

**ACTION SHEET  
HISTORIC DISTRICT COMMISSION  
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**August 12, 2015  
reconvened from August 5, 2015**

**MEMBERS PRESENT:** Chairman Joseph Almeida; Vice Chairman/Planning Board Representative William Gladhill; Members John Wyckoff, Dan Rawling, Reagan Ruedig, Vincent Lombardi; and Alternate John Mayer

**MEMBERS EXCUSED:** City Council Representative Esther Kennedy; Alternate Richard Shea

**ALSO PRESENT:** Nicholas Cracknell, Principal Planner

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**I. ADMINISTRATIVE APPROVAL**

- A. 35 Portwalk Place (postponed at August 5, 2015 meeting)
- B. 426 Middle Street
- C. 687 Middle Street

Items B & C were approved as presented. Item A was approved with the stipulation that a wave design is used on the frosted glass.

**II. DESIGN GUIDELINES REVIEW**

The Commission was given draft materials to review in preparation for the presentation by Dominique Hawkins, scheduled for the September 2, 2015 meeting.

**III. PUBLIC HEARING (OLD BUSINESS)**

1. Petition of **Eport Properties 1, LLC, owner**, for property located at **173-175 Market Street and 65 Ceres Street**, wherein permission was requested to allow a second one year extension of the Conditional Use Permit originally granted on August 7, 2013 and again on September 10, 2014, 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 CD 4, Historic, and Downtown Overlay Districts.

Due to an advertising error that was immediately corrected, the Commission reopened the public hearing and voted unanimously to **grant** the extension of the CUP for the following reasons:

In accordance with the statutes related to the CUP, the HDC referred the application (and revised site plan and elevations) to the Planning Board for comment. On August 21<sup>st</sup>, the Planning Board reviewed the application and their comments were limited to seeking a procedural clarification as to whether the CUP had an expiration date. As a response, the City Attorney stated that the CUP would mirror the expiration date of the Certificate of Approval and that a Certificate of Approval for any project would expire within one year of the approval but could be extended. Moreover, since the project was being revised to address issues and concerns expressed specifically within the Board of Adjustment's denial of the Certificate of Approval for the project on February 19, 2014, the HDC scheduled a public hearing for this second extension request in order to consider the review criteria of the CUP (in effect at the time of approval) and to allow public comment.

In evaluation of the application, the HDC determined that the project (as revised) still met the criteria and findings listed under the original CUP. The four findings from the original approval included the following:

1. Other than minor changes to the roof design, the façade of the existing historic building at 175 Market Street is being restored to its original period;
2. The overhead utility lines on and immediately adjacent the properties are being buried which will provide less visual clutter and removal of an adverse visual impact on the neighborhood;
3. The proposed parking for the building is being relocated from the exterior surface spaces behind the building to the basement level which will provide less visual clutter and removal of an adverse visual impact on the neighborhood; and,
4. The applicant is providing a publically accessible sidewalk along the rear of the building.

Moreover, it was determined that the significant restoration of the former Frank Jones warehouse building qualified for the CUP as well as the use of high quality materials and setting the proposed infill building back from the property line to preserve a portion of view of the river from Market Street. Notably, the issue of whether the project was in conformance with the recently-adopted Character-Based Zoning was determined to be not applicable due to the fact this project was vested under the previous zoning requirements and that this was the first extension request.

#### **IV. PUBLIC HEARINGS (CONTINUED)**

2. Petition of **Kristen J. Campbell, owner**, for property located at **31 Cabot Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 136 as Lot 40 and lies within the Mixed Residential Office and Historic Districts.

After due deliberation, the Commission voted to approve the request as presented with the following stipulations:

- 1) That a wood window, either the original or a replication thereof as presented thereof shall be reinserted into the first floor picture window opening.
- 2) That exterior muntins shall be applied to simulate a divided light window (reflecting the original window design) on all the replacement windows.
- 3) That a half screen shall be used on all windows.

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

**A. Purpose and Intent:**

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

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

**B. Review Criteria:**

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

3. Petition of **Timothy R. and Alison E. Malinowski, owners**, for property located at **91 Lafayette Road**, wherein permission was requested to allow demolition of an existing structure (demolish garage) and allow new construction to an existing structure (construct one story addition and a two story addition) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 151 as Lot 11 and lies in the General Residence A and Historic Districts.

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

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

**A. Purpose and Intent:**

- Yes  No - Preserve the integrity of the District
- Yes  No - Maintain the special character of the District
- Yes  No - Assessment of the Historical Significance

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

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

**B. Review Criteria:**

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- Yes  No - Compatibility of innovative technologies with surrounding properties

4. Petition of **Clayton M. Emery and Susan L. Therriault, owners**, for property located at **114 Mechanic Street**, wherein permission was requested to allow demolition of an existing structure (demolish existing steps and landing) and allow new construction to an existing structure (construct new stairs and landing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 24 and lies within the General Residence B and Historic Districts.

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

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

**A. Purpose and Intent:**

- Yes  No - Preserve the integrity of the District
- Yes  No - Maintain the special character of the District
- Yes  No - Assessment of the Historical Significance
- Yes  No - Complement and enhance the architectural and historic character
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The proposed application also meets the following review criteria of the Historic District Ordinance (as applicable):

**B. Review Criteria:**

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- Yes  No - Compatibility of design with surrounding properties
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5. Petition of **Richard and Janice Henderson, owners**, for property located at **284 New Castle Avenue**, wherein permission was requested to allow new construction to an existing structure (construct two story left side addition, replace existing porch, entry and deck, construct angled bay addition on front elevation, construct detached garage, window and door changes on rear elevation, add two skylights) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 207 as Lot 73 and lies within the Single Residence B and Historic Districts.

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

- 1) The column shown (on sheet 2 of 5), next to the building wall on the front porch shall be changed to a pilaster (half column) and the windows shall be centered between the columns.
- 2) Half screens shall be used.
- 3) The Azek will be field painted.
- 4) The deck shall be wood and final railing details shall be submitted to the Planning Department for review and approval prior to issuance of a building permit.
- 5) The columns shall be polystone structural columns that will be field painted.
- 6) The fence shall be designed and installed as presented on the proposed fence plan.

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

**B. Review Criteria:**

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

6. Petition of **Katherine Siener, owner**, for property located at **170 Gates Street**, wherein permission is requested to allow exterior renovations to an existing structure (remove and replace windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 103 as Lot 19 and lies within the General Residence B and Historic Districts.

At the applicant's request, this application was withdrawn from any further consideration.

7. Petition of **Mark A. and Deborah Chag, owners**, for property located at **404 Middle Street**, wherein permission was requested to allow an amendment to a previously approved design (upgrade foundations, modify door and window openings, add side porch, rear deck, reconstruct shed, shift location of structure) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 136 as Lot 21 and lies within the Mixed Residential Office and Historic Districts.

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

- 1) That a photographic inventory of the building's exterior be taken prior to the construction and shall be provided to the Planning Department.
- 2) That the request of Historic New England (letter dated August 12, 2015) requesting communications for construction phasing and potential impacts on the historic solid board fence) shall be met.
- 3) That a sliding garage cover (5" exposure) shall be installed over the front garage doors.

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

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**B. Review Criteria:**

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- Yes  No - Compatibility of design with surrounding properties
- Yes  No - Compatibility of innovative technologies with surrounding properties

8. Petition of **DiLorenzo Real Estate, LLC, owner**, and **Lori Corrao, applicant**, for property located at **47 Bow Street**, wherein permission was requested to allow exterior renovations to an existing structure (install wall mounted condensing unit) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 50 and lies within the CD 5, Historic, and Downtown Overlay Districts.

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

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

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- Yes  No - Preserve the integrity of the District
- Yes  No - Maintain the special character of the District
- Yes  No - Assessment of the Historical Significance
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**B. Review Criteria:**

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- ✓ Yes  No - Compatibility of design with surrounding properties
- ✓ Yes  No - Compatibility of innovative technologies with surrounding properties

**V. WORK SESSION**

A. Work Session requested by **Joseph J. and Jennifer Almeida, owners**, for property located at **101-105 High Street**, wherein permission was requested to allow exterior renovations to an existing structure (alter roof line and front façade) as per plans on file in the Planning Department. Said property is shown on Assessor 118 as Lot 22 and lies within the CD4-L, Historic, and Downtown Overlay Districts. *(This item was continued at the July 15, 2015 meeting to the August 12, 2015 meeting.)*

The applicant indicated that he would apply for a work session/public hearing at a meeting in the near future.

**VI. ADJOURNMENT**

At 10:00 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good  
Planning Department Administrative Clerk