

**MINUTES  
HISTORIC DISTRICT COMMISSION  
ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE  
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**July 18, 2018**

**MEMBERS PRESENT:** Chairman Vincent Lombardi; Vice Chairman Jon Wyckoff; City Council Representative Doug Roberts; Reagan Ruedig, Martin Ryan, Richard Shea, Dan Rawling; and Alternate Cyrus Beer

**MEMBERS EXCUSED:** Alternate Molly Bolster

**ALSO PRESENT:** Nick Cracknell, Principal Planner, Planning Department

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Chairman Lombardi noted that there were two Requests to Postpone on the agenda.

*It was moved, seconded, and **passed** by unanimous vote to **postpone** the two petitions to the August 1, 2018 meeting.*

**I. ADMINISTRATIVE APPROVALS**

**1. 46 Maplewood Avenue**

*It was moved, seconded, and **passed** by unanimous vote to remove the request from the Administrative Approval section and pair it with the work session.*

**2. 299 Vaughan Street**

Mr. Cracknell stated that the application was for 24 minor changes, 17 of which were previously approved by the Commission. He reviewed the additional changes with the Commission.

**3. 10 Commercial Alley**

Mr. Cracknell said the request was for two additional vents for a new bakery. He said they would be similar to the existing vent and that all three vents would be painted to match the brick.

**4. 180 Gates Street**

Mr. Cracknell said the request was to repair the clapboard on the house. He noted that the City Inspector wanted the clapboard replacement on the right side of the house to be Hardieplank. Mr. Shea said the siding was very old and suggested that the front clapboard should be repaired only as necessary and that new clapboards of the same style should be placed in the back. The

applicant's contractor Phil Merrill was present to speak to the request. He showed photos of the house and a sample of the product to the Commission and explained how he would install the clapboards. The Hardieplank was discussed. Vice-Chair Wyckoff didn't think it was a good design to preserve the old look of the house. It was discussed, and two stipulations were added.

*Ms. Ruedig moved to **approve** Items 2, 3, and 4, including two stipulations on Item 4 as follows:*

- 1. Repair wood siding (in-kind) on the front side of the house as needed.*
  - 2. On the right side of the house, Hardieplank shall be used and field-painted, using the same reveal and exposure.*
- \*The contractor may use densglass panels below wood shingles.*

*Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote (7-0).*

## **II. PUBLIC HEARINGS (OLD BUSINESS)**

A. Petition of **Eli Sokorelis, owner**, for property located at **238 Deer Street**, wherein permission was requested to allow the construction of a new 10' by 40' deck for restaurant dining as per plans on file in the Planning Department. Said property is located on Assessor Map 125 as Lot 3 and lies within the Character District-4, Downtown Overlay and Historic Districts. *(This item continued from the July 11, 2018 meeting to the July 18, 2018 meeting.)*

### **SPEAKING TO THE PETITION**

The project designer Joe Almeida of DeStefano Architects was present on behalf of the applicant to speak to the petition. He distributed new information to the Commission, noting that the Planning Department and the Department of Health had made requests that resulted in the dumpster being smaller. He reviewed the petition and noted the following changes:

- The light fixture was changed to a dark sky-compliant one;
- The light fixtures were reduced by one;
- A photo of the awning was included, along with additional details on the materials;
- The post was increased from 4 inches to 6 inches;
- The door was changed by removing the muntins and painting it black; and
- A 6-ft privacy partition was installed at the end of the deck.

Mr. Almeida further described the partition, stating that the solid-board fence was the same dimensions as the boards below, and that there was no cap. Vice-Chair Wyckoff noted that a cap would help the longevity of the boards. Mr. Almeida said it was all wood construction and field painted. He said the dumpster location had to remain the same to be code compliant, which decreased the deck by nine feet. In response to questions from Vice-Chair Wyckoff, Mr. Almeida said the storage doors under the deck were 1'x8' boards, similar to the privacy fence. He said the space would only be used to store equipment in the winter and the hardware on the doors would be concealed.

Mr. Almeida said the top of the glass would have a slight arch. Mr. Rawling said the door was very different and felt that it should relate to the building, and he suggested a simple door that

picked up horizontal mullions like the windows. Mr. Almeida said they were removing a window at that location and were concerned about the loss of glass to the interior, so they were trying to keep the same amount of glass. Mr. Rawling asked that the applicant get rid of the arched top. Mr. Shea suggested a door with just one panel on the bottom.

City Council Representative Roberts asked what code requirement for the dumpster was. Mr. Almeida said that the dumpster had to be a minimum of 10 feet from any property line. He said the project previously got a variance that allowed the distance to be seven feet. He noted that the dumpster was on wheels and easily moved but had to be located where someone could roll it to the curb. Mr. Cracknell added that the dumpster wasn't allowed to be placed under the deck due to fire, policy, and health codes. Mr. Almeida said the applicant would screen the dumpster.

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

Kerry Rubenstein of 30 Maplewood Avenue said the privacy screen would make a big difference to the condominium neighbors. She asked what the rules of occupancy were and the hours allowed for outdoor dining and music. Mr. Cracknell said the hours of occupation and outdoor music were the Planning Board's purview and recommended that Ms. Rubenstein get in touch with the Planning Director. Ms. Rubenstein asked about the large banner signs on two sides of the building. Mr. Cracknell said it was a legal issue that would be handled by the Inspection Department. Ms. Rubenstein also showed photos of the building that still needed to be painted and said she would speak to the owner about it.

No one else rose to speak, and Chairman Lombardi closed the public hearing.

### **DECISION OF THE COMMISSION**

*Vice-Chair Wyckoff moved to **grant** the Certificate of Approval for the application as presented and advertised, with the following stipulations:*

- 1. The wood privacy screen shall include a 1"x 2" cap.*
- 2. The storage screen and the privacy screen shall be field-painted wood.*
- 3. 3 out of 5 panels shall be operable.*
- 4. The door shall have rectangular glass and one panel below.*

Ms. Ruedig seconded.

Vice-Chair Wyckoff said the applicant had the right to build the deck on the side and also noted that the Commission had made as many improvements that they could to get the modern deck to at least look similar to what the Commission had previously approved for decks and porches in the District. He said that, with the stipulations, the deck's design would be compatible with the designs of surrounding properties and would preserve the integrity of the District.

Ms. Ruedig said it was an unornamented building that would have a simple deck added to its side that would also add some interest to a very blank wall.

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

### III. WORK SESSIONS (OLD BUSINESS)

1. Work Session requested by **PNF Trust of 2013, Peter N. Floros, trustee and owner**, for property located at **278 State Street**, wherein permission is requested to allow exterior renovation of an existing structure (to discuss rehabilitation options for 278 State Street and its relationship to future reconstruction of 266 & 270 State Street) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 80 and lies within the Character District 4, Downtown Overlay and Historic Districts.

*It was moved, seconded, and passed unanimously to **postpone** the Work Session to the August 1, 2018 meeting.*

2. Work Session requested by **James C. Lucy Revocable Living Trust, James C. and Kimberley A. Lucy, trustees and owners**, for property located at **127 & 137 High Street**, wherein permission is requested to allow new construction to an existing structure (construct rear additions to both structures) and allow a new free-standing structure (construct single family dwelling at rear of #137) and allow exterior renovations to an existing structure (misc. renovations to both structures) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 118 as Lots 20 and 21 and lies within the Character District 4-L1, Downtown Overlay and Historic Districts.

*It was moved, seconded, and passed unanimously to **postpone** the Work Session to the August 1, 2018 meeting.*

### IV. WORK SESSIONS (NEW BUSINESS)

A. Work Session requested by **46 Maplewood Ave LLC, owner**, for property located at **46 Maplewood Avenue**, wherein permission was requested to allow amendments to a previously approved design (adjustments to the size and configuration of the 4<sup>th</sup> floor) as per plans on file in the Planning Department. Said property is located on Assessor Map 125 as Lot 2A and lies within the Character District 4, Downtown Overlay and Historic Districts.

The project designer Jennifer Ramsey was present on behalf of the applicant. She reviewed the petition, noting that the building would have a 2-ft increase in height instead of three feet. She also said that there was a new design for the penthouse, and she presented the previously-approved design and the proposed one.

Ms. Ruedig asked whether the penthouse was still technically a penthouse. Ms. Ramsey said it was now a fourth floor and that there was no need for it to step down to Deer Street. She said they also added 2,000 square feet over the new fourth floor. Ms. Ruedig said the Commission had worked very hard to get a very mild top floor rather than a box, and that it was pulled back to add a lot of relief to the height. She said she felt that the modification erased all that work by raising the height and bringing the building forward. Ms. Ramsey said the front hadn't changed that much and had only been pulled forward two feet but that it could be pulled back. It was

further discussed. Ms. Ramsey said the turret had not changed, but Chairman Lombardi said it visually added mass and height.

Mr. Rawling said the design and the elevations were not resolved. He said the building looked like just a few feet were added to it and seemed like it was just something pushed forward that copied pieces of the previous building. He said the detailing needed to be changed and that the windows should be moved up because they didn't look right. He said the elevations looked too blank and that all the setback issues that the Commission previously discussed seemed to be eliminated. He discussed the elevations in more detail. Mr. Shea said that what he liked from the original proposal that made it feel like a third-story with a penthouse was that the penthouse was squatty, which minimized its size. He said he agreed with Mr. Rawling that there was a lot of space above the fourth-floor windows and suggested bringing the cornice back to where it was on top of the windows and letting the building rise simply above the cornice and have the horizontal aspect lower. He suggested bringing the penthouse back 2-3 feet from the edge, if the paneling system was kept, to give the feeling that it was different. Vice-Chair Wyckoff said they were good ideas to maintain the look of a penthouse. He said he didn't have a problem with the height increase but thought that a 3D view would help to visualize the building.

The Commission discussed whether they should separate the height from the rest of the petition and whether they could stipulate how the additional two feet would be presented if the project went back to the original approval where it was set back 8 or 10 feet. Vice-Chair Wyckoff said he wanted to see it drawn both ways: leaving the cornice on top of the window and adding two feet of space all around it, or putting a panel on the window. Mr. Cracknell noted the administrative approval that was rolled into the petition was for the additional height, and said if the applicant presented two schemes to treat the additional two feet, the Commission could approve it as an administrative approval item at the next meeting. He said it would affect the Conditional Use Permit (CUP) but that it was a minor amendment.

*Ms. Ruedig moved to **continue** the Administrative Approval request for the height to the August 1, 2018 meeting.*

*City Council Representative Roberts seconded. The motion **passed** by unanimous vote (7-0).*

Ms. Ruedig said that, because the building was taller than the other buildings across the street, the Commission was striving for a height that had push and pull up and down. She also noted that the Commission had struggled with going through the initial process of getting the massing just right, but the applicant came back with several changes to make the building bigger, which resulted in totally changing it or pulling it back, which was frustrating. She said it was important to keep the fourth floor pulled back to have the variation in elevation and massing. Ms. Ramsey said the changes were being driven by the buyers, who wanted a private deck and so on.

The Commission further discussed it. City Council Representative Roberts said some people thought a one-to-one ratio on the street was nicer, but that it was difficult to do that on Maplewood Avenue because the street was wide and Portwalk was tall. He thought that framing the street was a good idea. Mr. Ryan noted that a lot of the Commission's decisions had been based on previous beautiful renderings, but now there was only an orthographic illustration to

make decisions on. He said that a couple of feet didn't matter, but that he also related to Mr. Rawling's frustration that the Commission previously made a lot of decisions based on overhead and street views. Mr. Shea said he hated to see the step-back language lost.

*It was moved, seconded, and **passed** by unanimous vote (7-0) to **continue** the work session to the August 1, 2018 meeting.*

B. Work Session requested by **Janet Zerr, owner**, and **David Simpson, owner**, for property located at **65 Rogers Street**, wherein permission was requested to allow the demolition of an existing garage, the construction of a new attached garage, the conversion of a 3-season porch with open deck to above two story structure, new third floor dormer and expansion of existing one story entry as per plans on file in the Planning Department. Said Property is located on Assessor Map 115 as Lot 2 and lies within the Mixed Residential Office and Historic Districts.

Julie McDonald of DeStefano Architects was present on behalf of the owner. The owner Janet Zerr was also present. Ms. McDonald said they wanted to make the existing three-season porch a two-story structure with a new third-floor dormer and expand the existing covered porch toward the street. She reviewed the windows, noting that they wanted to refurbish the historic windows and re-use some of the old windows, replace some windows on the main house with a 2/2 pattern and add small casement windows at the stair.

City Council Representative Roberts said he was okay with the changes except for the large dormer on the very top. He said that getting rid of the deck on the second floor was a good idea. Ms. McDonald said the dormer was pulled back as much as possible to build the stairs, and she thought it was important not to have it so close to the street. Ms. Ruedig asked whether the dormer could be smaller or its face pulled back a bit. Ms. McDonald said it would encroach on the headroom because of the stairway.

Mr. Shea said he was comfortable with most of the changes but was concerned with the porch alteration and that some columns would be lost. He suggested that a column be left in place. He also noted that the front door seemed more like a back door. He suggested leaving as much of the original fabric as possible and making the dormer smaller for a more attractive elevation. He suggested that the three stepping windows be treated differently. He noted that the back elevation had a strange window on the third floor and asked whether it could be worked with the ell and added onto, and Ms. McDonald agreed. She said they could skip the second stepping window to make it cleaner but would have to move the existing window on the second floor.

Vice-Chair Wyckoff said he agreed with Mr. Shea about the side porch and suggested keeping the details of the porch and leaving the Victorian round post and adding some detail instead of just clapboarding the pantry section. He said paneling could be placed at the railing height to indicate that it was a porch infill rather than just clapboarding it up. It was further discussed. Ms. McDonald said she could bring the projection under the porch only as far as the next column and replicate the existing detail. The Commissioners agreed that they all wanted to keep the porch.

Mr. Ryan said the shape of the three windows bothered him and suggested taking the middle one out. He said the frieze board on the garage was heavy and also suggested putting some frieze on the dormers. Ms. McDonald said they would simplify the dormer and do a heavy detail on the gables. The dormer frieze was further discussed. Ms. McDonald also noted that a second-floor egress window would be needed.

*It was moved, seconded, and passed by unanimous vote (7-0) to **continue** the work session to the August 1, 2018 meeting.*

## **V. OTHER BUSINESS**

Chairman Lombardi told the Commission that Mr. Shea would take a 3-month leave of absence to travel across the country with his wife.

## **VI. ADJOURNMENT**

*It was moved, seconded, and passed by unanimous vote to **adjourn** the meeting at 8:45 p.m.*

Respectfully submitted,

Joann Breault  
HDC Recording Secretary