MINUTES

DEMOLITION REVIEW COMMITTEE
PORTSMOUTH, NH

EILEEN DONDERO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

7:00 P.M. **December 19, 2018**

MEMBERS PRESENT: Elizabeth Moreau, Chairwoman; Robert Marsilia, Chief Building Inspector; Barbara Ward, Portsmouth Historical Society Representative; John Wyckoff, Historic District Commission Representative

MEMBERS ABSENT: Nicholas Cracknell, Planning Director Designee

ALSO PRESENT: Robert Sullivan, City Attorney

Chairwoman Moreau called the meeting to order at 7:00 p.m.

I. APPROVAL OF MINUTES

A. November 28, 2018

*It was moved, seconded, and passed by unanimous vote to **approve** the November 28, 2018 minutes.*

II. STATUS OF DEMOLITION REVIEW FOR 98 SUMMER STREET (a.k.a. 125 AUSTIN STREET)

Chairwoman Moreau stated that the reason for the meeting was that a demolition application for a permit was received, along with a letter in objection from a member of the public. She said the discussion would pertain only to whether or not the building was significant, based on the fact that it had historic, architectural, or cultural value that would be a detriment to public interest if removed, and that the committee would make that determination at the end of the meeting.

III. PRESENTATION FROM THE APPLICANT

Attorney Peter Loughlin was present on behalf of the applicant, the Diocese of Manchester and the Corpus Christi Parish. He stated that the purpose of the Demolition Ordinance was to encourage the preservation of buildings and places of historic, architectural, and cultural interest. He pointed out that all of the property owned by the parish on Austin Street was a place of historic and cultural interest, and its preservation as an intact part of the Immaculate Conception campus was consistent with the stated purpose of the Demolition Ordinance. He briefly reviewed the property's history, noting that the core of the total campus had been under the parish's control for 133 years. He said that some individuals felt that St. Patrick's School could be saved only if the parish sold a long-term lease, but he noted that the land was never purchased as a real

estate investment. He said it was made up of a number of parcels maintained by the parishioners for the last twelve decades to promote the goals of the parish and that it would be imprudent for any landowner to give up control of the land and buildings just 27 feet from the southwest corner of the church when there was the potential that the building might be used in a manner incompatible with the core mission of the parish. He said the parish wanted to exercise its private property rights to preempt those possible incompatible uses on adjacent land by retaining complete ownership and removing the building. He said he didn't mean that the St. Patrick's School building was not significant, but that the finding that a building was significant was not the end of the responsibility of the committee under the Ordinance, which required the committee's determination as to whether the removal of the building would be to the detriment of the public interest. He said the fact that there were several individuals who preferred to see the school preserved didn't mean that its removal would be to the detriment of the public interest. He said that the wishes of those who preferred preserving a building must be balanced against the hardship endured by direct abutters whose lives were impacted every time services were scheduled in the Immaculate Conception church, as well as parishioners who struggled to find parking at every weekend mass. He emphasized that the use of the parish's real estate had been under examination for 15 years and that the parish was directed to consider how to consolidate since 2014, when the City Health Inspector advised the parish that the school building could not continue to be used for school purposes without extensive rehabilitation. He said that the decision to remove the school was not made lightly, and that the decision was an informed one made by several highly-regarded construction, preservation, and repurposing experts. He noted that one of those experts supported repurposing the building but also thought that the parish as property owner had the right to do what it wanted to with the building. He stressed that the primary issue was the impact that any re-use of the building would have on the parishioners and neighbors, and that the challenge remained, assuming the parish wanted to give up ownership and was willing to risk potential incompatible uses in close proximity, as to how the parking demand of an additional 15 to 30 spaces could be obtained and how reasonable it would be to get the support of abutters regarding the variances that would be necessary.

IV. PRESENTATION FROM THE OBJECTIONER

1. Steve Erickson, 257 Austin Street

Mr. Erickson was present to speak in objection to the demolition and stated that he saw himself more as an interventionist. He reviewed in detail the history of the building and the context in which it was built, emphasizing that great sacrifices were made to meet the demand for another grammar school back in 1904 and to get the building built. He said the building was an important part of Portsmouth's historical and architectural heritage, a prominent neighborhood landmark, and a monument to the good works of the city's Catholics. He likened the surrounding neighborhood to a book and felt that it would be like ripping a page out of the neighborhood's story if the building were demolished and replaced by a concrete void. He said that no one was suggesting that Corpus Christi should lose its property rights. He said that parking wasn't an issue for those who were willing to walk a few blocks but that it was a problem for those who needed to park near the church. He noted that there was a nearby parking lot that people could use and also recommended that elderly parishioners be given priority to park near the church. He said that repurposing the St. Patrick's School building would put additional parking pressure on

the property. He noted that a point raised was the building's condition and the fact that numerous developers had recommended repurposing it. He said it would cost a lot of money to rehabilitate the building, and he said there was great value in the building and nothing poor about its condition. He asked where Portsmouth would be without its historic architecture that attracted artists, entrepreneurs, tourists, and businesses and felt that it was a challenge for people who wanted to preserve the building to convince the parish that it should choose another course. He said the church would spend a great amount of money to destroy an expensive building but could also do a lot of good with the millions of dollars it would receive from the sale of the church or from a revenue stream of rent. As far as parking concerns, he asked whether someone would be willing to walk two blocks to help feed the hungry or provide scholarships. He said he realized that there were issues of control and privacy and suggested that part of the building could be used for the church and part of it for revenue, or that conditions could be written into the lease that would ensure that the church maintained control of the property. He also recommended employing architects, developers, and specialists who could work with the church in finding solutions. He asked the church to consider his humble petition for the church to make a choice that would be better for the community, Portsmouth, and ultimately the church itself.

V. PUBLIC COMMENT

Ted Connors of Newington stated that he was a graduate of St. Patrick's, a parishioner, and a member of the Maintenance Commission Committee, which he said had concluded that the parish buildings were not for sale and that the parish did not want to enter into a partnership with anyone but, rather, wanted to retain the land for the parish's use.

Roy Helsel of 777 Middle Road objected to Mr. Erickson's petition, noting that he was 87 and walked three blocks to the church because it was difficult to find parking. He said the church should be able to do what it wanted to with its property.

Peg O'Neill of 87 Cabot Street said she was a neighborhood resident and felt that repurposing St. Patrick's School for development was too much because Portsmouth had enough population density. She worried about noise and increased traffic and was in favor of a parking lot.

Kerry Vaultrot, Chair of Portsmouth Advocates, stated that the St. Patrick's School building met the criteria for being a significant building and having historic, architectural, and cultural value.

Kathleen Logan of 21 Blossom Street said that the church could fail if parishioners could not find the necessary parking.

David Gutierrez of Hampton said he supported the demolition. He said the professionals who evaluated the building knew what they were doing and that the church knew how they wanted to go forward for another 100 years.

Jackie Pitts of 40 Bedford Way said the demolition had nothing to do with religion and that the building be demolished cautiously and that the asbestos be handled as hazardous waste.

Beth Margeson of 24 Marcy Street said parking was an issue in all the neighborhoods surrounding downtown and that the elderly and disabled should be given parking permits so that they could park next to the church. She said the building was architecturally significant and part of the Portsmouth's fabric and should be saved.

Jeff McLane of 229 Miller Avenue said he supported the demolition that would provide additional parking for the church and also open up that space to showcase the church's beauty.

Jennifer Gibson of 246 Austin Street said that when she walked to church, she noticed several available parking spaces in front of the school and church. She said the building could not be replaced if demolished and recommended that other uses for the building be considered.

Francis Cormier of 239 Melbourne Street said he was a former St. Patrick's student. He quoted the words of Apostle Paul, 'Count the elders worthy of double honor', and said that older people should be permitted to park in front of the church and that others should walk.

Nancy Clayburgh of 405 FW Hartford Drive said she was a long-time parishioner and was in favor of demolition. She sang the tune 'Take Me Out to the Ballgame', with the original words replaced by the ones she wrote that related to the need for more parking.

Bill Wagner of 11 Taft Road said he supported the demolition and that almost all the parishioners agreed that the demolition was the best option. He said there were enough artifacts and history retained about the building to satisfy the Historic District Committee.

Francis Riddle of 5 Adams Avenue stated that the few handicapped parking spots in front of the church got snapped up in minutes and that he strongly supported the demolition.

John Boyd of Eliot, ME said he was an appraiser and commuted to daily mass. He said he was in favor of demolition and was sure the parish would refine the new parking lot so that it complemented the beauty of the church.

Alan Vangile of 75 Oxford Avenue said he was a parishioner and was in favor of the demolition. He said that 35 parking spaces were important for several reasons and that not all old buildings were truly historically significant.

James Diamond of 579 Sagamore Avenue said the parish was growing rapidly and that 35 parking spots were better than none. He noted that the building was condemned by the City for numerous reasons and that parking was a better use for the property.

Father Gary Belliveau, pastor of Corpus Christi parish, said the process of whether or not to retain the building and how to serve the needs of the community began in 2000. He reviewed the history of the church's growth and noted that they lacked adequate parking for the church. He said that consulting studies were done to see if it was worth investing money into the building, but it was decided that the building wasn't needed and that additional parking was necessary.

David Choate said he was a member of the New Hampshire Preservation Alliance. He said the building would require a lot of upgrades to be a school again, and he recommended that the church consider other uses that fit its mission, like Catholic Charities.

William McQuillen of 9 Denise Street said he supported the demolition, even though his children attended the school for 14 years.

No one else rose to speak, and Chairwoman Moreau called for second-time speakers.

SECOND-TIME SPEAKERS

Kerry Vaultrot, Chair of the Portsmouth Advocates, stated that Portsmouth was added to the National Register of Historic Places in 2017, and that the National Register evaluated and protected contributing resources, of which the St. Patrick's building was one of. She said it was deemed by the New Hampshire Division of Historical Resources and the National Park Service that the school was historically, architecturally, and culturally significant and that the parish was the only surviving example of a historic cloister-type campus in Portsmouth.

Bill Wagner of 11 Taft Road noted that the last few speakers tried to tie the wish to demolish the building to Portsmouth's north end, south end, and downtown, and that very few citizens remembered what the north end used to look like. He said it was time for the building to go and not to bring in irrelevant issues, and that it was ultimately the parish's decision.

Father Belliveau said the parish did not want to delay the process but instead wished to respond to the needs of the present-day parish. He said they met with professionals whose comments about the building were less than edifying, and that the parish wanted to raise worship by providing additional parking and that the lot would accentuate the church. He said they had no interest in selling or leasing the property.

Stephen Erickson of 257 Austin Street said people had nothing but respect for the Catholic Church and the Corpus Christi parish and that he regretted that his presentation was spun as an attack on the church. He said the building was a centerpiece of the neighborhood and felt that the option to demolish it should be put back on the table, like Father Belliveau had suggested when they previously met, and that the building should be left alone for a while.

No one else rose to speak, and Chairwoman Moreau called for third-time speakers.

THIRD-TIME SPEAKERS

Paul Kayne of 95 FW Hartford Drive said he was on several committees that were trying to be fair to Portsmouth and the parishioners. He said that letting the building sit idle for a while was not a good idea and that they had spent thousands of hours looking for opportunities for the property since 2000. He said the remembrance of what the building did for the community could be carried through books, photos, and artifacts, and that the school had served its function and couldn't be repurposed in a practical way. He said it was time for the building to be demolished.

Attorney Loughlin said he would love to save St. Patrick's School but couldn't see any way that the building could be saved. He said he spent his lifetime recommending things to people and appreciated that the parish's issue was that they didn't have a use for the building.

Francis Cormier of 239 Melbourne Street suggested other uses for the building, like a homeless shelter, and said there were possibilities if people were willing to look for them.

Carol Jacques-Dow, pastoral minister of Corpus Christi, said that Portsmouth already helped the needy and volunteers did many good things that didn't require a building.

David Perrella of Dover said the church was more about people than the building and that releasing one building in the growing parish would provide more ability to invest in the people.

David Gutierrez of Hampton said he didn't think there was reason for more delay because experts had studied the building and considered options for decades, and nothing was said that was worth delaying the process.

No one else rose to speak, and Chairwoman Moreau closed the public comment.

VI. DECISION OF THE COMMITTEE

Chairwoman Moreau reminded the Committee that they were determining whether the building was significant based on whether it was of historic, architectural, or cultural value enough that its removal would be detrimental to the public interest. She said that if it was so determined, another meeting would be held to discuss options and historical documentation.

Mr. Wyckoff said that he was surprised that they got into cloisters and holy ground because the Demolition Review Committee was essentially looking at a building. He said he found the building significant and could imagine the detriment in removing it for the direct abutters. He said he didn't think that it was petty to be considering a building that had been there for 114 years. He said he often told people that a 200-year-old house had gone through six or seven lifetimes of owners, so in that way an owner was a steward of a property and passed it down to someone else. He noted that there were other uses for the building that could be discussed that would include parking and possible use of the second floor. He pointed out that the Ordinance allowed a 15-day delay that would allow people who wanted to demolish the building to have another meeting and that he felt it was needed and would not be a significant delay

Ms. Ward said she was struck by what a woman had said about not being able to bring back a building once it was demolished. She agreed that the property's demolition was a church matter but emphasized that the Committee was looking at it as a City committee, not as a secular entity, and that it affected the people in the neighborhood. She said it was a significant building and resource because it was in a National Historic District. She said she was sad that people didn't remember the north end because Portsmouth was the last place in the country to have an urban renewal project that wiped out an entire neighborhood. She said it was worth talking about other alternatives, especially if some people thought that the building wouldn't be remembered after it was demolished. She noted that growing churches needed buildings like St. Patrick's for

activities and that there were other alternatives for parking rather than trading history for it. She said the building had been deemed by experts to be a contributing resource to a National Historic District and that more time was needed for the community at large to discuss the issue and to consider alternatives through a wider perspective.

Mr. Marsilia said he had no doubt that the building was significant and suggested that the Committee vote on it. Chairwoman Moreau said she could see both sides of the argument but felt that the building was significant enough to continue the conversation. She recommended a second meeting to discuss alternatives and to also discuss how the property's significant historic value could be documented, which she felt was an important step in the process.

*Ms. Ward moved to declare that the building was significant, and Mr. Wyckoff seconded. The motion **passed** by unanimous vote.*

Chairwoman Moreau asked whether the committee members had any ideas to share for the next meeting. Mr. Wyckoff said that experts he knew suggested that the first floor of the building on the back side could be opened up for parking, which would add 35 additional spaces for a total of 70 spaces. He said there would be no removal of the building itself, except for the back brick wall on the first floor, and that the second floor would remain, resulting in the building being preserved and more parking spaces provided. Ms. Ward said people had approached her with other parking alternatives. She said the Immaculate Conception church was beautiful and was pleased that the Diocese decided to keep it, but felt that if parking were really the only issue, it would have made more sense to keep one of the parish's other churches. She said that if people really wanted to beautify the church's architecture, they should look for other parking alternatives.

Next meeting: Wednesday, January 23, at 6:00 p.m. in the Council Chambers.

VII. ADJOURNMENT

*It was moved, seconded, and **passed** by unanimous vote to adjourn the meeting at 9:15 p.m.*

Respectfully submitted,

Joann Breault
Demolition Committee Recording Secretary