

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

EILEEN DONDERO FOLEY COUNCIL CHAMBERS

6:30 p.m.

September 12, 2018

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

MEMBERS EXCUSED: Richard Shea

ALSO PRESENT: Nick Cracknell, Principal Planner, Planning Department

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I. WORK SESSION for McIntyre Project

A. Petition of City of Portsmouth, prospective owner, and Redgate/Kane, potential lessee, for property located at 62 Daniel Street, wherein permission was requested to allow renovations to the existing buildings and the construction of new mixed-use buildings as per plans on file in the Planning Department. Said property is shown on Assessor Plan 106 as Lot 8 and lies within the Character District 4 (CD 4), Character District 5 (CD 5), and Historic Districts.

Deputy City Manager Nancy Colbert Puff was present to introduce the applicant and briefly review the application. She stated that the Redgate/Kane team was present before the HDC on May 22, 2018 with a different design and that the applicant had also undergone a public process via the City Mayor's Blue Steering Committee. She stated that the National Park Service had not agreed with the previous proposed design relating to the McIntyre Building's re-use and re-design, so the summer was spent working with the Park Service to come up with another design. She said she presented the design to the City Council and that they voted to continue engaging with Redgate/Kane to see whether the public/private partnership could be developed. She said the Historic Monument Program application needed to include square footages and associated income and expenses in order to receive the application, but the National Park Service was more interested in the treatment of the McIntyre Building itself. She stated that everything about the application was regulated by the Federal government and that the application itself would become part of the property deed. She said the City was not yet the owner and still had to apply. She explained that a private partnership was necessary to help redevelop the site before the City re-applied; the Federal government would then be able to transfer the property to the City under a public benefit conveyance, which would focus on the preservation of the McIntyre Building as a historic property. She said that all the project details would be memorialized in the deed. She said the post office was also part of the discussion and that a hearing was scheduled for the following Wednesday. She noted that the City wanted the post office to remain at the McIntyre site, but the post office had indicated that it would be difficult to remain at the site during the construction process. She said that the Blue Steering Committee would reconvene the following

Tuesday to discuss minor changes and program end users on the site. She emphasized that the HDC was a critical partner in the approval process.

Chairman Lombardi verified that square footage and open space would be part of the property deed. Deputy City Manager Colbert Puff agreed, noting that the Historic Monument Program had three components: a preservation plan, a use plan that included all the uses on the site, including public use, and a financial plan. Mr. Rawling asked whether the new buildings would become part of the Historic Monument Program. Deputy City Manager Colbert Puff said they would be part of the overall plan and that their design would not be retained in perpetuity unless the City got permission to change the design, which would involve a vigorous process of going before the HDC, the City Council, and the National Park Service.

In response to questions from Mr. Beer, Deputy City Manager Colbert Puff clarified that the design of the buildings would be part of the application to the National Park Service, who had also reviewed the new construction and had not raised any red flags about massing and scale. She said they had shown less interest in the design details than the treatment of the McIntyre Building. She said that after the National Park Service recommended to the General Services Administration (GSA) that the application be accepted, the GSA would go through its disposition process, which would involve a Section 106 hearing and also include a public hearing. She said the City could submit an application and the HDC could continue to review design issues while the application was being reviewed by the National Park Service, and that the application would have to include the basic massing and square footage. Mr. Beer asked whether there would be a public hearing if the application was approved. Deputy City Manager Colbert Puff said the City was before the HDC to get a good idea of its view of the project and of the mass and scale, and if the Commission was comfortable with all the design details, the City would submit the application to the City Council and the National Park Service. She noted that additional work sessions concerning design details would be a parallel process. She said the HDC would vote to recommend or not recommend approval and that the Commission was providing an advisory review for a City project, which wasn't that different from standard process.

City Council Representative Roberts asked whether the Commission could discuss that evening whether the mass and scale were appropriate enough to make an application to the National Park Service, and the vote in a few months as to whether they were satisfied with the design. Deputy City Manager Colbert Puff said the presentation that night was more of a re-introduction to the project and that there was no need to decide anything right away.

Chairman Lombardi asked the public whether anyone had questions about the process.

Jeffrey Cooper of 227 Park Street asked if the public input process would be re-opened at the Blue Steering Committee meeting the following Tuesday. Deputy City Manager Colbert Puff said she didn't know.

Esther Kennedy of 41 Pickering Avenue asked if the Commission was going to review only the massing and size that evening and if they wanted to hear the public's concern of regarding the McIntyre Building as a historic building. Deputy City Manager Colbert Puff said they were before the Commission to get their opinion on the design and how it fit into the Historic District.

Paige Trace of 27 Hancock Street asked why the Commission would not be asked to vote in a formal public hearing that evening, yet they were a quasi-judicial board that had been asked by the City to consider sizing and massing. Chairman Lombardi said the Commission was acting in an advisory fashion. City Council Representative Roberts said it was just like any other HDC work session, in that the Commission would tell the developer what they were comfortable with and the developer would return with an updated design.

Bill Downey of 67 Bow Street said he had been told that the HDC had immunity from the review process and asked why the project wouldn't go through the same protocol with the HDC as any other developer. Chairman Lombardi said the property was City property and a Statute stated that a municipal property was exempt from all local land board. He said the HDC didn't have the rule of law without a vote but had a strong defense of their decisions.

No one else from the public rose to speak.

The project architect Lawrence Ching reviewed the changes and comments from the previous May work session with the HDC, which included bringing down the massing and scale of some buildings, adding more greenspace, and dropping the site's grading ten feet from Daniel to Bow Streets. He noted that the proposed 5-1/2 story building near Daniel Street was eliminated after pushback from the National Park Service to decrease the development's scale and that the proposed demolition of part of the existing one-story post office wing was dropped. He compared the May 22 site plan with the September 5 site plan. He discussed the public open spaces that included a sculpture, benches, and other seating.

City Council Representative Roberts asked how wide the path from Bow Street to Linden Way was compared to the previous design. Mr. Ching said the width has not changed and was eight feet wide due to the stairway. City Council Representative Roberts asked whether the retail focus was shifted away from Bow Street and Linden Way to Daniel Street. Mr. Ching said that one corner had become retail and that there was no retail surrounding that particular level anymore. Mr. Beer asked where the post office trucks would enter. Mr. Ching said one corner of the building would be removed so that service trucks could come around. Vice-Chair Wyckoff said that the addition on the left-hand side of Linden Way was added to the original massing and seemed to close up the entrance to Linden Way. He said that, concerning the removal of retail coming up Bow Street, he felt that the public plaza would be limited in use because it would be surrounded by people's homes and would not be a comfortable area for people to sit in if its windows were close to the ground. He said it was a wasted space unless it had some type of café. Mr. Ching explained that the space was higher than the public circulation and that the plaza was intended for residential use only. Vice-Chair Wyckoff said that made it worse because of the 8-ft wide alley. Mr. Ching said the alley was 15 feet and the width of the step was eight feet.

Mr. Ching reviewed Portsmouth architectural precedents that included one-story storefronts, neighborhood scale, materials, roof dormers, bay windows, and connecting steps, noting that they were inspiring features incorporated into the project's design. He reviewed the design, pointing out that a building was lowered by one floor and a glass area was added to another building. He showed the difference in street elevations between the May and September designs and reviewed massing and scale changes. He said the materials were the same.

City Council Representative Roberts asked what would be interesting opposite the shops on Penhallow Street because the building's windows followed by a brick wall that wasn't interesting to pedestrians. Mr. Ching said that one tenant would occupy that space and that the windows would allow people to look into the space. He said the entrance was on Bow Street. Vice-Chair Wyckoff said the view showed the entrance to the last retail store on the right side, and he felt that the addition closed off Linden Way from Penhallow Street somewhat. He said it needed to be an entrance to the retail space at that level and that Linden Way was intended to be the City's big public space. It was further discussed.

Mr. Ryan said that the massing on the one-story portion of the McIntyre Building was terrible and asked whether more massing could be placed on top of that portion. Mr. Ching said the National Park Service felt that anything on top would be treated as a rooftop addition that would be seen from a public way. Mr. Ryan asked whether it could be turned into an open space, like a rooftop plaza. Mr. Ching said the space was big and the framing would not support public use without a major modification. Mr. Ryan said the building was flat and that it would be worth the investment to enhance the structure. Mr. Ching said he would look into it but said the National Park Service preferred not to see even a deck or railings from the public view. It was further discussed. City Council Representative Roberts said the National Park Service wasn't doing Portsmouth any favors in reducing the building from 5-1/2 stories to one story. He said the one story contradicted the HDC Guidelines and that removing so many stories would also impact the developer's income. He said that a lot of the building also seemed boxier. Mr. Beer asked what the gray area between the windows on the first and second floors was. Mr. Ching said it was a metal panel with some texture to it and that they wanted to give the building an in-and-out shadow line by tying it in with a change in material. Mr. Beer asked to see a sample, and Mr. Ching said he would bring one to the next meeting.

Mr. Ching reviewed the proposed design for the Bow Street elevation. Ms. Ruedig said she was concerned about the stairway being too narrow and closed off, and not being an inviting public passageway. She said the planters would just provide a big wall. Mr. Ching said the open space was higher and that they could add some public art work on the other side. Ms. Ruedig asked whether eight feet would be wide enough. Mr. Ching said the walkway was eight feet but the total experience was wider.

City Council Representative Roberts said he was concerned about one side of the project having no entrances or shops. Mr. Ching said it was the existing condition due to the curb cut and the retaining wall. Mr. Roberts said he didn't think the garage would work in that location and felt that it needed to be on the left instead of in the middle of the block opposite shops. He asked if there were any entrances on the left building on Bow Street. Mr. Ching said there were no doors at the time but that they could install some doors depending on how the tenancy was subdivided. Mr. Roberts also noted that Juliet balconies were mentioned at the previous work session. He pointed out that there were very few Juliet balconies in Portsmouth and that they were flat, looked fake, and weren't like the nice ones in Europe. He said he wasn't sure whether the bay window would work on Bow Street because it detracted from the first floor and made the top of the building dominant. Vice-Chair Wyckoff suggested that the developer use the European model for the Juliet balconies or that the balconies project 12 inches or so. Mr. Ching said it was a great idea and that there were ways they could project the railing. Chairman Lombardi said his

eye was drawn to the façade's two big squares, the top bay window and the garage, and said it was awkward. Mr. Ching said they could push the garage opening over.

Mr. Ching reviewed the Linden Way north elevation, noting that the materials were changed and pieces of the building broken up more successfully. He discussed the building's original brick wall and said they could use skylights to bring in more light. He then reviewed the Linden Way south elevation and the two-story pop-out building. City Council Representative Roberts noted that all the buildings seemed to have flat roofs. Mr. Ching agreed but said they transitioned to Penhallow and Bow Streets. He then reviewed the Bow Street east elevation. He also pointed out that shadow studies were done from March through September at different times of the day.

Chairman Lombardi stated that the Commission was there specifically for the massing and scale of the project and not to consider the design details, and he asked the Commission for comments.

Mr. Rawling discussed how the site plan related to the massing. He said that the Bow Street Plaza (pg. 40) was depicted as a view from the corner of Bow and Market Streets and that the Commission's previous comments as well as public input had focused on preserving the view of the church steeple. He said the range was from corner to corner on the intersection and from across the street, and that there was a miniscule version of the church steeple that was lost by shifting slightly in any direction. He noted that the building renderings seemed to be different in size and scale than the elevation drawings. Mr. Rawling's further comments were as follows:

- The building on the corner of Bow and Market Streets should be cut back to open up the view, and the volume should be reduced in the sightlines of the adjacent building behind it to open up the view of the church steeple; the corner alleyway between the two buildings facing Bow Street is a useless space that would turn into a graffiti alley; the building elevations are bleak and should be a more welcoming space.
- The elevations of the buildings along Daniel Street's ground level (pg. 19) are not inviting and present no reason for a pedestrian to use that side of the street because all the pedestrian content is walls or surfaces that are barely tangible throughout; would not support flat top versions of the new structures being compatible with the McIntyre Building and thinks it would be better to differentiate from the McIntyre so that the McIntyre stands out.
- Concerns about the pedestrian aspects of the building along the garage entrance where the door is located on the left (pg. 21), including the blankness of the façade; the roof forms are expressed but need more discussion; the Bow Street residential building needs to be reduced on the left to open up the stairwells and create a more appealing pedestrian experience.
- The Linden Residence north elevation (pg. 23) has minimal public view but is viewed by neighbors and between building spaces; the volume is fine but doesn't support the flat roof structures; the change in material is not effective, especially when the window sizes remain the same and the headers and sills are the same elevation; it appears to be one massive building with a bunch of materials and an institutional look.
- The corridor stair passage (pg. 29) is a desolate place surrounded by brick walls and planters; not supportive of the flat box structures mimicking the McIntyre Building; the Bow Street Residence east elevation (pg. 31) ground up relates to the corridor and remains the same, but is even more bleak with high matching walls and nothing but brick graffiti canvasses; suggests shortening the stair and broadening the pedestrian plazas at those levels; not supportive of the flat roof building volume on the left.

- The flat roof structures and metal box tops on the roofs (pg. 33) should be incorporated into the overall building design instead of just metal boxes on top of the building; the metal box top effect is amplified (pg. 40) and is the dominant feature.

Vice-Chair Wyckoff said he agreed with Mr. Rawling, especially about the flat roof problem and the Bow Street activity. He suggested that more doors be created and more inviting stores be incorporated on the Bow Street side, and that the stairs be serpentine instead of straight on and have organic planters; he said the days of square planters were gone. He said the flat roof on the Linden Way Residence didn't bother him and suggested a change of material on the Chapel Street side. He said he had a problem with the change in coloration. He said the three buildings themselves should be reduced 10 percent and that the public spaces should be increased. He said he wasn't that excited about Linden Way and didn't think it was anything that people would want to go to. He said that the public was in favor of a public way that was exciting to go to and that could hold public events. He suggested that the marketplace be more of a casual one instead of a venue that would be rented out for parties or weddings.

Ms. Reagan said she was comfortable with the massing and scaling but thought it was unfortunate that the taller form had to be taken down because it had helped complete the streetscape along Daniel Street. She said she thought the Linden Way Residence form seemed a bit chunky and thought it would take more perspective from the ground level because it was wider than the McIntyre Building. She said it seemed like it was more massive but really wasn't, as far as a human scale. She said she was more excited about Linden Way because it was well done and could be an exciting place, especially if the marketplace was successful. She said urban spaces included sculptures, planters, and so on, but she was concerned about the little stairway. She noted that what made Commercial Alley so successful was the fact that it was narrow, but all the storefronts and facades were two stories and proportional, so it didn't have a tall cavern effect. She said she didn't have a problem with the flat roofs facing the McIntyre Building, noting that the project had to meet the demands to be referential. She said the buildings would become more interesting as the design developed.

Mr. Ryan said he liked the original design better in terms of massing and architectural language, and he felt that the new design was compromised. He referred to Building B (pg. 9) and said the proposal was sort of a formula and used the dormers and flat roof on one side as historic references. He said it didn't work and felt that the original design was more sympathetic because it was more abstract and closer to modern architecture. He said the pedestrian quality of the original design (pg. 10), with the garage door, storefronts, and the top of the building was a better strategy than the current proposal. In terms of the site and Linden Way, he agreed that the stair could curve to provide some interest. He said there needed to be something to keep one's eye from going right through that space when coming off Penhallow Street, and he felt that it could use some architectural features to make people want to gather in that space. He thought something could be done with the rooftop of the lower building by making a connection to the St. John's property. He encouraged making the most of what the National Park Service required for the site. City Council Representative Roberts said he also preferred the previous design. He compared the original and revised site plans, noting that the original one had a lot of articulation in the back side of the McIntyre Building, but that the proposed market square area was one long

open area that would require a lot of people to fill it. He said people would feel more comfortable in the smaller spaces that were previously proposed.

Mr. Beer said the view from Bow Street was very imposing (pg. 21) and didn't draw him into that space because it felt too narrow and the walls were too tall. He said he liked the traditional architecture more than the previous design. He also agreed that the garage door and dormer were like two large boxes and that the dormer didn't work, saying it was important that the cornice line run through. He questioned whether the new proposal was a feasible solution for the post office because of the narrow alley for trucks and thought that it would be a shame to lose the post office. He agreed about the air conditioning units on top of buildings (pg. 40) and didn't care for the multiple windows separated by material and lacking lintels, sills, or trim. City Council Representative Roberts said that Bow Street was the most interesting street in Portsmouth and that it was a shame to have one side of the street be nothing of interest to pedestrians except for glass walls or the garage. Ms. Ruedig agreed, noting that the Bow Plaza area was important and a needed public space and location. She said that activation would be needed on the storefront side to make that space successful.

Chairman Lombardi said the planters on the stairway were intrusive and looked huge. He suggested angling the corner around the stairway to open it up and welcome people coming from any direction. He agreed that Bow Street needed to be activated on that side of the street. He said that Linden Way seemed to have become cramped but that it would depend on how the market hall was activated. He said he didn't want to see air conditioning boxes on top of buildings because it ruined the skyline. Vice-Chair Wyckoff said there could be two storefronts on Bow Street that would be 2,000 or 3,000 square feet and would be empty. He said that everyone tended to build storefronts too big and suggested filling the front of the façade with four small storefronts instead of two big ones. He noted that visitors came to Portsmouth to see interesting shops and not national chain stores. Mr. Rawling said he thought the building on the left of the Bow Street Plaza could have more frontage and cut back on some of the frontage on the building on the right. He said the character of Bow Street was long buildings that lined the street, and he felt that leading more into the corridor space at Linden Way and doing creative things with it would be better than just having a narrow spot. City Council Representative Roberts said he had heard arguments about narrowing down an entrance and then opening it up as a way to invite people in, but it depended on what one was being invited into, and he wasn't sure it would work with the long trucks going in and out.

Ms. DeStefano said that the development team appreciated all the comments and that there were a lot of issues they could work on.

Public Comment

Jeffrey Cooper of 227 Park Street discussed various spots in Barcelona, Spain as examples of what could be done with the development, such as a small opening into a big square, a grand staircase where public art was in the middle and the stairway came down the side of it, and plazas on top of buildings. He suggested that a grocery store and pharmacy be included in the development and asked if the public market space would be open to the public all the time.

Rick Becksted of 1395 Islington said he wished there were more open space and some greenspace and thought the 'catacombs' wouldn't be inviting to the public. He said the post office would be flat, modern architecture that wouldn't draw people in, and he felt that it would be more respectful to the District to adapt historic structures into a new building.

Gretchen Porter of 112 Penhallow Street asked whether the goal was to maximize public benefit or get a return on investment. She said the scale should contribute to the sense of place rather than cramming a massive amount of buildings. She asked why the footprint and scale of the Federal building would be repeated when it was already a mistake in size and scale. She said the open views would be confined to a narrow canyon between two walls that would obstruct the view of the St. John's church. She said that all the retail space wasn't needed, noting the several vacant retail spaces downtown, and that the walkways wouldn't make a difference to pedestrians.

Bernard Mulligan of 18 Congress Street said he didn't think the 8-ft stairways would be compatible with ADA standards and would be a problem due to the hill structure. He said his main concern was with whether the post office wanted to stay downtown or not because the HDC should know what they were working with before coming up with a decision. He thought the post office had to be preserved as part of the project, but didn't know how a post office truck would be able to get to the front of the development. He emphasized that the downtown walkability had to be preserved and that a walking city needed a post office.

Esther Kennedy of 41 Pickering Avenue said she thought the mass had improved but was worried about the blank spaces on Bow Street, which was the heart of the historic neighborhood. She questioned the architectural design, noting that the material relating to an adjacent structure (pg. 22) didn't make any sense and hoped it would be clarified moving forward. She reminded everyone that the McIntyre was still a Federal building that had not been given to the City yet and that the Commission had to do their due diligence because their decision would reflect on the National Historic Preservation Society. She was concerned about not having the church as a focal point instead of the project, which she thought should be a supporting structure. She asked that the design be clarified by the next work session.

Paige Trace of 27 Hancock Street said that most of the project amounted to a fortress that didn't invite people in. She said the project had no clearer vision than 100 Market Street, a large commercial space that had gone through a lot of retail stores but didn't succeed, yet across the street were multiple successful little shops that were interesting. She said the project was so massive on one side of the street that people would walk on the other side. She cited Commercial Alley as a good example of why people enjoyed walking through there. She also noted that many people counted on the downtown post office.

Ms. Ruedig said she was struck by what Mr. Cooper said about having more of a traditional square for Linden Way instead of a long, narrow passageway and asked whether there was a way to push and pull some of the massing in the Linden Way building to create a more traditional square space in the middle and open it up at the top to have a more traditional gathering space instead of a long narrow space that didn't really go anywhere.

Chairman Lombardi summarized that the Commission felt that the massing was close to the appropriate scale, although there were some problems with scale, specifically when the utilities on buildings stood up much higher than the building. He said that Mr. Ruedig's suggestion about the Linden Way public space was excellent. Mr. Rawling said that opening up the ends of the corridor from Linden Way to Bow Street and closing some of the middle would be more inviting. City Council Representative Roberts said that a plaza in the middle would necessitate doing something with the other end of the street going up the hill because it was 50 feet wide and was a considerable space. Mr. Ching said the market hall all the way to the face of the new building was about 80 feet, so people needed to think about whether the space under the canopy was a useful space and how it could be activated. Vice-Chair Wyckoff asked whether the canopy could be removed, and Mr. Ching said it would be difficult but that he would look into it.

Chairman Lombardi read the following closing statement:

Based on the submitted plans as revised and testimony provided, on May 22, 2018 and tonight, (September 12, 2018) the Historic District Commission generally supports the proposed volume (or square footage) of the overall project. Importantly, the support of the Historic District Commission shall not serve to lock-in the final building footprints or heights. Thus, the Historic District Commission supports the proposed volume provided the footprints and height of the buildings can be modified during a subsequent review of the design details of the project.

II. ADJOURNMENT

*It was moved, seconded, and passed by unanimous vote to **adjourn** the meeting at 9:45 p.m.*

Respectfully Submitted,

Joann Breault
HDC Recording Secretary

These minutes were approved at the Historic District Commission meeting on October 3, 2018.