

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

December 2, 2015

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

MEMBERS EXCUSED: Alternate Richard Shea

ALSO PRESENT: Nick Cracknell, Principal Planner

.....

I. APPROVAL OF MINUTES

Councilor Kennedy recused herself from the vote.

- A. November 4, 2015
- B. November 18, 2015

*It was moved, seconded, and **passed** unanimously (6-0) to approve both sets of minutes.*

II. OLD BUSINESS

- 1. Review of Design Guidelines

Mr. Cracknell told the Commission that he received comments from five HDC members and asked that the others submit their comments by December 7. He noted that the subcommittee would do a second draft and submit it at the January 6, 2016 meeting. Mr. Wyckoff said that he would be absent during February and asked to vote on it before then. Mr. Cracknell then distributed the packet to the members and reviewed issues such as more of the public coming in for permission to replace things in kind, the fact that exemption forms had doubled in the last year, and the significance of hiring a Land Use Compliance Officer, causing less retroactive administrative approvals and Certificates of Approvals in the last six months. He further discussed the data set, updating the tools items, and collecting metrics.

Chairman Almeida suggested scheduling a work session for the Commissioners to establish their goals, and Mr. Cracknell said it was important to get the data analysis baseline going by then.

Under other business, Vice-Chair Gladhill brought up the Maplewood Avenue project, asking whether they were still vested as far as the Conditional Use Permit was concerned. Mr. Cracknell said they were but would have to re-advertise to come back. Mr. Wyckoff said he read in the Herald that the Weinstein property was sold and knew that it was a vested property from the 1990s. He asked how they could have maintained their permit that long without it running out. Mr. Cracknell said the project was approved by the City and was grandfathered under that approval because it commenced construction. He said he would research it further for the next meeting.

Mr. Rawling arrived at this point in the meeting.

2. (Work Session/Public Hearing) Petition of **Joseph J. and Jennifer Almeida, owners**, for property located at **103/105 High Street**, wherein permission is requested to allow exterior renovations to an existing structure (modify for elevation by adding a storefront, with access stairs and landing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 204, lies within the CD4-L, Historic, and Downtown Overlay Districts. *(This item was postponed at the October 14, 2015 meeting to the January 6, 2016 meeting.)*

DECISION OF THE COMMISSION

*It was moved, seconded, and **passed** unanimously to postpone the work session until the January 6, 2016 meeting.*

III. ADMINISTRATIVE APPROVALS

Councilor Kennedy recused herself from the vote and left the meeting.

- A. 195 Hanover Street (request to postpone to the January 6, 2016 meeting)
- B. 275 Islington Street
- C. 15 Congress Street
- D. 138-140 Maplewood Avenue
- E. 30 Maplewood Avenue
- F. 1B Jackson Hill Street
- G. 65 Washington Street

Mr. Cracknell gave a summary of all the changes or issues for each item.

*Ms. Ruedig made a motion to **grant** the above Administrative Approvals, with the following three stipulations for Item F, 1B Jackson Hill Street: historic sill, half screen, and SDL windows.*

*Mr. Wyckoff seconded the motion. The motion **passed** by a unanimous (6-0) vote.*

Ms. Ruedig stated that the changes were fairly minor and were compatible or temporary.

IV. PUBLIC HEARINGS (REGULAR AGENDA ITEMS)

1. Petition of **100 Market Street, LLC, owner**, and **NBT Bank, N.A., applicant**, for property located at **100 Market Street**, wherein permission was requested to allow exterior renovations to an existing structure (install ATM on Hanover Street elevation) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lot 6 and lies within the CD 5, Historic, and Downtown Overlay Districts.

Chairman Almeida recused himself from the petition, and Vice-Chair Gladhill assumed his seat.

SPEAKING TO THE PETITION

Facilities Manager Brad Hall representing the applicant stated that they wanted to install an ATM in an existing sidelight and would trim it out. He said that the plastic surround piece would be painted a color similar to the existing stone and that the ATM would have a screen on it. He noted that the color would be black with white letters so that it wouldn't be intrusive.

Mr. Lombardi asked whether the screen would go dark when it was not in use. Mr. Hall said he didn't know but would find out. Mr. Lombardi also asked whether it would be better to have a color like the panel. Mr. Hall said the intent was to leave the panel as glass and that the panel below the ATM would be an anodized alum panel painted the same color as the aluminum storefront material. Mr. Lombardi asked whether the ATM could be that color rather than a stone color, and Mr. Hall agreed, noting that it could be painted any color.

Mr. Mayer asked whether supplemental lighting or a waste receptacle would be added. Mr. Hall replied that there was soffit lighting and a light above the screen on the ATM. They had not considered a waste receptacle. Vice-Chair Gladhill asked why the ATM wouldn't be placed in the vestibule, and Mr. Hall said the landlord wanted to keep it out of the vestibule.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Rick Becksted of 1395 Islington Street said the ATM would probably be the only outdoor ATM in Portsmouth, and he asked whether it was an HDC recommendation or a weather-related issue.

Mr. Wyckoff noted that the building was more of an office building than a bank. Mr. Cracknell agreed, saying it was a common space and that the owner wanted to secure his doors after hours so that the public couldn't enter the building. He noted that banks did not have outside doors.

Mr. Almeida rose to speak, saying that the Odd Fellow Building received approval for an outside ATM machine five years ago.

DECISION OF THE COMMISSION

*Mr. Wyckoff made a motion to **grant** the Certificate of Approval for the application as presented. Mr. Rawling seconded the motion.*

Mr. Wyckoff said the ATM was a new technology that was inoffensive at the location because it was a very busy commercial area. He didn't feel that it would do any harm to the District. Mr. Lombardi requested a stipulation because he thought it was important that the screen have the capability to go dark and not have a screensaver on it. Mr. Mayer said that the purpose of the ATM was for people to use, and if it was hidden because of a dark screen and no signage, it wouldn't serve the purpose. Mr. Lombardi said he wondered about the idea of internally illuminated signs on buildings in the District and thought it would qualify in that case.

Mr. Rawling stated that he would second the original motion as proposed because he felt that it was more important to keep the stick framing of the storefront system and the contrasting panel, and that if they started to match it, it would become a block. He said he preferred the contrast.

Vice-Chair Gladhill agreed and said he would support it, saying it was a new building and that the ATM could be removed if necessary.

*The motion **passed** with a unanimous (6-0) vote.*

2. Petition of **Seth F. Peters, owner**, for property located at **112 State Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace siding with wood or composite material, remove and replace second floor windows, install HVAC system) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 54 and lies within the CD 4 and Downtown Overlay District.

SPEAKING TO THE PETITION

Chairman Almeida resumed his seat.

The owner Seth Peters reviewed his petition. Ms. Ruedig asked Mr. Peters whether he would re-side the areas that were plywood, and Mr. Peters said he would re-side the entire walls and that the shingles would be removed. Ms. Ruedig asked whether it would match the area below it and Mr. Peters said yes. He also wanted to add an air-conditioner to the back of the building. Chairman Almeida confirmed that it would penetrate the inside of the building.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Vice-Chair Gladhill made a motion to **grant** the Certificate of Approval for the application as presented. Mr. Mayer seconded the motion.*

Vice-Chair Gladhill stated that the project would conserve property values and improve the building. It was a compatible design with surrounding properties. He also noted that the Board

found out that what was once an innovative technology (asphalt shingle bricks) was now considered antiquated, so they were going back to something older and better.

*The motion **passed** with a unanimous (7-0) vote.*

3. Petition of **Lori A. Sarsfield, owner**, for property located at **28 Dennett Street**, wherein permission was requested to allow new construction to an existing structure (raise roof structure by one foot) and allow exterior renovations to an existing structure (replace siding, trim, details, doors, windows) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 140 as Lot 9 and lies within the General Residence A and Historic Districts.

SPEAKING TO THE PETITION

The project designer Bob Cook told the Commission that the owner wanted to know whether she could install a skylight aligned with the single window and the three windows below it. Vice-Chair Gladhill asked that Mr. Cook bring in a drawing of the skylight to Mr. Cracknell to verify whether it was quick and easy.

Chairman Almeida said he noted a change on the drawing related to the siding that had new 6" exposure claps. Mr. Cook said they should all be 2-1/2" claps. Ms. Ruedig questioned adding another skylight to the back because she thought it would be visible and a distraction that would look like it belonged on a new house. Mr. Wyckoff disagreed, noting that the back of the building currently had two skylights, so he saw no problem with adding a third skylight. Vice-Chair Gladhill thought from looking at the photo that the angle of the roof was being changed a bit but that the skylights were not visible and he thought it would be okay.

Chairman Almeida asked whether the triple windows would have a matching sill and trim throughout and whether the lattice detail would be trimmed as well, and Mr. Cook said yes. Chairman Almeida noted that the eave detail seemed to be a flat board. Mr. Cook said that the neighboring houses were consistent with that and that the only detail was some cornice trim work. Mr. Wyckoff said Mr. Cook was replacing something in kind, but a shadow board was not just a detail but a function of getting a drip away from the fascia board. They further discussed it. Chairman Almeida said that the back gable should match the front one, but based on the clarifications they had made, he thought it was appropriate. He encouraged Mr. Cook to look at a properly-trimmed house and the eave rake, like one at Strawberry Banke.

Ms. Ruedig thanked Mr. Cook for doing extensive research and keeping things true. Mr. Cook noted that the owner was following the Commission's advice and putting a gutter on the back.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Vice-Chair Gladhill made a motion to **grant** a Certificate of Approval for the application as presented with the following stipulations:*

- 1) All new clapboards shall be 2 ½" and Sheet A2.2 will be modified to show change.*
- 2) Historic sills shall be used on all windows.*
- 3) The wood lattice will be framed as presented.*
- 4) The eave on the rear elevation shall match the front eave and have a shadow board.*
- 5) A third skylight may be added to the rear elevation so long as it matches the other skylights in size and appearance and is centered above the 2nd floor northwest window. A detail sheet shall be submitted.*

Mr. Gladhill stated that the changes would preserve the integrity of the District and maintain its special character and would complement and enhance the architectural character of the building. Nothing on the addition would deter from the original intent of the home. The project had compatibility of design with surrounding properties and was consistent with the special and defining character of surrounding properties.

*The motion **passed** by a unanimous (7-0) vote.*

4. Petition of **Sarah R. Baybutt Revocable Trust, Sarah R. Baybutt, owner and trustee**, for property located at **591 Middle Street**, wherein permission was requested to allow exterior renovations to an existing structure (replace front steps, remove and replace three windows in rear addition) and allow demolition of an existing structure (remove and replace rear steps and landing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 147 as Lot 16 and lies within the Mixed Residential Office and Historic Districts.

*It was moved, seconded, and **passed** unanimously (7-0) to postpone the petition to the end of the meeting because the applicant had not arrived yet.*

V. WORK SESSIONS

A. Petition of **City of Portsmouth, owner**, and **Prescott Park Arts Festival, applicant**, for property located at **0 Marcy Street (Prescott Park)**, wherein permission was requested to allow demolition of an existing structure (demolish existing stage, relocate and construct new stage, construct new control booth) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 104 as Lot 1 and lies within the Municipal and Historic Districts. *(This item was continued at the November 18, 2015 meeting to the December 2, 2015 meeting.)*

Tracy Kozak of JSA Architects and Ben Anderson representing the Prescott Park Arts Festival were present to speak to the petition. Ms. Kozak showed additional views per the Commission's prior request. She discussed the new stage set and components and said they were all seasonal. She also noted that the stage platform and orchestra pit were lowered by one foot to improve sight lines and alleviate fall hazards. The control booth was simplified, the roof was now copper instead of a membrane, and the angle posts were removed. The booth had only one step at the back instead of three, which allowed them to get rid of the handrails. The proposed window was

a sliding one that would have either a wood or painted aluminum shutter, and the siding would match the side walls of the stage. They were considering options of either composite material or thermal-treated wood. She discussed the grading, noting that the stage elevation would be 11 feet instead of 12 feet and that the pit would be 6 feet. Landscape elements would be added near the control booth, such as a granite bench and hedges to provide a sense of entrance.

Ms. Kozak showed an illustration of the views of the stage from various angles with the surrounding context of buildings, canopies of trees, and the rest of the park. Chairman Almeida asked how the views impacted the warehouses, referring to the area being the gateway for the Memorial Bridge. Ms. Kozak stated that the warehouses would not be obscured. Mr. Rawling asked whether the concession stand would remain, and Ms. Kozak replied yes. She said the seasonal canopy, art panels, and fencing around the trailers would be seasonal. Mr. Wyckoff asked whether there was another awning, and Ms. Kozak said there was another fabric one. She then showed more revealing views without the trees.

Vice-Chair Gladhill said he preferred a wooden control booth and noted that people could sit on the planters, which would provide a nice seating area. Mr. Rawling asked why the control booth had to be done the same as the stage, saying that it didn't have to have a strong connection, but overall he thought the design was an improvement. Mr. Rawling then asked about the cabling structure over the stage. Ms. Kozak showed a diagram of the pattern and an example of the stage cover from another park. She said the cables were steel and covered with fabric, and the fabric was translucent. They further discussed the web frame pattern and how it would look during the day compared to during the night. Ms. Kozak said she would bring in some night images.

The sound booth was discussed. Ms. Ruedig said she thought the design of the structure was good because it was contemporary and opened up the park, but questioned the appropriateness of putting a huge permanent structure up for entertainment. She noted that she hadn't heard from the City Representative as to whether or not it was endorsed. She wanted clarification on whether the overall project was appropriate for the historic setting of the park. Ms. Kozak gave the history of the 1964 Master Plan, saying that most of the original pieces of the park were still present. Mr. Lombardi voiced the same concern and said it bothered him that a representative of the Trustees was upset and had asked the Commission for their help. Mr. Mayer said he felt that it wasn't a historic property and saw it as a continuation of what was done when the park was remade. Mr. Rawling said he saw it as building a cage around the performance area that was an impediment to the park. Chairman Almeida said he thought the changes to the control booth were a big improvement and asked whether it was necessary for the mast structures on the stage to extend so far out. Ms. Kozak said it wasn't necessary.

Chairman Almeida noted that someone had said the noise issue was not part of the Commission's purview, but he said the Commission had a purview to protect anything that could be destructive to the historic neighborhood and the District. He preferred the new layout better than the previous one and thought the details would determine its success. He asked about the large backboard. Ms. Kozak said it would be relocated along the edge of the back stage deck. Mr. Lombardi asked whether the backstage facilities would accommodate Ms. Kozak's needs, and Ms. Kozak said the big tent would be removed. Mr. Lombardi said he was concerned about noise coming backward from the stage and whether it could be mitigated, and Ms. Kozak said

she would look into it. Mr. Lombardi also asked whether the City would require a railing for the stage during the off-season, noting that the stage became a play area then, and he was concerned about safety issues. Ms. Kozak said they were reviewing the issue with TAC.

Mr. Mayer asked about flooring for the stage, and Ms. Kozak said it would be a wood frame. He then asked whether any historic remnants would be affected, and Ms. Kozak said they were doing an archaeological survey. Mr. Rawling asked Ms. Kozak to include the concession stand and the VIP platform in the next presentation. Mr. Wyckoff reminded the Commissioners that they were a design review board and should not be getting into philosophical discussions about whether the park was made for entertainment and sound levels.

Public Comment Session

Rick Becksted of 1395 Islington Street said he was concerned about liability with the 5-ft stage drop-off. He brought up issues with the storage boxes that would still be present, the sound booth, and a rain cover for the back stage. He thought the new design would change the park. He reminded the Board that they were responsible for mass and scale. He reviewed the history of the park, emphasizing that the original intent was for a family that couldn't afford the theater, and he asked how it would be determined whether or not the residents benefited from the design.

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

Mr. Wyckoff thought Mr. Becksted brought up a good point about making the sound booth removable and said it would alleviate some concerns. The Commission further discussed the control booth. They thought the building was open but everything around it was the problem.

*It was moved, seconded, and **passed** unanimously (7-0) to hold another work session at the January 6, 2016 meeting.*

B. Work Session requested by **Kimberley A Lucy Revocable Living Trust, owner, Kimberley A. and James C. Lucy, trustees and James C. Lucy Revocable Living Trust, owner, James C. and Kimberley A. Lucy, trustees** for properties located at **127 and 137 High Street**, wherein permission is requested to allow exterior renovations to an existing structure (misc. renovations) and allow new construction to an existing structure (construct two new buildings at rear of buildings) as per plans on file in the Planning Department. Said property is shown on Assessor Plans 118 as Lot 20 and 21 and lies within the CD4, Historic, and Downtown Overlay Districts. *(The applicant has requested to postpone review of the application to the January 6, 2016 meeting.)*

At the applicant's request, the Commission voted unanimously (7-0) to postpone the work session until the January 6, 2016 meeting.

4. Petition of **Sarah R. Baybutt Revocable Trust, Sarah R. Baybutt, owner and trustee**, for property located at **591 Middle Street**, wherein permission was requested to allow exterior

renovations to an existing structure (replace front steps, remove and replace three windows in rear addition) and allow demolition of an existing structure (remove and replace rear steps and landing) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 147 as Lot 16 and lies within the Mixed Residential Office and Historic Districts.

SPEAKING TO THE PETITION

The owner Sarah Baybutt stated that she wanted to redo the front steps, replace three windows in the back addition, and put a small porch near the back door.

Chairman Almeida asked Ms. Baybutt if she would replicate the rail detail shown on the photo with a lattice beneath it, and Ms. Baybutt replied yes. Mr. Rawling asked what the materials were. Ms. Baybutt said they were a composite, with no wood. Mr. Lombardi asked whether the deck would be framed, and Ms. Baybutt said it would.

Chairman Almeida noted that the windows differed. Ms. Baybutt said the window in the back was shorter and wider and that the other two windows would be 6/6 and aluminum clad. Ms. Ruedig said she thought the sliding window above the deck was a good idea. Chairman Almeida asked where the other windows would go. Ms. Baybutt said she would replace the existing windows in the back addition. She also said she would do a 7/8" muntin pattern to match the front of the house, and that the back of the house would be re-sided with Hardiplank.

Mr. Mayer asked Ms. Baybutt whether she would re-side the rest of the house, and Ms. Baybutt said she'd eventually go back to wood. Ms. Ruedig suggested that Ms. Baybutt put wood in the back since she intended to restore it all to wood eventually. Mr. Wyckoff noted that the vinyl corner would have to be torn off and also suggested that Ms. Baybutt put wood casings and a sill in the new windows in the back to match the others. Ms. Ruedig asked what kind of railing was planned, and Ms. Baybutt said she wanted to do iron railings. Mr. Rawling asked that she send a sketch or photo of the railing to Mr. Cracknell.

SPEAKING TO, FOR, OR AGAINST THE PETITION

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

DECISION OF THE COMMISSION

*Ms. Ruedig made a motion to **grant** the Certificate of Approval as presented with the following stipulations:*

- 1) The siding on the rear addition shall be wood clapboards.*
- 2) The window trim and casing shall match the existing windows.*
- 3) A sketch of the iron railing shall be submitted to the Planning Department prior to installation if it changes from the submitted photo.*
- 4) Half screens shall be used.*
- 5) The windows shall be aluminum clad.*

Mr. Lombardi seconded the motion.

Ms. Ruedig stated that the project would preserve the integrity of the District and that the replacement of the front steps and the work in the back would be an improvement. The project was consistent with the defining characteristics of the surrounding properties.

*The motion **passed** by a unanimous (7-0) vote.*

VI. ADJOURNMENT

*It was moved, seconded and passed unanimously to **adjourn** the meeting at 9:40 p.m.*

Respectfully submitted,

Joann Breault
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on January 6, 2016.