concrete) and was a great product that was used historically to replicate details. Chairman Almeida asked how they would add more pre-cast. Mr. Loft told him that it would take some work because it would be heavy. Because there was no structure at that floor, they would have to take the wall and brick apart. Vice-Chair Kozak thought it would help break up the linear band effectively.

Chairman Almeida asked the Commission if they would consider a combination of the pre-cast capital switching to a thick material that would make it lighter. They discussed it further. Mr. Wyckoff stated that the big buzz was fiberglass because it lasted longer and was a better use of material. He asked about the aluminum panels and whether or not they were an applied panel over another panel. Mr. Johnston said that the patterns were laser cut using a CNC machine. Mr. Rawling thought that the panels added interest and texture to the streetscape and were in contrast to the building, and he wondered if they could be integrated with more detail, e.g. a little movement back and forth without it being distracting. He was shown another concept that showed the same metal covering the entire band and tying a knot at the capital that was an elegant way to treat the band. Mr. Rawling thought that it was an interesting idea but it took the building too far. Mr. Loft said that they could get pre-form whimsical elements to play off of it so that it was muted but had a shadow. Mr. Wyckoff thought that the aluminum panel was a better idea and better than wrapping the building in metal ropes. Chairman Almeida said that it didn't mitigate the concerns about material changes at the band. They now had pre-cast but still had a different material between them. Vice-Chair Kozak thought it was more relevant to the context of the District and expressed the structure. Mr. Katz thought it was very successful.

Chairman Almeida asked if they could summarize where they were and get concurrence on the introduction of pre-cast on the pilasters and the material remaining the same between them. Councilor Kennedy and Mr. Katz both thought that the Commission was waiting for a mockup of the pilasters and pre-cast and a finish that would match the other columns. Mr. Johnston stated that they could make the bay mockup a condition. The mockup would be a capstone and match the band color and would include the decorative panels. Mr. Melchior did not think that the

mockup would be a perfect match because the eye was naturally drawn to the frequent display of contrast across the band. Councilor Kennedy reiterated that she needed to see a mockup and would not vote on it until then. Mr. Rawling thought that it would have a woven element as long as it had something that made the transitions and accepted the different material.

### Storefronts and Doors

Mr. Johnston stated that the storefronts and doors had already been presented.

### Tower, Options A and B

Mr. Lizotte showed the square windows at the top of the tower and said there were two options, A and B. They added some cornice details at the bottom of the cornice back to where it was, and also added aluminum trim that was tight to the window and allowed the existing window to match. Chairman Almeida thought that it obscured a portion of the glass. Mr. Lizotte said that the only difference between the two was that one had a grill at the bottom. Vice-Chair Kozak stated that the proportions of the windows were much more successful, and there appeared to be a clerestory level rather than a full floor of occupied space. She thought they had discussed making it brick on one side and was told that it was an option if the windows were kept at 42”.

Mr. Wyckoff thought the applicant had done a good job on the aluminum sills and lintels and shrinking the windows down to make them square. He realized that it was approved previously to have cement siding, but if it were brick on the Portwalk Place side, he asked whether it would look like a building that they would be accustomed to seeing, like a bank building, and whether it wouldn't be brick on top. He asked why it was clapboard on the top. Mr. Loft noted that a lot of times it was an addition to the building and the material change accentuated the top. Ms. Ruedig thought it was odd that they were faking an addition on top of a new building, but if they did so, the sill detail was better than the railing. Chairman Almeida agreed.

### The Material for the Wall Joint

Mr. Lizotte explained the product and talked about a color-matching paint. Mr. Loft said that it would be recessed and would match the adjacent material. Chairman Almeida thought they had agreed that the location of the joint was in a good place and they were lucky that it created a reveal between the two volumes of the building. Mr. Wyckoff asked what the width was and was told it was 3”. Mr. Lizotte added that it would be recessed, which he thought was good if they could push it back a half-inch because there was enough shadow line. Chairman Almeida agreed and thought that it created a real shadow line but asked that it be at least an inch.

### Added Columns, Pilasters and Cornice Trim

There was no further comment.

### Storefronts and Doors

Mr. Lizotte showed the retail door on the Deer Street façade where the awning was brought down and mentioned that there was no spandrel glass. On the Maplewood Avenue facade, more glass was added in the stairway and the awning was brought down.

### Remaining Consent Agenda Items

#### Item #1 - Cornice Trim

Mr. Lizotte said that they brought the height down by adding detail at the bottom, but the overall height did not change. Mr. Wyckoff thought the cornice was complicated because there was a lot to it. Chairman Almeida said to strike it off the list.

#### Item #4 - Decrease in Brick and Canopy Projection

Mr. Lizotte stated that they had a letter that approved the decrease in the canopy with the stipulation that the piece above would stay. Chairman Almeida said to strike it in that case. They would not vote on it. He also mentioned that they would not vote on Item #2 because it was previously approved.

#### Item #9 – Added Column of Windows Facing Deer Street

Mr. Lizotte showed the column of windows and said it was part of the storefront adjustments and the alignment of the bay of windows above. Chairman Almeida assumed that the added ornamentation mitigation addressed the added bay of windows, and the changes they had discussed were part of the mitigation to the band and the added windows. Vice-Chair Kozak told him that it was just a stand-alone subject, and Mr. Melchior had been against the windows because of the spacing. She had spoken in favor of the reorganization of the bays because they were more regular and less erratic than before. It had all been in relation to adding the column. Chairman Almeida agreed and said that the notes stated that some members had expressed concern that the change had a negative effect on the window pattern and the overall vertical rhythm of the building, but they hadn't proceeded from that and needed to. For reference, it was stated that the item was not previously discussed because Mr. McNeely had stated that the change had little if any visual impact on the Deer Street façade. Most of the Commissioners agreed.

#### Item #10 - Removal of the Soldier Courses Facing Portwalk Place

Mr. Johnston said that Portwalk Place actually faced the Deer Street and Maplewood Avenue intersection. He talked about a band just below the cornice and a band below the top window that had been designed as a subtle soldier. Chairman Almeida asked how much it projected and was told that it was flush. Vice-Chair Kozak asked how it wrapped the corner, and Mr. Loft said that it never did because it was between the brick pilasters and was always on that corner. It had been an early attempt to make the corner a little different but it was too subtle.

Chairman Almeida asked if it was a major issue and whether it was something they would have approved years or months before or if it had been changed from the previously-approved version. There were two issues, whether it was appropriate or whether they were going to wrestle with the fact that it was built before it was approved. He preferred that they focus on whether it was appropriate or not, and if not, they had to mitigate it. Mr. Katz asked how it could not be appropriate. Chairman Almeida said that was a good question. No one else commented.

**Chairman Almeida opened up the public session.**

Mr. Joe Caldarola of 170 Dennett Street told the Commission that he didn't take these things lightly. He was disappointed that it added to the workload of the Board and felt that they didn't have to accommodate the mid-band because it looked pretty bad. It couldn't be painted to match the pre-cast concrete because the concrete would weather and change color, and if it was coated, they would have to coat everything. He reminded the Commission that at the first meeting, the applicant had said they changed it to fiberglass because the steel was too involved, making it a cost-saving measure. By accommodating it, the Commission was creating an incentive for future permit holders to ignore their plans and save money and waste their time, and he thought it was a terrible precedent. All the plans showed two shadows on the columns. The infill detail sheet showed a two-layer pre-cast column. He had seen a one-layer column on the building, and it didn't look like the bases were designed to accommodate the second layer. It hadn't been mentioned, which he thought was a big oversight. Vice-Chair Kozak said it was a chamfer. Chairman Almeida said that the line represented a change in angle at the flat pilaster, and not so much a roping or reveal. He felt that the building didn't read that detail because it did not read real on the plans, and Chairman Almeida agreed. He suggested that it be added to the agenda. Mr. Caldarola said that adding the pediments at the top of the columns would make it worse. The building looked fake and cheap. Relating to the top parapet along Maplewood Avenue, the thin fiberglass panel at the top was horrid, and to say that it would compensate for fiberglass getting painted and would match the pre-cast for one year was ridiculous. He felt that the Commission had a choice of either mitigating elsewhere for equal value or sending it back to Attorney Sullivan. He tried to find the pre-cast concrete accent band under the roof and pointed out that the 4" pre-cast concrete accent band was not on the building. There was nothing that was a different color or of that profile. Also, the second band down was not located where it was shown on the approved plan. Proportions were completely different than shown.

Chairman Almeida asked him to look at a photo of the pre-cast band to see if they were addressing the same thing. Mr. Caldarola said that it was a different one. He knew that it was previously approved, but he couldn't accept the change from aluminum panels along Maplewood Avenue now that they were painted concrete. The aluminum bothered him because it looked like black house paint and was another fake element of the building, and he felt that a higher sheen to duplicate aluminum might help it. Chairman Almeida asked him to point it out on the photo and then asked the applicant if it was the finished paint. They thought it might be but weren't sure. Mr. Caldarola asked the Board to make the mitigation happen on Maplewood Avenue. The parapets on the columns of Portwalk Place were much more ornate. The ones above the hotel that faced Maplewood Avenue looked like vinyl-sided house wrapped in aluminum and was fake-looking. The building suffered more on the Maplewood Avenue side. He mentioned that

he went to his acupuncturist and talked about Portwalk, and she said the retaining wall that faced Maplewood Avenue was horrible and that a lot of people she knew hated it.

Mr. Rick Becksted of 1395 Islington Street reminded the Commission that they were the residents' only line of defense and had to make sure that the material for the building was put back the way it was. It was something that should not have happened, yet he saw no anger. The Commission had already approved everything and had to do it all over again. They were saying, 'well, the material doesn't look so bad', but fiberglass and vinyl were materials that had never been approved or used in the Historic District. It was disheartening to him.

Mr. Peter Weeks of New Castle stated that he lived in Portsmouth for over 50 years and had sat in their seats and thus knew what they were going through. Design changes were made, and the Board and the City hired Mr. McNeely to be an objective person. They had listened to his comments and discussed them. He thought they did a good job in making sure that the final product would be something everyone would be pleased with. The vinyl windows had been approved in 2009 during the Portwalk Phase One or Two project, so it wasn't the first time that the HDC had allowed vinyl windows in the project, which needed to be made clear.

Mr. Rick Becksted insisted that the vinyl windows were not the original approval on the project because they were metal and had been changed to vinyl. No one else rose to speak, so Chairman Almeida closed the public section.

They then went into the Public Hearing portion of the application.

### **SPEAKING TO THE PETITION**

Mr. Johnston briefly summarized the changes for approval and referenced the April 16 memo, stating that they were asking for approval on the following items:

- Item #1. Option A, infill details with the condition that they come back with a mockup for Board approval on the capital, the aluminum panel, and the color.
- Item #2. Storefront doors and awnings.
- Item #3. The added columns and pilasters with the submitted joint detail, which was an 1-1/2" back.
- Item #6. The clerestory windows. Proposing tower details A as an exhibit.

### **Consent Agenda items:**

- Item # 1 - Cornice trim.
- Item # 9 - Added column of windows facing Deer Street.
- Item # 10 - Removal of soldier course facing Portwalk Place.

Chairman Almeida said that they could discard Sheet 7, Option B. Mr. Rawling referenced the details on Sheet 7, Options A and B. Relating to the large-scale detail of the lintel and sill, they were essentially a valance placed in front of the glass and as such, he felt that Option B would be a more appropriate treatment and would have an open rail rather than a solid valance sill placed

in front of the window's glass. It would also contribute more texture on the cornice line. Chairman Almeida agreed that both options had merit. Ms. Ruedig said that she did not agree because the point was to make the windows look like they were fixed. The railing would give the appearance of another floor with an operational window, thus the reason for the railing. Having a thicker sill made it look fixed and taller. Mr. Wyckoff agreed. Councilor Kennedy thought that expanding an aluminum sill over a window would cause weather-related problems and people would not be comfortable looking at an aluminum sill from the inside out. Chairman Almeida said that it was held away from the glass so there would be airflow. Councilor Kennedy was not willing to cover up the problem and wanted what they agreed to originally. Regarding the band, Mr. Wyckoff thought that putting the pre-cast capitals on top of the pilasters was a good idea because it broke up the fact that there was a different material on the horizontal, and the horizontal material was not seen sitting on top of the pre-cast band. Whether they faded differently or not was a problem for the applicant as far as maintenance, but if they had to paint the pre-cast and the fiberglass, so be it. He felt it was a good fix. Mr. Melchior disagreed. Mr. Wyckoff verified that it was not for a fix but for a mockup. Chairman Almeida said that the request would be for approval because the fix was contingent on the Commission viewing a mockup. If the mockup didn't work out, the applicant would have to come back.

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

Mr. Joe Caldarola of 170 Dennett Street stated that Mr. Dick Bagley was issued a Cease and Desist order when he was building his house and had spent \$100,000 to correct the deficiencies, so he did not understand the accommodation to the applicant's wallet. The Board felt like the 3-story windows were too tall, and instead of proposing that the windows be removed and corrected, they agreed on the fake aluminum sills and headers that were a different scale than the rest of the building. The applicant knew that it was inexpensive compared to taking the windows out and correcting them. No one had given Mr. Bagley a break like that, and it was unfair. If it wasn't the correct fix, it should be voted down. He suggested that the concrete be removed and a more authentic material used similar to the one for the columns and headers.

No one else rose to speak to the petition, so Chairman Almeida closed the public hearing.

### **DECISION OF THE COMMISSION**

#### Item #1, Composite Band above the Storefronts (Option A)

*Mr. Wyckoff moved to **approve** Item #1, Option A, the composite band above the storefronts as presented, with the capitals above the pilaster columns and contingent on a mockup with the aluminum panels, Sheet 9.1. Vice-Chair Kozak seconded.*

Councilor Kennedy asked if the fiberglass that was spidered. Mr. Wyckoff said that it didn't have a coating. Chairman Almeida said they had discussed the ornamentation cast into the capitals, and he asked Mr. Wyckoff if he wanted to include it in his motion. Mr. Wyckoff said that it was part of Sheet 9.1. Vice-Chair Kozak stated that they had proposed bringing an artist's detail of the laser-cut panels for approval, so it would be contingent upon that as well as a mockup. Chairman Almeida asked that the artist's detail be included in the mockup.

Mr. Melchior did not support it. He had been vocal on the FRP as the material, and he believed that the capitals were a mistake because they accentuated a vertical language. The intent of the horizontal band was to create a deliberate horizontal bookend to that elevation and to make the building smaller and feel less horizontally dominant. To put capitals or anything else that created a vertical rhythmic language down the street was counter to the intent of the design, which was to minimize the height, minimize the horizontal volumes, and create a pedestrian experience all the way around the building. Councilor Kennedy did not support it and would not wait to see the mockup because she felt that everything should be in place before voting.

*The motion **passed** with 5 in favor and 2 opposed, Mr. Melchior and Councilor Kennedy.*

Mr. Gladhill left the meeting at that point, and Mr. Rawling took his place in voting.

Item #2, Storefronts and Doors (p. 14)

*Vice-Chair Kozak moved to **grant** the approval for the storefront door with the awning as presented. Mr. Katz seconded.*

Vice-Chair Kozak said that the non-spandrel glass flanking the windows and the clear glass of the door were an improvement. The awning helped accentuate the fact that there was an entrance along the street, which was an improvement because they wanted to avoid long walls with no doors. Chairman Almeida agreed that the door was a great improvement.

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

Item #3, Added Columns, Pilasters, Expansion Joints, and Porte-cochere (Sheet 7)

Chairman Almeida said that a building of that size did not exist without expansion joints. Mr. Melchior disagreed so Chairman Almeida retracted it, but said that regardless, Sheet 7 showed the expansion joint detail, with up to a minimum of 1" to 1-1/2" recess.

*Mr. Wyckoff moved to **approve** Item #3, Added Columns, Pilasters, Expansion Joints, and Porte-cochere, as presented. Mr. Katz seconded.*

Mr. Wyckoff said the Commission had agreed that the additional columns at the porte-cochere made sense. An expansion joint was a non-issue because it was a horizontal building and the joints were there, and the developer had done the best they could to minimize them.

*The motion **passed** with 5 in favor and 2 opposed, Councilor Kennedy and Mr. Melchior.*

Item #6, Clerestory Windows in the Tower (Sheet 7, Option A or B)

*Mr. Wyckoff moved to **grant** approval for the application as presented and stated that he preferred Option A. No one seconded, and there was no discussion.*

*Mr. Rawling moved to **approve** Item #6 as presented with Option B. Mr. Wyckoff seconded.*



Councilor Kennedy felt that the windows should go back to the way they were and it should not look like an addition. Mr. Wyckoff liked the windows both ways. He admitted that he was offended that the developer changed the windows, but the main issue was what it looked like from the ground, and it looked like the same size as the previously-approved window, so he felt that it accomplished what it meant to. Vice-Chair Kozak was not in favor of the railings at the bottom of the windows for reasons that Ms. Ruedig stated. From the elevation, the sizes of the square windows were as they were originally and looked good, but when she saw the detail she realized that it was aluminum over the front of the window. She thought the jamb return on the sides of the windows must be fiber cement, like the siding, and could be placed flush against the frame at the bottom, but at the top, the lintels extended past the windows a few inches, so that detail wouldn't work. It would have to be proud of the window, and from the ground, it would look fake, so she felt that smaller windows needed to be put in. Chairman Almeida agreed.

*The motion to approve Item #6 **failed to pass**, with 3 in favor and 4 opposed. (Mr. Rawling, Mr. Wyckoff, and Mr. Katz were in favor of approving the item).*

*Councilor Kennedy made a motion to **put the windows back as previously approved** on August 1, 2012. Mr. Melchior seconded.*

Councilor Kennedy said that the Commission had gone round and round with it, and she felt that it was very important to put them back the way they were. Mr. Wyckoff said that they had tried Options A and B and hadn't received a majority vote, so at that point he felt there was no other choice but to go back to the original.

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

#### **Consent Agenda Items:**

- Item #1 – Cornice trim above the towers
- Item #9 - Column of windows facing Deer Street
- Item #10 - Removal of soldier course facing Maplewood Avenue and Deer Street

*Mr. Wyckoff moved to **grant** a Certificate of Approval for the three Consent Agenda items as shown on pages 7, 14, 13. Vice-Chair Kozak seconded.*

Councilor Kennedy would not approve any of them because she was uncomfortable with the windows. Mr. Wyckoff disagreed, saying that some Commissioners found that the façade was more interesting, and since they had been labeled as Consent Items, they were relatively minor elements that could be approved. Mr. Melchior did not agree with the additional column of windows on the Deer Street elevation. The addition of that column forced an arrhythmic and almost equally-spaced column window arrangement that detracted from minimizing the horizontal runs and the height of the building. Vice-Chair Kozak felt that the column of windows allowed the building façade's rhythm to be regularized, whereas before it was erratic, so it had more order and more closely matched the rhythm of other buildings in the District.

*The motion **passed** with 5 in favor and 2 opposed, Mr. Melchior and Councilor Kennedy.*

Mr. Johnston asked for a clarification on the vote for Item #2, Storefront Doors and Awnings. They had discussed the Deer Street door, but there were minor elements to it as well as another elevation under the tower that referenced the mid rail. Chairman Almeida told him that by referencing the sheet number on Deer Street, it included all those items.

Councilor Kennedy reminded Chairman Almeida of the rehearing request and asked about the items they had not discussed. Mr. Cracknell told her that they would look into those. Chairman Almeida told the Commission there was a rehearing request on a decision they had made the previous month on the Portwalk vinyl windows in June and asked them to review it.

*In summary, and after due deliberation, the Commission voted to **grant final approval** of the hotel portion of the application with the following items approved (as enumerated and listed on James McNeely's report, dated April 8, 2014):*

Material Change Items (as shown on Plan Set dated March 14, 2014 and date stamped May 1, 2014 by the Planning Department):

- #1 - Infill details 9.1, Option A (added precast capital with formed panel pattern, decorative aluminum panels, awnings, and color of FRP panels to match) with final approval by the HDC of a mock up when available.
- #2 - Storefronts and doors (added awnings and clear glass).
- #3 - Columns and pilasters with submitted joint detail (recessed 1 ½").
- #6 - Tower Windows (removed and replaced as previously approved on August 1, 2012).

Consent Agenda Items: (as shown on Plan Set dated March 14, 2014 and date stamped May 7, 2014 by the Planning Department):

- # 1 - Cornice Trim (added trim).
- # 9 - Column of Windows Facing Deer Street (no change).
- # 10 - Remove Soldier Courses Facing Portwalk Place (no change).

## V. ADJOURNMENT

At 12:50 a.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 11, 2014.