

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

7:00 p.m.

**June 18, 2014
reconvened from June 4 & 11, 2014**

MEMBERS PRESENT: Chairman Joseph Almeida; Vice Chairman Tracy Kozak;
Members John Wyckoff, Dan Rawling; City Council
Representative Esther Kennedy; Planning Board Representative
William Gladhill; Alternate Reagan Ruedig

MEMBERS EXCUSED: George Melchior

ALSO PRESENT: Nick Cracknell, Principal Planner

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*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.*

Prior to the meeting, a site walk was held at 6:30 p.m. at 46 Livermore Street.

Chairman Almeida stated that he would be presenting an item on the agenda. The unofficial rule was that he would have to sit out the whole evening, but The Commission had the option of waiving the rule. Mr. Wyckoff felt that it was enough that he withdrew to make his presentation and didn't see why he couldn't be involved in the rest of the meeting. Councilor Kennedy said that recusing oneself happened more frequently due to more projects and felt that it should be in writing. Her concern was that it was already a practice for people to recuse themselves, and it should be documented so that people didn't think they were switching on a whim. Mr. Cracknell said that the policy in the Legal Department stated that if a Commissioner had a conflict of interest, he or she should remove oneself from the entire meeting to avoid further conflict of interest. However, the only items on the agenda that evening were work sessions, and there were no public hearings except for the petition that Chairman Almeida was presenting. Councilor Kennedy recommended documenting that the Commissioners could not sit on public hearings but could be part of the rest of the process. Vice-Chair Kozak said it was consistent with what she had experienced. Chairman Almeida invited anyone in the public to speak to the issue, but no one rose. Mr. Gladhill thought that since the Commission had already set the precedent that allowed a Commissioner to present an application yet participate in the work sessions, it was detrimental to the other applications not to allow Chairman Almeida to sit in on the work sessions. Councilor Kennedy agreed. She had to meet with the City Attorney and others on the topic, and she asked for a motion to take forward to request that it be put in writing.

*Mr. Gladhill moved to **recommend** to the City Council that the HDC felt that if a Commissioner was presenting an application or representing another person during an application, the*

*Commissioner should sit out for that one application but should be allowed to return for any other public hearing or work session. Mr. Wyckoff seconded. The motion **passed** unanimously with all in favor, 7-0.*

Chairman Almeida next stated that Petitions G, H, and J, had been requested to postpone.

*Vice-Chair Kozak moved to **postpone** Petitions G, H, and J to the July meeting. Ms. Ruedig seconded.*

Councilor Kennedy noted that Harborcorp had postponed their application several times and felt that it was unfair to the public. At the last meeting, she had asked that Harborcorp re-advertise because they had been postponing their applications since April. If Harborcorp continued to request postponements, the Commission needed to establish how many times they would postpone it before re-advertising. Chairman Almeida asked if it should be clarified as a procedure and put into writing. Mr. Cracknell suggested putting a stipulation on the continuance and either stating that it would be the last continuance prior to re-advertising or that it would require re-advertising. Chairman Almeida agreed with Councilor Kennedy because if a petition got postponed, no one received an abutter's notice, and six months later, one could assume that the business had passed. Mr. Cracknell thought perhaps the Commission could simply let Harborcorp know that it would be the last time before they had to re-advertise.

*Vice-Chair Kozak **amended** her motion to add the stipulation to the postponement of Petitions G, H, and J that Work Session J for Harborcorp would require re-advertising for any request to postpone beyond that particular one. Ms. Ruedig seconded. The motion **passed** unanimously with all in favor, 7-0.*

I. DEPARTMENTAL UPDATES

1. Design Review Toolkit
2. Character-Based Zoning

This update was moved to the end of the meeting.

II. NEW BUSINESS

- A. Request for Re-hearing of the Certificate of Approval for 195 Hanover Street – submitted by the City of Portsmouth
- B. Request for Re-hearing of the Certificate of Approval for 195 Hanover Street – submitted by Joe Caldarola, et al

Mr. Cracknell stated that he had sent an email to the Commission about the Planning Department's request that both items be deferred to the July 2 meeting. The Legal Department still had to complete its review of the June 12 letter that the Commission received from Attorney Peter Loughlin on behalf of Portwalk. He had outlined his agreement with the City, and the

letter confirmed that they were in agreement that the stipulation that the mid-band was a conditional approval based on the HDC seeing a mockup of the building and voting on that item. The Legal Department was reviewing Attorney Loughlin's letter and the draft-amended decision of May 12 prepared by Mr. Cracknell and Mr. Taintor.. After its resolution, the Commission would receive a copy of the ensuing letter as well as any changes to Attorney Loughlin's letter of June 12 before the next meeting, which would allow them to withdraw their request for re-hearing. He also thought it would allow Mr. Caldarola to request that his re-hearing be removed but request a new re-hearing after the mockup vote.

*Councilor Kennedy moved to **postpone** the two requests for re-hearings to the July meeting. Mr. Gladhill seconded. The motion **passed** unanimously with all in favor, 7-0.*

III. OLD BUSINESS (PUBLIC HEARINGS)

Chairman Almeida stepped down and passed the gavel to Vice-Chair Kozak.

1. Petition of **Joseph and Zulmira Almeida Revocable Trust, owner**, for property located at **27 Rogers Street**, wherein permission was requested to allow new construction to an existing structure (construct rear addition) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 116 as Lot 41 and lies within the Mixed Residential Office and Historic Districts. *(This item was postponed at the June 11, 2014 meeting to the June 18, 2014 meeting.)*

SPEAKING TO THE PETITION

Mr. Joseph Almeida presented on behalf of his parents, Mr. and Mrs. Joseph Almeida. Mr. Almeida stated that his parents currently did not live in the home, but the addition was to accommodate them with an accessible floor space. He explained that he had postponed the petition a few times because he needed more details to present to the Commission. He had to appear before the BOA for the footprint, so he was restricted by that approval and was coming up one-and-a-half stories on the approved footprint. They wanted to demolish a small 4-1/4' x 3'5" shed from the early 1980s. There was a small deck that would be enclosed and made part of the kitchen and would be the entrance to the back. The house was original, down to the wallpaper, and the siding, and windows with operable shutters. They would replicate and match all the details on the house, like the eaves, corner boards, clapboard spacing, and the windows and trim. The panels beneath the windows at the new entry at the back were taken from the panels of the bump-outs in the front and the side because he had felt that it was an infill piece and clapboarding it would be a mistake. On the east elevation, the 1-1/2 story addition had two double doors with transoms above. There were no muntins, but the transom was an original feature on the front of the house over the main door. It was a single piece of glass, and he continued the language over the back doors. The floor level on the addition was lower than the rest of the house but had to be accessible, and it was a challenge to make the openings relate. The transoms brought the doors up to respect the height of the house. There were shed dormers on the sides and open space to bring light down to the floor. Since it was possible that someone would spend a lot of time in that space, he had tried to make it as bright and inviting as possible.

The shed dormer on the back side was smaller. There was a small loft area that was accessible from the inside, and that was what the smaller shed dormer on the back represented. On the back west elevation, an original door on the porch would be relocated to the back side of the addition. There was a need for access due to the small alley pocket garden. The windows and the tracks for the addition were wood. The windows and doors were from the Green Mountain Window Company and were the closest example of the historic single-pane windows in the main house. The chimney was real with a wood fireplace, and the bricks would match the existing chimney.

Ms. Regan asked what the clapboarding and siding materials were. Mr. Almeida said they were all wood. Mr. Rawling asked if there would be a detail to the top of it. Mr. Almeida replied that there was another poorly-constructed chimney on the north elevation, and the only nice thing about it was the Bishop's cap on the top. He would match the chimney on the main house that had no cap on it. Mr. Wyckoff asked if there were gutters on the house. Mr. Almeida said there were wood gutters on the main house that were built into the eave, which he would replicate. Mr. Wyckoff asked if the rake boards had any detail. Mr. Almeida replied that it was an 8" barge board with a cove molding of about 4" with an overhang, and then a rake board. Mr. Wyckoff assumed that they came down and covered the ends of the gutters so they were not mitered into a crown molding. Mr. Almeida agreed that they were covered with the rake board and said he would copy the detail on the addition. Mr. Wyckoff asked what he would do for a cap on the west elevation over the door. Mr. Almeida replied that it was a board that was copper flashed under the clapboards with two small 6" brackets. At the main door, there was a canopy with decorated brackets, but on the back side there was another red canopy with a simple bracket that was up against the house. He would salvage as much as he could from it, but he had to add another side to it. It would stay on the back over the door and match the existing detailing and would be painted red flat seam metal. Mr. Wyckoff asked if the clapboards started at 8" above grade. Mr. Almeida said that the mud sill was only around the bay windows, so he would continue the small mud sill across where they were paneling the porch.

Councilor Kennedy asked about the shutters. Mr. Almeida said the house had the original operable wood shutters. Some of the shutters on the bay window were small and thin and would not cover the window, and the same thing applied to the doors on the back. He could put shutters on the addition, but because he saw it as a secondary building to the main house, he didn't plan to shutter it. Mr. Rawling noted that on the east and west elevations, there was a frieze board that continued along the house, but it wasn't represented in the drawings. Mr. Almeida said that if it existed on the house, it would exist on the addition. Mr. Rawling said it showed on both sides of the house and asked if it would be carried across to the addition. Mr. Almeida said the existing addition differed slightly from the main house due to subtle differences in the eave and trim, and that he could match either the secondary or the primary. Mr. Rawling felt that matching the secondary was appropriate. Mr. Gladhill asked what year the existing addition was put on. Mr. Almeida replied that it was built at the same time as the main house. Mr. Gladhill asked why he was doing a new window on the north elevation and not using the existing window. Mr. Almeida said that there wasn't enough room on the sides of the window to clapboard and thought that crowding the window would be a mistake. If he used the existing window, it would interrupt the flow of clapboards, but it was a minor thing and he could do it.

Ms. Ruedig mentioned that shed dormers were not seen often historically, and she felt that the one of the east elevation was big, but thought maybe it was because the windows were spaced so far apart that it made the windows look small. Mr. Almeida told her it had been an attempt to not make it a full 2-story building, and a gabled dormer did not exist on the house now. The small coverings on the bays were hipped and more suggestive of sheds than gables, so he thought it would be better to do a simple pitch, and he stayed away from the ridge and the rake significantly. Mr. Gladhill said if there had to be shed dormer, he preferred seeing it on a modern addition than on the original structure. Mr. Rawling noted that there was a bracketed hood over the salvaged door being relocated to the rear entry and suggested that Mr. Almeida transfer that detail to the French doors to give it emphasis. Mr. Almeida said he was amenable to putting the same hood over the doors to add some interest. Mr. Wyckoff said that putting 6" canopies would prevent water from getting to an area prone to rotting. Councilor Kennedy suggesting camouflaging the shed dormer. Mr. Wyckoff said Mr. Almeida had followed all the Commission's rules for shed dormers by keeping away from the peak and the ends of the building, and he referred to the balconies and decks on other 2-story structures overlooking South Mill Pond that the Commission had previously given leeway for. Ms. Ruedig was fine with the shed dormers because the existing house had a lot of clapboard and not a lot of windows with space, and the rhythm of the windows in the addition followed the existing house.

Vice-Chair Kozak asked what material the foundation would be. Mr. Almeida replied that it would be brick, with 8" of it was exposed. Code dictated that he had to be from 8" from grade, but there would be walkways going to the doors. The foundation was currently concrete, but he could consider casting a brick shelf into the foundation for one or two bricks. Vice-Chair Kozak asked if there would be steps to the new entry door in the intermediate addition. Mr. Almeida agreed and said he would get as much out of the grade as possible. There would either be one large granite step or two small ones, and they would be very low. There would be no need for handrails because the accessible entry was the double doors. Councilor Kennedy asked how many feet the double driveway went back. Mr. Almeida replied that it went all the way to the back of the main house, with a path going to the back doors.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one rose to speak, so Vice-Chair Kozak closed the public hearing.

DECISION OF THE COMMISSION

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

- 1) That the exterior siding shall be cedar clapboards as presented.*
- 2) That the gutter and trim will match the existing structure.*
- 3) That the bracket on the rear door will match the existing side door bracket.*
- 4) That the frieze board on the side of the rear addition shall match the frieze board on the north elevation.*
- 5) That the existing window on the rear addition will be salvaged.*
- 6) That a bracketed hood will be added over the two doors on the east elevation.*
- 7) That a concrete foundation shall be used.*

- 8) *That one or two granite steps shall be used at the side entrance.*
- 9) *That the chimney material shall be brick that will match the existing house.*

Mr. Wyckoff seconded.

Mr. Rawling said it maintained the special character of the existing residence and the District surrounding it. It was an enhancement to the District. Attention had been given to the scale and massing, making it appropriate for the neighborhood. Overall, it would be a quality improvement. Mr. Wyckoff agreed. Councilor Kennedy was uncomfortable with the dormers, but after hearing about the other balconies and decks on Roger Street, she changed her mind. She appreciated that Mr. Almeida would use wood materials and salvaged materials to make the addition authentic. Vice-Chair Kozak thought the scale of the addition was deferential to the original structure and was in keeping with forms found on other additions in the neighborhood, and the detailing would exactly match the original.

The motion passed unanimously with all in favor, 6-0.

IV. PUBLIC HEARINGS (CONTINUED)

15. (Work Session/Public Hearing) Petition of **Eport Properties 1, LLC, owner**, for property located at **173-175 Market Street**, wherein permission was requested to allow new construction to an existing structure (construct side and rear additions) and allow exterior renovations to an existing structure (renovations to existing structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lots 3&4 and lies within the CD4, Historic, and Downtown Overlay Districts. *(This item was postponed at the June 4, 2014 meeting to June 18, 2014 meeting.)*

WORK SESSION

Councilor Kennedy clarified that it was not a public hearing but a work session.

Carla Goodknight of CJ Architects, Mr. Heinz Sauk-Schubert, and the owners Messrs. Ken, Chris and Corey Erickson were present to speak to the application. Ms. Goodknight emphasized that they didn't object to the majority of suggestions made by various groups and were happy to integrate them into their project, but the difficulty was in the range of differing opinions and how to meld them into a cohesive structure building design. They had discussed whether they would do a modern interpretation or a historic re-interpretation. Other issues were color, with the old building being a whitewashed paint versus the brick and how it would impact the addition, and site improvements such as sidewalks and extending off site. There was also the issue of the addition to the historic building being subordinate in height and volume and whether it should have a different material or be separated. The building had always been subordinate, but it was a matter of what would work for the various groups, i.e., would the clapboard building or the brick building be subordinate, and how they would achieve the separation plus the differentiation of materials to continue and enhance the subordinate aspect.

Mr. Sauk-Schubert stated that they were complications and challenges that they faced, and like doctors, they found themselves in the position of being forced to integrate diverse and opposing views. Often the end result created was an aberration of what could be in place if the professionals were simply allowed to do their work in a more controlled environment. Some of the public's anger played into what they were faced with, and their challenge was how to deal with the emotional and diverse views. Looking at the diversity of Market Square, there were ugly facades that appeared pleasing because of the diversity, and some people believed that there should be no diversity in Merchants Row because it should strictly reflect the rules to build fireproof structures. In the past, the structures were commercial ones that mostly stored goods, and there had been a social structure where each party trusted the other to fulfill the objectives. For example, a mason wouldn't have proposed that the warehouse buildings represent ionic columns as pilasters on the exterior. Therefore, the applicant's challenge was how to translate 'warehouses' into 21st-century residential structures, and they felt inhibited in translating it to a degree where they could fulfill a mandate but also project what should be happening for the future. He did not think the Planning Department and the HDC were interested in creating a museum. Portsmouth prided itself on its diversity, but they had gotten to the point where they didn't know who to answer to. Ms. Goodknight said they would outline several of the options and find examples to support everyone's opinions.

Mr. Gladhill said he had previously spoken about the BOA guidelines of reversing a decision and had found an action sheet where the BOA had listed specifics relating to objectives that they felt the HDC had not met. He contacted the City Attorney regarding the appeals court procedure and asked what guidelines the HDC should have been given and whether the action sheet items had to be put into their decision-making process, and the City Attorney had told him yes. Regarding the Certificate of Disapproval, it was determined that the overall purposes and objectives were not met, with specific reference to the subsections of assessing the historic and architectural value of buildings, structures and settings and their significant in terms of the represented period in time. The two subsections addressed were:

- 1) The proposed rear addition will not obscure the building from the Ceres Street perspective and detract from the historic and architectural value of the original structure. Finding: the proposed front dormers are not an architectural feature of the original building.
- 2) Maintain the special character of the District as reflected in the scale, mass, location and style of buildings. Finding: the rear addition is different in style and mass from other buildings in the area.

Mr. Gladhill said that it had also been determined that the overall HDC review criteria were not met, with specific reference to the following subsections:

- 1) Consistent with the special and defining character of surrounding properties. Finding: the proposed rear portion with extensive windows in the proposed surround is very different from other properties in the area and a design could be developed that would better fit the streetscape on the Ceres Street side.
- 2) Design scale and other characteristics of the proposed project complement the existing structure and are compatible with surrounding properties. Finding: the texture and

detailing of the rear portion of the building do not complement the existing structure and contribute to a building that is not in character with the area.

Mr. Gladhill concluded that the BOA rejected the HDC's vote on the proposed front dormers because they were not an architectural feature of the original building. Seeing that the dormers on the front of the building was an issue before them and the BOA had declared that by voting on it, the HDC failed to meet the purposes and objectives of the Ordinance, he had asked the City Attorney if it was a guideline that the HDC had to follow, and the City Attorney had said yes. Vice-Chair Kozak said she had watched the meeting on television and there was only one vote that encompassed many topics. Mr. Ken Erickson thought the BOA had collectively made a vote and didn't think that the entire Board had been against the dormers. Chairman Almeida said he also watched the meeting and didn't feel that there were specific things.

Mr. Sauk-Schubert thought the anger of the interpretation as suggested by Attorney Sullivan would create a possible precedent that would backfire. Categorically saying that a building did not have a dormer and therefore could not have one in the future was outlandish because buildings had been modified consistently in the Historic District. Ms. Goodknight said some of those comments were not specific to dormers, and if they made it a legal issue to comply with each comment, the ones that were not specific would open it up to an appeal process. Mr. Cracknell stated that he would talk to Attorney Sullivan. He had thought that the action sheet items or the comments from the BOA to the applicant were guidance, and the HDC had to figure out how to review and approve the new application. Mr. Ken Erickson felt that the BOA had been okay with the front of the building because the discussion at their meeting had centered on the back of the building. Councilor Kennedy told him the BOA had talked about the dormers.

Mr. Wyckoff asked if what they were presenting that evening was different from what they had presented three weeks before. Ms. Goodknight agreed and said it was due to being in the 3rd work session. They had submitted an application for a public hearing and had also submitted a supplement for that evening's work session that illustrated the options proposed by the various groups. Mr. Chris Erickson stated that the packet contained the same building design as the one from the previous work session, and the supplemental packet contained the updated design options based on feedback from all sources. They would focus on the supplemental packet.

Ms. Goodknight separated the different structures into Building A, the historic structure, Building B, the new construction in the adjacent lot, and Building C, the new addition. They implemented a recessed connector between Buildings A and C and created an 18' right-of-way for a total distance of 24'. The height of the addition decreased, and the width of the quarter round and fenestration were reduced, providing additional commercial space. They changed the exterior finish of the rear addition and eliminated the balcony on the first level. Building B had the right-of-way, raised sidewalk, and modified fenestration, and they also pushed the balconies back so they didn't project. The garage entry door was changed to a square top. Structure A remained the same. Building C was under 1,000 square feet and subordinate in footprint to Building A, which was over 2,400 square feet. The height of Building C had always been lower, 53' overall with the sloping roof, and Building A was over 56'. Ms. Goodknight said there were additional site distances in the packet. They had stepped back upper floors. The distance from

the Moffatt-Ladd House was approximately 9' and had been stepped back to almost 12'. The penthouse was stepped back 12', reducing its visibility substantially.

Ms. Goodknight discussed their options. One option was either keeping the historic traditional brick building or going to a more residential wood light clapboard style. Another option was metal iron-like look shutters versus the PVC. If they did a recessed connector, she asked if it should be glazed, solid, brick or clapboard. As for the various window options, they could do the mansard with dormers as suggested or do the lower mansard with the penthouse. Relating to the corner condition, they could do it with a chamfer or round, and they could space the windows or group them. If they went back to the brick for the addition per the BOA comments, they could perhaps to a clapboard addition between the two buildings. She showed visual options. Option 4.1A in the supplemental packet showed the dormer mansard roof option with rounded corner, the enhanced storefront area, the spaced-out windows, and a brick base. Shutters were still shown on the old building on the side elevation that could be removed. On the new construction, they reduced the different types of windows and spaced them out in a more regular pattern, and they also changed the rails. The other view of Option 4.1A showed the connector as a varied material with glazing to create separation. It also showed the separated windows, wood construction, and the mansard roof, with the expanded retail and setback. Planters were shown in the plaza, but they could be removed and the hardscape could be increased.

Option 2 showed the grouped windows and the simplified mansard roofline with the setback penthouse option. The storefront was brick. There were no optional changes made to the new construction. An additional view showed a different treatment of the connector, more of a solid extension of the clapboards, and a window pattern that was more grouped. Mr. Wyckoff asked what the connector width was in the clapboard section. Ms. Goodknight replied that it was 4'. One could see how the other building was now pushed back from the original position, which was in alignment with the storefront below, and the roof would pitch back to create a cover for the retail entrance. Option 3 showed a variation on the corner at a 45-degree angle, which they were open to modifying. They could incorporate the dormer option into it if so that it was mixed and matched on fenestration, connector, roof treatment, and penthouse. Page 4 was the original approval from the prior application. She pointed out that on the application for the public hearing, there were changes made from the last work session to remove the balconies for simplification. They pushed the building back from the storefront. There was the option of lowering the eave height a half-story below the 3rd floor.

Mr. Wyckoff remarked that most of the Commission's comments had been about simplifying, and the dormers, projections cutting through rooflines, and balconies sprinkled about the building didn't seem to reflect them. Mr. Chris Erickson said that they had to try and simplify the design to match qualities seen in the neighborhood. Ms. Goodknight said they had tried to develop clear choices and preferences, bearing in mind the various sources and groups. Mr. Chris Erickson said that they had considered a change of materials to differentiate the back addition from the existing structure as to what was older and what was new, and at the time, they were still maintaining the previously-approved brick treatment, which involved rebuilding the wall on one side to combat the conditions. They had since stepped back from that and decided to paint the building and wondered whether they should make the addition all brick again. The original building would be painted, making a clear separation between the two. The advantages

of the clapboard creating the distinction had somewhat been mitigated by the decision to paint the original building. Mr. Rawling thought that the concept of the new structure, Building C, as an independent structure in Option 4.2C was a good one, and that the more independent vocabulary worked, like the cleaner lines. He preferred the scheme with no dormers on the top and pushing the penthouse back for cleaner rooflines. As for the Ceres Street north view showing the blocky existing building and the gable roof form, he suggested that the square piece be shifted to clapboard to allow a freer expression of the form of the warehouse buildings. The gabled roof structure shadowed it and the clapboard piece broke it up and connected it to the structures around it and also worked with the vocabulary of Building C using the clapboards as a form of expression. Mr. Wyckoff preferred Option 2C because he felt that it should be clapboard. He didn't care for the painting scheme for the original building and thought they clear as much stuff off the building as possible and make the brick repairs, and then just leave it. They could paint it again. It was a historic structure that had been repaired extensively, and he would prefer repainted brick rather than shiny paint. He thought it was much improved. Councilor Kennedy also thought it was improved. She felt the Commission had not taken into account that there was no back of the house and all the sides were visible. At the BOA meeting, people commented that they wanted Ceres Street to keep the traditional warehouse look. She was more accepting of the new building than the dormers on the front of the old building. Mr. Ken Erickson stated that they would prefer the brick internally because they thought it was more in tune with the area, especially since they would paint the original building.

Vice-Chair Kozak thought there were two ways the Commission was required to look at the project in terms of context per the Zoning Ordinance – the context of the building and the context of the surroundings. What she saw was a response to the context of the building and comments about the content of the existing building making the addition differential to the existing building, which was one way. However, they also had the context of Ceres Street, which was important and was homogenous on the west side. Consequently, the two contexts were opposite. They could either build a new addition on the back of the house or build a continuation of Ceres Street, but they couldn't do both. She would not approve a multi-story clapboard building on the Ceres Street side because it would lose the harmony of the street and the established rhythm of Bow Street. Making the building differential to the context of the building itself, they had improvements in the simplified roof and the option without the dormers. Pushing back where the addition met the existing building by another window bay helped, but it would still be too close to the second window bay. If they wanted to keep the harmony with Ceres Street with the brick and the fenestration pattern and the building form, it would be just straight walls going up. Mr. Ken Erickson said their intention was to do it in brick and make a repetitive window pattern. Vice-Chair Kozak told him that Ceres Street was beautiful because of the texture and variation of its straight walls as well as the different windows and doors, and she thought the project was the exact opposite. The elevations going down Ceres Street were tall and narrow, with firewalls. His project was missing the firewall between one building and the other, and it shouldn't have the small porch on the bottom. She liked the angle solution for the curve because there were a lot of curves on buildings that occurred at intersections to welcome people in, but in that particular situation, there was no cross street, the street just jogged. She gave the example of Pennhallow and Bow Streets that had a house at an angle that sliced through the gables and made a person want to turn the corner because it was so simple and beautiful.

Mr. Chris Erickson asked if the chamfered edge cut corner modified in brick would give that simplicity. Mr. Ken Erickson thought they would have trouble creating an industrial look unless they did it in brick. Mr. Wyckoff asked if the bricks would be painted. Mr. Ken Erickson said they preferred not to paint the bricks because they wanted a distinguishing factor between the old building and the new. Ms. Ruedig thought the project continued to improve. She loved the simplification and said that when someone walked down Ceres Street, they would not see the wall of the original building. There were plenty of secondary buildings that were clapboard, including the back of Bow Street. She thought it was a much better language of a secondary structure and that the idea of stripping away the paint and leaving the messy brick was an interesting idea. She didn't care for the bottom brick section at the end because it was a different color of brick than the new building's brick. She thought the porch-like structure on the first floor might not be appropriate and should be simplified. She mentioned the simplicity of other structures around it, with the setbacks and penthouse. She suggested developing the angle corner more so that it would be more in keeping with its surroundings. Mr. Chris Erickson said the challenge they had with the storefront was that people keep asking them to erode it back further, and they didn't have a lot of room to work with. They wanted to maximize the commercial space and still address the comments of peeling the addition back.

Chairman Almeida said he liked Option 4.2C with the glass connector, and mentioned that they Commission had four letters of approval for it. He knew the applicant was in the tough position of trying to make a lot of people accept the design, and he agreed with Ms. Ruedig that the building was improving. He thought that Option 4.2C was the most attractive thing the Commission had seen and very appropriate. The glass connector worked better because it lightly touched the Frank Jones House instead of clamping onto it. He also agreed about the secondary building being in clapboard and the huge amount of clapboard on Ceres Street. When he had first seen the design switch to clapboard, it reminded him it of the successful addition to the backside of Poco's and other clapboard buildings behind Bow and Ceres Streets. There were buildings on Ceres Street that were cement blocks and not that great to look at, but the applicant's scheme allowed the top floor to roll across and flow into the historic roof, and he could still see the Franklin warehouse behind it as well as the salt pile and the cranes, so he didn't think it was a drastic view change. Mr. Chris Erickson said they had to commit to a direction and noted that the structure with the rounded form had been picked out. He asked if something in Option 4.3C would work, where the chamfer was reduced and the wall coming out toward the water was extended more. Mr. Wyckoff said that, in a clapboard structure, corner boards had to be added to get the angle, so it would be formalized and too busy. Chairman Almeida thought an appropriate design could be angled at 45 degrees and could also be done using brick. Mr. Wyckoff thought the colors were too suburban and suggested an old red.

Councilor Kennedy referred to the flood plane and high tide and asked if the area was 150' from high tide. Ms. Goodknight replied that the flood plane line was directly behind the building and they would have to raise the floor. She wasn't sure of the distance. Councilor Kennedy thought that new construction was not allowed within 150' and asked if they would make a change because of it. Ms. Goodknight told her that they wouldn't because the site plan was approved and their engineers had addressed the issue.

Mr. Chris Erickson said they had heard consistently that the penthouse roof form was preferred, and they would simplify it. Mr. Wyckoff said the dormers were a problem and that he wouldn't mind dormers on a historic building, but the applicant needed a consensus. He thought they were getting confused by all the opinions of the various groups, and he advised them to look just at the HDC and their five votes, which was all they needed. Ms. Goodknight said they had decided earlier that the 4th floor was uninhabitable without the dormers on the front. They had done them as historic as possible, but they had to exist for light and air. Chairman Almeida thought it allowed the additions to be smaller. Mr. Sauk-Schubert noted that the existing two buildings had entirely different rooflines than the rest of Merchants Row. Vice-Chair Kozak asked they bring in context images of the back at the next work session.

Chairman Almeida opened up the public comment session.

Ms. Jane Man representing the Morton family told the Commission that when she looked at Ceres Street, she saw something very flat with just firescapes, and that was the charm of it. The project stuck out and would be the first thing someone one see walking down the street. The Commission kept referring to the dormers and clapboards in terms of Bow Street, but Ceres Street was different from Bow Street. The clapboard stuck out physically and visually, and was so prominent that it was all one could see. Everything else on Ceres Street was mostly brick. The firewall look was all along Merchants Row, and the project's firewall was missing. It wasn't traditional and didn't tie in with the concept of the rest of the street, and she also didn't think it met the BOA zoning criteria because of its massiveness. It looked like a white elephant.

Ms. Barbara Ward of 26 Nixon Park said she worked at the Moffatt-Ladd House and she disagreed with Commissioner Wyckoff in regard to the applicant only having to get the Commission's five votes. The whole community was involved. The quaint streets made Portsmouth desirable, and the developers should not make something that made Portsmouth less desirable and detracted from visitors. Ceres Street had historic coherence that was precious to the public. The BOA was clear in sticking to the Ordinance, and the massiveness was a big concern. There was also a fundamental difference in what one did to an old building. It seemed to be only about windows, but it was really about what they were doing to an old building. As far as the views down Ceres Street, it was easy to get a view in a drawing, but everyone would benefit by real photos. She asked the Commission to think about how Portsmouth saw itself and to realize that it could be a model for the future.

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

Mr. Gladhill noted that Ms. Man brought up a good point about the firewall that he hadn't noticed. The back addition of the new building crossed the firewall into the older building, and it looked awkward. Mr. Chris Erickson said the building was not a perfect square and the walls went in different directions. Chairman Almeida asked if the Commission wanted a fake firewall and noted that it had been tried before and hadn't worked. Mr. Gladhill said it was in the plan and would be going into the new building, and the expression was lost on the back side. Ms. Goodknight said the challenge was of backing up the new faux firewall against the existing firewall of the historic building, and that was the reason they opted not to go there.

Ms. Goodknight asked the Commission if they were in favor of removing the shutters from the side and having iron shutters on the front. Ms. Ruedig asked if there was evidence of original shutters. Ms. Goodknight told her there was. Chairman Almeida suggested a solid panel for the warehouse look, whether the shutters were in iron or not. Ms. Goodknight asked about setting back the upper levels from the storefront and pushing the volume back. Vice-Chair Kozak said she wouldn't approve it. Ms. Goodknight asked if the Commissioners preferred brick or clapboards. Chairman Almeida told her that some were for brick and some were for clapboards. He preferred the clapboards but thought a brick scheme could be successful. Mr. Rawling supported the idea of a building next to a building, whether it was in clapboard or brick, and felt that the main issue was the building's design. A challenge of doing it in brick was making a monolithic building, and the Commission preferred an expression of two separate buildings. Chairman Almeida agreed. Ms. Goodknight asked if they in favor of a penthouse expression versus trying to facilitate a dormer mansard. Councilor Kennedy said she didn't like penthouses on old buildings. Mr. Wyckoff thought the penthouse would be okay because it was simplified. Mr. Chris Erickson asked the Commission if they thought the recessed connector was more successful with glazing. Chairman Almeida agreed. Mr. Gladhill said it would depend on the width. Ms. Ruedig thought that simplifying was better, but glazing might be appropriate. Vice-Chair Kozak thought a clapboard zipper was more for contemporary additions. Ms. Goodknight thought if they went back to brick, it would be different. Chairman Almeida thought that it was so dark that it made it feel like a separate building, and he didn't see the connection to the storefront. He told the applicant that he hoped they would come back with confidence. At some point, they had to present a final design, and the last thing he wanted was a result based on five Commissioners. Mr. Chris Erickson said that they paid attention to the public's ideas and were trying hard to incorporate everyone's comments and not strip the soul from Ceres Street. They had a deteriorated building and were trying to rehabilitate it and bring some light back into it. They wanted to create an industrial look that was respectful of the building and Ceres Street, and people had to understand that the design wouldn't satisfy everyone. Chairman Almeida hoped that no one would reject the proposal because of one feature.

*Vice-Chair Kozak moved to **continue** the application to a July meeting. Mr. Wyckoff seconded. The motion passed unanimous with all in favor, 7-0.*

Ms. Ruedig left at that point in the meeting.

V. WORK SESSIONS (CONTINUED)

G. Work Session requested by **Dale W. and Sharyn W. Smith, owners, and Green and Company, applicant**, for property located at **275 Islington Street**, wherein permission is requested to allow demolition of existing buildings, construct two multi-family structures) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 144 as Lot 8 and lies within Central Business B and Historic Districts.

*At the applicant's request, the Commission voted to **postpone** review of the application to the July meeting.*

H. Work Session requested by **30 Maplewood, LLC, owner**, for property located at **30 Maplewood Avenue**, wherein permission is requested to allow a new free standing structure (construct mixed use, 3 Request to Postpone as D 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.

*At the applicant's request, the Commission voted to **postpone** review of the application to the July meeting.*

I. Work Session requested by **Robert and Carlotta Holster, owners**, for property located **46 Livermore Street**, wherein permission was requested to allow new construction to an existing structure (construct two story addition with masonry chimney and elevator shaft, construct screen porch) and allow exterior renovations to an existing structure (replace French doors and misc. windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 109 as Lot 21 and lies within General Residence B and Historic Districts.

Mr. Steve McHenry and Ms. Sara Howard of McHenry Architecture and the owner Mr. Bob Holster were present to speak to the application. Mr. McHenry told the Commission that they had a set of notes based on comments from the previous work session. The Commission had questioned the deep elevator pit because of conditions in the basement, and the team had found that it wasn't necessary. The Commission had also referred to a home in Salem, MA that had a similar addition, but Mr. Wyckoff had found photos of it and discovered that it wasn't similar after all. Regarding the scale of the chimney, the chimney configuration was the smallest they could make with two standard flues. They also slid the chimney inboard on the building a foot so that it didn't stick out as far. The Commission had indicated that they were okay with the hidden screen system on the porch. Mr. Katz had thought the addition respected the house and seemed appropriate. Mr. McHenry hoped that something special would be done for Mr. Katz because he had always found his input sincere and insightful. Mr. Gladhill's comment about the visibility across Mill Pond was important to their design. From almost every angle around the building, it was out of public view but was visible 850' from City Hall across the pond to their site. The two-story addition was 20' x 22'. Mr. McHenry mentioned that Mr. Gladhill had taken photos as he walked from City Hall to the property and had stated that he could see the addition from several angles, and he told Mr. Gladhill that the scale of it was an unreasonable definition of context. Mr. Gladhill replied that the issue was the visibility aspect of the site and there were several views of it from South Mill Pond. Mr. Rawling had commented that the chimney should be shorter, so they lowered it and also put a series of panels around it so that it was small and out of view except for being seen from the yard at the water's edge. Mr. Rawling had also needed assurance that the materials and details were of a quality that matched the historic home, so they changed the window specifications to Marvin all-wood windows and doors and had natural exterior materials with traditional quality details.

Mr. McHenry said that Vice-Chair Kozak had asked about the back wing being obscured, but discussing the public view issue at the site walk, she was fine with it. She also said that the term 'conservatory' was a misnomer, which Mr. McHenry agreed with, and they changed not only the term but also how the window patterns and details were assembled in the elevation. The window

had not been lowered, and they changed from casements to double hung windows. The panel pattern on the 2nd floor was eliminated, which he thought brought things down and made it less of a 2-story greenhouse. Ms. Ruedig had not wanted to change the nature of the historic house because it was such a spectacular example of Federal brick architecture. However, the purpose for the addition was to increase the home's accessibility and livability. Mr. McHenry had referenced Mr. Richard Candee's report about a number of remarkable things about the house and its history, but architecturally, it wasn't seen as a spectacular example in any historic reference but more about the people who had lived there. It was a private home, not a museum, and Mr. Candee's report had stated that the home was unoccupied for a good part of the first half of the last century and had addressed the livability of the house. Ms. Ruedig had also been concerned about the scale of the addition's elevator shaft. She had liked the screen porch but said the granite steps needed more details. Mr. McHenry said they would include those changes.

Chairman Almeida thought it was the highest quality residence in Portsmouth and wanted further research of the house done. Mr. Holster added that the core of the house was eight different floor levels, and for residents that were not spry, it was a lot of up and down away from the core of the house. His desire was to create livability with family space on the first floor, an office on the second floor, and an elevator that made the bulk of the house accessible. Almost 25% of the house was on the 3rd floor of the core. The two flights of stairs were a bit much when combined with all the intermediate levels. Mr. Holster said they had experience in renovating and maintaining old homes. Mr. McHenry said the packet was similar to the previous one, with a rendered view of the model of the proposed addition taken from the garden that showed a strong horizontal banding running along the windows. It was shown in a darker tone to play down the intensity of the view in the back. There were several other viewpoints, and he showed a view of the elevator shaft. Mr. Wyckoff asked if it was lower than the brick elevator shaft. Mr. McHenry said they showed it covered in brick because we wanted it to look like an actual chimney. Mr. Holster said the elevator required 18" of elevation above the ceiling level on the 3rd floor, and given the roof angles, an elevator would have to be moved so far into the interior that it would destroy the architecture of the house's core. Mr. McHenry said the interior would be ruined. Mr. McHenry went through the floor plans, the continuation of the exterior staircase, the new windows, the roof plan and materials, the elevations, the porch, and the windows.

Mr. Rawling thought the design had been refined a great deal. The elevator shaft was more successful, but he thought the four panels were awkward and could be refined because they were out of character with the building. He also found the expression of the panels on the side of the house awkward because the porch was expressed with columns and windows, and then they followed that expression around the corner, but by the chimney, they had the panels. Mr. McHenry said they needed to zoom in more on the elevations so they wouldn't look so distant and said that the width of the panels was more reflective of the interior's layout. Mr. Rawling suggested matching a column next to the windows, like a clapboard infill or a column by the brick, and a column by the windows and clapboard in between to bring the expression around. Mr. McHenry said he had tried to make a raised panel on the exterior but would try breaking it up vertically. Mr. Wyckoff agreed that the paneling on the elevator shaft was awkward and thought it might be better to replace the horizontal with two vertical ones.

Chairman Almeida said he was more comfortable with the new scheme and the change in color made a huge difference. He felt that it wasn't necessary to downplay the ability to view it from different angles because it could be seen from different angles, and he preferred ending up with something they would want to see. The massive faux chimney had bothered him before, but they had gone to something that was clearly not a chimney and had expressed what it really was, and the fact that it was darker was better. The only lingering issue he had was the chimney going up the exterior of the new structure because it was so strong of a feature. Mr. McHenry replied that they were exploring different manufacturers. Chairman Almeida liked the southeast view but asked why they hadn't provided an accessible route from the garden for access. Mr. McHenry said it wasn't wheelchair-accessible. Vice-Chair Kozak liked the elevator revisions because they were less visible and agreed that it would help to have more emphasis on the rhythm of the AB window pattern to accentuate it. From far away, it looked like a wall of glass, and keeping a rhythm to the façade was important because the original house had a definite rhythm. Chairman Almeida noted that in the southeast view, the original house could be seen through the glass. Councilor Kennedy asked for more details on the screened porch. Mr. McHenry said the new French doors were shown in the plan, and the addition would have a series of columns that reflected the pattern. The actual screening would be tucked up out of view. It would have no fixed door but simply a retractable pull-down screen. Mr. Rawling noticed a flat seam metal roof on the porch. Mr. McHenry told him they didn't want the seams to be so tall that they would detract from the roof but wanted it low-key.

Mr. McHenry said the next step, if the overall design went in the right direction, was to go into a public hearing, where he would bring large detailed views and addressed comments. Councilor Kennedy wanted to see more of the material details before going into the public hearing. Chairman Almeida stated that they had not received any letters speaking to that and suggested that the applicant bring in samples. They could do a work session/public hearing. Councilor Kennedy insisted on seeing the roof sample and the material for the back rail. Mr. McHenry said it was rusticated granite. Mr. Wyckoff asked how people got to the basement. Ms. Howard told him there was an outside basement entrance. Mr. Wyckoff asked if it was on the same plane as the house, and Ms. Howard said the addition was set in. Chairman Almeida thought it was important to show it because it would make a big difference in showing how it looked in scale versus rendering. Mr. McHenry said they would have to zoom in to get the details, and he hoped they had achieved the overall scale and massing. Mr. Wyckoff asked if the shingles on the mansion were deteriorated, and Mr. McHenry said they weren't. They briefly discussed foaming under the roof and how it made shingles deteriorate quicker.

The Commission recommended a work session/public hearing.

J. Work Session requested by **HarborCorp LLC, owner**, for property located **Deer Street, Russell Street, and Maplewood Avenue** wherein permission is requested to allow a new free standing structure (consisting of a conference center, condominiums, supermarket, and parking) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 125 as Lot 21, Assessor Plan 118 as Lot 28 and Assessor Plan 124 as Lot 12 and lies within the Central Business B, Historic, and Downtown Overlay Districts.

*At the applicant's request, the Commission voted to **postpone** review of the application to the July meeting.*

I. DEPARTMENTAL UPDATES

This section was postponed from the beginning of the meeting.

1. Design Review Toolkit

Mr. Cracknell said the 3D Massing Model was on schedule to be completed in mid-July, and a demonstration could possibly be done at the July 16 meeting. The RFQ for the Design Guidelines was almost ready and could be issued by July 2. The HDC would meet in August to select a shortlist of consultants and hopefully have someone on board by the 3rd week of August. Mr. Rawling and Chairman Almeida volunteered to be on the Selection Committee.

2. Character-Based Zoning

Mr. Cracknell said they were still waiting for guidance as to what their consultants would do to establish a potential National Registered District and the properties to be inventoried. The City Council approved the scope, schedule and target area for the expansion of the Character-Based Zoning in the Northern Tier, which would begin the following month and a Charette possibly scheduled for September. The City Council also appropriated funding for Phase 3, the Islington Street corridor, and the Charette would probably occur before year's end. Mr. Wyckoff asked about Bartlett Street. Mr. Cracknell said a developer had purchased the Frank Jones Center and another developer owned property at the corner of Cates and Bartlett Streets, and a bypass through Route 1 and Bartlett Street was being discussed. Mr. Wyckoff commented that, as a resident of the area, he thought it was the forgotten area of Portsmouth and needed work.

There was discussion concerning the July 2, 2014 HDC meeting. Many of the commissioners indicated that they would not be in attendance so the Commission decided to push the meeting dates back to July 9 and 16 in order to be assured that they would have a quorum.

VI. ADJOURNMENT

*At 10:32 p.m., it was moved, seconded, and **passed** unanimously to **adjourn** the meeting.*

Respectfully submitted,

Joann Breault
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on July 9, 2014.