

**MINUTES  
THE HISTORIC DISTRICT COMMISSION  
PORTSMOUTH, NH**

**Remote Meeting via Zoom Conference Call**

Per NH RSA 91-A:2, III (b) the Chair has declared COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-24, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

**6:30 p.m.**

**March 03, 2021**

**MEMBERS PRESENT:** Chairman Vincent Lombardi; Vice-Chairman Jon Wyckoff; Members Reagan Ruedig, Margot Doering, Martin Ryan, and David Adams; City Council Representative Paige Trace; Alternates Heinz Sauk-Schubert and Karen Bouffard

**MEMBERS EXCUSED:** None

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

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**I. APPROVAL OF MINUTES**

**1. February 03, 2021**

*The minutes were **approved** as amended by a vote of 7-0.*

**2. February 10, 2021**

*The minutes were **approved** as presented by a vote of 7-0.*

*It was moved, seconded, and passed by unanimous vote (7-0) to **postpone** the Jewell Court Properties rehearing and the One Raines Avenue LLC/203 Maplewood Avenue work session to the April 7, 2021 meeting.*

**II. ADMINISTRATIVE APPROVALS**

City Council Representative Trace recused herself from the following item, and the Commission voted to pull the item and address it separately. Mr. Sauk-Schubert took a voting seat.

**1. 81 Washington Street**

The request was to replace two granite steps with a set of stairs, landing, and railing system made of either mahogany wood or pressure-treated composite. The Commission noted that there wasn't enough detail presented and no site plan. The applicant wasn't present to answer questions, so Mr. Cracknell recommended that the item be postponed to the March 9 meeting.

*Vice-Chair Wyckoff moved to **continue** the item to the March 10 meeting, and Mr. Ryan seconded. The motion **passed** by unanimous vote, 7-0.*

At this point, the applicant joined the meeting. He said the landing would be centered on the door and that it might extend beyond the corner a bit. He said the fence on the side of the building would shield the railing system except for perhaps the tops of the rail. In response to the Commission's questions, he said the back of the house was on Washington Street and didn't have a door, and the fence wrapped around the building, so the landing system wouldn't be seen. He said the stairs went in the other direction so that the tenants could park in the back corner off Washington Street. He said the granite was installed when the house was moved in the 1970s.

*Mr. Adams moved to **re-introduce** the item as part of the agenda, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 7-0.*

*Vice-Chair Wyckoff moved to **approve** the item as presented, with the following stipulation:*

- *That the stairs and landing shall have mahogany threads and be wood throughout.*

*Ms. Doering seconded. The motion **passed** by unanimous vote, 7-0.*

City Council Representative Trace resumed her voting seat and Mr. Sauk-Schubert returned to alternate status.

## **2. 18 Pickering Street**

Mr. Cracknell said the request was to add two windows to the left elevation and replace a bay window on the rear elevation. Mr. Sauk-Schubert asked if the two windows could be centered on the second floor. Project architect Anne Whitney said the kitchen was complicated and the windows were close enough to not necessitate changing the kitchen design. She noted that the window size on the schedule was wrong and was actually a 2/3-ft double window.

## **3. 49 Hunking Street**

The request was to install three different designs of fencing around the house, including a fence to separate the property from the larger parcel. Mr. Cracknell described the three fence styles.

Vice-Chair Wyckoff said the post on the decorative section was 4-1/2 feet high on the side, and the fence that swept up to it was six feet. He said it made sense that the fence would emulate the May House fence, but he noted that the May House fence had urns on top of it. He said the applicant was omitting the finials and leaving a solid flat top, and he thought the top should be beveled. He didn't think the posts were high or proud enough. Ms. Doering said she wasn't

comfortable making a decision on the suggested fence style because she had no historic perspective on the house. Ms. Ruedig said the fence seemed very grand for such a simple house. The project designer Steven Foster was present and said he was just using the May House as an example and not trying to emulate it. He said the idea of the front fencing was to have the privacy fencing shield a garden behind it. He said the decorative fence across the front of the house would move to a privacy fence. He referred to several historic homes in the area that had the same fence. He said the Tobias Lear House was simpler than those homes, which was the reason there were no large finials or a lot of decoration. He said there would be a bevel. He said the fence at the back boundary replicated the Wentworth Gardner House fence.

The Commission further discussed the fencing and whether there should be a fence between the front of the house and the street. Ms. Doering was opposed to it due to the photographic and historic evidence showing that it was not usually where the fence was near that particular house. Mr. Adams said he didn't think a 19<sup>th</sup>-century fence was appropriate for the Tobias Lear House. Mr. Sauk-Schubert said he had a problem seeing the actual proportions of the fence details and thought the posts would be much taller than shown. Ms. Ruedig said fences were usually a substantial change throughout time and that it was hard to know if one particular fence would be appropriate. She said she thought the presented fence was an appropriate style because it was in the time period of the age of the house. Chairman Lombardi said the hand-drawn sketches represented the idea well, if not the exact dimensions, and that he would support the project.

#### **4. 65 Lafayette Road**

Mr. Cracknell said it was discovered during a construction document review and land use compliance check that a 20-inch wide Azek board with a slotted panel in the middle had to be replaced with a pair of 12-inch boards and an aluminum soffit between them.

*Ms. Ruedig moved to **approve** Items 2, 3, and 4 as presented, and City Council Representative Trace seconded. The motion **passed** by a vote of 6-1, with Ms. Doering voting in opposition.*

### **III. PUBLIC HEARINGS (NEW BUSINESS)**

City Council Representative Trace recused herself from the following petition, and Alternate Sauk-Schubert took a voting seat.

1. Petition of **Cherie A. Holmes and Yvonne P. Goldsberry, owners**, for property located at **45 Richmond Street**, wherein permission was requested to allow the demolition of the existing garage and rear 1-story addition on the existing home, new construction to an existing structure (construct 2-story rear addition, 1-story side addition, and dormer addition), and the construction of a new detached garage and screen-house as per plans on file in the Planning Department. Said property is shown on Assessor Map 108 as Lot 18 and lies within the Mixed Research Office (MRO) and Historic Districts.

#### **SPEAKING TO THE PETITION**

Project architect Anne Whitney was present to review the petition.

Vice-Chair Wyckoff asked why the awning window on the one-story addition seemed out of proportion and tall. Ms. Whitney said the addition was more of an infill and the awning window was really a 3/5 casement window, along with three others. She said it looked odd from the front view because it was set back quite a bit. In response to other questions, Ms. Whitney said the garage door's texture would be smooth and the chimney wasn't tied to a wood fireplace.

Vice-Chair Wyckoff said the manufactured railing system wasn't appropriate on the front of the house. Ms. Whitney said she could do it in wood, but Vice-Chair Wyckoff said he didn't think the Commission had ever allowed a railing system on the façade of a house in the District. He said he was in support of everything but the front railing. He praised Ms. Whitney for making a complicated project easy to understand.

In response to Mr. Adam's questions, Ms. Whitney said there would be an aluminum gutter on both sides of the roof. She said the suggested 4-inch cedar clapboard was a nominal size and that she would match the original siding as well as the cornerboards. She said the heat pumps would not be seen from the street and that its piping would be in the interior. Ms. Ruedig agreed with Vice-Chair Wyckoff and thanked Ms. Whitney for simplifying the project and incorporating a lot of the Commission's prior comments. She said the remodel was still a bit busy but would improve the house, and she thought the garage and greenhouse were great additions.

Chairman Lombardi agreed and opened the public hearing.

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

There was no one present to speak, and Chairman Lombardi closed the public hearing.

### **DECISION OF THE COMMISSION**

*Vice-Chair Wyckoff moved to **grant** the Certificate of Approval, with the following stipulations:*

- *The landing and railing shall be wood and not composite;*
- *Either an aluminum or wood gutter shall be used on both sides of the roof;*
- *The proposed siding and trim details shall match the existing siding and the cornerboard profile as determined during the demolition process; and*
- *Half-screens shall be used.*

*Ms. Ruedig seconded the motion.*

Vice-Chair Wyckoff said the Commission encouraged the designs for new buildings, structures, and additions and the re-use of the existing building. He said the significant or architectural value of the existing structure was set in scale, mass, and general size of the new construction. For those reasons, he said it was a good project.

*The motion **passed** by a vote of 6-1, with Mr. Adams voting in opposition.*

City Council Representative Trace resumed her voting seat, and Mr. Sauk-Schubert went back to alternate status.

2. Petition of **Blue Pointe Condominium Association, owner and Stefanie Burra, applicant**, for property located at **46 Dennett Street, Unit #2**, wherein permission was requested to allow new construction to an existing structure (install gate at the end of an existing walkway, materials to match existing fence) as per plans on file in the Planning Department. Said property is shown on Assessor Map 140 as Lot 12-2 and lies within the General Residence B (GRB) and Historic Districts.

#### **SPEAKING TO THE PETITION**

Mr. Cracknell said the petition should have been an administrative approval item but was on the hearing agenda because the legal ad was posted in error. He said the request was to install a gate at the end of the walkway. City Council Representative Trace asked if it was a PVC gate. The applicant Stefanie Burra was present and said the gate would be wood. Mr. Cracknell suggested stipulating that the presented wood fence example would be the choice for installation.

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

No one was present to speak, and Chairman Lombardi closed the public hearing.

#### **DECISION OF THE COMMISSION**

*Ms. Ruedig moved to **grant** the Certificate of Approval for the petition as presented, with the following stipulation:*

- *That the fence shall be wood and not PVC.*

*City Council Representative Trace seconded.*

Ms. Ruedig said the project would preserve the integrity of the District and would be compatible with the designs of surrounding properties.

*The motion **passed** by unanimous vote, 7-0.*

#### **IV. CERTIFICATE OF APPROVAL - RE-HEARING**

1. Petition of **Jewell Court Properties, LLC, owner and Jessica Kaiser, applicant**, for property located at **33 Jewell Court**, wherein permission is requested for a re-hearing to allow renovations to an existing structure (replace existing slate roof with an asphalt shingle roof) as per plans on file in the Planning Department. Said property is shown on Assessor Map as Lot and lies within the Character District 4-W (CD4-W) and Historic Districts.

#### **DECISION OF THE COMMISSION**

*It was moved, seconded, and passed unanimously (7-0) to **postpone** the rehearing to the April 7, 2021 meeting.*

**V. WORK SESSIONS (OLD BUSINESS)**

A. Work Session requested by **One Raynes Ave, LLC, 31 Raynes LLC, and 203 Maplewood Avenue, LLC, owners**, for properties located at **1 Raynes Avenue, 31 Raynes Avenue, and 203 Maplewood Avenue**, wherein permission is requested to allow the construction of a 4-5 story mixed-use building and a 5 story hotel) as per plans on file in the Planning Department. Said properties shown on Assessor Map 123 Lot 14, Map 123 Lot 13, and Map 123 Lot 12 and lies within the Character District 4 (CD4) and Historic Districts. *(This item was postponed at the February 10, 2021 meeting to the March 03, 2021 meeting).*

**DECISION OF THE COMMISSION**

*It was moved, seconded, and passed unanimously (7-0) to **postpone** the work session to the April 7, 2021 meeting.*

**VI. WORK SESSIONS (NEW BUSINESS)**

1. Work Session requested by **Ronald Furst Revocable Trust, Ronald & Taylor Diane Furst Trustees, owners and Peter Furst, applicant**, for property located at **238 Marcy Street**, wherein permission is requested to allow the installation of solar panels on the south side of the structure as per plans on file in the Planning Department. Said property is shown on Assessor Map 103 as Lot 52 and lies within the General Residence B (GRB) and Historic Districts.

**WORK SESSION**

The applicant Peter Furst and the project solar panel representative Dan Hackett were present to speak to the petition. Mr. Furst said it was an 18-panel project and that 14 panels would be on the main south-facing roof and four panels would be on the extension on the west side of the building. He said the panel material was non-glossy and black and was the type used on sensitive projects. He said it would be slightly visible from Marcy Street, partially visible from Meeting House Hill Road, and minimally visible from other views.

Ms. Ruedig said the panels would only be viewable from Manning Street and Meeting House Hill and that someone would really have to be looking for it. She said she was impressed that the panels were well hidden and would also produce 75 percent energy of the house's energy. Ms. Ruedig said it was a reversible installation, so it wouldn't have a huge impact on the house. She said she could support the project. Vice-Chair Wyckoff agreed and said it helped that the roof and aluminum were black. He said it wasn't much of a price to pay for the improvement and the energy. Mr. Ryan said he typically didn't support solar panels in the District, especially in the south end, because they were ahistorical, machine-made and hideous. However, he said he would grudgingly support the panels because they would be well hidden and would do no harm.

Mr. Adams asked what kind of modifications had to be done to the roof to support the installation. Mr. Hackett said any necessary changes would be made to the interior space of the roof. Mr. Adams asked about a frame. Mr. Hackett said the panels would not have to be angled due to the roof's pitch, so they would be flush-mounted and 2-3 inches to the roof.

City Council Representative Trace said she echoed Mr. Ryan's thoughts and that she also would grudgingly support the project but was concerned that her support would set a precedent for similar requests in the District. Mr. Cracknell said the Commission's decisions had bearing on future applications, even if it was done on a case-to-case basis, but a big factor of approving this application was that the panels were largely out of sight of the public view. Ms. Ruedig noted that solar panels were addressed in the guidelines. Mr. Ryan said that one of the Commission's findings was 'compatibility of design with surrounding properties' and that future applicants could say that their solar panel requests were consistent with this applicant's. He asked how far the Commission would go with sustainability, noting that vinyl siding was also sustainable.

There was no public comment.

## DECISION

*The applicant said he would **return** for a **public hearing** at the April 7, 2021 meeting.*

2. Work Session requested by **64 Vaughan Mall, LLC, owner**, for property located at **64 Vaughan Street**, wherein permission is requested to allow new construction to an existing structure (add a 4<sup>th</sup> floor, revitalize storefronts, and create entry points to the Worth Lot) and additional site improvements as per plans on file in the Planning Department. Said property is shown on Assessor Map 126 as Lot 1 and lies within the Character District 5 (CD5), Downtown Overlay, and Historic Districts.

## WORK SESSION

The owner Shane Forsythe and applicant Steve Wilson were present. Mr. Forsythe introduced the project, and Mr. Wilson reviewed it.

The Commission discussed the roof pattern. Vice-Chair Wyckoff asked why the separated building on the left should have the same fourth story penthouse as the other building, noting that there was finally a change to break away from the monotonous roof pattern in the City and have some other type of roof structure instead of a repetitious fourth floor. Ms. Ruedig disagreed, saying that the building historically had a flat roof and that there was nothing wrong with a monolithic block of a building and a flat roof. She said she didn't see the need to have a penthouse to give the roof variation, adding that it would also raise the building's height. She suggested pulling the building forward on the Hanover Street elevation and having an active storefront or entrance instead of the pocket park. She said the original plan was more appropriate for the District and fit the historic design.

Ms. Doering asked if the new building's footprint, with the pocket park, would build up over the 1960s loading dock and take up that footprint. She also asked where the current parking lot was. Mr. Wilson said the expansion of the building's footprint was 700 square feet, so it took over the first parking space. Ms. Doering said the open space would actually be smaller than what presently existed and the building would be bigger, and she asked whether the City wouldn't be better off having a more historic building without the extra height and building on what was now a parking lot. She said she didn't think a pocket park in that particular location would give the

public a lot of benefit and would not be the best use of space. Mr. Wilson said he thought the park was a positive thing because it would provide benches and walkways, and he didn't think the entrance would detract from it. Ms. Ruedig said she had no problem with the building looking like two different ones and thought additions should be visually distinct from historic buildings. Mr. Ryan said he thought it was great to restore the front façade facing Vaughan Mall but was concerned what would happen after the third-floor windows. He said something needed to transition into the penthouse area, like a band. Mr. Wilson said there was a patterned brick façade shown on the photo, and it was further discussed. Mr. Ryan said he hated to see a flat roof. He said he liked the balcony on the corner of the Hanover Street side and would like to see it reflected on the parking lot side corner to articulate the building better. He said he had no problem with the pocket park but didn't think there were enough elements to support the streetscape. He suggested a garden wall that carried the base of the new building to the front of Hanover Street and could be lit at night. He said the project was off to a good start overall.

City Council Representative Trace asked what the City would get in return for the extra story, noting that there was parking under the greenspace. Mr. Wilson said there was no parking under the greenspace and that they were trying to replace the building footprint with a commensurate addition, which was the penthouse. He said the park would be open to the public and that he was asking for the vertical expansion to replace the building that would go on the park. Ms. Trace said she had no problem with making one building look like two different ones from a massing standpoint and was interested to see how it would go forward before other land boards.

Ms. Bouffard said she thought the two different materials on the building broke it up nicely. She asked how big the pocket park was. Mr. Wilson said it was 2,100 square feet and slightly smaller than the parking lot. Ms. Bouffard said she felt that the park was incongruent with the rest of the street and that it was a good policy to build out to the sidewalk. She said the penthouse looked good until one looked up to the top and saw the same penthouse stretched across two disparate materials because it was obvious that it was really just one new building. She said the penthouse's design looked like most of the penthouses being built around the City and detracted from the project's uniqueness. It was further discussed. Mr. Wilson said the mechanicals would be on top of the third floor and would not be heard from the park.

Mr. Adams said the building could change in character by introducing a cornice or some decorative material at the roof's edge. He said he found it curious that the largest module of siding would be used on the side of the building because it seemed way too large an incremental feature to put on the smallest part of the building. He said the open corner drove him crazy. Ms. Trace said the penthouse could be just on the brick building and the yellow part of the building could have a flat roof. She said she didn't know if the pocket park was a good swap for the massive floor of penthouse. Vice-Chair Wyckoff said there was some pushback from 25 Maplewood Avenue, which he thought was for the penthouse on the yellow part of the building. He thought it might be better to do the penthouse on the historic section only. He said it wasn't necessarily traditional for a Conditional Use Permit (CPU) to be for 20 percent of the space to be greenspace and thought the applicant would ask for a variance from the height requirement to get the penthouse. It was further discussed.



Ms. Doering said there were several buildings on Congress Street that were flat but had beautiful cornices and arched windows. She suggested that the applicant keep the original concept of the building without the extra story but work with the added space of the corner to see what came of it. Chairman Lombardi said he thought the new building should be new and subservient to the historic building. He said he didn't care for the whale mural and suggested that a local artist replace it with a more appropriate one. He opened the public comment session.

### **Public Comment**

Andrew Bagley of 40 Chauncey Street said he didn't care for the yellow portion of the building but thought anything would be an improvement and would add a lot of vibrancy to the street. He said the whale mural had run its course.

Allison Griffin of 25 Maplewood Avenue said she and her husband wanted something less severe right next to their building and thought the new building should be smaller and less daunting. She said they had thought that a fourth floor would be done on a smaller scale.

No one else was present to speak, and Chairman Lombardi closed the public comment.

### **DECISION OF THE COMMISSION**

*It was moved, seconded, and passed by unanimous vote (7-0) to **continue** the work session to the April 7, 2021 meeting.*

3. Work Session requested by **Michael Peter Lewis and Arna Dimambro Lewis, owners**, for property located at **41 Salter Street**, wherein permission is requested to allow new construction to an existing structure (construct new 2<sup>nd</sup> floor addition over the existing first floor foot print) as per plans on file in the Planning Department. Said property is shown on Assessor Map 102 as Lot 30 and lies within the Waterfront Business (WB) and Historic Districts.

### **WORK SESSION**

Architect Carla Goodnight was present on behalf of the applicant and reviewed the petition. Applicants Michael and Arna Lewis were also present.

City Council Representative Trace asked if the applicant had discussed with the abutter whether the raised roof height would detract from the abutter's water view or privacy. Ms. Goodnight said the owners purchased the property from the abutter. She said it was a petite structure and didn't have a lot of headroom or options. Mr. Lewis said the abutter was in support of the project. Ms. Goodnight said the abutter's third floor looked out over the applicant's house.

Ms. Doering said the addition should be subservient in size and scale and that she bemoaned the loss of the quirky back structure because quirkiness was part of the District's fabric and part of what made the area beloved, and the waterfront was losing some of the variety of architectural forms that it used to have. She asked if there were other forms the applicant could consider that weren't so traditional. Ms. Goodnight said they considered not having a dormered look but that

there wasn't much headroom at the top. Mr. Ryan said he was a big fan of 'quirky' but thought the existing quirky additions were bad for the beautiful little structure and that they wouldn't be allowed today. He said the house would get the same treatment that all the other houses in the area had received. He said the house presented itself very proud and that someone had no sense of what occurred behind it. He said it was a good addition. Ms. Ruedig agreed and said the historic façade would be preserved. Mr. Adams said there a water-facing side had the draw of the water, which created the same need over and over again. He said the addition was in keeping with what had happened along the waterfront. He said he saw no great excitement in the design but thought it was a decent thing that the building could be developed more by extending it. He said he missed the delineation of what used to be the back shed before the most current shed was put on, and he appreciated the continuation of the cornice line on the three-quarter roof. Vice-Chair Wyckoff agreed and said the addition was perfectly acceptable for the property's waterside, noting that the little house was very unusual and difficult to build upon. Mr. Sauk-Schubert said he agreed with Mr. Adams and Vice-Chair Wyckoff. Ms. Doering said the shed dormer was very close to the front, and she asked if there was a way to give relief to the back by stepping the dormer back a bit so that there would be more depth to the front façade. Chairman Lombardi said the design was appropriate, and he agreed with Mr. Adams' remarks.

There was no public comment.

## **DECISION**

*The applicant said they would **return** for a **public hearing** at the April 7, 2021 meeting.*

## **VII. ADJOURNMENT**

The meeting was adjourned at 10:18 p.m.

Respectfully submitted,

Joann Breault  
HDC Recording Secretary